**THE RICHARD PATE SCHOOL**



### Use of Reasonable Force Policy

**January 2024**

This policy is applicable to all pupils in the school, including those in the EYFS. The Richard Pate School seeks to cultivate an environment of mutual respect and treats pupils/students and staff in a fair and just manner. Physical force should only be used as a last resort. The Richard Pate School does not use corporal punishment. The Richard Pate School fully accepts the guidance given in the Education Act 1997 Section 550A that includes the following:

Staff may use reasonable force to prevent a pupil/student:

* Committing a criminal offence
* Injuring themselves or others
* Causing damage to property – including the student’s own property
* Engaging in any behaviour prejudicial to good order and discipline at Richard Pate or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
* This applies where a member of the staff of a school is:
	+ On the premises of the school; or
	+ Elsewhere at a time when as a member of its staff, he or she has lawful control or charge of the pupil/student concerned.

This policy has been written following guidance in Use of reasonable force in schools July 2013

www.gov.uk/government/uploads/system/uploads/attachment\_data/file/444051/Use\_of\_reasonable\_force\_advice\_Reviewed\_July\_2015.pdf

Reasonable force depends on the circumstances and situation but must be reasonable in the circumstances, which means using no more force than is necessary and as such covers a broad range of actions used on occasion by staff that involve a degree of physical contact with pupils. Controlling a pupil may be passive physical contact, such as blocking a pupil’s path or active physical contact such as leading a pupil away. Active physical force should only be used as a last resort and should, normally, be preceded by a verbal warning.

1. In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual, from damaging property or to prevent a pupil leaving a classroom where allowing him / her to do so would risk his / her safety or lead to behaviour that disrupts the behaviour of others.
2. In deciding whether reasonable force is required, the needs of individual pupils will be considered and reasonable adjustments will be made for pupils with special educational needs or disabilities.
3. Where reasonable force is used by a member of staff, the Deputy Head Pastoral must be informed of the incident and it will be recorded in writing. The pupil's parents will be informed about serious incidents involving the use of force on the same day or as soon as is practicable.

**Scope of the Use of Reasonable Force policy**

This policy applies whilst at school and on authorised school activities and trips.

Examples of incidents in which use of reasonable force would be appropriate:

* A pupil/student attacks a member of staff or another pupil/student
* Two or more pupils/students are fighting
* A pupil/student is engaged in or is about to commit deliberate damage to property
* A pupil/student is likely to cause injury through rowdy behaviour
* A pupil/student is running in a corridor or on a staircase
* An upset pupil is dropped off at the front of the School at morning drop off and attempts to run to their parents in the car park
* A pupil/student persistently refuses to leave the classroom when instructed to do so
* A pupil/student is behaving in a manner which is causing serious disruption to a lesson.
* A pupil / student is likely to cause damage to themselves or another pupil / student or member of staff
* Emergency first aid needs to be administered.

**Reasonable force**

There is no definition in the Act of ‘reasonable force’, only a description of the circumstances where it might be used in schools by teachers and authorised staff. It should be noted that the use of any degree of force is unlawful if the particular circumstances do not warrant it. The degree of force should be in proportion to the circumstances and seriousness of the behaviour or consequences it is intended to prevent. The level and duration of the force used should be the minimum necessary to achieve the desired result, such as to restore safety. It is impossible to describe definitively when it is reasonable to use force and how much may be used, beyond stating that this will depend on the circumstances of the case.

Relevant considerations as to whether it might be reasonable to use force and the degree of force to be used could include for example the age, understanding and sex of the child. In some circumstances it would be inadvisable for a member of staff to intervene without help, such as where a number of pupils are involved, and where the member of staff might be at risk of injury: in such cases the Headmaster or a member of SLT should be called. In all circumstances, if a member of staff intervenes to restrain a child, it is better to find a second responsible adult to assist or to witness. However, a member of staff could be held to be negligent if he or she did not intervene to stop an injury, because there was no adult help nearby.

Physical intervention might take the form of:

* Physically interposing between pupils;
* Blocking a pupil’s path;
* Holding a pupil by the hand or arm;
* Shepherding a pupil away by placing a hand in the centre of the back;

Staff must always avoid touching or holding a pupil in a way that might be considered indecent.

**Recording Incidents involving the Use of Restraint**

All incidents involving the use of physical force must be recorded as appropriate. The name of the pupil/student, the date and time of the incident, the location, all pupils/students & staff involved, the reason why force was necessary, details of the incident and the outcome should all be noted on School Manager. The Headmaster, Deputy Head (Pastoral) and Class Teacher must be fully informed of the incident. It is likely that the matter will be treated as a major disciplinary incident and dealt with according to the appropriate behaviour policies if someone is not informed or excessive force is used.

**Complaints**

If a pupil or parent feels that force has been used unreasonably, they should follow the pupil or parent complaints procedure and this will be investigated. In line with the July 2013 Government guidance staff may not be automatically suspended if an allegation is made against them.