



POLICY ON THE USE OF FORCE TO RESTRAIN OR CONTROL PUPILS

Policy Custodian: Deputy Head (Pastoral)

Approving Body: MTS Senior Leadership Team

Approved: July 2023

This policy should be read in conjunction with the School Safeguarding Policy.

Introduction

The school policy is that the use of force should be avoided at all costs and should be used only when all other options have been explored. Staff will be made aware if it is known that a particular pupil is likely to be confrontational and aggressive; they will have advised on strategies to deal with incidents that may occur. Where, with any given pupil, there is likely to be a need for physical intervention, parents should be informed at an early stage what the School's policy is and be asked to agree to any action that might be deemed necessary. Staff should also be aware of the Medical Conditions list which indicates those pupils with specific medical needs that render the use of force entirely inappropriate. The inappropriate use of force by staff could leave them open to disciplinary proceedings.

Non-teaching staff should always avoid physical intervention (unless there is immediate physical danger to a pupil). In almost every circumstance they should summon assistance from a teacher.

Any teacher or member of the non-teaching staff has a right to defend themselves against attack providing an unreasonable level of force is not used.

Merchant Taylors' School does not use, or threaten to use, corporal punishment.

Types of Incident

The School's policy is that the use of force is permissible when

- action is necessary in self-defence
- there is a developing risk of injury to pupils themselves or to others
- there is the likelihood of significant damage to property
- a pupil is behaving (at School or on School activities/visits) in a way that is prejudicial to good order and discipline
- a pupil is committing, or is likely to commit, a criminal offence

Reasonable Force

Reasonable force has no legal definition but the advice on the use of force from the DfE is as follows:

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.

- Force is usually used either to control or restrain. This can range from guiding a pupil 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.
- ‘Reasonable in the circumstances’ means using no more force than is needed.
- As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- School 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 pupil.

In any incident the teacher should first tell the pupil to stop (unless there is an immediate danger) and what will happen if he does not. If restraint becomes necessary, as the incident progresses the teacher should continue to communicate to the pupil and indicate that restraint will stop as soon as it ceases to be necessary. A calm and measured approach is essential and teachers should never give the impression that they have lost their temper. Teachers should not intervene when to do so would put themselves at risk (when facing a bigger pupil, a pupil carrying a weapon or where there are a number of pupils involved). In this situation other pupils should be removed and help should be summoned.

Actions that may be taken are:

- physically interposing between pupils
- blocking a pupil's path
- holding
- pushing or pulling
- leading a pupil by the arm or hand
- shepherding a pupil away by placing a hand in the centre of the back

Only in extreme cases may more restrictive holds be used and then should avoid:

- anything that might restrict a pupil's ability to breathe
- a blow of any kind
- tripping
- pulling by hair or ear
- holding a pupil face down on the ground
- anything that might be considered indecent

Recording of incidents

On any occasion when force has been used by a teacher to restrain a pupil the incident should be fully recorded and a copy lodged with the Head Master or his Deputy. In the event of an injury occurring this should also be detailed in the report. The teacher involved should always retain a copy. The parents should be informed of the incident by a senior member of staff as soon after the incident as possible. They should be made aware that it may be necessary for the incident to be followed up by other disciplinary action or appropriate pastoral support. If force has to be used in the EYFS setting parents must be told of this on the same day or as soon as is reasonably practicable.

Other forms of contact

Though it is generally the rule that all forms of physical contact between teacher and pupil should be avoided there will be occasions when it is both appropriate and necessary. This can involve demonstration of techniques in sports, P.E. or other lessons, the administration of First Aid or when a pupil is in distress and needs comforting. Teachers need to use their own professional judgement to decide when this is appropriate. Staff should also remember that the most innocent and well-intentioned contact can sometimes be misconstrued, particularly by pupils who are in their adolescent years.

REMINDER TO STAFF OF DO'S AND DON'TS

DO...

- Know the procedures within the School's guidelines for the use of physical restraint.
- Discuss these with a senior member of staff if you are unsure of any point.
- Be aware of pupils who have been physically restrained before and what happened.
- Send for adult help early if things begin to get out of hand and restraint seems likely.
- Assess the situation before acting.
- Stay calm – do not over-react.
- Use minimum restraint for minimum time.
- Report the incident to the Head Master or senior member of staff as soon as possible and write a report about what happened.
- Remember your professional obligations to all pupils in your care.

DO NOT...

- Place yourself at risk: do not attempt to restrain a pupil who obviously carries a 'weapon'.
- Attempt to restrain a pupil when you have lost your temper.
- Allow the situation to get out of control.
- Use excessive force.
- Place yourself at risk of false allegation: avoid being alone with any pupil

References

Use of reasonable force: Advice for headteachers, staff and governing bodies, DfE, July 2013

Deputy Head (Pastoral)