



The Use of Reasonable Force Policy

Person responsible	DSL/Deputy Head
Last update	September 2023
Frequency of Review	Annual
Date of last review by Governors	November 2023
Date of next review by Governors	November 2024

Introduction

This policy applies equally to the Early Years Foundation Stage (EYFS), Key Stage 1 and Key Stage 2 as taught at Bute House School.

Aims of the policy

- To support the School in establishing a calm, safe and supportive environment that is conducive to learning
- To form part of the School's whole-school approach to safeguarding and behaviour, as set out in KCSIE.
- To protect every person in the school community from harm.
- To protect all pupils against any form of physical intervention that is unnecessary, inappropriate, excessive or harmful.
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behavior and to deal effectively with violent or potentially violent situations.

The use of reasonable force

There are circumstances when it is appropriate for staff in schools to use reasonable force to safeguard children. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. 'Reasonable' in these circumstances means 'using no more force than is needed'. (DfE Behaviour Guidance)

All members of school staff have a legal power to use reasonable force. This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

The power to use reasonable force applies whether pupils are on school premises or elsewhere, as long as they (the pupils) are in the lawful control or charge of a staff member. This includes during school visits.

The legal framework

This policy has been written taking into account the following documents:

- The DfE guidance, *Use of Reasonable Force* (July 2013)
- DfE Behaviour in Schools (September 2022)

Definition of restraint

Physical restraint is the positive application of force with the intention of protecting the children from harming themselves, or others, or seriously damaging property.

Avoiding the need to use force

Staff at Bute House Preparatory School recognise that the use of reasonable force is only one of the last in a range of strategies available to secure pupils' safety and well-being and also to maintain good order and discipline. Our policy on restraint should therefore be read in conjunction with our Positive Behaviour and Safeguarding policies.

- Staff should take steps in advance to avoid the need for physical restraint, e.g. through dialogue and diversion, allowing space, talking, listening and humouring, cajoling and reasoning, diversion and distraction, and the pupil should be warned orally that physical restraint will be used unless she desists.
- Only the MINIMUM REASONABLE FORCE NECESSARY to prevent physical injury or damage should be applied.
- Every effort should be made to secure the presence of other staff before applying restraint. These staff can act as assistants and witnesses.
- As soon as it is safe, restraint should be gradually relaxed to allow the pupil to regain self-control. Restraint should take place calmly but firmly.
- Restraint should be an act of care and control, not punishment.
- Physical restraint should not be used purely to force compliance with staff instructions when there is no immediate risk to people or property.
- Staff should never give the impression that they have lost their temper but should retain a calm and measured approach
- Staff should never intervene if they believe they are at risk of injury but should call for assistance

Reasonable restraint

Restraint will only be used as a last resort after all efforts to defuse the situation have been taken. When using physical restraint relevant considerations should be:

- The use of physical restraint can be regarded as reasonable **only** if the circumstances of the particular incident warrant it. If the situation does not warrant the use of physical restraint, then **any** degree of force is unlawful.
- The degree of restraint employed must be in proportion to the circumstances of the incident and the seriousness of the behavior or the consequences it is intended to prevent. Any restraint used should always be the **minimum required**.
- The degree of restraint used, or whether it is reasonable to use any at all, will also be dependent upon the age of the pupil.

When might it be appropriate to use reasonable force?

Examples of situations that may require restraint are when:

- A pupil attacks a member of staff, or another pupil
- Pupils fighting
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- A pupil is running in a corridor or on a stairway in a way in which she might have or cause an accident likely to injure herself or others
- A pupil persistently refuses to obey an order to leave an area
- Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, and to maintain good order and discipline at the school or among pupils.

Intervention

This may take several forms:

- Physically intervening between pupils
- Blocking a pupil's path
- Holding, pushing or pulling
- Leading a pupil by hand or arm
- Shepherding a pupil by placing his/her hand in the centre of the pupil's back
- In extreme cases using a more restrictive hold or taking action necessary to prevent injury but this action must be consistent with 'reasonable force'

In normal circumstances staff should **not** act in a way that might reasonably be expected to cause injury, for example by:

- Holding a pupil by the neck
- Slapping, kicking or punching a pupil
- Twisting or forcing limb joints
- Tripping a pupil
- Holding a pupil by the hair or ear
- Holding a pupil face down on the ground
- Holding a pupil in a way which may be interpreted as indecent
- It is anticipated at all times that any element of force will **only** be used when all other attempts to defuse the situation have failed

Factors to be taken into account

The needs and particular vulnerabilities of individual pupils (including any SEND, mental health needs or medical conditions) will be considered and reasonable adjustments will be made for pupils with SEND. The School will establish proactive and positive behaviour support strategies for pupils with particular needs, in consultation with their parents, to reduce the occurrence of challenging behaviour and the need to use reasonable force.

Recording and reporting incidents

The Head/ Deputy Head/Assistant Heads should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. At Bute House, a member of SLT and the Head of Phase or if the pupil is in Reception, the Reception Teacher and the Head of Lower School, should always be involved in debriefing the pupil involved and any victims of the incident should be offered support.

If the behaviour is part of an ongoing pattern, it may be necessary to address the situation through the development of a behavioural EHCP, which may include an anger management programme, or other strategies agreed by the Head of Learning Enrichment. It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately (see Appendix 1). All sections of this report should be completed so that in the event of any future complaint a full record is available. A member of the Senior Management Team 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. The incident will also be recorded on CPOMS.

Complaints

It is possible that parental complaint may ensue. It is thus important that the policy has been followed and that the use of force was reasonable in the circumstances.

All staff should be aware that physical contact of any sort may be misconstrued, however innocent. Some physical contact may be necessary or appropriate in certain subjects (e.g. dance, drama, P.E.), or circumstances (e.g. injury) but staff should always use professional judgment in this matter. It is important that if any pupil is particularly sensitive to physical contact that information has been circulated to all staff.

Record Keeping

All records created in accordance with the policy are managed in accordance with the School's policies that apply to the retention and destruction of records. These records may contain personal data; the School's use of which will be in accordance with data protection law. Please cross reference this with the School's GDPR Statement of Intent.

Appendix 1

Incident Record Form

Details of pupil on whom force was used – name, class, and any SEN, disability or other vulnerability
Date, time, and location of incident
Names of staff involved (directly or as witnesses)
Details of other pupils involved (directly or as witnesses), including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons
Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used
Reason for using force and description of force used
Any injury suffered by staff or pupils and any first aid and/or medication attention required

Follow up, including post-incident support and any disciplinary action against pupils	
Any information about incident shared with staff not involved in it and external agencies	
When and how those with parental responsibility were informed about the incident and any views they have expressed	
Has any complaint been lodged? (details should not be recorded here)	

Report compiled by:	
Name and role:	
Date:	
Report countersigned by:	
Name and role:	
Date:	