

Katharine Lady Berkeley's School

Use of Reasonable Force Policy

Introduction

Katharine Lady Berkeley's School (the "**School**") is committed to ensuring that each child has the right to be educated in a safe environment and that its staff should expect to work in a safe environment. This policy complies with the Department for Education's (DfE's) advice "*Use of Reasonable Force in Schools*" published in July 2013.

Definition of reasonable force

The DfE's advice states that "*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 pupils.*"

The use of force can be regarded as "reasonable" provided that:

- the circumstances of the incident warrant it; and
- the degree of force used is no more than needed and is proportionate to the incident.

Force may be used either to control or restrain pupils. Reasonable force should never be used as a form of punishment. Reasonable force may involve staff:

- physically interposing between pupils;
- physically moving a pupil from a situation;
- leading a pupil by the arm;
- shepherding a pupil away by placing a hand in the centre of their back;
- retaining a pupil in a confined area;
- using distraction techniques (for example, pushing or pulling a pupil).

In determining what is reasonable, the pupil's SEND must be considered by staff and any reasonable adjustments made.

Who can use reasonable force and in what circumstances?

All staff may use reasonable force to prevent a pupil from:

- committing a criminal offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- injuring themselves or others; or
- causing damage to property.

It is the policy of the School that physical contact should not be used as a means of maintaining good order and discipline at the School or among any pupils receiving education at the School, whether during a teaching session or otherwise. For example,

where a pupil insists of leaving a room, unless the pupil is committing a criminal offence, or injuring themselves or otherwise causing damage to property, the pupil should not be prevented from doing so using physical means, such as blocking an exit route, and the matter should be brought to the attention of a member of the School's Senior Leadership Team at the earliest opportunity.

This power can also be used by individuals temporarily put in charge of pupils by the Head teacher such as volunteers. The right to use reasonable force applies on School premises and on organised visits that take place outside the School. Parental consent is not required to use reasonable force on a pupil.

Strategies to tackle behaviour

The School promotes positive behaviour management and seeks to develop good relationships between staff and pupils to reduce the need for the use of physical intervention.

All staff will seek to follow strategies likely to reduce the need for force in dealing with pupils. Staff will consider alternative responses where appropriate before applying force in any situation. It may be inappropriate for a member of staff to intervene in an incident without help if they would be at risk of injury (particularly when dealing with an older pupil or more than one pupil). In this event, the member of staff should remove other pupils who may be at risk and summon help from a colleague.

[Staff can use reasonable force to, for example, remove disruptive children from the classroom where they have refused to follow instructions or to prevent a pupil behaving in a way that disrupts a school event. They will endeavour at all times to make clear statements, telling the pupil to stop and the consequences of failing to do so.]

The decision on whether or not to physically intervene is down to the judgement of the member of staff concerned and should depend on individual circumstances. The DfE guidance states that "*School staff will always try to avoid acting in a way that might cause injury, but in extreme cases it may not be possible to avoid...*"

Staff will only use reasonable force as a last resort. Staff will never:

- hold a pupil around the neck in a way that is likely to restrict breathing;
- hit a pupil; or
- hold a pupil face down on the ground.

If the School becomes aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will draw up an individual risk assessment and plan measures that may be taken.

The following restraint techniques present an unacceptable risk when used on children and young people, and therefore should not be used:

- 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
- the 'nose distraction technique' which involves a sharp upward jab under the nose

Searching Pupils without consent

The Head teacher and authorised staff have a statutory power to search pupils or their possessions without their consent where they have reasonable grounds for suspecting that the pupil has prohibited items. The items that can be searched for under this power are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any item that a member of staff reasonable suspects has been or is likely to be used to commit an offence, or to cause personal injury to, or damage to the property of any person.

The Head teacher and authorised staff can use such force as is reasonable to conduct a search for prohibited items. No force can be used to search for items banned under the School rules (see Search and Confiscation policy for further details).

Other contact

Staff may on occasion have physical contact with a pupil (other than reasonable force) where it is proper and necessary. Examples include:

- when a pupil is being congratulated or praised e.g. a handshake
- demonstrating how to use a musical instrument;
- demonstrating exercises during PE lessons;
- giving first aid (whenever possible, another adult should be aware of the action being taken, and the nature of the action should be recorded with the medical officer or a member of the School's Senior Leadership Team. When using a defibrillator it may be necessary to cut or remove items of clothing); and
- helping pupils with special educational needs with certain activities, such as changing before or after PE lessons (this need and the nature of the assistance required should be recorded on the pupil's care plan and the physical contact must be appropriate to the pupil's need).

It is the policy of the School that physical comforting must not be used to reassure or to comfort a distressed pupil.

Record

Staff must make a written record of any occasion on which reasonable force is used to restrain a pupil. It must be passed to the Head teacher or Deputy Head teacher at the earliest opportunity and where possible by the end of the day. A record of the incident will be made and the Head teacher will report the incident to parents, unless doing so may result in significant harm to the pupil.

It may also be necessary to report the incident to the Gloucestershire Safeguarding Children Board, Social Services, the Health and Safety Executive or the Police

Dealing with an Incident

A member of staff trained in first aid will check for any injuries, as a result of the incident. Parents will be contacted by the Head teacher as soon as possible after the incident. A member of staff who is subjected to physical violence will be supported in taking any necessary action against a pupil.

If a complaint is made it will be dealt with in accordance with the School's complaints policy. Allegations against members of staff will be referred to the Gloucestershire Safeguarding Children Board with whom the appropriate steps to be taken will be determined. Suspension will not be an automatic response when a member of staff has been accused of using excessive force. Pastoral support will be provided to any member of staff subject to formal allegations following the use of force.

The School will provide all staff with regular training sessions on the use of reasonable force.

Reviewed by: Community and Wellbeing

Date: July 2022

Next review: July 2024