

**THE USE OF FORCE TO CONTROL OR RESTRAIN  
STUDENTS POLICY**

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*Our 'Named Governor' with special responsibility for "The Use of Force to Control or Restrain Students" is  
**Jane Andrews***

Policy Reviewed & Approved by Governors:

Date: \_\_\_\_\_ 24<sup>th</sup> September 2014 \_\_\_\_\_

Signed by Headteacher: \_\_\_\_\_

Signed on behalf of the  
Governors Committee: \_\_\_\_\_

Date of next review: \_\_\_\_\_ September 2018 \_\_\_\_\_

## **The Use of Force to Control or Restrain Students**

This policy should be read in conjunction with:

- Searching of students and prohibited items Policy
- Behaviour Policy
- Equal Opportunities Policy

This policy is based upon the latest non-statutory guidance in Government Document DFE-00295-2013, "Use of reasonable force - Advice for Headteachers, Staff and Governing bodies", July 2013. The Headteacher and Governors will refer to this document in terms of the everyday implementation of this policy.

### **Keywords**

*Controlling students is a first level of the use of force and can be 'passive' or 'active'.*

*Restraining students is a higher level of the use of force and is by its nature 'active'.*

### **Reasonable Force**

Colleagues who work in schools are able to use such reasonable force as is necessary to prevent a student from doing, or continuing to do, any of the following:

- causing personal injury to themselves
- causing personal injury to any other person
- causing damage to the property of others
- preventing or negatively influencing the maintenance of good order and discipline among students at school, at extra-curricular clubs and meetings and on school visits

These powers extend to any circumstance where the students are in the control or charge of the member of staff, including extra-curricular clubs and meetings and on school visits. These powers can be exercised by any teacher who works at the school and also by any person to whom the Headteacher has given temporary authorisation/delegated authority to have control or charge of students. This includes e.g. unpaid volunteers such as sports coaches, sessional leaders or parents accompanying a visit. **These powers cannot be delegated or given to any students, including to any sixth formers.** These powers extend the *common law* rights of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence.

Reasonable force may also be used by authorised staff to search students without their consent for weapons and other prohibited items, although where resistance is expected **it is advised that the police are called.** Details of the powers to search students are subject to a separate Policy [Searching of students and prohibited items Policy].

The law does not specify the limits of reasonable force, but to be judged lawful the force used would need to be in proportion to the consequences it was intended to prevent. Force cannot be used to prevent trivial misbehaviour. Proper account should be taken of the known Special Educational Needs or Disabilities of individual students.

Force should not be used as a punishment; the law will not support individuals who find themselves in this situation.

### **Examples to illustrate the concept of reasonable force**

Case law will determine what is acceptable use of force, but a few examples should help to prevent individuals exceeding their powers. Such examples can be found in *Appendix 1*.

### **What is not acceptable use of force?**

A full list is not possible but would include:

- striking a student to make them obey you
- pinning a student up against a wall while you shout at them
- acting in a way that could injure the student
- touching a student in a way that could be interpreted as sexually inappropriate conduct

### **What is acceptable use of force?**

Types of force that can be used in appropriate circumstances:

#### **Control:**

- passive physical contact resulting from standing between students or blocking a student's path
- leading a student by the hand, elbow or arm (positive control)
- ushering a student away by placing a hand **on the centre of the student's back**

#### **Restraint:**

- in more extreme circumstances more restrictive holds might be appropriate
- in the most extreme cases any level of force might be acceptable e.g. to prevent an assault or serious self-harm with a knife, scissors etc.

### **Positive Handling**

This approach uses simple but effective techniques to enable staff to guide students – who may be angry, moody or may be in some way uncooperative – to move away from the site of conflict without undue force being used. The techniques are 'active' but usually involve touching e.g. student's elbows with minimal pressure/force being required.

### **Gender Issues**

It is understandable that staff may feel especially uncomfortable with having to restrain students of the opposite gender, as such circumstances may elicit different responses/interpretations from bystanders and may lead to additional scrutiny of the situation after the event. Staff are advised to keep to the guidelines contained in this policy, to ensure that they are acting in a professional manner and, when possible, to employ another member of staff to act as assistant/witness, in order to minimise the risks of any accusations being made of inappropriate conduct.

### **Staff awareness and training**

Physical restraint is a very rarely used option at Townley Grammar School. We work with intelligent and on-the-whole, very co-operative students who usually respond quickly to instructions and so the need to use any force is a rare event. Due to this rarity, lack of familiarity makes it harder for staff to know how to respond when the situation does arise, so this policy will be discussed regularly as part of routine staff training on an annual basis. The Headteacher should make this policy known to all those with delegated authority to use physical force. The school should ensure that student handling plans, created by SenCo and Student Services, are available for students where the risk of force having to be used is perceived to be above the norm.

All staff should receive formal training on the use of reasonable force/restraint/positive handling with students at least every three years, with an annual reminder provided by the SLT in the intervening years.

### **General advice to staff in a stressful situation where the use of force may be necessary**

Stay as calm as possible. At every stage use the minimum force necessary to achieve your objective. Do not be afraid to seek extra assistance – but also know that if you have acted reasonably there is little to fear from complaints. It is advised that another adult is present where possible if you have to use force, to observe and assist if necessary.

### **Minimise the use of force at all times**

We try to avoid having any incidents where force is necessarily used. This is aided by trying to establish an environment in school that is purposeful and busy, but calm and disciplined, as exemplified in the school ethos statements and detailed in the School's Behaviour Policy. We teach students how to manage conflict and strong feelings in many subjects (e.g. English, RE, drama and PD). If an incident does arise try to de-escalate the situation wherever possible. Certainly only use force where the risks involved in doing so outweigh the risks you perceive from not using force. Controlling the situation/students should always be attempted first. Where feasible give the student an oral warning that you will have to use force. At Townley Grammar School such incidents are most likely to involve students with known relational issues e.g. known anger management or autistic spectrum conditions. The school will draw up positive handling plans for individual students and include these in staff briefings on SEND issues.

### **Summary of Advice**

In all cases try to defuse the situation as quickly as possible. Try to calm the situation down, using the minimum force necessary to **control** the situation/students and keep as calm and professional as you can. It rarely helps to shout at a student in these circumstances, although, on occasions, this might help them to realise that they are way over the top in their own behaviour and it might bring the student back to their senses quickly. Avoid using restraint if at all possible e.g. consider moving other students out of the room rather than forcing the issue with a defiant student. If possible, calmly explain that in having to move the rest of the class the education of other students is being disrupted and that will have disciplinary consequences for the disruptive student.

### **Reporting incidents**

Any incident where force has to be used by a teacher or other authorised person must be reported by the member of staff involved in the incident to the Headteacher on the incident recording form (see *Appendix 2*). Normally, such incidents will be reported to the parents/carers by the Headteacher or a delegated person, usually a member of the SLT. In some cases other agencies may need to be informed (e.g. the police, Children's Services, CAMHS). All serious incidents where force is used to control or restrain student(s) will be reported to the Governors.

### **Post-incident support and complaints**

Usually an incident requiring physical force or restraint may have other outcomes such as disciplining of the student for misbehaviour. It may also require some rebuilding of relationships between the student and other involved parties. The Headteacher should consider each incident report and ensure that any lessons learnt are followed up e.g. modifying the student's handling plan, appointing specific members of staff to be a first point of call-out for that student, providing a safe-refuge for the student to go when they feel under pressure. The Headteacher should offer appropriate support to those involved in such incidents, including to students and members of staff.

Complaints about the actions taken by a teacher or other authorised person will be handled under the school's advertised complaints procedures. It should be noted that the onus in law is on the complainant to prove that they were subject to unreasonable force, not on the teacher/adult involved to prove they did *not* use unreasonable force.

If a member of staff is accused of using unreasonable force, suspension of that member of staff should not be automatic. The Headteacher will need to consider each case on its merits. The Headteacher should take action to support staff accordingly.

## **APPENDIX 1: Examples of how this policy might work in everyday scenarios**

### **Example 1:**

**Issue:** Year 8 student with Asperger's syndrome/Autistic Spectrum Disorder refuses to follow instructions.

**Response:** Seek assistance by sending another student to get a member of the Student Services Team, a member of SLT or an individual member of staff who has been assigned as a 'first response' for this individual student. If the refused instruction is urgent for the safety of the student e.g. handling a tool in DT or a chemical in a science lesson, then the student may be held and the item removed from their grasp.

### **Example 2:**

**Issue:** Year 11 student is rude to the teacher and is asked to leave the room. She refuses.

**Response:** Send another student to the Head of Department/Cluster if they are in a nearby classroom. If not, send another student to Student Services, who will contact a member of the SLT to come to the room. It is not advised that the classroom teacher should physically manhandle the student out of the room, although they would be entitled to do so. It is unlikely that other students are in danger at this point.

### **Example 3:**

**Issue:** Y10 student appears to be self-harming e.g. scratching/stabbing themselves with a protractor/compass/scissors.

**Response:** Tell the student to stop. If they do not, try to remove the offending item without placing yourself at any serious risk of attack from the student. If necessary hold the student's arms to restrain them. Send another student to Student Services to call for assistance.

### **Example 4:**

**Issue:** On duty at break you find two students 'squaring up' to each other.

**Response:** Hopefully the incident will end with your arrival, but you are entitled to use force to separate the students from each other. Initially, try to insert yourself between the students to keep them apart. Alternatively, it might require them being pushed/pulled apart but it can be envisaged that an angry student may have to be held while their anger subsides.

### **Example 5:**

**Issue:** A student is very angry at something that has happened to them. They now seem out of control e.g. shouting, swearing, making threats etc.

**Response:** This student may not respond to being told to calm down. They may need to be restrained by holding their arms or forcing them to sit down. They may try to break away. You could continue to hold them e.g. arms behind their back until they calm sufficiently. If they attempt to leave the classroom, you may judge that they may end up harming themselves and so preventing them leaving may be justified.

**APPENDIX 2: Reporting Form – Incidents in which force has been used on student(s) or student(s) have been restrained**

A separate form should be used for each student involved. Ensure that the total number of forms associated with this incident is recorded here: (e.g. this is form two of four)

This is form \_\_\_\_\_ of \_\_\_\_\_ associated with this incident.

Name of student involved	
Date and time of incident	
Location of incident (please be specific e.g. room number, which corridor, which building)	
Name(s) of staff who had to use reasonable force/restraint	
Name(s) of staff who were witness(es) to the incident	
Name(s) of other students involved in the incident	
Name(s) of other students who were witness(es) to the incident	
Details of whether any student(s) involved have: SEND, medical issues, social issues, any form of individual education/reintegration plan or are vulnerable	
Details of any injuries received by student(s) involved, including details of any first aid or medical treatment received	
Details of any injuries received by adults involved, including details of any first aid or medical treatment received	

<p>Detailed description of incident, including any warnings given to student(s), any attempts to defuse the situation and any verbal warnings given that force might be used</p>	
<p>Reason(s) for using force and description of force/restraint used</p>	
<p>Details of any communication to/from parents/carers about this incident</p>	
<p>Details of any initial communication to/from outside agencies e.g. police, CAMHS, Children's Services</p>	

Incident Report Form completed by: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_