

ALDER COPPICE PRIMARY SCHOOL



Achievement through Commitment

Use of Reasonable Force Policy

Policy for the Attention of			
<i>Audience</i>	<i>Key Audience</i>	<i>Optional Audience</i>	<i>Additional/Notes</i>
Senior Leadership Team	✓		
Teachers	✓		
Teaching Assistants	✓		
Administrative Staff	✓		
Curriculum Support	✓		
Lunchtime Supervisors	✓		
Site Manager	✓		
Cleaners	✓		
Governors	✓		
Parents	✓		
Website	✓		
Local Authority		✓	

Policy Reviewed – Autumn 2023 ~ Review Date – Autumn 2026

What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions that may be used by teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. 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 pupil needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and to restrain them. 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.
5. 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.
6. 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 pupil.

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 pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit.

When can reasonable force be used?

Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

In a school, force is used for two main purposes – to control pupils 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 pupil behaving in a way that disrupts a school event or a school 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.

Schools cannot:

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

Power to search pupils 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” e.g.

- 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.

Consideration when using reasonable force

All efforts will be made to resolve any potential conflict without the use of reasonable force. However, in line with this Policy the School may consider the use of force or restraint where appropriate.

For example, staff may physically separate pupils found fighting or that if a pupil refuses to leave a room when instructed to do so, they may be physically removed.

We will take into consideration any relevant behavioural, pastoral, medical, special educational needs and disability information relating to an individual when considering the use of reasonable force. Although there may be some circumstances when reasonable force might be a part of a strategy to deal with an incident of very challenging behaviour the School would usually expect to have an individual plan in place to support any children whose behaviour is known to be of a high-level concern, so that when challenging behaviour occurs there are a range of options available which minimise the likelihood for the need to use physical restraint.

Keeping Children Safe in Education - When applying disciplinary measures such as restraint or isolation in response to incidents involving children with SEN and disabilities, schools and colleges should consider the risks carefully, given the additional vulnerability of the group. To safeguard a pupil or student and others, it may be necessary to use restraint and yet restraint is likely to impact on the well-being of the child. By planning positive and proactive behaviour support, schools and colleges can reduce the occurrence of risky behaviour and the need to use restraint.

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

Pupil Contact

Schools should not have a 'no contact' Policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil or prevent them taking action needed to prevent a pupil causing harm.

It is not illegal to touch a pupil.

There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary. 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 walking 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 exercises or techniques during PE lessons or sports coaching; and
- To give first aid.

Frequently Asked Questions

Q: I'm worried that if I use force a pupil or parent could make a complaint against me. Am I protected?

A: Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations.

Q: How do I know whether using a physical intervention is 'reasonable'?

A: The decision on whether to physically intervene is down to the professional judgement of the member of staff concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result.

Q: What about school visits?

A: The power may be used where the member of staff is lawfully in charge of the pupils.

Notification to Parents - Telling parents when force has been used on their child

It is good practice for schools to speak to parents about serious incidents involving the use of force. It is up to schools to decide whether it is appropriate to report the use of force to parents.

In deciding what is a serious incident, staff should 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

It is expected that at our school when reasonable force has been used this will be discussed with the parent/s of the child concerned by the class teacher and/or Designated Safeguarding Lead/s.

Record Keeping – Incidents will be recorded in a Bound and Numbered Book kept by the Designated Safeguarding Lead.

Entries should include:

- ❖ Names of the staff and pupils involved, and any witnesses
- ❖ Time, date and place where the incident happened
- ❖ Details of the pupil's behaviour and the level of risk presented at the time
- ❖ The reason that the use of force was necessary
- ❖ Details of the physical intervention: type, degree of force used, and duration
- ❖ Injuries, damage and/or distress sustained (if any), and any action taken as a result
- ❖ A representation of the sequence of events on a plan or diagram, if necessary
- ❖ Time and date parents were informed (where the school has decided this is appropriate)
- ❖ Details of any follow-up meetings with the child, their parents or external agencies
- ❖ The entry should also be signed and dated by the member of staff and the Headteacher/DSL.

Complaints

All complaints about the use of force will be thoroughly, speedily and appropriately investigated. In the first instance these will be referred to the Designated Safeguarding Leads, who will review the procedures and actions taken.

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.

The DfE guidance clearly states that when a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.

Staff Training

The School has clear Safeguarding procedures about what is appropriate and not appropriate in terms of working with children.

Staff have Safeguarding Guidance Folders with the latest national guidance and school policy. Level 1 Safeguarding training is updated annually each September and this is added to throughout the year with Staff CPD Meeting time, weekly newsletter questions and/or other reading items.

We have two members of staff currently trained in this area:

Miss Louise Price – MAPA (Management of Actual or Potential Aggression)

Mrs Amanda James – Positive Handling