



Use of reasonable force and Physical Restraint Policy and Procedures

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This policy has been written and implemented in accordance with the School's dedication to its Christian values. These are underpinned in the Stopfordian ethos and the message and example of Jesus Christ.

CONTEXT

Bishop Stopford's School is recognisable by the quality of its community within which Christian principles are fostered, both within the curriculum and through the relationships which exist between students, parents, teachers, support staff, governors, and the wider community. It strives to be a welcoming place offering the support necessary for individuals to develop and achieve fully their potential.

On the rare occasion staff are put in situations where they have to use reasonable force or physical restraint to ensure the health and safety of students. This policy outlines process and procedures involved. **These processes and procedures can also be found in our Behaviour Policy and are firmly based on Government advice as outlined in the DfE guidance on the use of reasonable force in schools.**

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

Objectives

- To protect staff and students
- To prevent serious breaches of school discipline
- To prevent serious damage to property
- To reduce the likelihood of actions by staff being successfully challenged in the courts

What is reasonable force?

The school actively promotes a positive behaviour strategy that is designed to modify and minimise poor behaviour. In rare circumstances however, it may be necessary for staff to use reasonable force to control or restrain a student. As per the DfE legal guidance all members of school staff have a legal power to use reasonable force to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. At Bishop Stopford's School we follow the guidance as outlined by the DfE in the interests of student safety.

1. 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.
2. 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.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. 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.
5. 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.

6. 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.

Minimising the need to use force

It is important to have a calm, orderly and supportive school climate that minimises the risk and threat of violence of any kind.

Wherever practicable, staff will issue a warning to a student that force may have to be used before using it.

Staff authorised to use 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.

All teachers and members of staff, who have the Head's authorisation to be in control of or take charge of students, automatically have the power to use force. *This power does not apply to prefects.*

Deciding when to use force

Staff can use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

- Causing personal injury to or damage to the property of, any person (including the student himself); or
- Prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.

Any force used must be in proportion to the consequences it is intended to prevent.

The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified:

- Student attack on staff or student
- Students fighting
- Damage to property
- Rough play
- Use of dangerous objects
- Absconding if likely to involve safety

Using force

Wherever possible, staff should tell the student to stop and be calm and measured. They should not give the impression of acting out of anger, frustration or punishment. *Force should cease quickly.* Examples include:

Standing between students, leading by the arm, hand on the centre of the back and finally, appropriate restrictive holds.

The degree of force used should be the minimum needed to achieve the desired result.

When exercising the power to use force, we must also take proper account of any special need and/or disability that a student might have.

Staff working with special needs students will have an awareness of situations that may provoke difficult behaviour, preventative strategies and de-escalation techniques. They will know of any previous incidents and handling strategies that are recommended.

SLT and medical staff may be called – though not necessarily waited for. They should be involved in post-incident follow up.

Reasonable force may also be used to search students without their consent for weapons. The Department for Education strongly advises schools not to search students where resistance is expected, but rather to call the police.

It is always unlawful to use force as a punishment.

Always avoid touching or restraining in such a way that could be interpreted as sexually inappropriate conduct. Sometimes physical contact may be proper or necessary – such as sport and first aid.

Power to search pupils without consent

As per the government guidelines, Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. Prohibited items are:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

As per the school rules at Bishop Stopford's School this includes, along with the items listed above, solvent-based adhesives, noxious substances, lighters and matches.

Confiscation

School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.

As per school policy, staff can also confiscate items of non-school uniform, mobile phones, personal electronic equipment, aerosol cans, chewing gum, permanent marker pens, laser pens and any other item deemed to be detrimental to the learning and positive conduct of students in school.

Dangerous items will be handed over to the school's Safer Schools Officer for disposal. Any other confiscated items such as mobile phones will be returned as soon as parental contact is made to discuss the circumstances around the initial confiscation. On agreement, the item may then be returned to the student or collected by the parent/carer.

Staff training

There may be particular needs for staff that work closely with students with additional needs or disability; however, training will be offered to all staff. Staff should be made aware of this policy and procedures during their Induction.

Recording and reporting incidents

Systematic records of any serious incident are kept using the specific form and the school's management information system (MIS) - (See Appendix 1)

It is very important to have *a witness* to what happened. After any recordable incident, parents should always be informed – (telephone first and then confirm in writing).

Post-incident support

First aid and emotional support will be offered for staff and students. Punishments such as exclusions and pastoral support programmes may follow.

Dealing with complaints and allegations

Parents and students have a right to complain about actions taken by school staff and should contact the Head-teacher.

Monitoring and review

Members of the Governing Body, the Learning Support Department, the Pastoral Committee and the SLT will review this policy every 2 years.

APPENDIX 1 – Record of Incident Form

Bishop Stopford's School			
Details of student or students on whom force was used by a member of staff			
Name			
Form			
Date, time and location of incident			
Names of staff involved (directly or as witnesses)			
Details of other students involved (directly or as witnesses), including whether any of the students involved were vulnerable for SEN, disability, medical or social reasons.			
Description of incident by the staff involved, including any attempts to deescalate and warnings given that force might be used.			
Reason for using force and description of force used			
Any injury suffered by staff or students and any first aid and/or medical attention Required.			
Reasons for making a record of the incident.			
Follow up, including post-incident support and any disciplinary action against students.			
Any information about the incident shared with staff not involved in it and external agencies			
When and how those with parental responsibility were informed about the incident and any views they have expressed.			
Has any complaint been lodged (details should not be recorded here)?			
Report compiled by: Name and role		Signed	Date
Report countersigned by: Name and role		Signed	Date