

USE OF REASONABLE FORCE POLICY

Date	Review Date	Contact
01.03.20	01.03.21	Head of School & Education

This policy is underpinned by Newbury Hall’s core values as stated in our aims & ethos.

This policy follows the Department for Education guidance, [Use of Reasonable Force, 2013](#).

We acknowledge that Section 93 of the Education and Inspections Act 2006 allows school staff to use reasonable force to restrain a student from doing, or continuing to do, any of the following:

- committing any offence (or, for a student under the age of criminal responsibility, what would be an offence for an older student);
- causing personal injury to, or damage to the property of, any person, including the student themselves;
- prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.

We understand that there is no legal definition of when reasonable force can be used. ‘That will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour’.

Department for Children, Schools and Families – The Use of Force to Control or Restrain Students

We wish to work closely with students and hear their views as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

Aims

To make school staff aware that they can use reasonable force to restrain a student only in extreme circumstances. However, in normal circumstances, no form of physical restraint may be used on students in Newbury Hall. Therefore, we do not offer staff training on restraint and physical intervention techniques.

If there is, for example, a situation in which two students are squaring up to each other, a member of staff may interpose his or her person if they feel that they can do so without risk to her or himself.

If a student is distraught, violent, or running away, or likely to cause harm to themselves or others, a member of staff may follow closely and, if they should judge it necessary, should call the police.

The use of force

We have the following in place in order to reduce the likelihood of any member of staff using force.

- A calm, orderly and supportive school climate;
- Strong and effective relationships between students and staff;
- Identifying when an incident is going to happen;
- Using effective strategies to manage all incidents that occur;
- Informing a disruptive student that force may be used before using it.

Deciding whether to use force

All school staff whose job involves supervising students may use force to restrain a student but only in extreme circumstances. We believe that the use of force and what force to use must always depend on the circumstances of each incident.

We acknowledge that when faced with an incident there is very little time for school staff to think before making a quick but effective decision.

However, school staff must be aware of and consider the following.

- Assessing the seriousness of the incident that if force is not used then it could result in injury, damage or disorder;
- After considering alternatives for dealing with the situation, force is the only justifiable way of achieving a positive result;
- Assessing the number of risks connected with using force compared with using other strategies.

Using force

When faced with an incident and before force is used, school staff must:

- Act in a calm and measured manner;
- Show no anger or frustration;
- Tell the student to stop misbehaving or restraint will be used but will stop when the student behaves.

School staff may use the following types of force.

- Passive physical contact by standing between students or by blocking a student's path;
- Active physical contact by leading a student by the arm or hand or ushering a student away by placing a hand in the centre of the back. This must only be used in extreme circumstances.

School staff must make every effort not to harm a student or restrain a student that could be interpreted as sexually inappropriate conduct.

Types of incident

School staff will have to make decisions when dealing with any of the following incidents:

- Fighting - students fighting.
- Attack - a student attacks an adult or another student.
- Damage to property – a student deliberately damages property or is about to.
- Injury or damage – a student causes or is about to cause injury or damage.
- Absconding – when a student tries to leave school, which could put his/her own safety at risk, the safety of others or damage property.
- Defying an instruction – when a student persistently refuses to leave a classroom.
- Disruption of lessons – when a student’s behaviour seriously disrupts a lesson.
- Disrupting a school event – when a student’s behaviour seriously disrupts a school event.

Post incident

After an incident has occurred the following procedure will take place.

- First Aid and medical help if necessary
- Emotional support to students and school staff
- Discussions with parents
- Recording

Complaints and allegations

Complaints will be dealt with following normal procedures as stated in our Complaints Policy.

Signed:



Alex McNish, Head of School & Education, on 01.03.20