

# Swift Academies

## Reasonable Force Policy and Guidance

**Approving Body: Board of Directors**

**Committee: Standards**

**Review Cycle: 3 years**

**Last reviewed: June 2023**

**Date for next review: June 2026**

### School Policies on Related Issues

(To be read and followed alongside this document)

- Individual schools Safeguarding and Child Protection Policy
- Individual schools Behaviour policy

The following policy has been written taking into account the recommendations from the document

### **Use of reasonable force Advice for head teachers, staff and governing bodies - July 2013**

[Use of reasonable force in schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244242/Use_of_reasonable_force_in_schools_-_GOV.UK_(www.gov.uk).pdf)

### **Department for Education and Behaviour in Schools Advice for headteachers and school staff July 2022**

[Behaviour in schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/108442/Behaviour_in_schools_-_GOV.UK_(www.gov.uk).pdf)

It is the aim of this policy to:

- ensure that any use of reasonable force within the school reflects guidance from the DfE and professional Codes of Practice
- develop and sustain an ethos/culture and practice in school which protects the dignity and safety of both pupils and staff
- create and maintain a safe and secure learning environment
- promote a shared understanding that although always the last resort, Physical Control is an option that staff, authorised by the Head teacher, may have to take
- achieve outcomes that reflect the best interests of pupils whose behaviour is of immediate concern and others affected by the behaviour requiring intervention

Positive personal and professional relationships between staff and pupils are vital to ensure good order within the academies. It is recognised that the majority of pupils within the academy respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in the academies. It recognises that reasonable force may at times be necessary, after all proactive and preventative approaches have been exhausted. It is also acknowledged, however, that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. This policy recognises that pupils and staff have a right to work in a safe environment which promotes respectful behaviour.

The vast majority of pupils in swift academy schools behave well and conduct themselves in such manner as to bring credit to themselves, their parents or carers and the academy. However, a small

number of pupils may not meet the standards of behaviour and conduct the school expects of them for a wide variety of reasons.

The individual school's behaviour policies recognise the achievements and positive behaviour of pupils and ensures that these are recognised, shared and celebrated. It also recognises that consequences and sanctions may need to be applied.

However, there may be circumstances where preventative strategies have failed and some form of reasonable force may be unavoidable.

### **What is reasonable force?**

- The term 'reasonable force' covers the broad range of actions that involve a degree of physical contact with pupils.
- 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
- 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 avoid acting in a way that might cause injury but in extreme cases it may not be possible to avoid injuring a pupil.

### **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
- At SWIFT Academies this does not apply to volunteers or parents

### **When can reasonable force be used?**

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder
- In a school, force is used for two main purposes – to control pupils 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.
- Every possible step should have been taken to prevent the situation, and to try to avoid the use of any Physical Restraint. Any force required should be reasonable and kept to a minimum
- The age, understanding and gender of the pupil are taken into account whenever possible to do so.

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

### **Schools can use reasonable force to:**

- remove disruptive children from the classroom where they have refused to follow an instruction to do so
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight
- preventing a pupil from causing damage to property
- if a pupil is attempting to abscond or leave school site putting themselves at risk of harm
- restrain a pupil at risk of harming themselves through physical outbursts.

### **Schools cannot:**

- use force as a punishment – it is always unlawful to use force as a punishment.

### **Restrictive Physical Intervention may involve staff:**

- physically positioning themselves between pupil - **physical presence**
- blocking a pupil's path - **restriction of access or exit**
- escorting a pupil or shepherding a pupil away - **physical diversion**

In extreme circumstances, trained staff may need to hold a pupil - **physical control**

### **Power to search pupils without consent**

In addition to the general power to use reasonable force described above, head teachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”<sup>3</sup>: 3 Section 550ZB(5) of the Education Act 1996

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

See ‘Searching, Screening and Confiscation Advice for schools July 2022’:

[Searching, screening and confiscation at school - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/106422/Searching_screening_and_confiscation_at_school_-_GOV.UK.pdf)

### **De-brief**

After any reasonable force the pupil should be offered a debrief and the chance to talk about what happened and why and how that situation can be avoided in the future.

## **Recording**

Where physical contact has been used a record of the incident **must** be kept. This record should be made in the school incident book/CPOMS entry which will include:

- name of pupil;
- date, time and type of incident;
- a brief description of the incident and actions taken.
- a record of any debrief offered or accepted.

The Incident Book (kept in the pastoral office) report/CPOMS entry must be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved, and the Headteacher.

## **Informing parents/carers when force has been used on their child**

It is good practice for schools to speak to parents/carers about serious incidents involving the use of force and to consider how best to record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents/carers. At Sift academies staff will endeavour to inform parents when physical restraint has been used.

- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
- pupil's behaviour and level of risk presented at the time of the incident;
- degree of force used
- effect on the pupil or member of staff
- the child's age/emotional state

## **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:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school
- 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 PE lessons or sports coaching
- To give first aid.

## **Monitoring**

### **Headteachers**

Headteachers should monitor any use of Reasonable Force by examining:

- the frequency of their use
- the justification for their use
- their nature
- their users
- the views of students concerning them

Headteachers must ensure that:

- the need to use Reasonable Force is minimised
- Physical Restraint is used only in the appropriate circumstances
- only the appropriate degree of Reasonable Force is used

Headteachers must also:

- report on the use of Reasonable Force to the School's Governing Body;
- take appropriate action over issues of concern of either a general or specific nature;
- ensure record keeping is accurate

### **Governors**

Governors should monitor the use of Reasonable Force within the school ensuring that:

- the incidence of the use of Reasonable Force is reported to them termly
- incidents comply with school policy
- trends are recognised
- action is taken to reduce the use of Reasonable Force

## Appendix A – Reasonable Force Staff Form

|  |                         |           |
|--|-------------------------|-----------|
| <b>Name of School</b> – Record of physical intervention  |                         |           |
| Date of incident:  | Time of incident:       | Location: |
| Pupil Name:  | D.O.B:                  |           |
| Member(s) of staff involved:   |                         |           |
| Adult witnesses to incident:   |                         |           |
| Pupil witnesses to incident:   |                         |           |
| Name of person completing the form:  |                         |           |
| Outline of event/behaviour leading to the use of reasonable force (What the young person was doing or saying): |                         |           |
| Detail of methods used to avoid the use reasonable force (Highlight as necessary):                             |                         |           |
| Calm talking   | Humor                   |           |
| Calm Stance  | Verbal advice/support   |           |
| Patience   | Firm clear directions   |           |
| Withdrawal offered   | Negotiation             |           |
| Withdrawal <u>directed</u>   | Limited choices         |           |
| Change of face   | Distraction             |           |
| Consequence reminders  | Diversion               |           |
| Success reminders  | Reassurance             |           |
| Other  | Planned <u>ignoring</u> |           |
|  | Contingent touch        |           |
| Why was the measure necessary (Highlight as necessary):  |                         |           |
| Risk to self   |                         |           |
| Risk to others   |                         |           |

|  |
|--|
| Risk to physical environment<br>Prevention of distress<br>Prevention of physical harm<br>Prevention of criminal offence<br>Temporary loss of competence or capacity<br>Prevention of absconding site |
| Description of measure used (what you did, what you said and timeframe):<br><br><br><br><br>   |
| Effectiveness of measure/ Outcome of incident:<br><br><br><br><br>   |
| Description of any injury to child concerned or any other person as a result of the measure:<br><br><br><br><br>   |
| Description of any medical treatment offered or administered:<br><br><br><br><br>  |
| <b>Date parent/carer informed of incident:</b> _____ <b>Time:</b> _____<br><br><b>By whom informed:</b> _____<br><br><b>Outline of parent/carer response:</b> _____<br><br><br><br><br>              |

|  |              |
|--|--------------|
| <b>Signature of staff completing report:</b>                     | <b>Date:</b> |
| <b>Signature of Teacher-in-charge:</b>                           | <b>Date:</b> |
| <b>Signature of Head or DSL</b>                                  | <b>Date:</b> |
| Brief description of any subsequent inquiry/complaint or action: |              |

