

# Rainow Primary School

*Caring, Learning, Achieving.*

## Use of Force to Control or Restrain Pupils Policy and Procedure

**Members of staff responsible:**  
**Date approved by the Governing Body:**  
**Date to be reviewed:**

**Headteacher**  
**November 2017**  
**Autumn 2020**

This policy has been developed using the 'Guidance on the Use of Force to Control or Restrain Pupils' 2008. It should be read in conjunction with the Safeguarding Policy for children and young people and Keeping Children Safe in Education 2016.

### The Law on the Use of Force

The law states that a member of school staff may use such force as far as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

- causing personal injury to, or damage to the property of, any persons including themselves or others
- committing any offence (or doing something that would be a criminal act if the child was of the age of criminal responsibility)
- prejudicing the maintenance of good order and discipline at the school during a teaching session or otherwise

There remains a common law and child protection 'duty of care' upon all adults in school to protect the wellbeing of all children within school, and to intervene as they personally feel appropriate in any given set of circumstances. The power of restraint operates in addition to this common law duty of care and in addition also to the common law power of any citizen to use reasonable force in self-defence. However, all adults in school are advised that there is no requirement by the school to restrain children.

### Rainow School's Position Regarding the Use of Force/Restraint

Staff at Rainow Primary School accept that physical restraint is only used as a last resort when the action is in self-defence; where there is a developing risk of injury; significant damage to property; or where a pupil is behaving in a way that is compromising good order and discipline. Other strategies and techniques will be used before the application of restraint. Please refer to the school's Behaviour, Discipline and Anti-bullying Policy for further information on our behaviour expectations and the means by which we seek to reduce the likelihood of situations occurring where the use of force may be necessary. It is unlawful for a teacher to use force as a punishment.

There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. Examples of situations where reasonable force might be appropriate are as follows:

- when a pupil attacks a member of staff
- when pupils are fighting
- when a pupil is deliberately damaging property
- when a pupil is causing or at risk of causing damage or injury by accident, by rough play or by misuse of dangerous materials or objects
- when a pupil is behaving in a way that is seriously disrupting a lesson
- when a pupil persistently refuses to leave an area

The power to restrain pupils applies on the school premises or elsewhere when under school control. Rainow School will ensure that staff are aware of any individual behaviour plans or specific needs of pupils, especially for any pupils with disabilities, which may impact on the range, type and appropriateness of any physical intervention. Any physical intervention used will always be the minimum needed to achieve the desired result.

Teachers in the school are authorised to use reasonable force to control or restrain pupils. Other individuals authorised at the headteacher's discretion are:

- Teaching Assistants
- Learning Support Assistants
- Mid-day Supervisors and kitchen staff
- Staff employed in the before and after school clubs
- Office staff where pupils are in imminent danger
- Site maintenance officers where pupils are in imminent danger
- Unpaid volunteers including parent volunteers where pupils are in imminent danger

If any of the above named people are aware a situation is developing, the following steps should be taken in line with the school's behaviour policy:

- a) tell the pupil to stop and inform them of the consequences should they continue
- b) warn the child that physical restraint will be used if they do not do as they are asked
- c) keep calm and do not give the impression you have lost your temper and send for assistance
- d) send other children away if possible
- e) tell the pupil that you are restraining him/her to avoid the pupil harming themselves, others or property. Where potential witnesses are present it is helpful if they hear you give this explanation
- f) physical intervention should be an act of care and control
- g) use only the minimum force necessary
- h) attempt to communicate with the child throughout the incident
- i) be sensitive of your own strength and body weight and to issues of gender
- j) inform the Headteacher if he or she has not been involved
- k) record the incident fully

Appropriate force includes:

- physically interposing between pupils
- blocking a pupil's path
- holding
- leading a pupil by the hand or arm

- shepherding a pupil away by placing a hand in the centre of the back
- using more restrictive holds in extreme circumstances

Detailed written reports of any occasions where force is used are kept in an incident book which is in the office. This includes:

- Date/Time/Place
- Pupil involved
- Reason force is used
- Details of the incident
- Pupil's response
- Outcome of the incident
- Any injuries sustained
- Identities of witnesses

The Headteacher will keep such written information securely and monitor the use of restraint. He/she may also be the first to exercise judgement on whether the restraint used was reasonable, having made initial inquiries, although other procedures will apply if queries or complaints arise.

The school will advise the parent/guardian of any incident involving their child either immediately or at the end of the day according to the seriousness of the incident. Parents will be informed where to locate the school's complaint policy.

Where a member of staff is assaulted or suffers injury as a consequence of using reasonable force or restraint they are advised to contact their professional organisation or trade union.

### **Touching in Other Circumstances**

Rainow School recognises that touch can often be an effective communication tool. For example:

- when demonstrating a PE skill
- when providing first aid
- comforting a child in distress
- when supporting a child with SEN
- when giving praise or congratulations

In such situations, staff will apply sound professional judgement – touch will be appropriate and will avoid situations or contact that could be misinterpreted.