Bisham CofE Primary School

Use of Reasonable Force to Control or Restrain Pupils

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Signature: ___Jane Foster____________

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BISHAM CofE SCHOOL

The Use of Reasonable Force to Control or Restrain Pupils

This policy is drawn up in response to the Education Act 1996, section 550A, which clarified the powers of teachers and others in school regarding the above and forms part of the Behaviour Policy of the school.

Physical restraint should be seen as the last resort in re-establishing control with a pupil and should occur rarely. Defusing and avoiding restraint are the first priorities.

1. The Legal Position

The Headteacher authorises all paid employees to use reasonable force on the school premises, or during school activities (e.g. school visits) to prevent pupils from:

i) committing a criminal act;
ii) injuring themselves or others;
iii) engaging in behaviour that is prejudicial to maintaining good order and discipline at the school or amongst the pupils;
iv) causing damage to property.

In circumstances that do not have teachers immediately to hand, the assistance/presence of the Head, Deputy or another teacher must be sought as soon as possible.

2. ‘Reasonable force’

There is no legal definition of reasonable force.

Decisions about circumstances in which force may be used are difficult and ‘circumstances’ cannot be laid down in law. Criteria, which influence the decision, are:

i) the circumstances of the incident warrant it;
ii) the degree of force must be in proportion to the circumstances;
iii) the age, understanding and sex of the pupil.

As previously stated, physical restraint should be seen as the last resort in re-establishing control with a pupil and should occur rarely. Defusing and avoiding restraint are the first priorities.
Before intervening physically, wherever practicable;

i) tell the pupil to stop and what will happen if not;
ii) continue attempting to communicate throughout the incident;
iii) make it clear that physical contact or restraint will stop as soon as it ceases to be necessary;
iv) remove other pupils who might be at risk.

The appropriateness of the use of force by a single unsupported member of staff should be considered:

i) with a physically large older pupil;
ii) when more than one pupil is involved;
iii) when the member of staff is physically small or has an illness or infirmity which makes intervention unwise.

Wherever possible help should be summoned both for physical safety and for the provision of a witness.

3 Types of intervention

Acceptable actions include:

i) physically interposing between pupils;
ii) standing in the way of a pupil;
iii) holding, pushing or pulling;
iv) leading a pupil away from an incident by hand or gentle pressure on the centre of the back.
(In extreme circumstance, more restrictive holds might be used.)

Interventions NOT acceptable

i) holding round the neck, or any hold that may restrict breathing;
ii) kicking, slapping, punching or tripping;
iii) forcing limbs against joints (eg arm lock);
iv) holding by hair or ear;
v) holding face down to the ground;
vi) holding which may be interpreted as being of a sexual nature.
At the conclusion of any incident:

i) pupils should be offered the opportunity to talk through the incident as soon as possible;

ii) involved staff should be afforded supportive discussion with appropriate colleagues as soon as is practicable.

3. Record keeping and reporting

All incidents, however minor, MUST be reported to the head and recorded in the incident log. Staff who find themselves in these circumstances must assist in the collection of the following information:

i) details of pupil(s), time and place of incident, names of staff and other authorised adults involved;

ii) names of witnesses, pupils and adults;

iii) statements from witnesses;

iv) statement giving reason for force being used;

v) description of incident;

vi) pupils response;

vii) details of outcomes including injuries, damage and involvement of parents. Parents may wish to pursue a complaint procedure.

4. Following an incident

The head should;

i) be fully briefed and read all documentation;

ii) interview those involved and discuss with pupil / parents;

iii) notify the local authority and Chair of Governors that such an incident has occurred;

iv) ensure that all concerned are aware of their rights to complain;

v) review school policy and practice in the light of incident.

5. Complaints procedure

Should a complaint arise about the use of force by a member of staff, the school’s complaints procedure should be followed.