



# St Peter's Bratton Church of England Academy Reasonable Force Policy

Document Status			
Policy Creation	March 2022	<b>Named Responsibility</b>	Emma Oakley
Next review	March 2024	<b>Named Responsibility</b>	Emma Oakley

## Reasonable Force Policy

### Our school ethos and values

Enriching lives every day; enabling our school community to learn, achieve and flourish through living 'life in all its fullness.'

Excellence

Nurture

Respect

Integrity

Compassion

Hope

### Introduction and aims

St Peter's Bratton C of E Academy is committed to maintaining the safety of all our pupils and staff. Occasionally, a situation may occur where a decision is needed whether to use reasonable force or not. This policy aims to clarify school procedures about the use of reasonable force by staff and contributes towards minimising risk when choosing to do so. This policy has been created in conjunction with our behaviour policy which states.

#### *Power to use reasonable force*

*Members of staff can use reasonable force to prevent children committing an offence, injuring themselves or others, damaging property, and to maintain good order and discipline in school. In the event of requiring reasonable force, this would be used only as a last resort and to protect the child, other children, or staff from risk of harm and be proportionate to the at-risk behaviour/s.*

This policy has also been created in conjunction with the DFE guidelines set out in the Use of reasonable force advice 2013 which can be found here.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444051/Use of reasonable force advice Reviewed July 2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf)

This document enables school staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

- Committing any criminal offence
- Causing personal injury to, or damage to the property of, any person (including the student themselves)
- preventing the maintenance of good order and discipline at the school or among any students receiving education during any part of the school day

## **What is reasonable force?**

Reasonable force is used either to control or restrain.

**Control**- Can be 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.

**Reasonable force should always be proportionate to the incident.** 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?**

Any member of staff. This includes staff who the head teacher has temporarily put in charge of pupils including voluntary workers and parents helping with a school trip. In the event of an incident where more than one member of staff is present, the most senior staff member will lead on deciding if and when to use reasonable force.

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

- To prevent pupils from hurting themselves or others
- To prevent pupils from damaging property
- To prevent pupils from causing disorder

The choice to use reasonable force is down to the professional judgement of the staff member involved and should always be judged on an individual basis.

## **Why might reasonable force be used?**

- To remove disruptive children from the classroom where they have refused to follow an instruction to do so
- To prevent a pupil behaving in a way that disrupts the learning in school or whilst attending a school trip
- To prevent a pupil exiting the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- To prevent a pupil from attacking a member of staff or another pupil, or to stop a fight
- To 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.**

Our behaviour policy also states.

*Confiscation of inappropriate items A member of staff may confiscate inappropriate items from a pupil provided it is reasonable in the circumstances. In this event, the parent would*

*be informed and asked to collect the item from school, or have it handed to them when they collect the child at the end of the day. Prohibited items that would be confiscated include.*

- *Knives and weapons*
- *Tabacco/cigarettes*
- *Stolen items*

### **Can school use reasonable force when there is a requirement to search pupils without consent?**

The headteacher and SLT 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.**

### **How do we decide the level of reasonable force and how is this communicated?**

As previously stated, the level of reasonable force should always be proportionate to the incident. It is our legal duty to make reasonable adjustments for disabled children and children with special educational needs and disabilities (SEND). We do not require parental consent to use force on a pupil.

### **Do staff require reasonable force training?**

No. There is no legal requirement that staff receive training for reasonable force. However, staff, parents and carers are made aware of school procedures when there is a need for reasonable force. The requirement of use reasonable force in school is usually rare and always proportionate.

### **Are parents informed when reasonable force has been used on their child?**

Yes, it is good practice to inform parents that reasonable force has been used on their child. It is important to us that we work collaboratively with our families at St Peter’s and where possible, a discussion with a child who is having difficulties would be held where an understanding is established that certain incidents and behaviours may result in staff using

reasonable force on their child for the purpose of keeping them and staff safe from risk of some form of harm. It is also important that where appropriate, a restorative conversation is held where any pupils or adults involved in the incident, are included.

### **What if the pupils complains about the reasonable force used on them?**

If a child complains about the reasonable force being used on them where appropriate the lead professional will give a warning that if the behaviour or incident does not stop, they will hold the pupil for theirs and/or others' safety.

The DFE advice (2013), also states.

- *Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.*
- *When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.*
- *Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see the ‘Further sources of information’ section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.*
- *Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate. • If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.*
- *Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.*
- *As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.*

### **What about other forms of physical contact in school?**

It is not illegal for a member of staff to touch a pupil. There are times throughout the day when physical contact between a staff member and pupil is deemed as appropriate and/or necessary. These include

- Holding the hand of the child
- 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
- To give first aid

**How is reasonable force recorded in school?**

Appendix A should be used to record details of any incidents requiring the use of reasonable force. This should be completed as soon as is practically possible after the incident and handed to the schools Assistant Principal.

**Appendix A**

**Use of force incident form**

Date and time force was used:
Name of staff member who used force:
Name of pupil on who reasonable force was used:
Circle any that apply to the pupil on who reasonable force was used SEND EAL CIC LAC Medical needs Other (state):
Location of incident:
Names of other staff involved in force or witnessed the incident.
Names of other pupils involved or who witnessed the incident.
Was the child warned force may be used if requests/instructions were not followed? (circle) Yes No
List any de-escalation techniques used.
Description of the key points of the incident (written by the adult who used reasonable force).
List any injuries to the pupil who force was applied.
First aid administered. (circle) Yes No
List any injuries to the adult who used force.
First aid administered. (circle) Yes No

Follow up actions.

Restorative conversation? Yes No

Consequence for behaviour:

Parents informed. Date: Time:

Circle- face to face Telephone email Other (state):

List any next steps/relevant comments linked to the incident.

Signature of adult who completed this and used force:

Signature of member of SLT informed about the incident: