

Fairfield High School for Girls

Policy for the Use of Reasonable Force to Control or Restrain Pupils



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| Approved by: | Full Trust Board | Date: November 2023 |
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| Person Responsible: | Assistant Headteacher (Pastoral) | |

Outstanding progress for all

A Policy for the Use of Reasonable Force to Control or Restrain Pupils

An effective Policy for Outstanding Conduct and Behaviour should secure an orderly atmosphere in which effective learning and teaching can take place. There may however, be rare occasions on which school staff will need to use reasonable physical intervention to control pupils. This policy should be read in conjunction with the Policy for a Professional Code of Conduct for Staff.

Principles

- To protect all staff and pupils from harm and to protect property.
- To prevent any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.
- To protect all pupils from any form of physical intervention which is either unnecessary, inappropriate, excessive or unlawful. Key words in law, which must be considered, are - **Reasonable; Necessary and Proportionate.**
- To provide adequate information for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.

What is reasonable force?

The **Use of Reasonable Force Guidance** for Headteachers, staff and Governing Bodies from the DfE (2013) defines reasonable force as:

- 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 to either 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.
- 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, or when a pupil is attempting to harm themselves.
- 'Reasonable in the circumstances' means using no more force than is needed.
- 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 legal power can also apply to people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents/carers accompanying pupils on a school-organised visit.

When can reasonable force be used?

School staff can use reasonable force to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

Examples of this may include the use of force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so
- prevent a pupil damaging school property when it may impact on the health and safety of others
- 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
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight
- restrain a pupil at risk of harming themselves through physical outbursts.

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. Individual circumstances to consider include whether reasonable adjustments need to be made for pupils with SEND.

Force must be used only as a last resort when all other attempts to control a pupil have failed and every other approach has been considered. Practical methods to de-escalate the situation could include keeping calm, offering verbal prompts, guiding, steering or retreat (if appropriate).

Staff **cannot** use force as a punishment – it is always unlawful to use force as a punishment.

Best practice during an incident in which force is used

- Staff must be confident that restraint is the most suitable course of action and the last resort, having exhausted all other attempts to de-escalate the situation
- Where possible, staff should ensure that they are not alone and that another adult is present. Call for help from SLT or another colleague if the situation needs physical intervention.
- Staff should try to determine whether weapons may be involved and whether it is necessary to call for Police support.
- Where possible, staff should give a clear oral warning that restraint is going to be administered.
- Staff must use minimum force for maximum effect over the shortest time and use only the agreed physical intervention methods outlined below.
- Pupil safety is paramount. Staff must be aware of signs of distress such as vomiting, changes in colour, breathlessness.

Agreed physical intervention methods

Reasonable, minimal force may involve staff in:

- physically interposing themselves between pupils;
- holding;
- guiding a pupil by the hand or arm;
- blocking a pupil's path;
- shepherding a pupil away by placing a hand in the centre of the back; or
- using more restrictive holds (trained staff only). Any application of force should be at the **minimum** level required to restrain the pupil.

Staff should **not** act in a way that might reasonably be expected to cause injury. Examples might include:

- Slapping, punching or kicking a pupil.
- Holding a pupil around the neck or in any way, which might restrict breathing.
- Tripping a pupil.
- Forcing a limb against a joint.
- Pulling a pupil by the hair or ear.
- Holding a pupil with their face into the ground.

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

Actions after an incident

Physical intervention often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil.

- A member of the Senior Leadership Team should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of staff should always be involved in debriefing the pupil.
- Any pupil or adult involved in the incident should be offered support.
- The parents/carers of all pupils involved in the incident must be informed of the incident.
- Consideration must be given as to whether medical intervention must be sought
- All incidents should be recorded immediately. In any instance where force is used to physically restrain a pupil it is essential that the Physical Intervention Report Form (attached) is completed. All sections of this report should be completed.
- After investigation, a member of the Senior Leadership Team will contact parents/carers to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.
- It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

Complaints

- All complaints about the use of force should be investigated thoroughly, speedily and appropriately using the schools complaints procedure.
- 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.
- In line with the Policy for Managing Allegations of Abuse made against Teachers and Other Staff, school has 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.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. School 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.

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Physical intervention Report Form

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| Date and time of incident: | |
| Location of incident: | |
| Full names of staff involved: | |
| Name of pupil(s) involved: | |
| Full names of witnesses to the incident: | |
| Are the witness statements attached: | Yes/No |
| Describe the incident: | |
| Why was force necessary? | |
| What steps were taken to calm the situation prior to the use of force and what was the pupil's response? | |
| Were any of the parties injured? | Yes/No (If yes please ensure an accident form has been completed and appended) |
| Was there any damage to property? | Yes/No (If yes, please append a description of the damage and its location) |
| Signed (Teacher): Dated: | |
| Signed (Headteacher): Dated: | |