



Use of Reasonable Force Policy

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Background

Everyone has the right to defend himself or herself against attack. Any member of staff may In an emergency if a pupil is in immediate risk of injury or on the point of inflicting injury on someone else, staff have a right to intervene. Section 550A of the Education Act 1996 clarifies the powers of teachers and other staff who have lawful control or charge of pupils either on the premises or on approved extra-curricular activities, to use reasonable force to prevent pupils committing a crime, causing injury or damage to themselves, others or property, or to prevent behaviour prejudicial to the maintenance of good order and discipline.

Guidelines

1. The law clearly forbids a teacher to use any degree of physical contact that is deliberately intended to punish, or primarily cause pain, injury or humiliation.
2. The legal position: the touching, physical restraint, use of force against or constraint of a pupil is something to be approached with great caution.

Such acts may result in accusations of either criminal offence or result in civil action based on the following:

3. Restraint of a pupil is permitted when the pupil is:

- a) Committing any offence
- b) Causing personal injury to, or damage of any person
- c) Engaging in behaviour prejudicial to the maintenance of good order and discipline.

Examples quoted include where pupils are:

- fighting
- on the verge of committing deliberate damage or vandalism to property
- causing themselves or others to be at risk of injury by accident through rough play, or the misuse of dangerous materials or objects

4. The Education Act also quotes examples of pupils running in corridors or stairways in such a way as to endanger the safety of others. Other instances include examples where a pupil persistently refuses to obey an order to leave a classroom, or behaves in such a way as to seriously disrupt a lesson.

5. Restraint (or “the use of reasonable force”) may involve blocking the path of pupils, positioning oneself between pupils, touching, holding, pushing pulling or leading a pupil by the arm or shepherding a pupil away, by placing a hand in the centre of the back. This should only happen after a senior member of staff has been called or in the event of there not being a senior member of staff available.

6. Only in the most exceptional circumstances and where there is no alternative can a person justify the use of force upon a pupil that might reasonably be expected to cause injury.

7. Physical restraint must involve the minimum force necessary to prevent injury or remove the risk of harm and should be gradually relaxed as the pupil gains self-control. Physical restraint must not be used to gain compliance with staff instructions when there is no immediate risk to the pupil or to other individuals.

8. As a general principle, teachers should not make unnecessary physical contact with their pupils. However, there are occasions when physical contact is appropriate and/or necessary, e.g. on those occasions in the course of teaching when, for example, a pupil is being shown how to use a piece of apparatus or equipment or while demonstrating a move or exercise during PE or IT. The administration of First Aid will inevitably involve physical contact and First Aiders should ensure that others are present in circumstances when

physical contact could be misconstrued. Any comforting gestures must always be acceptable to the pupil concerned.

9. Staff are NOT expected to restrain a pupil if, by so doing, they consider they put themselves at unacceptable risk.

10. Any incident resulting in the restraint of a pupil must be written up as a report and a copy lodged with the Headteacher and in the pupils file. Such accounts may be made available to outsiders (parents, governors, consulting professionals). Parents must also be advised and given the opportunity to discuss the incident.

11. All staff will be issued with a copy of Advice for Staff on Physical Restraint.

Conclusion

To conclude, on reviewing this policy, it has been drawn up with reference to "*Use of reasonable force: Advice for headteachers, staff and governing bodies. July 2013*" It aims to clarify for staff, parents, pupils and governors the position over the use of force to control or restrain pupils and thereby reduce the chance of complaints.

Can you answer these questions?

- Do you know to whom you should turn within the school when you need support?
- Where should pupils be sent if it is absolutely necessary to remove them from the classroom?
- What does the school policy on discipline / behaviour say?
- When is standing a child outside a classroom an appropriate sanction?
- Are there flexible arrangements that enable teachers to ask other teachers to take pupils for short periods of time?
- Where is it appropriate, within directed time, to share views and information about pupils with particular problems?
- What are the arrangements for withdrawing pupils from class?
- What is the school's policy on pupil exclusion?
- What are the arrangements for recording and reporting incidents?

- Are there any special arrangements that you need to inform the Senior Leaders about and which affect disciplinary measures in your own particular area?

Further Web based information: Guidance on the use of reasonable force to be followed:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

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