



SOLIHULL

Use of Reasonable Force to Control or Restrain Policy

Owner: DSL/Pastoral Support Manager
Reviewers: Deputy Head: Pastoral and Preparatory School Senior Deputy
Head
Last Reviewed: September 2023

Version 4

The Education Act (1996) clarified the powers of teachers and other staff who have lawful control or charge of pupils, to use reasonable force to prevent pupils committing a crime; causing injury or damage; or causing disruption. Such powers already existed under common law but they have often been misunderstood.

The Act does not authorise the use of corporal punishment. Nor is it intended to encourage the use of inappropriate force. The illegality of corporal punishment in schools was extended to include the independent sector under the School Standards and Framework Act 1998, s.131.

This policy should be read alongside the Safeguarding and Child Protection Policy.

1. Where necessary, reasonable force can be used to control or restrain pupils. Physical contact with pupils may also be appropriate or necessary in other circumstances.
2. Such force as is reasonable in all the circumstances may be used to prevent a pupil from doing, or continuing to do, any of the following
 - Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
 - Injuring themselves or others
 - Causing damage to property (including the pupil's own property)
 - Engaging in any behaviour prejudicial to maintaining good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.

The above applies when a member of staff is on the school premises, and when he or she has lawful control or charge of the pupil concerned elsewhere, e.g. on a field trip or other authorised out of school activity.

Everyone, whether authorised by the Executive Headmaster or not, has the right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so. Similarly, in an emergency, for example if a pupil was at immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene. The purpose of this provision is to make it clear that teachers and other authorised staff are also entitled to intervene in other, less extreme situations.

3. 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. The Education and Inspections Act (2006) categorises 'reasonable force' as:
 - 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.
 - 'Reasonable in the circumstances' means using no more force than is needed.
 - 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.

- 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.
- 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. Reasonable adjustments should be made for children with special educational needs

Who can use reasonable 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 Executive Headmaster has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

4. Before intervening physically, a teacher should, wherever practicable, tell the pupil who is misbehaving to stop and what will happen if he or she does not, in line with the Behaviour and Discipline Policy. The teacher should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and teachers should never give the impression that they have lost their temper or are acting out of anger or frustration, or to punish the pupil.
5. Physical intervention can take several forms. It might involve:
 - Physically interposing between pupils
 - Blocking a pupil's path
 - Holding
 - Pushing
 - Pulling
 - Leading a pupil by the hand or arm
 - Shepherding a pupil away by placing a hand in the centre of the back
 - **In extreme circumstances only**, using more restrictive holds

Do Not:

- Hold a pupil around the neck or by the collar or in any other way that might restrict the pupil's ability to breathe
- Slap, punch or kick a pupil
- Twist or force limbs against a joint
- Trip up a pupil
- Hold or pull a pupil by the hair or ear
- Hold a pupil face down on the ground.

ALWAYS AVOID TOUCHING OR HOLDING A PUPIL IN A WAY THAT MIGHT BE CONSIDERED INDECENT

There must be a detailed, contemporaneous report of any occasion (except minor or trivial incidents) where force is used. (If in doubt about the necessity for a report, please consult a Designated Safeguarding Lead or a member of the School Leadership Team. This report, containing the following information, should be emailed to Sarah Hardy (DSL /Pastoral Support Manager) hardys@solsch.org.uk and copy in biggsg@solsch.org.uk as soon as possible after the incident.

- The name(s) of the pupil(s) involved and when and where the incident took place
- The names of any other staff or pupils who witnessed the incident
- The reason that force was necessary (e.g. to prevent injury to the pupil, another pupil or member of staff)
- How the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied and for how long
- The pupil's response and the outcome of the incident
- The details of any injury suffered by the pupil, another pupil or a member of staff and of any damage to property.

A member of the School Leadership Team will then decide whether the parents need to be informed and when and how that should be done. The information will be stored confidentially and securely in our 'Physical Interventions Log' in line with the school Privacy Notice

6. There are occasions when physical contact with a pupil may be proper or necessary, other than those covered by Section 550A of the 1996 Act on which these notes are based. Some physical contact may be necessary to demonstrate exercises or techniques during P.E. lessons, sports coaching, music lessons, or D&T, or if a member of staff must give first aid or intimate care. Young children and those with special educational needs may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. Staff will use their own professional judgement when they feel a pupil needs this kind of support.
7. Physical contact with pupils becomes increasingly open to question as pupils reach and go through adolescence, and staff should bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued.
8. Training for staff regarding the use of reasonable force will be offered when it is deemed appropriate.
9. Any safeguarding or child protection concerns as the result of using reasonable force should be managed in accordance with Safeguarding and Child Protection Policy and Keeping Children Safe in Education (2023).

IF YOU HAVE ANY QUERIES CONCERNING ANY ASPECT OF THESE NOTES, PLEASE DO NOT HESITATE TO RAISE YOUR CONCERNS OR SEEK ADVICE FROM THE DSL OR IN THEIR ABSENCE, THE DEPUTY HEAD (PASTORAL) OR SENIOR DEPUTY HEAD (PREP SCHOOL).

References:

[Use of reasonable force. Advice for headteachers, staff and governing bodies \(July 2013\)](#)