



Use of Force to Restrain / Control Students and Physical Contact with Students Protocol

Definition of Terms

For the purposes of this protocol, the following key terms are defined as outlined below:

1. '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 students. Force is usually used either to control or restrain. This can range from guiding a student 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.
2. 'Reasonable in the circumstances' means using no more force than is needed.
3. Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
4. Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students 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 student.

Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force. This power also applies to any member of staff at the school (Section 93, Education and Inspections Act 2006).
- This power can also apply to people whom the Principal has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.

The statutory power conferred by Section 93 is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence.

There is no legal definition of when it is reasonable to use force and each case must be judged on its circumstances and those exercising the power to use force must also take proper account of any particular special educational need and/or disability.

When can reasonable force be used?

- Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder.
- In the school, force is used for two main purposes – to control students or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances and make reference to staff member's legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).



The types of force which are deemed to be reasonable are:

- passive physical contact resulting from standing between two student or blocking a student's path
- active physical contact such as leading a student by the arm; ushering a student away by placing a hand in the centre of his/her back

Decisions on whether circumstances justify the use of reasonable force will depend on:

- the seriousness of the incident
- the chances of achieving the desired result by other means
- the relative risks associated with physical intervention compared to using other strategies

The following list is not exhaustive but provides some examples of situations where reasonable force can be used. To:

- remove disruptive students from the classroom as a last resort where they have refused to follow an instruction to do so and the other students in the class cannot be removed from the classroom and are at risk from the student's behaviour
- prevent a student behaving in a way that seriously disrupts a school event or a school trip or visit, endangering other students or staff
- prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that incites the dangerous behaviour of other students
- prevent a student from attacking a member of staff or another student, or to stop a fight on the school premises
- restrain a student at risk of harming themselves through physical outbursts

The school does not have a 'no contact' policy as there is a real risk that such a policy might place a member of staff in breach of their duty of care towards a student, or prevent them taking action needed to prevent a student causing harm.

Members of staff cannot use force as a punishment – it is always unlawful to use force as a punishment.

Power to search pupils without consent:

In addition to the general power to use reasonable force as described above, the Principal and authorised staff, usually members of the senior leadership team or overseen by a member of the senior leadership team, can use such force as is reasonable given the circumstances to conduct a search for the following "prohibited items" (Section 550ZB(5) of the Education Act 1996) :

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks



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- pornographic images
 - any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property

Force cannot be used to search for items banned under the school rules. Separate guidance is available on the power to search without consent.

Monitoring and review of the protocol

The Senior Leadership Team shall review this protocol from time to time to ensure that it meets legal requirements and reflects best practice.

If Staff have any questions about this protocol or suggestions for additions that they would like to be considered on review, they may do so by emailing the Principal or Business Manager.

The School will continue to review the effectiveness of this Protocol to ensure it is achieving its stated objectives.

Date of Review

June 2015