This POLICY/GUIDELINES FOR PHYSICAL RESTRAINT IN SCHOOL has been reviewed on the 27 February 2017. Next review date is 27th February 2019.

The 2006 Education and Inspections Act permits the use of reasonable force to restrain a pupil in the event of extreme behaviour. This policy has been written with reference to the July 2013 “Use of Reasonable force” document which is a non-statutory guidance document published by the DFE and included here as an appendix.

Restraint occurs when a member of staff uses physical force intentionally to restrict a child's movement against his or her will. It should rarely be used. Physical contact with pupils may occur under other circumstances such as providing physical prompts, giving support in PE and supplying reassurance. The term restraint does not extend to these situations. Staff should not be inhibited in providing such contact when it is professional and appropriate to do so. The school’s restraint policy is developed in relation for the school’s policy on managing behaviour. Similarly, the restraint of an individual pupil should be viewed in relation to plans to improve the child’s behaviour.

Reasonable force may be used in the following circumstances:

- in self-defence where risk of injury is imminent;
- where there is a developing risk of injury or significant damage to property;
- where good order and discipline are compromised;
- when the activity occurs on the school premises or during an authorised activity off the premises.

Aims

- At St. Mary’s Catholic Primary School, physical restraint will only be used in extreme circumstances.

- Any force used should always be the minimum necessary to achieve the desired result and to prevent a pupil from:

  - injuring themselves or others;
  - committing a criminal offence;
  - causing damage to property;
Principles

When may pupils be restrained?

- Where possible staff should try to de-escalate the situation first. A physical intervention should only be used when other methods to manage the situation are inappropriate.
- In extreme circumstances (e.g. possession of weapons) it will be necessary to inform the Police.
- Examples of situations which may require physical restraint are when a pupil is:
  - attacking a member of staff or another pupil
  - fighting with another pupil
  - engaged in or is on the verge of committing deliberate damage or vandalism to property
  - causing or at risk of causing injury or damage by accident, rough play or by misuse of dangerous materials or objects
  - running in school in a way in which he/she might cause injury to themselves or others
  - absconds from a class or tries to leave the school
  - behaving in a way that is seriously disrupting a lesson
- In cases when the school is aware that a pupil is likely to behave in a way that may require physical restraint, plans will be made which address:
  - possible strategies for de-escalating the problem
  - ways of managing the pupil e.g. strategies, holds to be used
  - informing parents about specific action to be adopted
  - briefing staff to ensure they are clear about strategies
  - ensuring additional support can be summoned if appropriate

Who may restrain pupils?

- Physical Restraint may be carried out by all members of the school staff.
  
  However should any individual lack the confidence or the desire to take such action, an alternative senior member of staff may be summoned.

- These arrangements apply at all times the school has responsibility for pupils and extend to times when pupils are at after-school clubs or are off-site on educational
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trips. The policy does not apply to situations after children have been dismissed and left the school premises or have been collected by parents and are in their care.

- Everyone has the right to defend themselves against an attack provided they do not use a disproportionate amount of force to do so. In an emergency, e.g. if a pupil was at immediate risk of injury on someone else, any member of staff is able to intervene.

How may pupils be restrained?

- A calm approach to a situation should be adopted:
  
  - Prior to intervention the adult should, if possible, summon assistance from colleagues (Senior Management) e.g. when dealing with more than one pupil, or if they believe that they may be at risk of injury. Help is best summoned via another adult, but another child will suffice if no other adult is available.
  
  - If a member of staff does not feel confident to intervene they should continue to attempt to defuse the situation orally and to prevent the situation from escalating until help arrives.
  
  - Staff should remove other pupils who may be at risk.
  
  - The adult should, where practicable, inform the pupil to stop, and what will happen if they do not.
  
  - Attempts should be made to communicate with the pupil throughout the incident.
  
  - It should be made clear that physical restraint will stop as soon as it ceases to be necessary.

- Physical intervention may take several forms:
  
  - Physically interposing between pupils
  - Standing in the way of a pupil
  - Holding, pushing, pulling
  - Leading a pupil away by the hand or gentle pressure on the back
  (In more extreme cases more restrictive holds may be used)

- No restraint may be used which may be considered to be indecent or which may be expected to cause injury to the child.
  *Staff must avoid touching or holding pupils in ways that could be construed to be abusive (ref. Child Protection Policy)*

- Force which could cause injury includes:
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- holding around the neck
- any hold that might restrict breathing
- kicking, slapping or punching
- forcing limbs against joints
- tripping
- holding by the hair
- holding the pupil face down on the ground

Force like this should never be used. No force can ever be used as a punishment.

What to do after an incident of restraint

- All incidents when restraint is used should be recorded as soon as possible (within 24 hours) and the Headteacher notified. Reports should be recorded using the Integris log system and should include:
  - name(s) of pupil(s) involved
  - location of incident
  - the reason force was necessary
  - description of the incident
  - steps taken to diffuse the situation
  - degree of force used and for how long
  - pupil(s) response and outcome of the incident
  - details of any injury suffered by anyone and damage to property
  - statements from any witnesses should also be included

- Any staff injuries sustained will be recorded separately on an Accident Report Form in accordance with Health and Safety procedures.

- Pupils who have been restrained will be entitled to record their views when they have calmed down and will be given assistance to do so if necessary.

- Parents will always be informed of any incident with their child involving the use of physical restraint and will be given an opportunity to discuss the incident. (How and when parents are informed is the decision of the Headteacher.)

- Pupils or staff who are involved in a difficult incident will have access to support as required:
  - Debriefing
  - Counselling by Senior Management
  - Hounslow Employee Support Line
  - Childline
  - Child and Family Guidance
Use of reasonable force.

Advice for headteachers, staff and governing bodies

July 2013

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Summary  About this departmental advice

This is non-statutory advice from the Department for Education. It is intended to provide clarification on the use of force to help school staff feel more confident about using this power when they feel it is necessary and to make clear the responsibilities of headteachers and governing bodies in respect of this power.

Expiry or review date

This advice will be kept under review and updated as necessary.

Who is this advice for?

• School leaders and school staff in all schools¹ in England. Key points

• School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.

• Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

• Senior school leaders should support their staff when they use this power.

¹ “All schools” include Academies, Free Schools, independent
What is reasonable force?

1. 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.

2. 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.

3. ‘Reasonable in the circumstances’ means using no more force than is needed.

4. 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.

5. 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.

6. 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.

Who can use reasonable force?

• 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.

**When can reasonable force be used?**

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

• In a school, force is used for two main purposes – to control pupils or to restrain them.

• The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.  

Section 93, Education and Inspections Act 2006

• The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

**Schools can use reasonable force to:**

• remove disruptive children from the classroom where they have refused to follow an instruction to do so;

• prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;

• prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;

• prevent a pupil from attacking a member of staff or another pupil, or
to stop a fight in the playground; and

• restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

• use force as a punishment – it is always unlawful to use force as a punishment.

Power to search pupils without consent

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”:\(^3\):

• knives and weapons

• alcohol

• illegal drugs

• stolen items

• tobacco and cigarette papers

• 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.\(^3\) Section 550ZB(5) of the Education Act 1996
Separate guidance is available on the power to search without consent – see the ‘Further sources of information’ section for a link to this document.

Communicating the school’s approach to the use of force

• Every school is required to have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the headteacher that it expects the school behaviour policy to include the power to use reasonable force.

• There is no requirement to have a policy on the use of force but it is good practice to set out, in the behaviour policy, the circumstances in which force might be used. For example, it could say that teachers will physically separate pupils found fighting or that if a pupil refuses to leave a room when instructed to do so, they will be physically removed.

• Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).

• Schools do not require parental consent to use force on a student.

• Schools should not have a ‘no contact’ policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.

• By taking steps to ensure that staff, pupils and parents are clear about when force might be used, the school will reduce the likelihood of complaints being made when force has been used properly.
Using force

• A panel of experts\(^4\) identified that certain restraint techniques presented an unacceptable risk when used on children and young people. The techniques in question are:
  
  • the ‘seated double embrace’ which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
  
  • the ‘double basket-hold’ which involves holding a person’s arms across their chest; and
  
  • the ‘nose distraction technique’ which involves a sharp upward jab under the nose. \(^4\) Physical Control in Care Medical Panel - 2008

Staff training

• Schools need to take their own decisions about staff training. The headteacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the pupils when doing so.

• Some local authorities provide advice and guidance to help schools to develop an appropriate training programme.

Telling parents when force has been used on their child

• It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to
record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents.\(^5\)

- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
  - pupil’s behaviour and level of risk presented at the time of the incident;
  - degree of force used;
  - effect on the pupil or member of staff; and
  - the child’s age.

**What happens if a pupil complains when force is used on them?**

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.

- Where a member of staff 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.

- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.

- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with
Allegations of Abuse against Teachers and Other Staff”
guidance (see the ‘Further sources of information’ section
below) where an allegation of using excessive
force is made against a teacher. This guidance makes clear that a
person must not be suspended automatically, or without careful
thought.
• Schools must consider carefully whether the circumstances of the
case warrant a person being suspended until the allegation is
resolved or whether alternative arrangements are more
appropriate.

• If a decision is taken to suspend a teacher, the school should
ensure that the teacher has access to a named contact who
can provide support.

• Governing bodies should always consider whether a teacher has
acted within the law when reaching a decision on whether or
not to take disciplinary action against the teacher.

• As employers, schools and local authorities have a duty of care
towards their employees. It is important that schools provide
appropriate pastoral care to any member of staff who is subject
to a formal allegation following a use of force incident.

What about other physical contact with pupils?

• 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.

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

• Holding the hand of the child at the front/back of the line
when going to assembly or when walking together
Frequently Asked Questions

Q: I’m worried that if I use force a pupil or parent could make a complaint against me. Am I protected?  
A: Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations.

Q: How do I know whether using a physical intervention is ‘reasonable’?  
A: The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. School staff should expect the full backing of their senior leadership team when they have used force.

Q: What about school trips?  
A: The power may be used where the member of staff is lawfully in charge of the pupils, and this includes while on school trips.

Q: Can force be used on pupils with SEN or disabilities?  
A: Yes,
but the judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

Q: I’m a female teacher with a Year 10 class - there’s no way I’d want to restrain or try to control my pupils. Am I expected to do so?  
A: There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

Q: Are there any circumstances in which a teacher can use physical force to punish a pupil?  
A: No. It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, which is illegal.

Further sources of information  
Other departmental advice and guidance you may be interested in

• Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders (2002)

• Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties (2003)

• Screening, searching and confiscation – advice for headteachers, staff and governing bodies.

• Dealing with allegations of abuse against teachers and other staff – guidance for local authorities, headteachers, school staff, governing bodies and proprietors of independent schools
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Associated resources (external links)


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