

LANCASTER ROYAL GRAMMAR SCHOOL

**POLICY STATEMENT**

<b>Number</b> 19	<b>Date Approved by Governing Body</b> <i>June 2024</i>
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**CARE AND CONTROL: POLICY ON THE USE OF REASONABLE FORCE**

This policy should be read in conjunction with the following guidance:

- DfE Use of Reasonable Force - Advice for headteachers, staff and governing bodies - July 2013 <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

This policy should be read in conjunction with the following school policies:

- Behaviour of Pupils Policy
- Pastoral Care Policy
- *Special Educational Needs & Disability Policy*

***Scope of this Policy & School Context***

*This policy applies to all staff and pupils, both in the day school and in boarding.*

*The school context recognizes that* 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.

***Aims of the Policy***

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.

***Circumstances When Force May Be Used***

*The school does not have a ‘no contact’ policy. The school expect members of staff to exercise their duty of care towards a pupil by taking the action needed to prevent a pupil causing harm or being harmed, including the use of reasonable force.*

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 *for example in separating pupils found fighting.*
- 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, *for example if a pupil refuses to leave a room when instructed to do so.*

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

*In addition, the Head authorises Deputy Heads, Assistant Heads and Housemasters to use such force as is reasonable given the circumstances **to conduct a search without consent** for the following prohibited items, in line with government advice:*

- *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.*

### **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 children with Special Educational Needs or Disabilities (SEND).

### **Guidelines on the Use of Reasonable Force**

Before using reasonable force staff should, wherever practicable:

1. Aim to deescalate the situation without the use of reasonable force
2. If possible, summon help from another member of staff to assist
3. Remove other pupils from the situation
4. Use open, not threatening body language
5. Use voice and language to encourage the pupil towards more positive behaviour
6. Consider whether allowing a 'flight response' is a safer outcome
7. Give a clear instruction to the pupil who is misbehaving to stop
8. Give clear instruction to warn the pupil that unless they conform then physical restraint will be applied
9. Continued communication should be attempted throughout the incident
10. It should be made clear that restraint will stop as soon as it ceases to become necessary
11. Staff should never give the impression that they have lost their temper but should retain a calm measured approach
12. Staff should never intervene if they believe they are at risk of injury but should call for assistance.

### **Intervention**

This may take several forms:-

1. physically intervening between pupils,
2. blocking a pupil's path,
3. holding, pushing or pulling,
4. leading a pupil by hand or arm,
5. shepherding a pupil by placing their hand in the centre of the pupil's back,

6. 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:-

- holding a pupil by the neck,
- slapping, punching or kicking a pupil,
- twisting or forcing limb joints,
- tripping a pupil,
- holding a pupil by the hair or ear,
- holding a pupil face down on the ground,
- 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 **must** be informed orally that force has been used as soon as possible, preferably within one hour. The incident record form must be completed and sent to the Headmaster or Designated Safeguarding Lead within 24 hours. ~~This form is available from the Headmaster's Office.~~

Staff are advised 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 required disciplinary action and/or support is laid out in the school's Behaviour of Pupils Policy.

### **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 & Training**

*Recordable instances of the use of reasonable force across the school will be monitored and reviewed by the Designated Safeguarding Lead. This analysis will inform training provision and policy review.*

*Recordable instances of the use of reasonable force in relation to a specific child will be monitored by the Pastoral Heads Team and where there is a Special Educational Need the SENDCO. This analysis will inform specific pupil support plans.*

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. The Designated Safeguarding Lead will report these incidents to the Governors' Safeguarding Committee.

This policy will be reviewed every two years.