



The Kingsley School Policy on the Use of Force to Control or Restrain Pupils	
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Author and Reviewer	Headteacher and Head of Prep
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This policy has been written using guidance taken from Use of Reasonable¹ Force in Schools, Advice for Headteachers, staff and Governing Bodies DfE 2013, reviewed July 2015 which relates to legislation 'Education and

Inspections Act 2006', and the February 2025 guidance: Use of reasonable force and other restrictive interventions in schools

The school acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND) - Equality Act 2010, SEN and Disability Code of Practice 0-25 years 2015.

The Kingsley School recognises that all school staff members have a legal power to use reasonable¹ force but it is only one of the strategies available to secure pupil safety and to maintain good order and discipline. This policy should be read in conjunction with our Child Protection and Safeguarding Policy and our Relational Practice Policy.²

The school does not operate a 'no-contact' policy, as such a policy could place staff in breach of their duty of care towards a pupil or prevent necessary action to prevent harm. Parental consent is not required for the use of reasonable force on a student.

1. What is Reasonable Force?

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. Force can be used 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.

2. Purpose of this Policy

We would want to highlight that most pupils at The Kingsley School will never require any form of the use of force and it should only ever be used as a last resort. It is always unlawful to use force as a punishment.

Our policy on the use of force to control or restrain aims to:

- Protect every person in the school community from harm
- Protect all pupils against any form of restrictive physical intervention, which is unnecessary, inappropriate, excessive or harmful
- Provide adequate information and training for staff, so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations
- Give full support to staff, who have been assaulted or have suffered verbal abuse from pupils or others

3. 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. The provision applies when a teacher, or other authorised person, is on the school premises, and when he or she has lawful control or charge of the pupil concerned elsewhere e.g. on a field trip or other authorised out-of-school activity. This does not include prefects or other supervising pupils.

4. When Reasonable Force May Be Used

Reasonable force may be used, as a last resort, to prevent pupils from doing, or continuing to do, any of the following: committing a criminal offence causing self-injury or injury to others causing damage to property engaging in any behaviour prejudicial to maintaining good order and discipline, either within a classroom, elsewhere in school (including the boarding house), on the Foundation site or during authorised out-of-school activities.

Examples of situations, in which members of staff in schools may have to use reasonable force are:

¹ No statutory definition of "reasonable" but will depend in part upon the context in which it is used and whether it is proportional to the consequences it is intended to prevent. 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 The policy should be read in conjunction with our general pastoral care guidelines and the policies on managing pupil behaviour in our Behaviour Policy and our Safeguarding and Child Protection Policy.

- A pupil attacks a member of staff, or another pupil.
- Pupils are fighting.
- A pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property.
- A pupil is causing, or is at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects.
- A pupil is running in a corridor or on a stairway in a way which he or she might have, or cause, an accident likely to injure him or herself or others.
- A pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).
- A pupil is behaving in a way that is seriously disrupting a lesson.
- To remove disruptive children from the classroom where they have refused to follow an instruction to do so.
- To prevent a pupil behaving in a way that disrupts a school event or a school trip or visit.
- To restrain a pupil at risk of harming themselves through physical outbursts.

5. Power to Search Pupils without Consent

In addition to the general power to use reasonable force, the Headteacher and authorised staff only can use such force as is reasonable given the circumstances, to conduct a search for prohibited items:

- Knives or weapons.
- Alcohol.
- Illegal drugs.
- Stolen items.
- Tobacco and cigarette papers.
- Fireworks.
- Pornographic images.
- Any article that the member of staff reasonably suspects has been, or is likely to be, used:
 - to commit an offence,
 - to cause personal injury to, or damage to the property of, any person (including the pupil).

Reasonable force cannot be used for any other items which are not on this list even if they are banned by the school rules.

Separate guidance from the Department for Education is available on the power to search without consent – staff should refer to ‘Screening, searching and confiscation – advice for headteachers, staff and governing bodies’ for further information - and the School’s Search and Confiscation of Property Policy.

6. Deciding When to Use Force

Although preventative measures will not always work, The Kingsley School and its staff aim to create a calm, orderly and supportive school environment that minimises the risk and threat of violence; develop positive working relationships between staff and pupils; effectively manage individual incidents, using calm non-threatening behaviour and recognise that challenging behaviours are often unforeseeable. The use of physical intervention and restraint must comply with the law and if it is applied it must be reasonable, proportionate, necessary and in the best interests of the pupil.

The scale and nature of any use of force must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause. Ideally, more than one adult should be present. In addition, those exercising power to use force must also take proper account of any special educational need (SEN), vulnerability and/or disability that a pupil may have and the Disability Discrimination Act 1995 states that school must not ‘treat a disabled pupil less favourably, for a reason relating to his or her disability, than someone to whom that reason does not apply, without justification’; and should ‘take reasonable steps to avoid putting disabled pupils at a substantial disadvantage to pupils who are not disabled.’ Staff will be informed about and advised how to deal with pupils who present particular risks to themselves or others through individual education plans.

The judgement on whether to use force and what force to use should always depend on the circumstances of each case and information about the individual concerned (especially SEN/disabilities)³. The decision to use force calls for a serious assessment of the situation by a member of staff who must deem the use of force to be necessary and be clear that without using it, the seriousness of the incident would be much more severe than if they had used other strategies.

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 act (including a failure to use reasonable force) may in some circumstances breach that duty.

7. Using Force

Where unacceptable behaviour threatens good order and discipline and warrants intervention, the member of staff should use diffusion or diversion strategies such as:

- effectively manage the situation using calm non-threatening verbal communication and body language e.g. going with pupil to a quiet room or away from bystanders so concerns can be listened to;
- verbally warn the pupil;
- physically interposing between pupils;
- blocking a pupil's path;
- holding;
- shepherding a pupil away by placing a hand in the centre of the back, or leading a pupil by the hand or arm;

Staff should always avoid touching or restraining a pupil in a way that may be interpreted as sexually inappropriate conduct.

There are circumstances where a member of staff should not intervene without help unless in an emergency and in these situations help should be summoned. Such incidences may include if that member of staff believes they may be at risk or if there is more than one pupil involved. In such circumstances the member of staff should take alternative steps such as remove other pupils from the situation who may be at risk.

The following restraint techniques should never be used as they present an unacceptable risk when used on children and young people:

- 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.
- The '**nose distraction technique**' which involves a sharp upward jab under the nose.

Staff should realise though that the use of force should never be used as a punishment.

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8. Reporting Incidents

Staff should record all **serious incidents** (see Incident Recording Form - Appendix A) as soon as is practicable (within 24 hrs) where force has been used and inform the Headteacher immediately. Details should include the name of pupil(s), when and where the incident took place, details of the incident including the physical intervention, the pupil's response, the outcome and any injuries.

³ Staff will be informed about and advised how to deal with pupils who present particular risks to themselves or others through individual education plans

⁴ Falls under corporal punishment, abolished by section 548 of the Education Act 1996

This is to ensure that parents are kept informed of serious events at school concerning their child⁵. The person who makes the report to the parent⁶ needs to be the person who compiles the report. The record forms part of the pupil's educational record. Where an incident may not be considered serious in itself but it forms part of a pattern of repeated behaviour, it is advisable to let the parents know.

The member of staff must not report the incident to a parent if it appears to the member of staff that doing so would be likely to result in significant harm to the pupil. If this is the case, the incident needs to be reported to the Local Authority where the pupil lives.

9. Post Incident Support

Where an incident results in injuries to pupil or staff, immediate action should be taken to provide first aid or access medical help for any injuries that go beyond first aid. In addition, it is important to ensure that rebuilding relationships occurs and emotional support is also provided.

It is also important that a review is made of the incident and strategies put in place such as an individual pupil behaviour plan, to deal with any reoccurrence of behaviour that could lead to the use of force (employ The Relational Practice policy). Relevant parties - senior staff, pupil, parents and where appropriate multi-agency partners e.g. Warwickshire Safeguarding , HSE, Police - would be involved.

10. Complaints and Allegations

Staff have a duty of care to the children in school, which includes a moral responsibility to take appropriate action when necessary. We will of course always closely involve parents when an incident occurs with their child. Where a parent wishes to make a complaint about actions, which may include the use of force, taken by school staff, the School's Complaints policy procedure should be followed. If a specific allegation of abuse is made against a member of staff, the school will follow the procedures set out in the Child Protection and Safeguarding Policy: Staff Facing an Allegation of Abuse.

In addition:

- 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 Associated Resources 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.

⁵ The member of staff must not report the incident to a parent if it appears to the member of staff that doing so would be likely to result in significant harm to the pupil. If this is the case, the incident needs to be reported to the Local Authority where the pupil lives

⁶ Each parent - notify both e.g mother and father who both have responsibility, or where care order or Social Services

11. Physical Contact in Other Circumstances

Staff will be alerted if any pupil with whom they are liable to come into contact has particular sensitivities about physical contact due to their cultural background or individual backgrounds. Staff should be encouraged to bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued.

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 around the school
- 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; and
- To give first aid

12. Staff Training

The Kingsley School will ensure that staff identified as requiring training are appropriately trained and regularly updated not only in the safe and effective use of the type of force sanctioned by the school, but also in all other aspects of physical intervention and restraint - from prevention and de-escalation through to post incident management. Any training approach to physical intervention will be clear about the dangers of positional asphyxia, which has resulted in various settings in situations where an individual's breathing has been compromised. The Headteacher will consider whether members of staff require any additional training to enable them to carry out their responsibilities and will consider the needs of the pupils when doing so.

13. Monitoring and Review

This policy will be reviewed annually and in the light of any incidences.

Appendix A: Incident Recording Form of Use of Force

Details of pupil on whom force was used:

Pupil Name(s):

D.o.B: Class:

Any Disability/SEN or other vulnerability? :

Date of incident:

Time of incident:

Names of member(s) of staff involved (directly or as witnesses):

Details of other pupils involved (directly or witnesses including whether they are vulnerable for SEN, disability, medical or social reasons):

Section B:

Please outline factors in the incident that necessitated the use of force (including method of use of force used):

Please detail the strategies which were employed prior to using restrictive physical intervention

Outcome of restrictive physical intervention:

Section C: Information gathered following the incident

Any injury suffered by staff or pupils and any first aid and /or medical attention required:

Section D: Follow-up action

Date parent/guardian informed of incident:

Time:

Informed by whom, and means:

Outline of parent/carer response:

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

Report compiled by (Signature):

Date:

Name and role:

Date:

Child Protection officer (signature):

Date:

Report countersigned by (Signature) Head Teacher:

Date:

Brief description of any subsequent inquiry/complaint or action (details should not be recorded here)?

cc. report compiler, Head, Parent,

Please note: The names of pupils should be removed before the completed form is sent to parents and the names of the members of staff should only be included with their consent (Data Protection Act 1998)⁷.

Staff may find it useful to consult a senior colleague or a union representative when compiling the report.

⁷ Retain copies of incident until member of staff has reached normal retirement age, or for 10yrs from the day of any allegation if that is longer.

Appendix B

Taken from DfE March 2013 **reviewed July 2015** "Use of reasonable force: guidance for Head teachers, staff and governing bodies"

In determining whether incidents are significant, schools should consider:

- The pupils/ behaviour and the level of risk presented at the time.
- The degree of force being used and whether it was proportionate in relation to the behaviour.
- The effect on the pupil or the member of staff.
- The child's age.

No statutory definition of "reasonable" but will depend in part upon the context in which it is used and whether it is proportional to the consequences it is intended to prevent. 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.