

CARFAX

COLLEGE

Physical Restraint and Use of Reasonable Force Policy

Policy last reviewed by: V.Jefferson, September 2021.

Policy Statement

Carfax College is committed to creating an environment of mutual trust and respect between staff and students, which is essential to supporting pupils' learning and development. This environment relies upon positive relationships and communication. There may be rare occasions which require a staff member to use restraint or control (defined below) in order to ensure the continued safety of all persons in the college.

This policy is based upon the guidance set out in the Department for Education's *Use of Reasonable Force in Schools* (July 2013), which clarifies *The Education and Inspections Act 2006*. These documents outline how and when reasonable force is permitted.

The decision to physically intervene is based on the professional judgement of the staff member concerned and must always depend on the individual circumstances.

Definitions

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. Simply, it means using no more force than necessary and should be proportionate to the consequences it is intended to prevent.
2. 'Control' means passive physical contact, such as standing between two pupils in an altercation, or active contact like guiding a pupil to safety by the arm.
3. 'Restraint' is defined as physically holding someone and is used in more extreme circumstances.

Who can use Reasonable Force?

All members of school staff are legally allowed to use reasonable force. Of course, staff may never act in a way that could cause injury.

When can Reasonable Force be used?

Reasonable force can be used to **prevent** and to **protect**.

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Prevention can mean:

- stopping a pupil from damaging property
- not allowing a pupil to leave a classroom if leaving will mean they are unsafe or cause issues for other pupils
- intervening before a situation escalates

Protection can mean:

- ensuring that a pupil's behaviour does not cause them harm
- ensuring that no others are harmed by a pupil's behaviour

Method of restraint – the method of restraint must use the minimum force for the minimum time and is subject to further restrictions:

Acceptable types of physical intervention include: leading a pupil by the arm; blocking a pupil's path; holding; leading a pupil using a hand in the small of the back. In extreme situations where restraint is used, it must be as unrestrictive as possible.

Unacceptable uses of force include: holding a pupil by the collar; hitting a pupil in any way; holding a pupil face down on the ground; holding a pupil in a way that could be considered indecent.

It is unlawful to use force as a punishment.

Power to search without consent

In addition to the usual power to use reasonable force, authorized staff can use such force to conduct a search without consent if they have reason to suspect the pupil is in possession of any of the following prohibited items:

Weapons, alcohol, illegal drugs, tobacco and cigarette papers, stolen items, pornographic images, fireworks, or any other item that is likely to be used to cause personal injury or property damage.

Record Keeping

Any member of staff who uses force in an interaction with a pupil should inform either the Principal or the Dame immediately, both verbally and in writing. A written report must then be made and should include the name(s) of the pupil(s), the time and location of the incident, the reason for the force being necessary, the names of witnesses, and the outcome. Details of the

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pupil's response and any injuries should be recorded. This report must then be passed to the Principal and retained.

Informing Parents and Guardians

While it is not a requirement that parents and guardians be informed of instances in which reasonable force is used, we believe it to be good practice to communicate with them about any serious incidents that involve the use of physical contact in school. Parents and guardians may also request to see the report of the incident.

Complaints

If a student complains that force has been used on them, certain factors will be taken into account.

Investigation: All complaints will be thoroughly, speedily and transparently investigated. The above-mentioned reporting process is such so that records of all incidents are stored and accessible.

Evidence: Should a complaint be made, the onus is on the complainant to prove that their allegations are true, not on the person about whom the complaint is made.

Suspension: The DfE guidelines state that 'suspension must not be an automatic response when a member of staff has been accused of using excessive force.' The circumstances of the case must be carefully considered to determine whether a suspension is appropriate, or if other measures should be taken.