



## **POLICY ON USE OF REASONABLE FORCE**

### **Introduction**

The Westleigh School believes that:-

- Each child has the right to be educated in a safe and secure environment
- Parents and carers are informed and reassured that their children are being educated in a safe, caring and respectful atmosphere
- All staff have the right to work in a safe and secure environment

The school seeks to create such a learning environment and to protect all people in its community from harm.

All SLT, SBPO, Heads of Year, Behaviour and Attendance Workers, Family, Family and Education Welfare Officer, SENCo and Assistant SENCo are authorised by the Headteacher to use reasonable force to prevent a student from:-

- Committing an offence or engaging in conduct that could be an offence
- Causing personal injury to or damage to the property of himself/herself or another person
- Causing disorder in school or when a student is in the charge of staff (eg on a school trip)

All staff (including those temporarily in charge of students) are authorised in an emergency to use reasonable force to prevent anyone causing personal injury to or damage to the property of himself/herself or another person.

The right to use such reasonable force applies only on school premises or on field trips or other out of school authorised activity, sporting event or educational visit or whilst students are within the local community before and after the school day.

### **Definition**

The use of force can be regarded as “reasonable” only if:-

- The circumstances of the particular incident warrant it
- The degree of force used is in proportion to the incident and is no more than is needed

Otherwise, any use of force is unlawful.

Force is used either to control or restrain and can range from leading a student by the arm through to more extreme circumstances such as breaking up a fight or restraining a student to prevent violence/injury.

Reasonable force should not be used automatically in situations nor as a form of discipline. Physical intervention to force compliance with staff instructions should never be used as a substitute for good behaviour management.

Reasonable force might involve staff:-

- Physically interposing between students
- Blocking a student's path
- Leading a student by the hand or arm
- Shepherding a student away by placing a hand in the centre of his/her back
- In extreme circumstances using a distraction techniques (e.g. patting/slapping a student on the back), holding, pushing or pulling a student (e.g. to separate students in a fight)

### **Preventative Strategies**

The school actively promotes positive behaviour management strategies and seeks to develop good relationships at all levels thus reducing the need for the use of physical intervention wherever possible.

All staff will seek to follow strategies likely to reduce the need for force in dealing with difficult students, based on the age of the student and context in which they are applied. They will endeavour at all times to:

1. Move calmly and confidently
2. Make clear, simple statements, telling the student to stop and the consequences of failing to do so
3. Intervene early. Communicate with student throughout the incident
4. Try to maintain eye contact
5. If necessary, summon another adult before the problem escalates
6. If necessary, remove the audience from the immediate location

Staff should never give the impression that they have lost their temper or are acting from anger or frustration.

When the school is aware that an individual student is likely to behave in a disruptive way that may require the use of reasonable force, the school will draw up an individual Risk Assessment, consult parents and plan proactive and reactive measures appropriately.

## **When reasonable force may be used**

Calm and measured responses will be considered before any force is applied in any situation. It is often inappropriate for a member of staff to intervene in an incident without help if he/she may be at risk of injury. In this event, he/she will remove other students who may be at risk and summon help from a colleague.

Reasonable force may be appropriate to restrain a student where action is necessary for self-defence; where there is an imminent risk of injury or damage to property or where a student is compromising good discipline.

Examples are:

- A student attacks a member of staff or a student
- Students are fighting and physical intervention is required to separate them
- A student is in danger of causing injury or damage by accident, rough play, misuse of dangerous materials/substances

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action consistent with the use of reasonable force, for example, to prevent a student running into the path of oncoming buses or throwing something which might hit someone.

The decision on whether or not to physically intervene is down to the judgement of the member of staff concerned and should always depend on individual circumstance.

*“School staff will always try to avoid acting in a way that might cause injury, but in extreme cases it may not be possible to avoid ...” (DfE Guidance July 2013).*

Staff should never act in a way that might reasonably be expected to cause injury, for example by:

- Holding a student around the neck or the collar likely to restrict breathing
- Hitting a student
- Throwing an object at a student
- Twisting or forcing limbs against a joint
- Holding or pulling a student by the hair or ear
- Holding a student face down on the ground

Staff should not intervene without help when dealing with an older student, a physically large student, more than one student or where there is serious risk of injury. Instead, they should remove other students who might be at risk, summon assistance from colleagues, inform students that this is being done and continue to defuse the situation orally.

Reasonable force should not be used to control a student in routine disciplinary situations for example:

- To block a student’s path to stop an angry student walking away from a member of staff if that student does not pose a threat to self or others
- To prevent a student exiting a room to avoid detention

In such cases the student can be dealt with at a later time using the school’s behaviour management systems.

In situations where students refuse to leave a classroom and are prejudicing good order and discipline, staff should send for assistance from senior staff. If necessary, reasonable force will be used to remove a disruptive student if they refuse to follow an instruction to do so by senior staff.

In keeping with the ethos of the school, reasonable force will only be applied as a last resort and in a way that preserves the dignity and respect of all concerned.

A short written record must be made of any occasion on which reasonable force is used to restrain a student and must be passed to SLT by the end of the day. The member of staff concerned must tell a member of SLT and provide a short factual account as soon as possible. Where available CCTV should be viewed before completing the report.

The written record must include:

- Name(s) of student(s) concerned and when/where incident occurred
- Names of witnesses
- Reason why force was necessary
- The degree of force used and for how long
- The students' response and outcome of the incident
- Details of any apparent injury to the student or damage to the property

A member of SLT will inform parents of the incident as soon as possible and offer them an opportunity to discuss it.

Any incident will be recorded and retained and reported up to the Chair of the Governing Body. Records will be kept until the date of the child's twenty-first birthday.

### **Managing an Incident**

Staff and students will be given any necessary emotional support or medical aid required. Members of staff trained in first aid will check for any injuries where appropriate.


Parents will be contacted as soon as possible after any incident and any complaints by parents dealt with in accordance with the school's Complaints Policy. Bearing in mind the following key points:-

- School staff have a legal power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Suspension will not be an automatic response when a member of staff has been accused of using excessive force.
- Senior school leaders will support their staff when they use this power.

A member of staff who is subjected to physical violence or assault will be supported in taking any necessary action against an assailant.

All staff will have regular awareness-raising sessions on the issues in this policy. This policy will be reviewed annually by SLT in the light of any additional requirements.

*This policy is one of the school's pastoral policies and should not be read in isolation from the whole school behaviour management policy.*

<b>Adopted by the Board of Governors and recorded in the Minutes of the meeting held on:</b>	J Holland Chair of Governors 06/11/2014
<b>Review Date</b>	September 2016
<b>Headteacher</b>	 C Bramwell Headteacher