

## **THE USE OF FORCE TO CONTROL OR RESTRAIN STUDENTS**

### **Rationale**

This policy has been revised in the light of new guidance issued by the Department for Education 'Use of Reasonable Force - Advice for Principals, staff and governing bodies' July 2013.

### **Policy**

This policy is intended to clarify the powers of staff, including CSAs, lunch time supervisors and learning support staff, who have lawful control or charge of students, to use reasonable force to prevent students committing a crime, causing injury or damage or causing disruption.

### **Key Points**

- School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Suspension should not be an automatic response when a member of staff has been accused of using excessive force.
- Senior school leaders should support their staff when they use this power.

### **Guidelines**

#### **I What is reasonable force?**

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.
- Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
- Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
- Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.
- School staff should 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 student.

## 2 **Who can use reasonable force?**

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

## 3 **When can reasonable force be used?**

- Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control students or to restrain them.
- 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.
- The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot 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 student behaving in a way that disrupts a school event or a school trip or visit;
- prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a student from attacking a member of staff or another student, or to stop a fight; and restrain a student at risk of harming themselves through physical outbursts.

### **Schools cannot:**

- use force as a punishment – it is always unlawful to use force as a punishment.

## 4 **Power to search students without consent**

In addition to the general power to use reasonable force described above, headteachers and authorised staff 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.

Force cannot be used to search for items banned under the school rules. Separate guidance is available on the power to search without consent

When using reasonable force on disabled children and children with special educational needs (SEN) reasonable adjustments must be made.

Schools do not require parental consent to use force on a student.

## 5 **Practical Considerations**

- Before intervening physically, a member of staff, should wherever possible tell the student who is misbehaving to stop, and what will happen if he or she does not.
- The member of staff should continue to attempt to communicate with the student throughout the incident, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.
- A calm approach to the situation is needed and staff should not give the impression that they have lost their temper, or are acting out of anger or frustration, or to punish the student.
- Sometimes a member of staff should not intervene in an incident without help (unless it is an emergency). For example, when dealing with an older student, or a physically large student, or more than one student or if the member of staff believes he or she may be at risk of injury. In such a situation the member of staff should remove the students who might be at risk, summon assistance from a colleague or where necessary telephone the police.
- The member of staff should inform the student(s) that he or she has sent for help. Until assistance arrives the member of staff should continue to attempt to defuse the situation orally, and try to prevent the situation escalating.

## 6 **Recording Incidents**

All major incidents should be recorded in the Incident Book maintained by the Head Teacher.

The member of staff should prepare for the Principal, a written report of the incident as soon as possible.

The report should include:

- the name(s) of the student(s) involved;
- when and where the incident took place;

- the names of any other staff or students who witnessed the incident; the reason that force was necessary (eg to prevent injury to the student, students or member of staff);
- how the incident began and progressed, including details of the student's behaviour, what was said by each person, the steps taken to defuse the situation, the degree of force used, how it was applied and for how long;
- the student's response, and the outcome of the incident;
- details of any injury suffered by the student, another student, or a member of staff and of any damage to property

Staff might find it helpful to seek advice from a senior member of staff or a representative of their professional association when preparing a report. They should also keep a copy of the report.

Parents should be informed of any incident involving their son or daughter by the Principal or another member of the Senior Leadership Group.

## **7 Complaints**

Where there are complaints from parents reference should be made to guidance 'Dealing with Allegations of Abuse Against Staff'.

## **8 Physical Contact with Students in other Circumstances**

Some physical contact may be necessary to demonstrate exercises or techniques during PE, sports coaching, or design technology, or if a member of staff has to give first aid. Students with special educational needs may need staff to provide physical prompts or help. Touching may also be appropriate where a student is in distress and needs comforting.

Staff should use their own professional judgement when they feel a student needs support.

There may be some students who find touching particularly unwelcoming eg because of their cultural background or because they have been abused. Staff should bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued.

## **Monitoring Evaluation and Review**

The use of force to control or restrain students will be monitored and evaluated by the Principal.

The policy will be reviewed triennially by SLT.

The Principal will report any incidents to the governors.

### **Dissemination of the Policy**

This policy is available on the school website, on request to parents, the LA and OFSTED through the Principal.

### **Other policies that have relevance are:**

Safeguarding Children  
Safeguarding and Allegations of Abuse against Staff  
Health and Safety  
School Behaviour  
Special Educational Needs

Date approved by governors	Feb 2017
Date to be reviewed	Feb 2020