



Use of Force Policy

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Policy on the Use of Force to Control or Restrain Children

The Education Act 2002 (Section 4) clarified the position about the use of physical force by teachers and others authorised by the Managing Principal to control or restrain pupils.

Corporal Punishment

The law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain or injury or humiliation. Corporal punishment is not allowed.

Physical Restraint

Teachers and other authorised staff may use such force as is reasonable (i.e. using no more force than is needed) in all circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility);
- injuring themselves or others;
- causing serious damage to property (including the pupil's own property);
- engaging in any behaviour prejudicial to maintaining good order and discipline at the School;
- anything that would reasonably be regarded as exceptional circumstances.

This applies when a teacher, or other authorised person, is on the school premises and when he or she has lawful control or charge of the pupil elsewhere, e.g. on a field trip or other authorised out of school activity.

Any occasion where physical intervention is used to manage a child's behaviour should be recorded and parents should be informed about this on the same day.

Types of Incidents

There are a wide variety of situations in which reasonable force might be appropriate, or necessary, to control or restrain a pupil. They will fall into three broad categories:

1. where action is necessary in self-defence or because there is imminent risk of injury e.g. a pupil attacks a member of staff or another pupil;
2. where there is a developing risk of injury, or significant damage to property e.g. pupils are fighting, misusing dangerous materials, vandalising property, or tries to leave the School and so is at risk;
3. where a pupil is behaving in a way that is compromising good discipline e.g. a pupil persistently refuses to obey an order to leave the classroom or behaves in a way which seriously disrupts the classroom.

Practical Considerations

Before intervening physically a teacher should, where practicable, tell the pupil who is misbehaving to stop and what will happen if he/she does not. The teacher should continue to communicate with the pupil throughout the incident and should make it clear that the physical contact will stop as soon as it ceases to be necessary.

In some circumstances, a teacher should not intervene without help (unless it is an emergency) e.g. when dealing with an older pupil, or a physically large pupil, or if the teacher believes he or she may be at risk of injury. In these circumstances the teacher should remove other pupils who may be at risk and call for assistance from colleagues or where necessary call the police.

Application of Force

Physical intervention can take several forms. It might involve staff:

- physically interposing between pupils;

- blocking a pupil's path;
- holding;
- pushing;
- pulling;
- leading by the hand or arm;
- shepherding a pupil away by placing a hand in the centre of the back;
- (in extreme circumstances) using more restrictive holds.

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action consistent with the concept of 'reasonable force': for example, to prevent a young pupil running off the pavement onto a busy road or preventing a pupil hitting someone or throwing something.

In other circumstances staff should not act in a way that might reasonably be expected to cause injury. Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

Recording Incidents

It is important that there is a detailed, contemporaneous, written report of any occasion where it has been necessary to use force or restraint (except minor or trivial incidents). Immediately following any such incident, the member of staff concerned should tell the Head teacher or Assistant Head teacher and provide a written report as soon as possible afterwards on an incident form. That should include:

- the name(s) of the pupil(s) involved and when and where the incident took place;
- the names of any staff or pupils who witnessed the incident;
- the reason that force was necessary;
- how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied and for how long;
- the pupil's response, and the outcome of the incident;
- details of any injury suffered by the pupil, another pupil or a member of staff or damage to property.

Incidents involving the use of force can cause parents of the pupil involved great concern. It is always advisable to inform parents and give them the opportunity to discuss it.

Any incident requiring restraint of a child will be recorded in the **Restraint and Physical Intervention Record Book**.

Children with SEND or Medical Conditions

The Shrubbery recognises that when considering the use of reasonable force towards children with SEND or medical conditions, the risks should be carefully considered. Individual behaviour plans and other forms of proactive behaviour support can reduce the need for reasonable force.

Complaints

Involving parents when an incident occurs, plus a clear policy about physical contact with pupils that staff adhere to, should help to avoid complaints from parents. If, however, a parent does submit a formal complaint this will be dealt with via school procedures for dealing with allegations against staff.

Physical Contact with pupils in other circumstances

There are some occasions where physical contact may be proper or necessary. Some physical contact may be necessary during PE lessons or if a member of staff is giving first aid. Young children and children with special needs may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. Teachers will use their own professional judgement when they feel a pupil needs this kind of support.

There may be some children for whom touching is particularly unwelcome. Staff will be informed if this is the case.

For full details of government advice on the use of physical force by teachers see the DfE's advice website:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>