



# Loughborough Grammar School

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Policy Title: Restraint (Use of Force) Policy

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## Restraint Policy (Use of Force)

“Use of Reasonable Force – Advice for Headteachers, Staff and Governing Bodies” (July 2013) clarified **The Education and Inspections Act 2006**, outlining when teachers, and other staff, who have lawful control of pupils, are permitted to use reasonable force.

Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. 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.

In Loughborough Grammar School, force should only be used for two main purposes – to control pupils or to restrain them. 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 pupils 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 impacts on the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight between pupils;
- restrain a pupil at risk of harming themselves through physical outbursts.

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

The definition of ‘reasonable’ force will always depend on all the circumstances of the case.

The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil committing a trivial misdemeanour, or in a situation that clearly could be resolved without force. Also, the degree of force involved must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is trying to prevent. It is always unlawful to use force as a punishment.

### **Application of force**

Physical intervention can take several forms either in the form of control or of restraint. It might involve staff:

- blocking a pupil’s path;
- physically interposing themselves between pupils;
- holding, pushing or pulling pupils, to calm an aggressive situation;
- leading a pupil by the hand or arm to shepherd them away.

Staff should NOT:

- hold a pupil by the neck, collar, hair or ear;
- slap, punch or kick a pupil;
- twist or force limbs against a joint;
- trip up a pupil;
- hold a pupil face down on the ground;
- staff should always avoid touching or holding a pupil in a way that might be considered indecent.

### **Practical Considerations**

Staff members can sometimes be worried that using force will lead to false allegations of unreasonable or unlawful conduct in the form of a complaint or legal action. But if the force used is reasonable all staff will have a robust defence against any accusations. Whether the force used is reasonable will always depend on the particular circumstances of the case and the test is whether the force used is proportionate to the consequences it is intended to prevent. This means the degree of force used should be the minimum needed to achieve the desired result.

A calm and measured approach to any incident must be maintained. Where practicable, a verbal warning should precede the use of physical force. Any physical force should stop as soon as it ceases to be necessary.

There may be occasions – when dealing with older or physically large pupils, or more than one pupil – when the teacher should not intervene without help (unless it is an emergency). Members of staff should not put themselves at risk. Staff would not be seen as failing in a duty of care by not using force to prevent injury, if in doing so this threatened their own safety.

### **Recording Incidents**

All complaints about the use of force should be thoroughly, speedily and appropriately investigated. Any member of staff who uses force in dealing with a pupil, whatever the circumstances, should inform the Head or his deputies immediately (both verbally and in writing). It is clearly desirable that the Head or his deputy should first hear of such an incident from the member of staff concerned, rather than from the pupil or his parent, and should thus be in a better position to deal effectively with any subsequent enquiry. If a complaint is made against a teacher who has used force, the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.