



OLD BUCKENHAM HALL

Brettenham Park
Ipswich, Suffolk, IP7 7PH
Website: www.obh.co.uk

Policy for Use of Force to Control or Restrain Pupils

Jan 2015

(Amended 15 May 2015)



Policy on the use of force to Control or Restrain Pupils

Policy Statement:

Teachers and other staff at OBH will only use such force as is reasonable in any given circumstance to prevent a pupil from doing, or continuing to do, any of the following:

- *committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)*
- *injuring themselves or others*
- *causing damage to property*
- *engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom, anywhere on school premises or an authorised out of school activity.*

Corporal punishment is never used at OBH, including EYFS, under any circumstances.

This policy is based on guidance from the DfE has been agreed by the Staff and Governors of OBH and will be made known to the pupils and their parents.

Introduction:

Like all schools, we reserve the right for our staff to use reasonable force to control or restrain a pupil in specific circumstances. The Education and Inspections Act 2006 and the July 2013 Guidance for Headteachers, enables school staff to use "such force as is reasonable in the circumstances to prevent a pupil from doing or continuing to do" any of the following:

- *“Committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)”*
- *“Causing personal injury to any person (including the pupil themselves)”*
- *“Causing damage to the property of any person (including the pupil themselves)”*
- *“Prejudicing the maintenance of good order and discipline at the school, and among any pupils receiving education at the school, whether during a teaching session or otherwise”*

The Act also defines to whom the power applies as follows:

- *“Any teacher who works at the school”*
- *“Any other person whom the head teacher has authorised to have control or charge of pupils”*

All of our staff are informed of the circumstances in which reasonable minimum force may be used, both as part of their induction and regular refresher training on managing pupil behaviour. In particular, they are advised always to use their voices first, to use the minimum force necessary to restrain a child for the shortest possible period of time. Training specifically deals with the factors that must be considered in reaching a judgment as to whether the use of physical restraint is appropriate that are set out in the ATL's Guidance "Restraint," that include:

- *"The seriousness of the incident, assessed by the effect of the injury, damage or disorder that is likely to result if force is not used"*
- *"The chances of achieving the desired result by other means"*
- *"The relative risks associated with physical intervention compared with using other strategies"*

The circumstances in which physical intervention might be appropriate:

- where action is necessary in self defence or because there is imminent risk of injury. eg a pupil attacks another pupil
- where there is a developing risk of injury, or significant damage to property. eg a pupil is at risk of causing injury or damage through the misuse of tools
- where a pupil is behaving in a way that is compromising good order and discipline. eg a pupil is behaving in a way that is seriously disrupting a lesson

In all situations, teachers will consider carefully whether physical intervention is appropriate. Teachers will always try to deal with a situation through the strategies detailed in the school's Behaviour and Discipline Policy before using physical intervention.

Where the aim is to maintain good order and discipline, and there is no direct risk to people or property, any actions taken will seek to avoid exacerbating the situation.

Any member of staff is entitled to defend themselves against attack and in an emergency eg where a pupil is at immediate risk of injury, to use a degree of force to intervene.

Factors which Staff consider before deciding to intervene:

The age and level of understanding of the pupil. Our emphasis is on effective behaviour management to gain compliance. Physical intervention is always the last resort.

If staff are aware that a pupil is likely to behave in a way that might require physical control or restraint, a plan will be drawn up so that everyone is clear how to respond should the situation arise. It will cover:

- managing the pupil (eg strategies to de escalate conflict etc)
- involving parents to ensure they are clear about what specific action staff might need to take
- briefing staff to ensure they know exactly what action to take

- ensuring additional support can be summoned if needed

'Reasonable Force':

There is no legal definition of 'reasonable force'. However it is only reasonable to use force in a situation that clearly could not be resolved without it. Any force used will always be the minimum needed to achieve the desired result. Examples of physical intervention might include physically interposing between pupils or leading a pupil by the hand or arm. In exceptional circumstances eg to prevent a pupil throwing something at another pupil, staff may need to take action consistent with the concept of 'reasonable force'.

Staff use the strategies and techniques detailed in the Behaviour and Discipline Policy in order to defuse and calm difficult situations and to secure acceptable behaviour with the least possible intervention.

Staff seek to develop relationships with pupils which make these strategies and techniques sufficient to re-establish acceptable behaviour.

Staff avoid touching or holding pupils in ways which could be considered inappropriate.

Corporal punishment remains unlawful.

Every member of staff will inform the Headmaster immediately after s/he has needed to restrain a pupil physically. We will always inform a parent when it has been necessary to use physical restraint, and invite them to the school, so that we can, if necessary, agree a plan for managing that individual pupil's behavior.

Record Keeping:

All incidents of physical restraint will be logged on PASS.

Monitoring & Review:

This policy will be monitored on a day to day basis by the Headmaster and Deputy Head. It will be reviewed:

- annually or
- when there has been an incident
- when there are changes in legislation/guidance

It will be reviewed annually by the Headmaster.

A. Shropshire
Business Manager

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