

The Use of Reasonable Force to Control or Restrain Pupils



Reviewed March 2021

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:

- (a) where action is necessary in self-defence or because there is an imminent risk of injury.
- (b) where there is a developing risk of injury, or significant damage to property.
- (c) where a pupil is behaving in a way that is compromising good order and discipline, is likely to cause 'physical' injury.

Examples of situations that fall within one of the first two categories are:

- a pupil attacks a member of staff, or another pupil;
- pupils are fighting;
- a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway in a way in which he or she might have or cause an accident likely to injure him or herself or others;
- a pupil attempts to abscond from a class, or tries to leave the premises and who would be at risk out of the classroom or school.

Examples of situations that fall into the third category are:

- a pupil persistently refuses to obey an order to leave a classroom;
- a pupil is behaving in a way that is seriously disrupting a lesson.

(Section 550A of the Education Act 1996 DfEE guidance circular 10/98)

What is 'reasonable force'?

There is no legal definition of **reasonable force**, but three criteria are established for guidance:

- if the circumstances of the particular incident warrant it;
- the degree of force must be in proportion to the circumstances;
- the age, understanding and sex of the pupil must be taken into account.

Minimum force should only be used and never as a punishment.

Physical intervention can take a number of forms, for example;

- physically interposing between pupils;
- standing in the way of a pupil;
- holding, pushing or pulling;

- leading a pupil away from an incident by the hand or by gentle pressure on the centre of the back.
- Taking/Holding children by the long bone to prevent injury or harm. (Caring C's)

Identified staff are trained in team teach (see training file)

In extreme cases, more restrictive holds might be used.

Force that should **NOT** be used includes:

- holding round the neck or any other hold that might restrict breathing;
- kicking, slapping or punching;
- forcing limbs against joints (e.g., arm locks);
- tripping or holding by the hair or ear;
- holding face down on the ground,
- wrapping for younger children
- lifting a child from the floor although if they lift legs during an escort, they can be carried to the desired location

DUE REGARD MUST ALWAYS BE TAKEN WITH REGARDS TO OWN SAFETY.

Recording Incidents

The head or deputy should be immediately informed if any form of restraint has to be used with a pupil. An 'incident' should also be completed as soon as is possible, by the adult involved on CPOMS using Team Teach tab.

- Records of restraints must include the following:
 - State briefly what has happened
 - Any other people present
 - Date, time and location
 - Name of person completing the form
 - Behaviour linked with the incident
 - Detail any information linked prior to actions taken before restraint was used
 - State why restraint was necessary
 - Type of restrain or force used an duration
 - Record if child was injured during intervention
 - Record of any external agencies who may be informed

If a child has been restrained, then the parents must be informed on that day.

Risk assessment and positive handling plans

A risk assessment/positive handling plan will be completed for a child who is likely to require restraint. All staff in contact with the child, including lunch time staff are to read these document. Any one off incidents should be added to a child's risk assessment as a pattern could emerge..

Review and Monitoring

The Head or Deputy will:

- read all accounts of the incident;
- interview all staff (both teaching and support) and pupils who witnesses the incident;
- discuss the incident with the pupil or pupils who were directly involved. It is important that pupils be provided with the opportunity of giving their own version of events, particularly in cases of divergent opinion or fact, and they should be encouraged, if necessary helped, to prepare a written statement;
- ensure that parents and/or guardians or other persons with parental responsibility (such as social workers) have been informed of all relevant facts;

- ensure that the LA and the Chair of the Governing Body have had the incident drawn to their attention;
- ensure that all concerned are aware of their rights of complaint;
- review school policies and consider if they serve the best interest of all parties and whether alternative policies or changes to the existing policy need to be considered.

Following an incident involving physical intervention or restraint by a member of staff involving a pupil, the effect of the incident on the pupil as well as on the member of staff will be monitored.

Cases of pupils with special needs, or who provoke confrontation as a means of seeking attention, or who are testing the boundaries of a school's disciplinary policies, may be referred to specialist agencies. A risk assessment will be put in place for severe behaviour issues.

Other persons involved may also require post trauma counselling and their reactions should be monitored as a matter of routine. Specialist help will be sought wherever possible.