

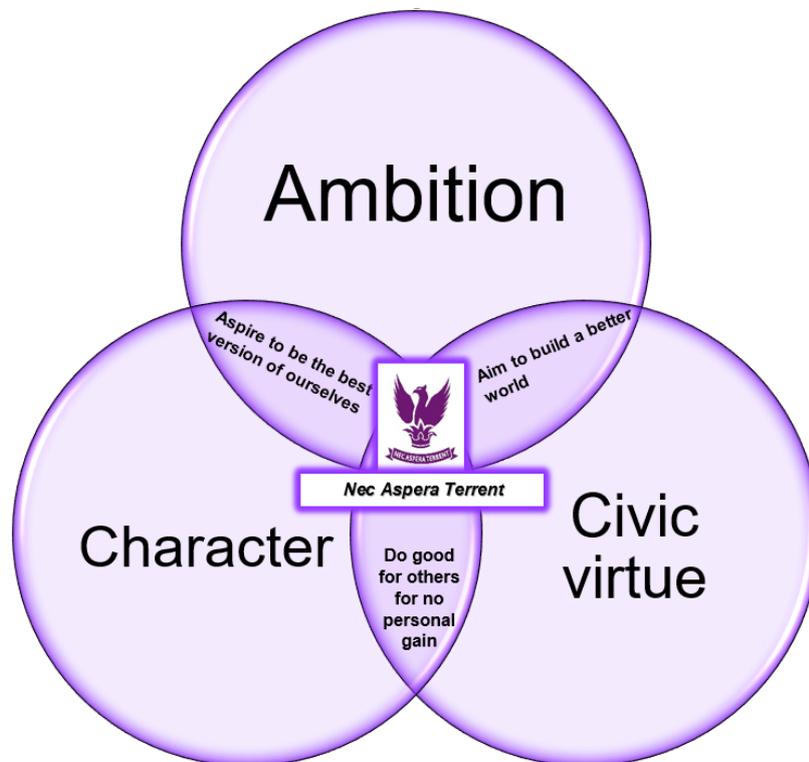


DRAYTON MANOR HIGH SCHOOL

USE OF REASONABLE FORCE TO CONTROL OR RESTRAIN STUDENTS (GUIDANCE FOR STAFF)

Reviewed by CSWP 13 May 2021

Approved and Ratified by the Full Governing Body 10 June 2021



Reviewed by CSWP 13 May 2021

Approved and Ratified by the Full Governing Body 10 June 2021



DRAYTON MANOR HIGH SCHOOL

USE OF REASONABLE FORCE TO CONTROL OR RESTRAIN STUDENTS

This document is written in accordance with the D of E circular (July 2013) entitled 'Use of Reasonable Force' and Section 93 of the Education and Inspections Act 2006. Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do any of the following

- Committing an offence (or, for a students 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); or
- Prejudicing the maintenance of good order and discipline at the school or among students receiving education at the school, whether during a teaching session or otherwise

There is no legal definition of reasonable force. The use of any degree of force is unlawful if the circumstances do not warrant it. Any force should be the minimum needed to achieve the desired result. Decisions on whether the precise circumstances of an incident justify the use of force must be reasonable. Typically such decisions have to be made quickly, with little time for reflection. However, the judgement on whether to use force and what force should always depend on the circumstances of each case and- in the case of students with SEN and/ or disabilities- information about the individual(s) concerned there may be the need to make reasonable adjustments. Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). There is no assumption that any member of staff must take the decision to use reasonable force.

Using force

Before using force staff should wherever practicable tell the student to stop misbehaving and communicate in a calm and measured manner throughout the incident. Staff should not give the impression of acting out of anger or frustration, or to punish a student, and should make it clear that physical contact or restraint will stop as soon as it becomes necessary. Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a student.

Examples of situations that particularly call for judgements of this kind include

- A student attack on a member of staff or another student
- Students are fighting, causing injury to themselves or others
- A student is committing, or on the verge of committing, deliberate damage to property
- A student is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous material or object
- A student persistently refuses to follow an instruction to leave the classroom
- A student is behaving in a way that seriously disrupts a lesson
- A student is behaving in a way that seriously disrupts a school sporting event or visit

If a student absconds from a class or tries to leave school other than at an authorised time this is not enough on its own to justify use of force. However it would be justifiable where allowing a student to leave would:

- Entail serious risks to the student's safety, to the safety of other students and staff, or of damage to property; or
- Lead to behaviour that prejudices good order and discipline such as disrupting other classes

In these examples use of force would be reasonable and lawful if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not realistically be dealt with by any other means.

The following kinds of intervention where use of force is reasonable are:

- interposing between students or blocking a student's path
- holding, pushing, pulling or leading a student by the arm
- shepherding a student away by placing a hand in the centre of the back
- whilst it may be appropriate at times to passively block a student from leaving the room, if this is not going to deter them, it is advisable to allow them to leave the room and issue an appropriate sanction afterwards. They should only be physically restrained if they pose a threat to themselves or others.

The following would be deemed unreasonable:

- holding a student by the neck or collar, or in any way that would restrict breathing
- slapping, punching, twisting limbs
- holding or pulling by the hair
- staff should always avoid touching or restraining a student in a way that could be interpreted as sexually inappropriate conduct
- holding a pupil face down on the ground
- tripping up a student

The staff to which this power applies are:

- A. Any teacher who works at the school
- B. Any other person whom the head has authorised to have control or charge of students. They are:
 - Support staff whose job normally includes supervising students such as peripatetic music teachers, learning support assistants, learning mentors and school meals supervisors
 - Employees who are in school at set times of the year, for example exam invigilators
 - Staff whose job does not normally involve supervising students, for example administration staff, site staff, cleaners and technicians
 - Unpaid volunteers, for example parents accompanying students on school visits, outside speakers

In addition to the general power to use reasonable force described above, Headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited' items:

- Knives and weapons
- Illegal drugs
- Stolen items
- Tobacco and cigarette pipes
- 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.

Force **cannot** be used to search for items banned under the school rules.

2. WHAT TO DO IF REASONABLE FORCE HAS BEEN USED

Immediately after incidents staff should:

- orally report to the Line Deputy Head, the Head of Year and if relevant the Head of Faculty

As soon as possible the Head of year should:

- Contact parents/ guardians
- Interview student(s) and obtain a written statement

As soon as possible staff should

- complete a Use of Reasonable Force Form (attached to the back of this guidance or available from the Administration Office) and pass it to the School Administration Manager and Designated Safeguarding Lead
- submit an additional written report to the Head indicating
 - name(s) of student(s) involved
 - place of incident

- name(s) of witnesses to the incident
- details of what took place, how the incident began and progressed, including details of the student's behaviour, any words said, the steps taken to defuse/calm the situation,
- the degree of force used, how this was applied and for how long
- the student's response and the outcome of the incident
- details of any injury suffered by the student, another student, a member of staff or anyone else and any damage to property
- any damage to property which occurred

The School Administration Manager should:

- record the incident in the incident book kept in the Administration Office

The Head should:

- send the additional written report to the relevant Head of Year for action and filing

Training

- The school will offer a rolling programme of staff training on use of reasonable force

This document should be read in conjunction with:

- The D of E guidance on Use of Reasonable Force (www.dfe.org.uk)



DRAYTON MANOR HIGH SCHOOL

USE OF REASONABLE FORCE TO CONTROL OR RESTRAIN STUDENTS

Please return this completed form to the Administration Manager in the main Administration Office for recording in the incident book

Date	
Time reported	
Student(s) involved in incident	
Tutor Group	
Staff involved in incident	
Time and place of incident	
Reported to	
Staff written report completed and passed to HOY/DSL for action/ to place on/in student(s) file(s)	
Student(s) written report(s) completed and passed to HOY for action/ to place on/in student(s) file(s)	