

Prepared with reference to the DfE publication July 2013 "Use of reasonable force in schools"  
Keeping children safe in education sept 2018

### 1. The Law governing Use of Reasonable force & Physical Restraint

The Education and Inspections Act 2006 provides the legal basis for policies on use of reasonable force and physical restraint in schools.

Schools are advised that they should NOT have a "No touch" policy, because there are many occasions when to touch or physically handle a pupil is perfectly appropriate, and to not do so, could amount to a member of staff not fulfilling their duty of care to a pupil.

The first part of this policy addresses the issue of reasonable force and the final part concludes with highlighting examples of where physical handling or touching a pupil is appropriate. The examples do not provide a definitive list.

### 2. 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.

### 3. Who may use reasonable force?

(i) All members of school staff have a legal power to use reasonable force

(ii) This power applies to any member of staff at the school. It can also apply to people whom the school management team has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

#### **4. When can reasonable force be used?**

Reasonable force can be used

(The following list is not exhaustive but provides some examples of situations)

- 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.

#### **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.

**The school will never use force or negative physical contact as a form of punishment, this is unlawful**

#### **Power to search pupils without consent**

In addition to the general power to use reasonable force described above,

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
- 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.

#### **5. What staff will do if use of reasonable force becomes necessary**

In an emergency, where any delay could result in injury or significant damage to property, a member of staff encountering an incident may have no time to do anything other than take action to intervene. There may be no time to talk to pupils, reason with them or ask for help from other members of staff.

In the instance of needing to use reasonable force or physical restraint, examples of what a member of staff may do include the following:

- Physical contact with a young person designed to control the young person's movements, which pose a danger, e.g. holding by the arms against the side of the body or by physically placing themselves between two pupils and holding them apart.
- Standing by the side of the young person and holding their arms or legs to prevent or restrict injury through striking/kicking;
- Use of sufficient physical force to remove a weapon/dangerous object from a young person's grasp;
- Physically preventing a young person from leaving the premises (and exposing themselves to danger), which may require use of reasonable force to restrain or block their exit
- Removing a pupil from a situation or incident, by holding them by the long bones of the arms, ideally supported by a member of staff on either side

**Staff should avoid the following:**

- Lifting or carrying pupils
- Holding a pupil in a way which might restrict their airway
- Placing and restraining a pupil on the floor
- Face-to-face restraint or use of force should be avoided, as staff may themselves be injured

**When considering the use of physical intervention to control a child's behaviour the following questions should always be asked:**

- How is the intervention in the best interests of the child?
- Is the intervention proportionate to the circumstances it is intended to prevent?
- Is the intervention necessary in order to protect the best interests of the child?

**Staff should also ask:**

- Is a less intrusive intervention preferable?
- Do we have to act now?
- Am I the best person to be doing this?

In less urgent situations and if at all possible, before using reasonable force, the member of staff should advise the child calmly and repeatedly about what they are going to do and why.

They should also advise the child as to how he/she might change his/her behaviour, in order that the use of reasonable force would become unnecessary. In this instance, other staff, children or observers (e.g. on a school visit) should also be told that a member of staff may need to use reasonable force.

**Examples of scenarios where a verbal request may be possible prior to needing to use reasonable force include:**

- A pupil refusing to climb down from a piece of gym apparatus that they should not be on;
- A pupil breaking school rules by climbing over parts of the school building or infrastructure e.g. on gates, walls,
- A pupil who refuses to come in from outside play, if it would compromise their own health and safety or that of other pupils if they did not comply.
- A pupil/young child who blocks a doorway or refuses to enter or leave a classroom or corridor;

In situations where the behaviour of a pupil is not threatening health & safety, but is compromising good order and discipline, staff will as far as possible avoid using reasonable force and instead will diffuse situations by removing the rest of the children from the scene and allow the child concerned to calm down safely and by sending for an additional staff member to help supervise the situation.

Examples of the above may include the following:

- A pupil using foul language in the classroom and refusing to stop
- A pupil who repeatedly disrupts, destroys or interferes with the work or play of other pupils

Where the need to use reasonable force is not pressing and urgent, staff will always take into account the circumstances surrounding the behaviour of the child. For example, a young child refusing to enter a classroom or kindergarten room could be anxious, and use of reasonable force to make them enter could be inappropriate.

#### **6. After an incident where reasonable force has been used**

After an incident where reasonable force has been used, the school will make a written record of the incident, noting the details of the incident, the time and date, any actions taken and any witnesses. If possible, all staff and where appropriate, the children involved will undertake a de-briefing meeting with the class teacher and the education mandate holder.

If, after receiving the report of an incident where physical intervention has occurred, the school manager considers if the school's guidelines have been seriously breached and that further investigation is warranted, the incident should not be pursued, but action in accordance with Child Protection procedures must be taken.

In these circumstances, any school internal investigations must cease and no further statements should be taken. If the school's guidelines have been breached, the Designated Child Protection officer (Fiona Stuart) will consult the Local Authority Designated Officer .

#### **7. Informing parents**

The class teacher or another teacher if appropriate will speak to the parents about incidents involving the use of force.

The parents will be provided with a copy of such an incident report and also asked to sign a copy, which will be kept on the child's file, in order to confirm that they have been informed of the incident.

Where possible, such an incident record will be provided to the parent on the same day; however, this is not always possible, if the incident happens at the end of the day, or if the relevant member of staff is teaching all day, it may simply not be practicable.

There may also be occasions where it is better for the member of staff to tell the parents over the phone later; for example, in the instance of inadequate privacy or sensitive surroundings (e.g. siblings or other parents present).

On occasion, it may not be necessary to make a written account; for example, a teacher who intervenes by stepping between 2 pupils who appear about to strike on another, but who has minimal physical contact with either pupil and from which the situation is quickly diffused.

Equally, if for example, a child refuses to come off play equipment to go inside (e.g. in kindergarten) and staff members are able to gently reinforce their request by physically helping the child down, this could be considered as appropriate physical handling rather than use of force (see physical handling section below).

#### **8. Other possible actions following an incident**

In the event of physical restraint being necessary on more than one occasion, it would be appropriate to include positive handling advice in the child's Individual Education Plan (IEP). It is also necessary to compile an individual risk assessment in discussion with all staff, parents and any relevant outside agencies.

In the case of a child with a statement of educational needs, there will be opportunities to address issues of challenging behaviour at annual review meetings and an interim review organised in exceptional circumstances.

Looked-After Children will have a Personal Education Plan which features planning and strategies to address challenging behaviour, where appropriate.

## 9. Risk Assessments

The historical pattern of the frequency and severity of any incidents will help to inform decisions about requirement for staff training.

There is also a need for individual risk assessments where it is known that physical restraint is more likely to restrain a particular child. This may include children whose Special Education Needs (SEN) and/or disability is associated with extreme behaviour.

**An individual risk assessment is also essential for pupils whose SEN and/or disabilities are associated with:**

- Communication impairments that make them less responsive to verbal communication;
- Physical disabilities and/or sensory impairments
- Conditions that make them fragile, such as haemophilia, brittle bone syndrome or epilepsy; or
- Dependence on equipment such wheelchairs, breathing or feeding tubes.

## 9. Positive Physical Handling

As mentioned in the introduction, this school does not have a no-touch policy because there are times when staff could breach their duty of care towards the pupils if they were not prepared to physically handle pupils.

Examples of where touching or handling a pupil might be proper or necessary:

- Holding the hand of a child at the front/back of the line when going to assembly or when walking together around the school or kindergarten;
- Comforting a distressed pupil;
- Greeting, congratulating or praising a pupil;
- Guiding a pupil, for example in demonstrating how to use a musical instrument or in the use of a paintbrush or woodwork tool;
- Supporting a child in safely performing an exercise (e.g. forward rolls, handstands, vaults) in games;
- Tagging in chasing or territorial games where the teacher may be the chaser/tagger;
- Administering of first aid.
- A child distressed by the fire alarm, may need to be carried or supported out of the building

Some children, especially younger ones or those with Special Educational Needs may also need help with their personal care, for example:

- In changing clothes for games lessons;
- Changing wet or soiled clothing after outdoor play;
- Toileting support

The need for such support in school age pupils will generally, but not necessarily always, be identified in a child's Individual Educational Plan or Statement of Special Educational Need.

## 10. Positive physical Handling in Games

As stated in the examples above, games teachers may often have to help children with gymnastic activities in order to support them so that the children do not hurt themselves and to allow them to develop competence and skill. Where possible, the teacher will forewarn the child of how they will hold them. For example, if

attempting a handstand, the teacher may advise the pupil that “when you kick up your left leg, I will hold your leg so that you can experience an upright position and to stop you overbalancing”.

For activities such as a forward roll, the teacher may need to support the pupil with one hand on the head and one arm behind the knees as the pupil rolls over.

For a pupil attempting to vault or leap frog over an obstacle, the games teacher may need to grab a pupils arm to help hold them upright on landing; it may often not be possible in these situations to forewarn a pupil of how they will be helped, but the pupil needs to feel confident that the teacher will step in to help them when required.

In some activities, for example, pupils learning to do more complex movements such as a handspring or somersault, the teacher will have a plan to support the pupil in a particular way according to their training, for example by using a forearm under the back of a child as they emerge from a handspring, but in practice, the unexpected can happen. Pupils learning such movements can do unexpected things and the teacher will have to decide in the moment where best to place his or her hands or limbs in order to ensure the pupils safety.

At all times, teachers will be respectful of the child’s wishes; on occasion this may mean that a child will not be allowed to attempt a movement if they are not willing to accept help, if in the teacher’s judgment they could hurt themselves without that support.

#### **Issue date**

This policy takes effect from May 2013

#### **Review date**

This policy will be reviewed and revised by the school manager on an annual basis.

#### **Endorsement**

Full endorsement to this policy is given by:

Name: Mr Martin Taylor  
Position: Iona School Trustee  
Signed:   
Date: 07/09/2018

#### **Related policies**

- Pupil Code of Conduct and School Rules
- Behaviour Policy
- Kindergarten Behaviour policy
- Child protection policy