



# Use of Control & Reasonable Force Policy

<b>Implementation date:</b>	September 2020		
<b>Last review date:</b>	September 2020		
<b>Next Review date:</b>	September 2023		
<b>Statutory Policy:</b>	Yes		
<b>Date</b>	<b>Version</b>	<b>Reason for change</b>	<b>Source</b>
14.09.20	V1.2	Updated	Central

*To be read alongside all relevant Matrix Academy Trust policies and procedures*

**This policy should be read in conjunction with the Trust's Behaviour Policy and Child Safeguarding Policy.**

## **1. Objectives**

1.1 The key objectives are:

- To maintain the safety of pupils and staff
- To prevent serious breaches of school discipline
- To prevent serious damage to property

## **2. What is reasonable force**

2.1 'Reasonable force' covers a broad range of actions used by employees that involves a degree of physical contact with pupils. Force is usually used either to control or restrain.

2.2 'Reasonable in the circumstances' means using no more force than is needed. **It is always unlawful to use force as a punishment.**

2.3 Employees 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.

## **3. Who can use reasonable force?**

3.1 All employees have a legal power to use reasonable force (Section 93, Education and Inspections Act 2006).

3.2 This power applies to any employee 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.

## **4. When can reasonable force be used?**

4.1 Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

4.2 The decision about whether or not to physically intervene is down to the professional judgement of the employee concerned and should always depend on the individual circumstances.

### **4.3 Schools can use reasonable force to:**

- 4.4.1 direct disruptive children from the classroom. Should they refuse to follow the instruction to do so, send for a member of Leadership and remove all other members of the group to line up outside the classroom.
- 4.4.2 prevent a pupil behaving in a way that disrupts a school event or a school trip or visit.
- 4.4.3 prevent a pupil leaving a classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
- 4.4.4 prevent a pupil from attacking an employee or another pupil or to stop a fight in the playground.
- 4.4.5 restrain a pupil at risk of harming themselves through physical outbursts.

4.4 However for the highest risks, e.g. if a pupil is suspected of having a weapon or of carrying drugs, the police would be called.

## **5. Minimising the need to use reasonable force**

### **5.1 Employees within the Trust aim to:**

- 5.1.1 create a calm environment that minimises the risk of incidents that might require using reasonable force by establishing clear routines and expectations.
- 5.1.2 teach pupils how to manage disagreements, conflict and strong feelings and de-escalate incidents as they arise using a variety of strategies.
- 5.1.3 **only use reasonable force when the risks involved in doing so are outweighed by the risks involved in not using it.**
- 5.1.4 Ensure the use of reasonable force is in the best interests of the child.

## 6. Using reasonable force

### 6.1 Employees are instructed to:

- 6.1.1 use the minimum force for the shortest time necessary, in order to achieve the desired result and give clear oral warning to the pupil that reasonable force may have to be used.
- 6.1.2 avoid using reasonable force, as far as possible, unless or until another responsible adult is present to support, observe and call for assistance.
- 6.1.3 be mindful of children who are above average size and do not use excessive force due to this.
- 6.1.4 be mindful of children with Special Educational Needs, disabled pupils and those pupils on a Care Plan, it is a legal duty to make reasonable adjustments.

## 7. Recording incidents

- 7.1 All incidents necessitating the use of reasonable force are recorded on a Headteacher's 'Physical Restraint' Log. Serious incidents are recorded in detail separately – all incidents are recorded on the restraint proforma.
- 7.2 It is best practice to ensure all incidents of physical intervention are reported to parents in writing or by phone as early as possible unless it is felt that the pupil involved will be 'at risk' as a result of the communication, this should then be referred to the Designated Safeguarding Lead.

## 8. Post-incident support

- 8.1 Meeting the immediate physical and emotional needs of both children and adults is a priority following an incident and attempts are made to rebuild relationships once all parties have calmed.
- 8.2 It is general practice to talk through serious incidents, when appropriate, in an attempt to ensure that lessons are learned and strategies are suggested to avoid reoccurrence. This applies to both children and adults.

## 9. Complaints and allegations

- 9.1 Complaints and allegations of misconduct arising from incidents are dealt with following school policy.
- 9.2 All complaints about the use of force should be thoroughly, speedily and appropriately investigated following school policy.
- 9.3 Where an employee has acted within the law - that is, they have used reasonable force in order to prevent injury, damage to property or disorder - this will provide a defence to any criminal prosecution or other civil or public law action.
- 9.4 Suspension must not be an automatic response when an employee has been accused of using excessive force. Schools should refer to the DfE "Dealing with Allegations of Abuse against Teachers and Other Staff" guidance where an allegation of using excessive force is made against an employee. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- 9.5 If a decision is taken to suspend an employee, the school should ensure that the employee has access to a named contact who can provide support. The Chief Executive Officer must be consulted about any potential suspension of an employee.
- 9.6 The Chief Executive Officer/Headteacher should always consider whether the employee has acted within the law, when reaching a decision about whether or not to take disciplinary action against him/her.
- 9.7 Allegations that are being pursued should be discussed with the LADO.

## 10. De-escalation techniques

- Verbal advice and support
- Calm talking and distraction
- Step away
- Negotiation and warning
- Reassurance and humour
- Options offered
- Non-threatening body language

## 11. What about other physical contact with pupils?

11.1 It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

11.2 Examples of where appropriate touching a pupil might be proper or necessary:

- 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.

Note: this list is not exhaustive.

## 12. Designated Safeguarding Leads for Trust Schools are:

Barr Beacon School	Mrs M Sorensen
Bloxwich Academy (Secondary)	Mrs U Simpson
Bloxwich Academy (Primary)	Mrs S Shepherd
Etone College	Mrs R Price
Dame Elizabeth Cadbury	Mr C Walton