



Use of Reasonable Force

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Approved by the Governing Body	Autumn Term 2023
Date to Review	2024-2025

Use of Reasonable Force

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils.

Appropriate and acceptable personal and professional relationships between staff and pupils are vital to ensure good order and a positive climate at Broughton. The overwhelming majority of pupils in our school behave extremely well and abide by all aspects of the Behaviour for Learning policy. This ensures the wellbeing and safety of all pupils and staff. However, in very exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

This policy contains extensive extracts from the DfE's 'Use of reasonable force' advice issued July 2013 and the more recent guidance from Ofsted through the document 'Positive environments where children can flourish'.

As a result of these documents, staff working with children at Broughton will use their professional judgement in deciding how best to respond to a situation. Each circumstance can only be viewed on a case-by-case basis. Their professional judgement will be underpinned by a good understanding of how best to support children's individual needs.

Although there is no universally recognised accreditation system or government standards for models of restraint and/or physical intervention for children, we will always strive to use a positive approach to supporting behaviour. This approach will have the individual child at the heart of any assessment of need, analysis of behaviour and strategies that promote continuous development.

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.

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 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.
- 'Reasonable in the circumstances' means using no more force than is needed.
- 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.
- 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.
- 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 force².
- 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.

Section 93, Education and Inspections Act 2006

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 trip or visit;
- Prevent a pupil leaving the classroom if 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”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers/vapes
- 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 – see the 'Further sources of information' section for a link to this document.

Section 550ZB(5) of the Education Act 1996

Staff Training

All staff should read and be aware of this policy.

Informing Parents

Following any serious incident involving the use of force, parents must be informed by a Senior Leader as soon as possible.

Communicating the School's Approach to the Use of Force

Every parent has access to the School's behaviour policy which includes a reference to the power of staff to use reasonable force. In particular, the circumstances members of staff may be required to use reasonable force will be highlighted. These include separating pupils when found fighting or if a pupil refused to leave a room if instructed to do so.

Other Physical Contact with Pupils

- 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:
 - 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.

Recording Incidents of involving Use of Reasonable Force

In situations involving a member of staff using Reasonable Force, the attached recording form must be completed. This should be undertaken as soon as possible after the incident, normally before a member of staff leaves the premises for the day. This form needs to be signed by all involved and submitted to the Headteacher. Staff may find it helpful to seek advice from a senior colleague or representative of their professional association when compiling such a report. They should retain a copy of the report. Any member of staff who has been involved in an incident using reasonable force may have access to counselling and support. This will be made available through the Headteacher.

Complaints

The availability of a clear reasonable force policy and early involvement of parents should reduce the likelihood of complaints, but may not eliminate them. Any complaints will be dealt with under the complaints procedure.

Use of Reasonable Force Recording Form

Name of pupil on whom reasonable force was used by a member of staff:	Tutor Group:	Date of incident:	Time of incident:	Location of incident:
Report compiled by:	Names of staff involved directly:		Names of staff involved as witnesses:	
Names of other pupils involved directly: (please include any details of SEN, disability)		Names of other pupils involved as witnesses: (please include any details of SEN, disability)		
Description of incident:				

THIS REPORT MUST BE GIVEN TO THE HEADTEACHER

1. De-escalation techniques used and details of any warnings given that force might be used:

2. Why was the decision made to use restraining?
Was it:

a) To prevent young person from committing a crime?	<input type="checkbox"/>
b) To prevent young person from causing injury to him/herself?	<input type="checkbox"/>
c) To prevent young person from causing injury to others?	<input type="checkbox"/>
d) To prevent young person from causing damage to property?	<input type="checkbox"/>
e) To prevent young person from causing serious disruption?	<input type="checkbox"/>
f) To prevent young person from running away?	<input type="checkbox"/>
g) Other? (Please specify).	<input type="checkbox"/>

3. Description of physical restraint holds used:
(please include the approximate time span of any holds)

4. Why was the restraint ended?

5. Did the young person suffer any injuries as a result of this incident?
Injury location and description, including any first aid and/or medical attention required.

6. Did staff or others suffer any injuries as a result of this incident? Injury location and description, including any first aid and/or medical attention required.

POST INCIDENT INFORMATION

(To be completed after form has been submitted)

7. Was any post-incident support offered and given to the young person?

a) De-brief with TA/PL

☐

b) De-brief with member of Leadership Team

☐

c) Other (please specify)

☐

d) Offer declined by young person

☐

8. Was any post-incident support requested by and given to member of staff?

a) De-brief with colleague

☐

b) De-brief with member of Leadership Team

☐

c) Occupational Health Counselling

☐

d) Not requested

☐

9. Report read and discussed with young person

Yes ☐

No ☐

Young person agrees with content

Yes ☐

No ☐

If no, what is the young person's view? If yes, does the pupil have any comment?

10. Parent/carer informed of incident?

Yes ☐

No ☐

(It may be most appropriate for a member of the Leadership Team to make this phone call).

11. Please include here any views expressed by parents/carers:

12. Please note here details of any disciplinary action taken against the pupil(s):

13. Please include here details of any information about the incident shared with staff not involved in it and external agencies:

Signature of person reporting to parent/carer(s)

Signed _____

Print name _____

Date _____

Signature of person reporting to parent/carer(s)

Signed _____

Print name _____

Date _____

Signature of Headteacher

Signed _____

Print name _____

Date _____

Copies must be placed in Pupil File and given to Headteacher.