



Pendle Education Trust

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| Policy/Procedure/Guideline: | Positive Handling Policy |
| Date of adoption / Local Academy Council approval: | March 2024 |
| Lead staff member: | Mr R Taj |
| Review date: | March 2025 |

Summary of values

Every child has the right to access a world-class education. We exist to empower, enable and inspire children to achieve their every potential through exceptional teaching, innovative approaches to learning, and a community-oriented approach to meeting learners' needs.

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Summary of Values

In our academy we are proud to encourage pupils to

- believe in themselves,
- respect others and work together to overcome challenges and gain excellence in everything,
- become safe, happy educated individuals.

1. Statement of Principles

At Casterton Primary Academy we believe that:-

- The curriculum should meet the needs of all pupils, regardless of ability, culture or background.
- Partnership with parents has a valuable role to play in addressing the education of all pupils, and particularly those with English as an Additional Language.
- Relevant resources should be used to complement the specific needs of individual pupils, engage them and encourage them to apply their learning.
- School plays a vital role in the development of a child's self-esteem.
- Pupils have an important role to play in decisions regarding their education.
- Pupils should be encouraged to recognise their own strengths.
- Pupils should be encouraged to appreciate their own uniqueness and the uniqueness of their peers.
- Pupils need regular encouragement and praise if they are to become confident, motivated and independent learners.

2. Rationale

This policy has been developed in response to the *Education and Inspections Act 2006 section 93* which reinforces, supersedes and replaces previous guidance. It also takes account of joint guidance issued by the Department for Education and Department of Health. It follows the guidance for *The Use of Reasonable Force to Control or Restrain Pupils*.

The document has been prepared for the guidance of all teaching, support staff and volunteers who come into contact with pupils, to explain our schools' arrangements for care and control. Its contents are for the sight of parents and pupils if required. The schools' behaviour policy is available at each school and on the school websites.

Positive Handling describes a broad spectrum of risk reduction strategies and is a holistic approach involving policy, guidance, management of the environment and deployment of staff. It involves personal behaviour, diversion, diffusion and de-escalation techniques. It includes the use of risk assessments which identify positive prevention strategies for managing challenging behaviour and how the pupils need to be supported in a crisis.

3. Policy Statement

It is recognised that the vast majority of pupils in our school respond positively to the Casterton SHINE values and our behaviour and conduct expectations. The well-being, welfare and safety of all pupils and staff at Casterton Primary Academy is of paramount importance.

It is acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

Casterton Primary Academy acknowledges that physical techniques are only part of a whole setting approach to behaviour management. Positive Handling will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk.

Casterton Primary Academy does not support the routine use of physical interventions.

All staff at Casterton understand that school cannot use force as a punishment; it is always unlawful to use force as a punishment.

Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves, others or property.

The scale and nature of any physical intervention must be **proportionate** to both the behaviour of the individual to be controlled, and the nature of the harm they might cause

Every effort will be made to ensure that all staff in this school:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- (ii) are provided with appropriate training to deal with these difficult situations.

NB: Teaching and non-teaching staff are 'in loco parentis' while pupils are at school or are participating in authorised out-of-school activities and they have a 'duty of care' towards pupils. They could be liable for a claim of negligence if they fail to follow the guidance in this policy.

5. Legislation and statutory requirements

The *Education and Inspections Act 2006* stipulates that reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:

- self-injuring,
- causing injury to others,
- committing a criminal offence,
- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom or elsewhere within school (this includes authorised out-of-school activities).

6. Definitions

Physical Contact

Physical contact is where there is appropriate physical contact between staff and pupils. It is considered that young children do require opportunities for physical contact as long as it is within public view, sensitively carried out and is age/person-appropriate. Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercise or techniques during PE lessons or sports coaching; and
- To give first aid.

Physical Intervention

Physical intervention involves guiding or leading a pupil by the arm or shoulder, where they are compliant. This may be used to divert them from a destructive or disruptive action. This technique is highly recommended. In the hands of a skilful practitioner many pupils can be deflected from a potentially volatile situation into a less confrontational one, i.e. it may be possible to defuse a situation by a timely intervention.

Physical Control/Restraint and Restrictive Physical Intervention (RPI)

This involves the use of reasonable force when there is an immediate risk to pupils, staff or property. The level of compliance from a pupil determines whether or not the interaction is just a physical intervention or a control/restraint/RPI. Restraint is defined by *ASPIRE - Positive Handling* as the positive application of force by staff in order to overcome rigorous resistance, completely directing, deciding and controlling a pupil's free movement.

All such incidents are to be recorded (see Section 11). If anyone is injured, an accident/incident report is to be completed. If at all possible, more than one member of staff should be present if physical restraint is necessitated. The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

Reasonable Force

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it in our schools:

- The Positive Handling technique includes the **minimum** degree of force necessary for the **shortest period of time** to prevent a pupil harming themselves, others or property.
- The scale and nature of any physical intervention is to be **proportionate** to both the behaviour of the pupil needing to be controlled and the nature and severity of the harm they might cause.
- A pupil may have an IEP and Risk Assessment, in which case staff are to follow the advice in them to manage an incident/challenging behaviour

- If this is unsuccessful and the situation continues to escalate, staff are then to employ other *ASPIRE - Positive Handling* techniques, but only if they have been trained to use them.

N.B. The use of *ASPIRE - Positive Handling* techniques is one of our 'Positive Handling' control methods for reducing risks presented by children's challenging behaviour. Staff who have not been trained in the use of *ASPIRE - Positive Handling* techniques should not implement these techniques.

- Only if all of the above has been tried and are unsuccessful, can staff consider any other form of restraint. The overriding consideration is still the reasonableness and proportionality of the force used.

The application of any form of physical control inevitably carries a risk of unintended harm and this places staff and a school at risk of potential litigation. Its use can only be justified according to the circumstances described in this policy. Staff are to seek alternative strategies wherever possible in order to avoid the need for physical intervention.

Staff are to:

- Assess risks (dynamic risk assessment) related to individuals and circumstances which may arise in the course of their routine duties;
- Make judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation;
- When any technique is used, take account of a pupil's: age, gender, level of physical, emotional and intellectual development, special needs and social context. These are to use a gradual and graded system of response.
- After the use of force, justify their decisions in writing using the recording and reporting procedures in place at the school.
- Where behavioural records and/or risk assessments identify a need for a planned approach, compile written plans (IEPs) for individual children. Where possible they are to be designed through multi-agency collaboration, with parental consent and shared with other agencies/services supporting the pupil, to facilitate consistency of approach as far as possible.

7. Minimising the Need to Use Force

- Staff are to constantly strive to create a calm environment that minimises the risk of incidents happening that might require the use of force. Pupils who present with specific challenging behaviour are to be assigned a support team who will work in partnership with the Special Educational Needs Coordinator (SENCO) and class teacher in supporting the IEP and associated behaviour targets.
- Pupils who have conditions that may result in increased anxiety levels and therefore an increase in likelihood of challenging behaviour are to have individualised support or programmes to help them to manage it.
- Pupils learn about feelings and managing conflict through the PSHE curriculum and where appropriate at their level of development. This ethos promotes independence, choice and inclusion and they are to be given maximum opportunity for personal growth and emotional wellbeing.
- All staff are to acquire the skills to help them to defuse situations before behaviour becomes challenging and they are to have a knowledge on how to de-escalate incidents should they arise.

- Reasonable force is only be used when the risks involved in doing so are outweighed by the risks involved in not using force.

Unsafe behaviour is to be avoided through:

- the deployment of appropriate numbers of staff,
- the deployment of appropriately trained and competent staff,
- avoiding situations that are known to provoke challenging behaviour,
- creating opportunities for choice and achievement,
- developing staff expertise through a programme of 'Continuous Professional Development',
- exploring pupils' preferences relating to the ways in which they are managed,
- employing 'defusing' techniques to avert escalation of behaviour into violence or aggression.

8. Injury

Whilst the physical techniques are intended to reduce risk, there is always risk of injury when two or more people engage to use force to protect, release or restrain. ASPIRE - Positive Handling techniques seek to avoid injury to the pupil but it is possible that bruising or scratching may occur accidentally. These are not necessarily to be seen as a failure of professional technique but a regrettable and infrequent side effect of ensuring that the pupil remains safe. Any injuries to pupils as a result of incidents involving restraint are to be reported to the Academy Principal or Assistant Principal, to the parent or carer, and recorded.

There is a whole-school list of staff who are first aid trained – any of these of these names may be called upon to implement first aid.

9. Roles and responsibilities

All staff are responsible for ensuring:

- that they clearly understand this policy (discuss it with other staff if necessary);
- that they recognise their responsibilities regarding their 'duty of care' which may involve using appropriate force when necessary;
- that they obtain appropriate training to deal with difficult situations. (The school will provide training)

10. Training and Authorised Staff

All teachers, staff and the Academy Principal are automatically authorised to have control or charge of pupils. They have the statutory power to use reasonable force within the context of the *Education and Inspections Act 2006* and the subsequent guidance, *Use of Reasonable Force to Control and Restrain Pupils*.

Section 550A of the Education Act 1996 permits adults who have lawful charge or control of children to use reasonable force to control or restrain them. These include:

- teachers
- family support workers
- teaching assistants
- SMSAs
- representatives from outside agencies
- other adults who may be working with children either on school premises or accompanying them on out of school activities, eg during field trips or on school journeys.

Wherever possible, Physical Restraint should only be used by those with appropriate training. However, it is acknowledged this may not always be possible and physical restraint may be used as an emergency measure by someone without appropriate training to ensure the safety of children in their care. Any Physical intervention should be conducted making reasonable adjustment for students with SEN or disabilities. In this instance, someone with appropriate training should be called for immediately.

Training

It is the responsibility of a school to ensure that *ASPIRE - Positive Handling* training in the use of positive handling is available to its staff and that it is kept up to date. Training is to be provided as part of on-going staff development. The schools are to provide training on a rolling programme and the Academy Principal will retain a list of all those staff trained (see Appendix 1). The list is reviewed on an annual basis.

N.B. Staff should not use ASPIRE - Positive Handling techniques without appropriate training. However, they are expected to support with 'de-escalation' procedures.

The training arrangements and limitations of untrained staff are to be made clear as part of the induction process.

Staff Support after Incidents. Members of staff or pupils involved in or witnessing a serious incident involving the use of physical hold, may require support following the incident. The Academy Principal or Assistant Principal is to arrange for this to be made available where it is deemed necessary. Involved staff are to ensure that they are fully recovered from an incident before resuming their duties and they are encouraged to seek support.

11. Monitoring and Recording Arrangements

Recording

School keeps a record of all incidents where physical intervention involving the use of force against resistance from a child has been necessary (see Appendix 3). The record should be completed by the end of the working day on which the incident took place. A member of the Leadership Team will be told at the earliest possible time after an incident. Parents will be informed of the incident on the same day. The adult involved may seek guidance from a senior colleague and/or their trade union representative before filling in their report.

A member of the Leadership Team will discuss the incident with any children or staff who were present using the Triangulation Sheets and, where appropriate, collect a written account from them. In line with our commitment to working with parents, we aim to maintain an open discussion during any relevant procedure which may follow an incident.

School will regularly review the number and type of incidents in which physical intervention and/or restraint has been necessary. This will be used to ensure that there is adherence to this policy and to identify improvement needed in other policies and procedures of the school.

Monitoring

The Principal will monitor records of any incidents in order to:

- Identify any patterns of behaviour resulting in the use of physical intervention.
- Review the levels of staff awareness of and compliance with the school policy.

- Inform staff training needs.
- Explore the relationship between the use of physical intervention and behaviour in school.

Risk Assessment

When it is likely that a child's behaviour may necessitate the use of physical intervention and/or restraint as one of the reactive strategies, a risk assessment must be carried out using the format in Appendix 4.

Positive Handling Plan

When the Individual Education Plan and risk assessment indicate the likely need for school staff to hold or restrain a child to prevent an injury, the school should record this in a Positive Handling Plan. The information in the risk assessments will help to inform this plan which will outline:

- Who has been consulted about the plan.
- The type of physical intervention to be used.
- Which adults are authorised to use this intervention.
- Parental consent for the plan.
- Head teacher authorisation for the plan.

The recommended format for a Positive Handling Plan is included in Appendix 5.

CPOMs

Copies of all written records relating to physical intervention are stored using the electronic safeguarding system 'CPOMS'.

12. Out of School Visits

Our equal opportunities policy states that all pupils should be included in all curriculum activities. However, health and safety remains the priority and staff are required to carry out risk assessments for pupils that may be a possible danger, prior to each visit into the community. Due consideration is to be given to the following:

- Is the pupil able to cope with the demands of the proposed visit?
- Are there sufficient suitably trained staff accompanying the visit, particularly if there could be an incident?
- How will the school be contacted to get extra help if necessary?
- How will the involved pupils and supporting staff and get back?

13. Links with other policies

This policy links with the following related documents:

- Behaviour Policy
- Child Protection Policy
- Anti-Bullying Policy
- Health and Safety Policy
- Special Educational Needs Policy
- Online-safety policy

- Safeguarding and Child Protection Policy
- Attendance policy

14. Preventing Extremism

We understand that a clear and positive behaviour management system is fundamental in building a school environment which challenges extremism in any form, and our approach to behaviour promotes fairness and equality for all, taking into account pupil voice and encouraging participation in all aspects of the school community.

15. Intervention, including children with SEND and those who are AG&T

At Casterton Primary Academy, we strive to meet the needs of all children, ensure that they meet their full potential and remain challenged academically. The provision for children with Special Educational Needs and Disability and those who have been identified as Able, Gifted & Talented is set out in the relevant policies.

All staff are responsible for making appropriate adjustments to their behaviour management strategies to take into account the needs of all individuals.

16. Wider Partnership and Links

We pride ourselves on the wider links we have with other services within our community. We recognise that these are established and maintained through effective, trusting and open relationships that are bound by confidentiality.

17. Equal Opportunities

All policies at Casterton Primary Academy aim to have due regard to the need to:

- * Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- * Advance equality of opportunity between people who share a protected characteristic and those who do not.
- * Foster good relations between people who share a protected characteristic and those who do not.

18. Sustainability

Sustainability can be defined as, "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs." Bruntland Report for the World Commission on Environment and Development (1992).

As members of the global community, the school community seeks to limit the impact that our activities have on the environment.

19. Health and Safety

Under the *Health and Safety at Work Act*, employees have a responsibility to report any circumstances which give rise to an increased risk to their health and safety.

Staff who have, or acquire, permanently or temporarily, any medical condition that may impact on their ability to carry out pupils' plans, have a duty to report these to the Academy Principal or deputy immediately, as there may be an impact on their own safety and that of colleagues and/or pupils. Through the provision of *ASPIRE - Positive Handling* training, the risk of harm towards staff is reduced but it is still possible for some injury to be received. All such occurrences are to be treated and subsequently recorded.

20. Safeguarding

All adults who come into contact with pupils and young people in their work have a duty of care to safeguard and promote their welfare. For specific details of policies and procedures, please refer to the school's policy.

21. GDPR

Our Trust and schools aims to ensure that all personal data collected about staff, pupils, parents, trustees, governors, visitors and other individuals is collected, stored and processed in accordance with the General Data Protection Regulation (GDPR) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the Data Protection Bill. 1.2 Our GDPR policy applies to all personal data, regardless of whether it is in paper or electronic form.

Sharing of information

All members of the school community should know of the existence of this policy. In principle, as few people as possible should know of any specific incident and staff should maintain confidentiality to the greatest possible extent. This is to enable governors and staff involved in any consequence or complaint to do so without having acquired hearsay knowledge.

22. Complaints procedure

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them. Complaints following a dispute about the use of physical intervention by an adult should be pursued in accordance with the Complaints Policy.

Appendix 1

Staff at Casterton Primary Academy trained in the POSITIVE HANDLING intervention techniques are:

Mr P Whaling (Principal)

Mr R Taj (Deputy Principal)

Mr M Dutton (Sports Coach/HLTA)

Miss Georgia Deaton (TA)

Training valid from Nov 23 – Nov 25

At Casterton Primary Academy, we believe that physical intervention and/or restraint should be the last resort. In the majority of cases de-escalation and diffusion are the appropriate methods of dealing with situations that might result in a threat to the health and safety of any individuals.

On extremely rare occasions it may be appropriate for staff to intervene physically with or between pupils. These include:

- Injury, or risk of injury, to another pupil
- Injury, or risk of injury, to a member of staff
- Serious damage to property

Any intervention should be a last resort and be **proportionate, reasonable and appropriate**, and be done with the aim to **reduce** not **provoke**.

All staff owe a **duty of care** to pupils. To take no action, where the outcome is that a pupil injures him/herself, or another, including staff, could be seen as negligence.

Members of staff facing confrontational situations with pupils are reminded that the following behaviours can either reduce or inflame incidents, and that a brief moment of risk assessment may allow the time to decide on the appropriate action necessary.

Staff are strongly advised not to physically stop pupils from leaving their room. They should give a clear choice and spell out consequences, but unless there is a risk of injury should never block a pupil's exit.

Remaining calm – the ability to try and remain calm and appear relaxed is less likely to provoke. A relaxed posture and a non-threatening (CALM) stance, i.e. not toe-to-toe, are recommended.

Awareness of Space – try to be aware of the space around you and avoid stepping into another individual's personal/intimate space. Try to take a step back outside the circle of danger.

Pacing and Chasing – angry people often pace around in tense situations and staff should try to avoid the temptation to follow as they attempt to help them calm down. This can be counter-productive as it may trigger an animal chase response and drive the other person away. Where possible it is preferable for the staff member to stand still, speaking calmly, clearly and confidently – or even sit down.

Intonation - when people are anxious or angry they tend to talk faster, higher and more loudly. In a potential crisis situation staff need to deliberately speak slower, lower and more quietly

Help Script

- Connect by using pupil's name
- Recognise the feelings
- Tell the pupil you're there to help
- You talk and I will listen
- Give direction

Diffusing body language responses

- Social distance

- Sideways stance, step back
- Intermittent eye contact
- Relaxed body posture
- Palms open

Calm Stance

Think of the values of stepping back from a situation, both physically and emotionally:

- Allows a more considered response
- Time to make a 'dynamic' risk assessment and seek assistance
- Allows other person 'take up' time to make their own choices

Application of Force (DfES advice to schools 10/98)

Staff should NOT act in a way that might reasonably be expected to cause injury. This includes:

- Slapping, punching, kicking or tripping a pupil
- Twisting or forcing limbs against joints
- Indecently touching, holding or pulling a pupil by the hair or ear
- Other than in circumstances that are exceptional, using reasonable force to hold a pupil face down on the ground

In the event of a serious incident e.g. a fight, staff should:

- Make their presence felt – “stop fighting, stop fighting”
- Send for assistance
- Spell out sanctions
- Remove the 'fuel' by clearing the 'audience' away
- Be a witness
- Intervene physically if confident and having assessed the degree of risk

But should not ignore or walk away.

| | |
|-----------------------|--|
| Other (Please detail) | |
|-----------------------|--|

| | | |
|---|-------------------|---------------|
| ✓ Physical interventions used & duration of restraint: | | |
| Help hug | Sitting wrap | Other: |
| Cradle hug | One person escort | |
| Wrap | Two person escort | |
| Why was this action in the best interest of the child? | | |
| Detail any medical intervention that may have been actioned as a result of the incident: | | |
| Injury to child: | | Action taken: |
| Injury to staff: | | Action taken: |
| Injury to others: | | Action taken: |
| ✓ Action following the event: | | |
| Designated Person for Safeguarding has checked this record: | | |
| Parent/carers informed: | | |
| Risk assessment to be carried out/reviewed: | | |
| Positive Handling Plan to be completed/reviewed: | | |
| Procedural change: | | |
| Child support: | | |
| Staff support: | | |
| Completed by: | | Role: |

| | |
|--------------------------------------|----------------|
| Risk Assessment Completed by: | |
| Name of Child: | |
| Child's Date of Birth: | Class: |
| Ethnicity: | Gender: |

| Identification of Risk | | |
|---|-----------|-----------|
| Describe the foreseeable risks: | | |
| Is the risk: | potential | occurring |
| Assessment of risk | | |
| In which situations does the risk usually occur? | | |
| How likely is it that the risk will occur? (unlikely, possible, probable, likely) | | |
| If the risk arises, who is likely to be injured or hurt? | | |
| What kinds of injuries or harm are likely to occur? | | |
| How serious are the adverse outcomes? (severe, substantial, minor, minimal) | | |

| Risk Reduction Options | |
|--|-----------------|
| <p>What actions are being taken to minimise the level of risk? (Consider changes to environment, awareness of triggers, de-escalation strategies, varying staff deployment, varying teaching group/size, access to quiet area)</p> | |
| <p>Any immediate actions to be taken, by whom and by when?</p> | |
| Signed: | Role: |
| Date: | Copy to: |

| | | |
|---------------------|-----------------------|---|
| Insert picture here | Name of child: | Date of Birth: |
| | Triggers | Medical Information: (that need taking into account before physically intervening) |

| Stage of Crisis: | Topography of behaviour (Describe what the behaviour looks/sounds like) | Preferred supportive/intervention (Describe strategies that should be attempted at each stage, including critical friends) |
|---|--|---|
| (Describe common behaviours/situations which are known to have led to positive handling being required) | | |
| Anxiety | | |
| Defensive/Escalation | | |
| Crisis | | |
| Recovery | | |
| Depression | | |
| Follow Up | | |

Additional information/Preferred handling: (Describe preferred holds, standing, sitting stating numbers and names of preferred staff and useful ‘get outs’ that can be used when holding)

| | |
|---------------------------------|------------------------------------|
| Plan agreed by | |
| Name (child)_____ | Signed _____ If appropriate |
| Name (parent/carer)_____ | Signed _____ |
| Name (Casterton) _____ | Signed _____ |



Pendle Education Trust

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