



St. Nicholas C of E Primary School

Restraint and the use of Reasonable Force Policy

Our Vision Statement

“To maximise the learning potential of every pupil within the love of God.”

Date reviewed: July 2019

Reviewed by: C. Taylor

Approved by Headteacher: July 2019

Date of next review: Summer 2022

Rationale and General Principles

The DfE released non statutory advice to schools in July 2013 called “The Use of Reasonable Force – Advice for Headteachers, staff and governing bodies” and our policy is based on this advice.

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

Our aim

Our aim is to ensure that we maintain a safe and secure school environment for staff and pupils within the ethos of our Christian school.

Statement of Principles

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 student 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 force.
- This power applies to any member of staff at the school.

When do we use Reasonable Force?

- 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.

Reasonable force can be used 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; and
- restrain a pupil at risk of harming themselves through physical outbursts.
- If a child leaves the school premises they should not be chased but followed at a discrete distance so that we know where they are and contact should be made with another member of staff to request assistance in contact the Police.

It cannot be used as a form of punishment.

In addition the Headteacher and Deputy Headteacher have the authority to use force to conduct a search if they feel that a pupil is in possession of prohibited items.

These include:

- 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.

The use of Reasonable Force must take account of the legal duty of staff to make reasonable adjustments for disabled children and children with SEN.

However under duty of care, all staff are expected to intervene in a situation which could see children potentially put at risk, e.g. a fight.

Staff Training

The school makes a risk assessment on the need for training for staff. If the school is aware that there is a child who presents a challenge in terms of their physical behaviour and presents a danger to themselves and others, the school will seek to train all staff who come into immediate contact with this pupil.

Teaching staff had basic training on the safe handling of pupils and this is being renewed as and when it becomes necessary.

Reporting

All incidents of restraint or the use of reasonable force by staff **MUST** be recorded. Any incident must be logged on Arbor, the school's MIS system.

At St Nicholas we **always** report an incident of restraint to parents to ensure that parents are fully aware of what has been done and why it was necessary so that parents can support school in helping the pupil to change their behaviour.

Complaints

If parents feel that this policy has not been followed, they should refer to the school's Complaints Policy.

When a complaint is made the onus is on the person making the complaint to prove that their allegations are true. It is not for the member of staff to prove that they have acted reasonably.

The Headteacher / governing body will always consider whether the member of staff restraining has acted within the law when deciding on a course of action.

The school **will always** pastorally support staff if they indicate that they need this support.

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:

- 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.