

Use of Reasonable Force Policy

INTRODUCTION

South Dartmoor Community College recognises that, on some occasions, it may be necessary to physically restrain a pupil who, for example, is in danger of hurting themselves or others. The school has, therefore, developed this policy on the 'Use of Reasonable Force to Control or Restrain Pupils' which is in line with Government guidelines.¹

The right of school staff to use reasonable force is laid down in the Education and Inspections Act.²

In a school, reasonable force is used for two main purposes – to control pupils or to restrain them. The following list is not exhaustive but provides some examples of situations where reasonable force can be used. In order to:

- defend oneself against an attack;
- prevent a pupil committing a criminal offence, including deliberate damage or vandalism;
- prevent a pupil injuring him/herself or others, including by fighting, rough play, self-harm or by misuse of dangerous materials or objects;
- to prevent a pupil from leaving the classroom where allowing the pupil to do so would risk their safety or lead to behaviour that disrupts the behaviour of others.
- To prevent a pupil from leaving the College site where allowing the pupil to do so would risk their safety

This policy is applicable to all pupils and should be read in conjunction with the following other school policies:

- Behaviour Policy;
- Child Protection Policy.

The aims of this policy are to:

- inform Governors, staff, parents and pupils of the powers of staff in circumstances where a pupil may need to be restrained and to describe other circumstances in which physical contact with a pupil may be required;
- ensure that South Dartmoor has regard to Department for Education guidance on the Use of Reasonable Force;

Who may use force to restrain pupils?

All members of school staff have a legal power to use reasonable force to control or restrain pupils. This power can also apply to other people whom the Principal has temporarily put in charge of pupils (for example, unpaid volunteers or parents accompanying students on a school excursion).

¹ 'Use of reasonable force' Advice for Headteachers, staff and governing bodies DFE July 2013

² Section 93 Education and Inspections Act 2006.

Under what circumstances may reasonable force be used?

Reasonable force should only be a last resort and staff should delay if at all possible. However, in some circumstances, for example if there is an immediate risk of injury, it might be deemed negligent if staff do not intervene, as staff have a duty of care to do all that they reasonably can to protect the welfare of pupils. In general, staff should have tried all other means to de-escalate a situation before using reasonable force. If force is necessary, then staff should send for support straight away and should keep talking all the time, in a calm voice, explaining what they are doing and why (that way it is clear to everyone present that the member of staff concerned is in control of their emotions). The incident must be recorded immediately afterwards.

What is the definition of reasonable force?

There is no legal definition of reasonable force. The use of any degree of force is unlawful if the circumstances do not warrant it. Any force should be the minimum needed to achieve the desired result. The following kinds of physical intervention are reasonable; interposing between pupils or blocking a pupil's path, holding, pushing, pulling, leading a pupil by the arm or shepherding a pupil away by placing a hand in the centre of the back. The following would be deemed unreasonable; holding a pupil by the neck or collar, slapping, punching, twisting limbs or holding or pulling by the hair. The use of force could result in complaint from parents and criminal prosecution or a civil action cannot be ruled out.

If a teacher has had to use reasonable force in the circumstances outlined above what should happen next?

All incidents requiring Restrictive Physical Interventions should be recorded. Records are necessary to confirm that good practice has been observed and in extreme circumstances to provide legal justification for staff actions.

This should be done by emailing a report of the incident to the pastoral team and in addition complete the Physical Restraint Logging form. This form is then added to the incident log book.

- Copies of the form can be found on the S drive.
- The Incident Log Book is kept in Student Reception.

Incidents must be written up as soon as possible, delay can mean that memories diminish. Incidents need to be reported within 24 hours unless there are extenuating circumstances.

Facts should be recorded chronologically, who, when, where. Be objective, brief and ensure the information is complete and accurate.

The records should include details of any injuries to staff or young people, the duration and effectiveness of the intervention and details of other staff and pupils involved. This could be direct involvement or as witnesses.

Records in the Incident Log book provide the following information.

- a) Reason for intervention (Antecedent events)
- b) De-escalation techniques used
- c) Duration and type of restraint used
- d) Student behaviour and reaction during and at the end of the restraint.

Remember documentation is critical to assess what has taken place and look for ways to prevent or minimise future occurrences. This process can improve the safety of everyone who may be involved in crisis incidents.

Parents should be informed of any Restrictive Physical Interventions used shortly after the incident including any details on the type of intervention used if necessary.

All incidents involving Physical Interventions will be reported to Head of School or Assistant Principals.

Incidents will be reviewed on a regular basis by AP student performance and Senco

The Incident Log Book will also be reviewed termly to ensure that they are filled in correctly and incidents have been appropriately handled.

If there are any issues identified then executive SLT will be informed and further actions identified.

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