Use of Reasonable Force Policy

Version Control

Version	Date	Author	Changes made:
0.1	01.09.22	Lauren Hirst	
0.2	24.01.23	Lauren Hirst	Added version control

Rational

Having a robust, well-implemented and maintained policy and procedures regarding the use of reasonable force is an integral aspect to ensuring the safety of our pupils, staff and visitors.

What is the Policy for?

The health, safety and well-being of all pupils is of paramount importance to all who work within them.

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.

This policy has been compiled in response to the following legislation:

- Education and Inspections Act 2006 – Section 93
- Use of Reasonable Force – DfE Non-statutory Guidance July 2013
- DfE Behaviour and discipline in schools January 2016
- DfE Keeping Children Safe in Education September 2022
- DfE Searching, screening and confiscation January 2018

This policy should be read in conjunction with:

- Safeguarding Policy
- Behaviour Management Policy
- Single Equalities Policy
- Health and Safety policy

Who is the Policy for?

The policy applies to all staff employed by St. Bede Academy and any workers/consultants providing a service.

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 pupils.

Force is usually used wither 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.

‘Reasonable in the circumstances’ means using no more force than is needed.

Reasonable force can take several form:

- Physically interposing between pupils
- Blocking a pupil’s path
- Holding
- Leading a pupil by the arm

- Shepherding a pupil away by placing a hand in the centre of the back
- In more extreme circumstances, using restrictive holds

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 head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents/carers accompanying pupils on a school organised visit.

All staff have a duty of care to take the action needed to keep pupils, staff and visitors safe.

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 appropriately.

If the situation cannot be dealt with by staff, the police should be contacted.

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 all cases, the minimum amount of force required should be used.

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.

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;
- 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, members of SLT 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 that are not also included above.

Pupils with Special Educational Needs and Disabilities

Staff must always be aware of the reasonable adjustments that need to be made for pupils with Special Educational Needs and/or needs related to other Disabilities. Where this is necessary, the SENDCO will support the staff to identify the adjustments required.

The SENDCO/ behaviour mentor will complete individual risk assessments and handling plans where it is known that reasonable force is more likely to be necessary to restrain an individual pupil where their need is associated with extreme behaviour, or their impairment making them less responsive to communication.

Parents and carers will be kept fully informed and included as part of the decision making process.

Recording, Reporting and Monitoring

After incidents in which physical intervention is used, staff should report and record the matter in accordance with school procedures (CPOMS).

All incidents requiring the use of physical intervention should be thoroughly and systematically documented within school records (CPOMS).

Use of physical intervention in school should be monitored in order to help staff learn from experience, promote the well- being of children and their care, and provide a basis for appropriate support.

Monitoring information should be reported on a regular basis to school governors.

Informing Parents/ Carers

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

Parents/ Carers will be informed on the same day of an incident.

Staff training

Schools need to take their own decisions about staff training. The headteacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the pupils when doing so.

Managing complaints

All complaints about the use of force should be thoroughly, promptly and appropriately investigated.

In the event of a complaint being received by a school in relation to use of force by staff, the matter will be dealt with in accordance with agreed procedures for handling allegations against members of staff.

Suspension must not be an automatic response when a member of staff has been accused of using excessive force.

Physical contact with pupils other than reasonable force

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;
- To give first aid