

POLICY

Use of force

Date of approval by governing body:	March 2015
Updated:	July 2016
Review date:	Spring 2017
Policy Owner:	Assistant Headteacher: Student Welfare

The King's has a pivotal role to play in every student's spiritual, moral, social and cultural development. Through our mission to ensure that every student learns with truth and love, we ensure that we support each student through the promotion of the Christian values of justice, grace, trust, thankfulness, aspiration and celebration (as identified, by students, staff and governors). This mission and these values underpin this policy and its related practices.

Introduction

At The King's School we strive to create an environment in which both children and adults feel happy, safe, secure and valued.

The use of force upon any student 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.

What is reasonable force?

- 1) 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 students.
- 2) 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.
- 3) 'Reasonable in the circumstances' means using no more force than is needed.
- 4) As mentioned above, schools generally use force to control students and to restrain them. 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.
- 5) 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.
- 6) 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?

- 1) All members of school staff have a legal power to use reasonable force.
- 2) This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

When can reasonable force be used?

- 1) Reasonable force can be used to prevent students from hurting themselves or others, from damaging property or from causing disorder.
- 2) In a school, force is used for two main purposes – to control pupils or to restrain them.
- 3) 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.
- 4) 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 student behaving in a way that disrupts a school event or a school trip or visit;
- prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a student from attacking a member of staff or another student, or to stop a fight in the playground; and

- restrain a student at risk of harming themselves through physical outbursts.
- Teachers must consider the needs of children with special educational needs (SEN).

Schools 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 described above, Headteacher and authorised 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 and cigarette papers
- 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.

Force **cannot** be used to search for items banned under the school rules.

Using force

A panel of experts identified that certain restraint techniques presented an **unacceptable risk** when used on children and young people.

The techniques in question are:

- the ‘seated double embrace’ which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
- the ‘double basket-hold’ which involves holding a person’s arms across their chest; and
- the ‘nose distraction technique’ which involves a sharp upward jab under the nose.

What about other physical contact with pupils?

It is not illegal to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary. Examples of where touching a student 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 PE lessons or sports coaching; and
- To give first aid.