

# Reasonable Force (Restraint) Policy



## 1. Introduction

1.1 The purpose of this policy is:

- To establish clarity amongst Governors, staff, parents and students as to the circumstances in which physical intervention or reasonable force may be appropriate.
- To describe what actions staff may take when incidents occur that may require the use of physical intervention or reasonable force of a student.
- To define the procedures that must be taken immediately after any such incident.

## 2. Legislation

2.1 Section 93 of the Education and Inspections Act 2006, states all members of school staff and others authorised by the Head teacher of a school, have a legal power to use reasonable force.

2.2 The Education and Inspection Act 2006, states that force and reasonable force may be used to prevent a student from doing, or continuing to do, any of the following:

- Committing any offence.
- Injuring themselves or others.
- Causing damage to property (including the student's own property).
- Engaging in behaviour prejudicial to maintaining good order and discipline at the Academy or among any of its students, whether that behaviour occurs during a teaching session, or elsewhere.

2.3 It is the policy of William Hulme's Grammar School (WHGS) that physical intervention or physical restraint (ie. such force as is reasonable in the circumstances) will only be used by a member of staff if one of the above applies.

2.4 However, all adults at WHGS are advised that they are **not required** to restrain children under any circumstances.

2.5 There remains a common law and child protection 'duty of care' upon all adults in the school to protect the wellbeing of every child within the 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.

## 3. Reasonable Force

3.1 In the context of this document, physical intervention or restraint is the application of "reasonable force".

3.2 There is no legal definition of reasonable force provided in the DfE guidelines, so it is not possible to set out comprehensively when it is reasonable to use force or the degree of force that may be reasonably used. WHGS expects that all staff should be fully aware of the following guidance:

- (a) The use of force can be regarded as reasonable only if the circumstances of a particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore, physical force could not be justified to prevent a student committing a trivial misdemeanour or any situation that can clearly be resolved without force.
- (b) 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 should always be the minimum needed to achieve the desired result.

3.3 **It is not possible to define every single circumstance in which physical intervention or restraint would be necessary or appropriate, and staff will have to some extent, to exercise their own judgement in situations which arise within the categories outlined in paragraph 1.1, as well as take account of the explicit guidance outlined in this policy.**

3.4 Staff should, at all times, also remember that while the use of force may be appropriate in an emergency, that the use of force may itself precipitate a violent reaction from a student towards the member of staff.

3.5 All staff must adhere to the WHGS principles regarding the use of reasonable force, namely:

- Only use force where there is clearly no alternative approach which would work in the circumstances (ie. where there is an immediate emergency to resolve).
- Only use force when defending or protecting.
- Only use the minimum amount of force required for the shortest amount of time.
- Always make sure that the student is safe throughout any period of physical contact or restraint – stop if a student shows signs of difficulty in breathing, sudden changes in colour, distress, vomiting.
- Always record incidents of use of force and evaluate with the nominated senior member of staff.

3.6 Examples of situations where reasonable force might be appropriate are as follows:

- If a student attacks a member of staff.
- If students are fighting.
- If a student is deliberately damaging property and will not stop on request.
- If a student is causing, or at risk of causing, damage or injury by accident, by overly rough behaviours or by misuse of dangerous materials or objects.
- If a student is behaving in a way that is seriously disrupting a lesson and creating risk to their own or others' safety.
- If a student persistently refuses to leave an area, where they may be in danger.
- If a student is running in a corridor or on a stairway in a way in which he or she might have or cause an accident likely to injure themselves or others.

3.7 Remember that reasonable force must only be used as a last resort when there is no other alternative.

3.8 Whether it is reasonable to use force and the degree of force that could reasonably be used will also depend on the age, understanding and gender of the student. Members of staff should assess the situation and make reasonably informed judgements in order to use strategies commensurate with the student's age and developmental level.

- 3.9 Staff should be aware that when they are in charge of students during the school day, or during other supervised activities, they are acting in 'loco parentis' and should, therefore, take reasonable action to ensure students' safety and wellbeing. Failure to physically restrain a student who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time, staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.
- 3.10 WHGS recognises that staff, have the right to defend themselves against an attack, providing they do not use a disproportionate degree of force to do so.

## **4. Alternative Strategies**

- 4.1 There are some situations in which the need for physical restraint is immediate and where there are no equally effective alternatives (eg as a student is about to run across a road). However, in many circumstances there are alternatives such as:
- Use of assertiveness skills, such as the broken record in which an instruction is repeated until the student complies.
  - Use of a distracter, such as a loud whistle, to interrupt the behaviour (such as a fight) long enough for other methods of verbal control to be effective.
  - Withdrawal of attention (audience) eg. if an action such as damage to property is threatened.
  - Other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of humour (in these cases the incident can be dealt with later when emotions are no longer running high).
  - The employment of other sanctions consistent with the school's policy on behaviour and discipline.
- 4.2 Staff should, at all times, seek to de-escalate highly charged situations and must, at no time, take action which they believe will escalate a volatile situation without believing it to be entirely necessary.

## **5. How to Apply Physical Restraint**

- 5.1 Staff are only authorised to use reasonable force in applying physical restraint. However, there is no absolute definition of this, as what constitutes reasonable force depends upon the particular situation and the student to whom it is being applied. However, as a general rule, only the force necessary to stop or prevent the behaviour should be used, in accordance with the guidelines below.
- 5.2 Before intervening physically, a member of staff should, whenever practicable, tell the student to stop misbehaving and what will happen if she or he does not comply with this instruction.
- 5.3 If it is necessary to apply restraint:

### **Do**

- Tell the student what you are doing and why.
- Use the minimum force necessary.
- Involve another member of staff, if possible.
- Remain calm and measured.

- Tell the student what she/he must do for you to remove the restraint (this may need frequent repetition).
- Use simple and clear language.
- Hold limbs above a major joint, if possible, eg. above the elbow.
- Relax your restraint in response to the student's compliance.

### Don't

- Act in temper (you should involve another staff member if you have lost control of your emotions).
- Involve yourself in a prolonged verbal exchange with the student.
- Involve other students in the restraint.
- Touch or hold the student in sexual areas.
- Twist or force limbs back against a joint.
- Bend fingers or pull hair.
- Hold the student in a way which will restrict blood flow or breathing, eg. around the neck.
- Slap, punch or kick.
- Hold a student face down on the ground.

5.4 Physical restraint should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the student to regain self-control. It should never take a form which could be seen as a punishment or be deliberately humiliating.

5.5 Where the risk is not so urgent, staff should consider carefully whether, and if so when, physical intervention or restraint is appropriate.

5.6 Physical intervention to enforce compliance with staff instructions is increasingly inappropriate as students get older and is unlikely to promote lasting change.

5.7 Physical intervention should **never** be used as a substitute for good behaviour management.

## 6. Other Circumstances

6.1 There are circumstances when staff are advised not to intervene in an incident without help (unless it is an emergency). For example, when dealing with an older student, a physically large student or more than one student, or if a member of staff believes that he or she may be at risk of injury. In these circumstances the member of staff should remove other students who might be at risk, summon assistance from a colleague or, where necessary, call the police. The member of staff should inform the student(s) that he or she has sent for help. Until assistance arrives, the member of staff should continue to attempt to diffuse the situation and to prevent the situation from escalating.

## 7. Actions after an Incident

7.1 Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the student.

7.2 Senior school staff should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised.

7.3 A member of the staff should always be involved in debriefing the student involved and, as well as talking through the situation with the student, consideration should be given to whether or not the incident merits the involvement of the SENCO or other outside support

services in addition to pastoral staff. If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a behavioural IEP, which may include an anger management programme, or other strategies delivered by the support services. It will also be helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

- 7.4 Any victims of the incident should be offered counselling and this can be facilitated by the school.
- 7.5 All incidents should be recorded immediately on CPOMS.
- 7.6 Any members of staff who are present at an incident will be required to complete a witness statement immediately following this.
- 7.7 The Principal or a senior member of staff will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.
- 7.8 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.
- 7.9 If available, CCTV footage will be collected and used as evidence of the incident.

## **8. Academy Security**

- 8.1 A balance needs to be struck between ensuring that students are safe from intruders and other external forces and restriction of liberty, which could be construed as false imprisonment. Students should not generally be restrained by locking doors, but if this should occur for good reason, it should not be prolonged and a member of staff should be present at all times.

## **9. Other Forms of Physical Contact**

- 9.1 Physical prompts used to shape a student's social behaviour, such as placing a hand on a shoulder to encourage the student to move to another part of the room, probably accompanied by a verbal instruction, border on physical restraint and staff will have to exercise their professional judgement in some cases, taking into account the degree of compliance by the student to such a strategy.
- 9.2 Staff should also remember that blocking a student's path could be construed as a physical intervention. This should, therefore, be avoided in the normal course of school life.
- 9.3 There are other occasions when physical contact between staff and students may be appropriate, for example in PE activities or other lessons where students are practising physical skills and where physical prompting is employed as part of a teaching strategy. At no time should there be any sexual contact.
- 9.4 Administration of first aid will require physical contact and, in some cases, a distressed student may be comforted. In the latter case, touching should be restricted to arms, hands and shoulders. In any such case, staff should be alert to the implications of the following:
  - Any history of physical or sexual abuse;
  - Cultural factors;
  - The age and gender of the student.

- 9.5 In general, such contact should take place within view of other staff, although exceptional circumstances, such as bereavement, may demand some degree of privacy.

## 10. Training and Development

- 10.1 WHGS will ensure that the use of physical intervention or restraint is a key element of all staff induction programmes and that appropriate refresher training is incorporated into annual staff development planning.

## 11. Monitoring, Review and Evaluation

11. The Governing Body will review this policy at least every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

### Policy Information and Review

<b>Designated Lead Person/s</b>	Ms S E Galloway, Vice Principal (Ethos and Culture) / DSL
<b>Created/Reviewed</b>	Annually
<b>Date of last review and by whom</b>	July 2024 – Miss J Moran, Director of Safeguarding
<b>Link Governor (if applicable)</b>	Mr K Platts
<b>Ratification by Local Governing Body</b>	
<b>Next Review Date</b>	July 2025

