Use of Reasonable Force Policy

This policy is prescribed by The Good Shepherd Trust and is non-statutory. All references to 'the trust', includes all trust schools and subsidiary organisations.

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1. Introduction

A vast majority of children will never experience any form of 'Reasonable Force' whist they are at St Paul's School. However, on occasion it will be necessary in supporting individual children to remain safe, to prevent injury, damage to property or disorder.

2. Legislation and guidance

This policy is based on the Department for Education's (DfE's) guidance, Use of reasonable force in schools, and its advice for schools on:

- Keeping children safe in education
- Searching, screening and confiscation
- School suspensions and permanent exclusions

It reflects existing legislation, including but not limited to the Education Act 1996 (as amended), the Education and Inspections Act 2006 and the Equality Act 2010. In addition, it reflects the Children's Act (2004).

This policy complies with our funding agreement and articles of association.

3. Definitions

- 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.

4. Use of reasonable force

4.1 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.

4.2 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.

4.3 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, for instance, the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

This list is not intended to be exhaustive.

The school do not require parental consent to use force on a student.

4.4 Schools cannot:

- use force as a punishment – it is always unlawful to use force as a punishment.

5. Powers to search pupils without consent

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, which are not outlined in the list above.

6. The school's approach to the use of force

Reasonable force is only used as a last resort and in order to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

Staff will attempt to de-escalate a situation using other behaviour management strategies first, wherever possible, as outlined in our behaviour policy which can be found on the school website.

The school takes its legal duty to make reasonable adjustments for children with special educational needs and disabilities (SEND) seriously. Where it has been identified that there is a possibility of reasonable force being needed in specific situations, this will be outlined in a pupil's SEND learning plan and reviewed regularly. Where reasonable force is used for the first time, as a result of a dynamic risk assessment, this will be considered in any future review of existing SEND learning plans or risk assessments.

7. Staff training

All members of school staff have a legal power to use reasonable force and there is no statutory requirement that they receive specific additional training to do so.

However, at St Paul's School, some staff undertake CPD accredited training on the use of reasonable force. The training focuses on the de-escalation skills used to reduce risk and the need for physical intervention, as well as covering the key principles of the most effective ways to use reasonable force to keep pupils and staff safe.

9. Informing parents/carers

Whilst there is no statutory requirement to report the use of force to parents/carers, we believe that an open dialogue is the most appropriate way to work together with pupils and their families in order to reduce the need to use reasonable force again in the future.

In most situations where reasonable force has been used, the Headteacher [or other designated member of staff], will contact the parent/carer via email, telephone, or during a meeting to explain:

- the pupil's behaviour and level of risk presented at the time of the incident
- the degree of force used
- the support provided to the pupil after the incident

Where the behaviour results in a suspension, a discussion of the incident and behaviour expectations will be discussed in the reintegration meeting.

Further information regarding our restorative approach can be found in our behaviour policy.

10. Recording and evaluation

All uses of reasonable force, as defined above, are recorded on our electronic safeguarding platform CPOMS, as soon as possible after the event.

Full details are recorded on the GST Use of reasonable force reporting form (Appendix 1) and attached to the pupil record on CPOMS.

Where appropriate and possible, witnesses to the incident will also provide a written record.

The Headteacher will evaluate incidents of the use of reasonable force when making decisions about further staff training.

Records will be used to appropriately review any risk assessment or learning plan in place for the pupils.

11. Raising concerns

Concerns regarding the use of reasonable force should be raised through our complaints procedure which can be found here [include hyperlink].

All concerns will be thoroughly, speedily or appropriately investigated, in line with the procedures outlined in the DfE guidance document Use of reasonable force in schools.

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 of the member of staff must not be an automatic response but will be considered carefully according to the circumstances.

12. Other forms of physical contact

There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary and this is not prohibited in law or DfE guidance.

Examples of where touching a pupil might be proper or necessary can include, but are not limited to

- 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

13. Links with other policies

This use of reasonable force policy is linked to our:

- Child protection and safeguarding policy

- Behaviour policy
- SEN policy

Appendix 1: Recording the use of reasonable force form

RECORD OF THE USE OF REASONABLE FORCE

Name of Pupil:		**Date:**	
Location:		**Time:**	
Member of staff making report:			
Other members of staff involved:			
Other witnesses:			

Background to the incident: (what led to the incident / triggered the behaviour?)
What behaviour was observed? (Be factual with the behaviour observed rather than the mood/intention eg “hitting” rather than “aggressive”.)

What techniques were used to de-escalate the situation?			
Was the pupil's behaviour plan followed?			
Yes	No	No behaviour plan in place	
If yes, was the behaviour plan adequate to manage the incident?		Yes	No

Why was reasonable force thought necessary? (only tick one)	
The pupil was at immediate risk of injury	
The pupil was placing other pupils at risk of injury	
The pupil was placing staff or others at risk of injury	
Property was about to be damaged	
Other pupils were denied disruption-free education	
Other – please give full details	

Full account of use of reasonable force, including named techniques.

Was the pupil injured?	Yes	No
Provide full details of any injuries incurred:		
Was anyone else injured?	Yes	No
Provide full details of any injuries incurred:		
Was First Aid administered?	Yes	No
Provide full details of any First Aid or other medical intervention:		

Were parents/carers informed?	Yes	No
Were any other professionals informed?	Police	Social worker
	LA behaviour/SEND	LADO

Provide full details of information sharing process:	

What lessons have been learned from this incident? This could include (but is not restricted to) reviews/updates to the pupil's behavior plan, identification of areas for further development/training, changes to/additional resources or physical environment.