

ST GEORGE'S CHURCH OF ENGLAND FOUNDATION SCHOOL



USE OF REASONABLE FORCE POLICY

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Governors Monitoring Pair: Behaviour and Safety

SLT Responsible: Deputy Headteacher

ST GEORGE'S C OF E FOUNDATION SCHOOL

USE OF REASONABLE FORCE POLICY

At St George's C of E Foundation School it may at times be necessary to use reasonable force. Schools should **not** have a 'no contact' policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.

1. WHAT IS REASONABLE FORCE?

- 1.1 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.
- 1.2 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 pupil needs to be restrained to prevent violence or injury.
- 1.3 'Reasonable in the circumstances' means using no more force than is needed.
- 1.4 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.
- 1.5 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.
- 1.6 St George's C of E Foundation 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.

2. WHO CAN USE REASONABLE FORCE?

- All members of St George's C of E Foundation School staff have a legal power to use reasonable force to control pupils or to restrain them.
- 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 pupils on a school organised visit.

3. 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 St George's C of E Foundation 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.

4. ST GEORGE'S C OF E FOUNDATION SCHOOL 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; and
- restrain a pupil at risk of harming themselves through physical outbursts.

St George's C of E foundation School will never use force as a punishment as this is unlawful.

5. POWER TO SEARCH PUPILS WITHOUT CONSENT

In addition to the general power to use reasonable force described in this Policy, the Headteacher 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 **will not** be used to search for items banned under the school rules.

6. COMMUNICATING THE SCHOOL'S APPROACH TO THE USE OF FORCE

- Schools do not require parental consent to use force on a pupil.

7. NONE OF THE FOLLOWING SHOULD BE USED TO RESTRAIN:

- the 'double basket-hold' which involves holding a person's arms across their chest; and
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

8. TELLING PARENTS WHEN FORCE HAS BEEN USED ON THEIR CHILD

- St George's C of E Foundation School will speak to parents about serious incidents involving the use of force and such serious incidents will be recorded.
- In deciding what is a serious incident, the Headteacher will use their professional judgement and consider the:
- pupil's behaviour and level of risk presented at the time of the incident;
- degree of force used;
- effect on the pupil or member of staff; and
- the pupil's age.

9. WHAT HAPPENS IF A PUPIL COMPLAINS WHEN FORCE IS USED ON THEM?

- All complaints about the use of force will be thoroughly, speedily and appropriately investigated.
- 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 will not be an automatic response when a member of staff has been accused of using excessive force. St George's will refer to the "Managing Staff Disciplinary Matters (inc Managing Allegations Against Staff) Policy".
- St George's will 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, St George's will ensure that the teacher has access to a named contact who can provide support.

- St George's C of E Foundation School Governing bodies will 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.
- St George's C of E Foundation School has a duty of care towards their employees. It is important that the school provides appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

10. 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:
 - 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.

FREQUENTLY ASKED QUESTIONS

Q: I'm a female teacher with a Year 10 class - there's no way I'd want to restrain or try to control my pupils. Am I expected to do so?

A: There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other St George's C of E Foundation School staff have a duty of care towards their pupils.