

## APPENDIX 5: USE OF RESTRAINT AND REASONABLE FORCE



### Introduction

Very rarely will staff be required to use physical contact to restrain a child. The College seeks to avoid physical contact to restrain or control a child and always considers carefully the likely risks of not acting. Staff should never use physical contact simply to exert their authority in a situation but may use physical force if a child is, in the judgement of the staff present, at risk of causing harm to others or to themselves.

The following constitutes the approach that the College takes in this area and is in line with 2015 DfE guidelines on the use of restraint and reasonable force

### What is reasonable force?

- Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury;
- Force should be 'reasonable in the circumstances' which means using no more force than is needed and withdrawing from physical contact as soon as possible;
- Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm. Restraint means to hold back physically or to bring a student under control. It will only be used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention or when a student is a clear danger to themselves or others;
- College staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

### Who can use reasonable force?

All members of College staff have a legal power to use reasonable force but when they do so, they must act in accordance with the policy of the College; Volunteers, parents or older students who find themselves in supervision of students must not use physical force unless requested to do so by a member of staff. All pastoral staff and senior leaders, and most teaching staff are trained in the appropriate use of restraint and conflict resolution.

### When can reasonable force be used?

Staff may use force to **prevent pupils from causing harm to themselves or to others**. In very rare cases staff may choose to use force to prevent damage to property, or from causing disorder. 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 the individual circumstances. Staff should go as far as possible to avoid the use of physical force and should always seek to use alternative methods to bring situations under control. Staff should have an appreciation that in some situations the use of restraint can add tension to a situation rather than defuse it.

In addition to situations where students pose an immediate risk to themselves or others, staff at Emmanuel College may use physical force to:

- prevent a student behaving in a way that causes serious disruption to a school event or activity;

- prevent a student from leaving the classroom where doing so would risk their safety or lead to behaviour that disrupts the behaviour of others.

It is not lawful for physical force to be used as a punishment.

### **Recording, viewing and reporting the use of force**

Following a situation where physical force has been used, the following process, led by the Vice Principal in liaison with the respective Head of School, will normally be followed, although in some instances it will not be necessary complete all the review and reporting stage if the incident is not controversial and the parents and staff are in agreement that the use of force is proportionate and justified:

- **Recording:** Written statements provided by all staff involved, review of CCTV where possible, statements taken from students where appropriate. A log will be stored on the school system. Parents will be informed that the incident has happened;
- **Review:** All evidence available presented to the chair of a review panel, usually the Principal who will confirm whether in his opinion the use of force was reasonable and justified as well as deciding whether any further action is necessary;
- **Reporting:** A meeting held with the chair of the review panel and parents to discuss the conclusions reached. It is at this meeting that any concerns about the reasonableness of the action taken should be raised by either students or parents.

### **Power to search other students without consent**

In addition to the general power to use reasonable force described above, the Principal has authorized the Vice Principal and other named senior staff to use such force as is reasonable given the circumstances, to conduct a search for the following prohibited items:

- 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.

This should never be done lightly and permission should be sought by the Principal or in his absence, the Vice Principal, before searching a student without consent.

### **Physical contact with students**

It is not illegal to touch a student. However, staff should avoid physical contact in circumstances other than appropriate and professional contact in the situations set out below:

- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching;
- To give first aid.