



Use of Reasonable Force Policy

This policy is based on the Department for Education document 'Use of Reasonable Force: Advice for Head Teachers, Staff and Governing Bodies' 2013. Contents comply with legislation as follows: Education Act 1996; Education and Inspections Act 2006.

Reasonable Force

1. The term 'reasonable force' covers the broad range of actions that involve a degree of physical contact with pupils.
2. Force can be used to control or restrain a pupil. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a child needs to be restrained to prevent violence or injury.
3. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
4. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention. Restraint may be used to prevent violence or injury.
5. 'Reasonable in the circumstances' means using no more force than is needed.
6. School staff will always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

1. All members of school staff have a legal power to use reasonable force.
2. This power applies to any member of staff at the school. It can also apply to people whom the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

When can reasonable force be used?

1. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property or from causing disorder.
2. In a school, force is used for two main purposes – to control pupils or to restrain them.
3. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.
4. The following list is not exhaustive but provides some examples of situations where reasonable force can be used.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;

- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

The Schools acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs and disabilities (SEND).

Power to search pupils without consent

1) In addition to the general power to use reasonable force described above, head teachers and authorised staff (teachers, teaching assistants, learning mentors) can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Parents/Carers and the use of force

- Schools do not require parental consent to use force on a pupil.
- The Head of School will be informed of serious incidents as soon after the incident as possible.
- Serious incidents involving the use of force will be recorded on a ‘Use of Force’ form and parents/carers will be informed.

In deciding what is a serious incident, teachers will use their professional judgement and consider the:

- pupil’s behaviour and level of risk presented at the time of the incident;
- degree of force used;
- effect on the pupil or member of staff; and
- the child’s age.

Where staff are unsure as to whether an incident should be deemed as ‘serious’, advice will be taken from the Head of School or other member of the senior leadership team.

Complaints

- All complaints about the use of force will be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- In dealing with complaints against staff, the head of school and governors will take note of the advice contained in the Department for Education documents:
 - Use of Reasonable Force: Advice for Head Teachers, Staff and Governing Bodies' (2013).
 - Working Together to Safeguard Children (2010) – Appendix 5.
 - Dealing with allegations of abuse against teachers and other staff – Guidance for Local Authorities, Head Teachers, School Staff, Governing Bodies and Proprietors of Independent Schools.

USE OF FORCE NOTIFICATION FORM

Name of person making the notification:

Role of person making the notification:

Date of incident:

Pupil(s) concerned (name, d.o.b., year group):

Details of incident:

(Continue over if necessary)

Views of child (after incident has occurred) – an adult can scribe for the child:

Signed (person reporting incident): _____

Date: _____

Parents informed: _____

Signed (SLT): _____

SLT actions required:

Completed forms should be passed to the Head of School as soon after the incident as possible.