



Sir Alexander Fleming Primary School and Nursery

Use of Reasonable Force Policy

Reviewed September 2021
Next Review September 2022

Introduction

At Sir Alexander Fleming Primary School and Nursery we strive to create an environment in which both young people and adults feel happy, safe, secure and valued. We aim to ensure a whole school approach to behaviour known and understood by all staff, children, parents and outside agencies. The use of force upon any pupil by a member of staff is a serious matter and should only be considered as a last resort. However, the law is clear, and the Governing Body has a responsibility to all concerned, to support any member of staff who as a last resort uses reasonable force in accordance with the law, and with this policy.

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that most pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

Every effort will be made to ensure that all staff in this school:

- clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary
- are provided with appropriate training to deal with these difficult situations.

This policy is drawn from advice contained in the 2013 Department for Education document - Use of Reasonable Force – Advice for Headteachers, Staff and Governing Bodies.

Aims of this Policy

- To provide clarification on the use of reasonable force in school;
- To enable staff to feel more informed and confident about the use of reasonable force when they believe it to be necessary;
- To make clear the responsibilities of Head teachers, Senior staff and Governing Bodies in respect of this power;

Underpinning Values

Everyone attending or working in this school has a right to:

- recognition of their unique identity.
- be treated with respect and dignity.
- learn and work in a safe environment.
- be protected from harm, violence, assault and acts of verbal abuse.

Pupils attending this school and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies.
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school.
- be informed about the school's complaints procedure.

The school will ensure that pupils understand the need for and respond to clearly defined limits which govern behaviour in the school.

Parents should have committed themselves through the Home/School Agreement to ensure the good behaviour of their child, and that they understand and follows the School's Behaviour Policy.

Key Points Regarding Reasonable Force

- School staff have a power to use reasonable 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?

1. 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.
2. 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.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. 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.
5. 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.
6. 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. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

When Can Reasonable Force be Used?

- 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.

Examples where Reasonable Force Might 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 a school event or a school trip or visit;
- to 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;
- to prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- 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.

Power to Search Pupils Without Consent

Please refer to the ‘Searching and Confiscation Guidelines’

- In addition to the general power to use reasonable force described above, headteachers and 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.

What About 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:

- 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.

Before using force, staff should - where practicable - tell the pupil to stop misbehaving. Care should be taken to avoid giving the impression that the member of staff is angry or frustrated, or are acting to punish the child. It should be made clear with calm language that as soon as the need for force ceases, it will stop.

Appropriate use of force will range from physical passive presence in between pupils, to blocking a pupil's path, ushering them by placing a hand in the centre of the back, leading them by the hand or arm, to in more extreme circumstances using appropriate restraining holds. Particular attention will be given to individuals' needs which arise from statements of SEN or disability. Whilst it is highly desirable that staff should avoid acting in any way which might reasonably be expected to cause an injury, in truly exceptional circumstances it is recognised that it may not always be possible to avoid. Any such injury caused will be properly investigated by the school and will require justification.

Training for Staff Physical restraint is an available option, only to be used when other means of dealing with the situation have failed. Staff will be made aware of this policy and have regular opportunities for consultation and training through base meetings so that the focus can be on individual scenarios and real situations.

Training on Child Protection, de-escalation, restorative practices and other behaviour training will ensure they are aware of their duties and the law and will support staff in making appropriate professional judgements about the use of reasonable force.

Recording Incidents

A record will be kept of each significant incident of the use of force to control and restrain and will be recorded on the form in Appendix 1. These can be found in HT office. The purpose of recording is to ensure that policy guidelines are followed, to inform parents/carers, to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future inquiry. Parents should be informed of any incident regarding the use of Reasonable Force/Restraint. Following any such incident a full risk assessment should be completed or any existing risk assessment should be reviewed, updated and shared as appropriate.

Complaints and Allegations

If a complaint is made against a member of staff about the use of force the school will follow the guidance set out in Section Eight of the Use of Reasonable Force: Advice for head teachers, staff and governing bodies DfE Ref: DFE-00341-2014. Please refer to the School 'Allegations Against Staff' Policy



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REPORT FOR RECORDING INCIDENTS WHERE STAFF RESTRAIN A CHILD

Child:

Date:

Time:

Location of incident:

Adults involved:

Witnesses to incident:

Events leading to incident	
(What was happening for the child before the incident, what seemed to trigger the behaviour, who else was involved or present.)	

Behaviour of children	
(What behaviour alerted you that the child was struggling to cope?)	

Adult response	
(What method or type of hold did you use and were there any complications that arose during the restraint?)	
If restraint was used, how long was it for?	

Reason for the restraint	
<p>(What was the specific risk to the welfare of the child or others?)</p> <p>Remember: Physical Intervention and Restraint must be 1) Necessary (or believed to be Necessary) to prevent harm and must be</p> <p>2) Proportionate to the degree of harm which may be caused if there was no intervention made.</p>	

Reason for the restraint	
(What was the specific risk to the welfare of the child or others?) Remember: Physical Intervention and Restraint must be 1) Necessary (or believed to be Necessary) to prevent harm and must be 2) Proportionate to the degree of harm which may be caused if there was no intervention made.	

Conclusion	
(How did the restraint come to an end, and what help and support did you offer to the child?)	

Staff signature:

Date:

Injuries

Was the child injured?	Yes	No	If 'Yes', what were the injuries?
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Was a member of staff injured?	Yes	No	If 'Yes', what were the injuries?
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Did someone get medical help?	Yes	No
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Was first aid given?	Yes	No
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Was an accident form filled in? **Yes** **No**

Were the police involved? **Yes** **No** **If 'Yes', please say why, who called and when, and the outcome of their involvement.**

Who was told about the restraint?

	Name of person told	Date	Time	Initials of Informing Staff
Appropriate manager	<hr/>	<hr/>	<hr/>	<hr/>
Relative	<hr/>	<hr/>	<hr/>	<hr/>
Social worker	<hr/>	<hr/>	<hr/>	<hr/>
Witness to the incident	<hr/>	<hr/>	<hr/>	<hr/>
Other	<hr/>	<hr/>	<hr/>	<hr/>