

# Use of Reasonable Force Policy

## [Paragraph 9, Part 3 ISSR]

### Bablake Senior School

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<b>Regulatory / Statutory Authority(ies)</b>	<ul style="list-style-type: none"> <li>▪ The Independent School Standards Regulations (ISSR).</li> <li>▪ Independent Schools Inspectorate (ISI) – Para 9, Part 3 ISSR – Behaviour; Welfare, Health and Safety of Pupils.</li> <li>▪ <a href="http://www.gov.uk">Use of reasonable force in schools - GOV.UK (www.gov.uk)</a></li> </ul>
<b>Related Policies, Procedures, and/or Documentation</b>	<ul style="list-style-type: none"> <li>▪ Safeguarding and Child Protection Policy</li> </ul>
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#### VERSION HISTORY

Version Number	Amendment(s) Or Formal Review	Date [Month/Year]	Summary of change(s)
1.0	Formal Review	September 2023	Formal Review and Approval at Full Governing Board
1.2	Update	April 2024	New branding, minor formatting [no core content change].





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## 1 Introduction

This policy has been updated in accordance with advice contained in the following documents

- 'Use of Reasonable Force – advice for head teachers, staff and governing bodies' issued 2013 by the Department for Education (DfE).
- 'The use of force to control or restrain pupils' Guidance for schools in England issued 2010 by the Department for Children, Schools and Families.

## 2 Aims of the Policy

The aims of this Reasonable Force Policy are to:

- provide clarification on the use of reasonable force in school;
- to enable staff to feel more informed and confident about the use of reasonable force when they believe it to be necessary;
- to make clear the responsibilities of Head teachers, Senior Staff and Governing Bodies in respect of this power.

## 3 Use of Force as a Last Resort

The use of force upon any pupil by a member of staff is a serious matter and should only be considered as a last resort.

However, the law is clear, and the Governing Body has a responsibility to all concerned, to support any member of staff who as a last resort uses reasonable force in accordance with the law, and with this policy.

## 4 Bablake Values

We are proud of our pastoral care and expect the highest standards of behaviour and courtesy towards all persons both during the school day and in your travels to and from the school grounds. Compassion for others and for oneself is equally important and whilst we encourage all pupils to strive to be at their best, they should do so sustainably.

The morals and values associated with being a Bablake Learner, underpin our behavioural standards. A Bablake Learner should:

- **Be Responsible** – take charge of their own learning;
- **Be Bold** – be willing to take risks and not be afraid of failure;
- **Be Resourceful** – be prepared to learn independently and take advantage of support;
- **Be Curious** – actively listening, pursuing knowledge, seek out intellectual experiences;
- **Be Creative** – making connections and approaching problems in a new way.





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Being responsible is about taking charge for both your learning and your behaviour. Setting priorities, understanding how you learn and making use of support. It also means having self-respect and respect for others.

*'Responsibility does not only lie with the leaders of our countries or with those who have been appointed or elected to do a particular job. It lies with each one of us individually.'*

Dalai Lama

## 5 What The Law Says

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as its reasonable in the circumstances to prevent a pupil from doing or continuing to do any of the following:

- Committing a criminal offence;
- Causing personal injury to themselves or another;
- Causing damage to property belonging to them or another, including the school;
- Any behaviour prejudicing the maintenance of good order and discipline in the school.

## 6 Definition of Reasonable Force

There is no statutory definition of 'reasonable force'. Whether the force used is reasonable will always depend on the circumstances of individual cases. Deciding on whether the use of force is justified will depend in part upon the context in which misbehaviour takes place. The test is whether the force used is proportionate to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour.

## 7 Schools Can Use Reasonable Force

Examples of where the use of force might be reasonable are listed below:

- a pupil attacks a member of staff, or another pupil;
- pupils are fighting, causing a risk of injury to themselves or others;
- a pupil is committing, or on the verge of committing, deliberate damage 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 object;
- a pupil absconds from a class (or detention) or tries to leave school other than at an authorised time. Refusal of a pupil to remain in a particular place is not enough on its own to justify use of force. It would only be justifiable where allowing a pupil to leave would:





- a. entail serious risks to the pupil's safety (taking into account age and understanding), to the safety of other pupils or staff, or of damage to property; or
- b. lead to behaviour that prejudices good order and discipline, such as disrupting other classes;
- c. a pupil persistently refuses to follow an instruction to leave a classroom;
- d. a pupil is behaving in a way that seriously disrupts a lesson; or
- e. a pupil is behaving in a way that seriously disrupts a school sporting event or school visit.

In these examples use of force is likely to be construed as reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not realistically be dealt with by any other means.

## 8 Reasonable Force To Search Without Consent

In addition to the general power to use reasonable force as described above, Heads and Senior Staff can use such force as is reasonable given the circumstances to conduct a search for the following prohibited items:

- Knives and weapons;
- Alcohol;
- Illegal drugs;
- Stolen items;
- Tobacco, cigarette papers or vapes;
- Fireworks;
- Pornographic images;
- Any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

## 9 Schools Cannot

It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, abolished by section 548 of the Education Act 1996.

## 10 Using Force

Before using force, staff should – where practicable – tell the pupil to stop misbehaving.

Care should be taken to avoid giving the impression that the member of staff is angry or frustrated or are acting to punish the child. It should be clear with calm language that as soon as the need for force ceases, it will stop.



Appropriate use of force will range from physical passive presence in between pupils, to blocking a pupil's path, ushering them by placing a hand in the centre of the back, leading/guiding them by the hand or arm, to in more extreme circumstances using appropriate restraining holds.

Particular attention will be given to individuals' needs which arise from statements of SEN or disability.

Whilst it is highly desirable that staff should avoid acting in any way which might reasonably be expected to cause an injury, in truly exceptional circumstances, it is recognised that it may not be always possible to avoid.

Any such injury caused will be properly investigated by the school and will require justification.

## 11 Keeping Records

When force has been used the Head and DSL should be informed immediately.

A record of each significant incident of the use of force to control and restrain will include the following details:

- name of member of staff;
- date of the incident;
- names of pupils involved;
- witnesses;
- where the incident took place;
- description of the incident;
- any steps taken to calm the situation before force was considered necessary;
- reason why the use of force was necessary;
- nature of the force used;
- the pupil's response;
- the outcome;
- details of any injury suffered or damage to property;

A copy of the incident form can be found at the end of this policy, '[Appendix A](#): Record of an Incident Requiring Physical Intervention/Restraint'.

The purpose of recording is to ensure that policy guidelines are followed, to inform parents/carers, to inform future planning as part of the school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry.

Parents/carers will be informed of the incident.

## 12 Post-Incident Support

After each physical restraint the pupil needs to be assessed by the School Nurse and recorded on the Physical Intervention [Form](#) found at the end of this policy.

If injuries result from the application of reasonable force, medical attention should be sought immediately. It is also important to ensure that staff are given emotional support.

As soon as possible after the incident, parents/carers should be informed.

When assessing the incident, consideration may be given to involving multi-agency partners to offer support or advice.

Where a pupil is responsible for injury to another, as well as holding him/her to account and issuing appropriate sanctions, the pupil will be given the opportunity to repair the relationships with pupils and staff affected by the incident. The pupil will be offered appropriate support to help develop strategies for avoiding such crisis points in future.

## 13 Other Physical Contact With Pupils

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary. Examples of where touching a pupil might be proper or necessary:

- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during a PE lesson or coaching session;
- To administer first aid

## 14 Complaints and Allegations

Parents can complain about the policy and its implementation via the school's normal complaints procedure. All complaints about the use of force will be thoroughly, speedily and appropriately investigated.





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Any allegations made against members of staff will be acted upon as per 'Safeguarding and Child Protection Policy' and Coventry Safeguarding Children's Partnership Guidance 'Allegation Against Staff and Volunteers'.

## 15 Appendices

The following appendix can be found overleaf (or click through on the link below).

15.1 [Appendix A](#): Record of an Incident Requiring Physical Intervention/Restraint

Coventry School Foundation

Kenilworth Road, Coventry, CV3 6PT

T: 02476 271 300

Coventry School Foundation is a registered charity (charity number: 528961) with a corporate trustee, Coventry School Trustee Limited, a company limited by guarantee registered in England and Wales under company number 10138291, whose registered office is Kenilworth Road Coventry CV3 6PT







**Appendix A: Record of an Incident Requiring Physical Intervention/Restraint**

Name of child:		Form:	
Date of incident:		Time of incident:	
Location of incident:			
Name of person recording the incident:			

1	List members of staff involved with the intervention/restraint:
2	List any other people, staff and/or pupils, who witnessed the intervention/restraint:
3	Describe the circumstances which led to the use of intervention/restraint:





4	Describe the type of intervention/restraint used:
5	For how long did the whole incident last?
6	What was the total duration of the intervention or for how long was the pupil restrained?
7	What measures were taken to avoid using physical intervention/restraint?
8	List any injuries received by any person during the intervention/restraint:
9	Detail any medical treatment required:





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10 List any damage caused during the intervention/restraint:

11 List all those people who have been informed of the intervention/restraint:

Name	Designation	Time and Date
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12 When completed, the signatures of all members of staff involved in the intervention/restraint are required:

Name	Date	Signature
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**END**

