

# LANCASTER ROYAL GRAMMAR SCHOOL

## POLICY STATEMENT

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| <b>Number</b><br><b>36</b> | <b>Date Approved by Governing Body</b><br><b>December 2018</b> |
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### CARE AND CONTROL : POLICY ON THE USE OF REASONABLE FORCE

Very strong relationships exist between staff and pupils at Lancaster Royal Grammar School as the vast majority of the pupils behave responsibly around school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be needed.

It is the aim of this policy to clarify the power of teachers, and other staff who have lawful control or charge of pupils, to use reasonable force to prevent pupils committing any offence, causing injury or damage, or causing severe disruption. 'Reasonable in the circumstances' means using no more force than is needed. This provision applies when a teacher or authorised person is on the school premises and when the person has lawful control or charge of the pupil elsewhere (e.g. field trip/activity etc). It must be clear that this clarification does not authorise the use of force as a punishment – it is always unlawful to use force as a punishment.

There are a wide variety of situations in which 'reasonable force' may be appropriate, or necessary, to control or restrain a pupil. Wherever possible, if this is anticipated, appropriate steps should have been taken beforehand to plan responses. School staff are enabled to use such force as is reasonable in the circumstances to prevent a pupil from doing or continuing to do, any of the following:

- a) committing any offence.
- b) causing an imminent risk of injury to themselves or others.
- c) causing damage to property including their own.
- d) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

The staff to which this power applies are:

- All members of school staff have a legal power to use reasonable force.
- Any other person whom the Headteacher has temporarily put in charge of pupils
- It does not include prefects
- However individual members of staff cannot be required to use physical restraint

#### **Reasonable force**

Wherever possible, staff should exhaust a range of appropriate behaviour management strategies aimed at preventing the situation from reaching the point at which physical

intervention becomes necessary. Restraint will therefore only be used as a last resort after all efforts to defuse the situation have been taken.

There is no legal definition of when it is reasonable to use force. It is, therefore, impossible to set out a comprehensive definition of the degree of force that may be used. 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 individual circumstances.

Relevant considerations should be:-

- i) The use of force can be regarded as reasonable **only** if the circumstances of the particular incident warrant it. If the situation does not warrant the use of physical force then **any** degree of force is unlawful. It is always unlawful to use force as a punishment.
- ii) The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the **minimum needed**.
- iii) The degree of force used, or whether it is reasonable to use any force, might also depend on the age of the pupil. Staff also have a legal duty to make reasonable adjustments for disabled children and children with special needs.

### **Guidelines on the use of reasonable force**

Before using *reasonable* force staff should, wherever practicable:

- i) Tell the pupil who is misbehaving to stop.
- ii) Give clear instruction warning the pupil that unless he conforms then physical restraint will be applied.
- iii) Continued communication should be attempted throughout the incident.
- iv) It should be made clear that restraint will stop as soon as it ceases to become necessary.
- v) Staff should never give the impression that they have lost their temper but should retain a calm measured approach.
- vi) If possible summon help from another member of staff to assist.
- vii) Staff should never intervene if they believe they are at risk of injury but should call for assistance.

### **Intervention**

This may take several forms:-

- i) physically intervening between pupils,
- ii) blocking a pupil's path,
- iii) holding, pushing or pulling,
- iv) leading a pupil by hand or arm,
- v) shepherding a pupil by placing his/her hand in the centre of the boy's back,
- vi) in extreme cases using a more restrictive hold or taking action necessary to prevent injury but this action must be consistent with 'reasonable force'.

In normal circumstances staff should **NOT** act in a way that might reasonably be expected to cause injury, for example by:-

- i) holding a pupil by the neck,
- ii) slapping, punching or kicking a pupil,
- iii) twisting or forcing limb joints,
- iv) tripping a pupil,
- v) holding a pupil by the hair or ear,
- vi) holding a pupil face down on the ground,
- vii) holding a pupil in a way which may be interpreted as indecent.

It is anticipated at all times that any element of force will **ONLY** be used when all other attempts to defuse the situation have failed.

### **Reporting and recording**

If force is used towards any pupil in the school, the Headmaster or a member of the SLT should be informed orally that force has been used as soon as possible, preferably within one hour. The incident record form should be completed and sent to the Headmaster or a member of the senior leadership team within 24 hours. This form is available from the Headmaster's Office.

It may be wise to seek advice from a senior colleague or professional association when compiling the report.

As soon as possible after the incident a member of staff should be debriefed by a designated member of staff and given support.

Under the Data Protection Act, parents have the right to see the report as part of the child's educational record, within 15 days of a written request.

After any recordable incident, parents/carers must be informed and given the opportunity to discuss the incident with staff at the school. Any disciplinary action and/or support will result from these meetings and will follow the information laid out in the school's behavioural policy, *and internal and external support agencies if needed.*

### **Complaints**

It is possible that despite adherence to the above advice, a pupil may make an allegation that they have been assaulted by a member of staff and a parental complaint may ensue. These will be dealt with under the School's complaints procedure. It is thus important that the above advice has been carefully followed and that the use of force was reasonable in the circumstances.

All staff should be aware that physical contact of any sort may be misconstrued, however innocent. Some physical contact may be necessary or appropriate in certain subjects (e.g. D & T, games) or circumstances (e.g. injury) but staff should always use professional judgement in this matter. It is important that if any pupil is particularly sensitive to physical contact that information has been circulated to all staff.

### **Monitoring**

All staff will have regular awareness sessions on the issues of this policy. The introduction of more formal training will remain under constant review. The Governing Body will monitor incidents where force has been used. This policy will be reviewed every two years.