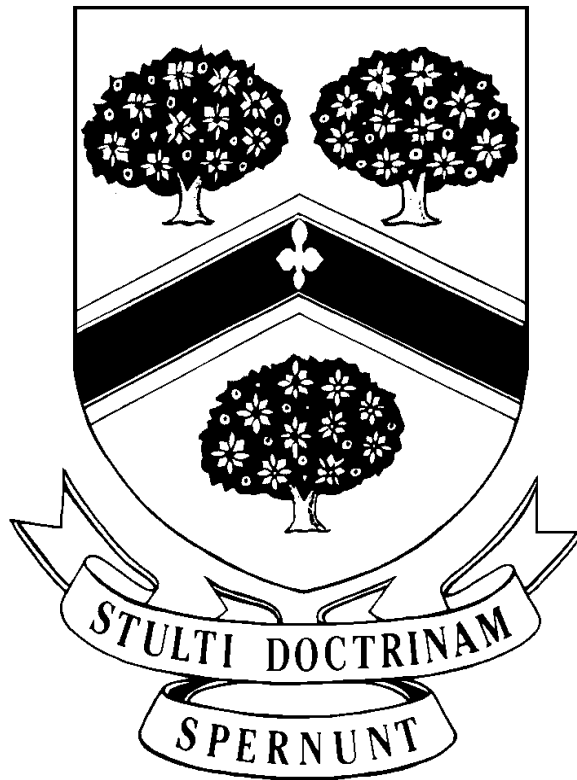


# **THORNTON GRAMMAR SCHOOL**

**A SPECIALIST SPORTS, SCIENCE & APPLIED LEARNING  
TRUST SCHOOL**



FOUNDED 1673

## **POLICY FOR THE USE OF FORCE TO CONTROL OR RESTRAIN PUPILS**

REVIEWED: MARCH 2010

## **POLICY FOR THE USE OF FORCE TO CONTROL OR RESTRAIN PUPILS**

This Policy was formulated in line with provisions, relating to Section 93 of the Education Act 2006.

It should be clearly understood that it is not the intention of either the Education Act 2006 or the Governors of the school to authorise the use of corporal punishment or to encourage the use of inappropriate force. **The Policy does not seek to instruct staff to use force as a means of control or restraint if they do not wish to do so.**

The law states that every person has a right to use reasonable force to defend themselves from attack. In an emergency, it would be reasonable to expect that a member of staff would intervene if a pupil was at risk of serious injury or about to inflict serious injury on another pupil. Those authorised by the Headteacher are also entitled to intervene in other, less extreme, situations.

Those authorised by the Headteacher to use force to control or restrain pupils at Thornton Grammar School, based on the guidelines in this Policy, are the members of the teaching staff on the school payroll. If the Headteacher wished to authorise additional personnel on a temporary or permanent basis this would be at his/her discretion and would be notified in writing.

### **THE TYPES OF INCIDENT WHERE REASONABLE FORCE MIGHT BE NECESSARY OR APPROPRIATE:-**

- 1. Where action is necessary in self-defence or where there is imminent risk of injury or significant damage to property, for example:**
  - if a pupil attacks a member of staff or another pupil;
  - if pupils are fighting;
  - if a pupil is engaged in, or about to commit, deliberate and severe damage or vandalism to property;
  - if a pupil is causing, or about to cause, injury to a pupil or severe damage to property by accident, rough play, or misuse of materials or objects;
  - if a pupil is running on a corridor or staircase and is likely to injure himself or others;
  - if a pupil is about to leave a classroom or the school **and** this would place him/her or others at risk.

**2. Where a pupil is behaving in a way that is compromising good order and discipline, for example:-**

- if a pupil persistently refuses to obey an order to leave a classroom;
- if a pupil is behaving in a way that is seriously disrupting a lesson.

**IT IS ENVISAGED THAT CONTROL AND RESTRAING IN THESE CASES WOULD ONLY BE USED IN THE MOST SEVERE OR EXCEPTIONAL CIRCUMSTANCES AND WITH REGARD TO (a) to (j)**

**There is no legal definition of “reasonable force” but the use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Physical force must therefore:-**

- a) be used only when every attempt (where practicable) has been made to communicate to the pupil that the misbehaviour should cease;
- b) be used only after warning the pupil (where practicable) that physical force will be used if the misbehaviour continues. Staff should have regard to the possibility that this action could exacerbate the situation;
- c) only be used in a situation which clearly could not be resolved without force;
- d) not be used in circumstances where to do so would exacerbate the situation eg provoke an attack;
- e) be used only to the minimum degree required in the circumstances;
- f) be prolonged only for the minimum time necessary to achieve the desired result;
- g) be appropriate to the age, understanding, stature and sex of the pupil;
- h) never be used as a punishment or as a substitute for good behaviour management;
- i) not be used in anger or out of frustration;
- i) not be used if, it is believed that risk or injury to self might result. In this case, (except in an emergency), every attempt must be made to continue to defuse the situation but help should be summoned and the pupil warned that this has been done.

**APPLICATION OF FORCE**

It would be expected that physical intervention might involve for example:

- physically interposing between pupils;
- blocking a pupil's path;
- holding;
- pushing;
- pulling;

- leading a pupil by the hand or arm;
- shepherding a pupil away by placing a hand in the back; or, **in extreme cases only** using more restrictive holds.\*

\*In exceptional circumstances, where there is an immediate risk of injury, staff may need to take action necessary that is consistent with the concept of 'reasonable force'.

Staff should not act in a way that might reasonably be expected to cause injury to the pupil.

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

### **REPORTING AND RECORDING OF INCIDENTS OF PHYSICAL CONTROL OR RESTRAINT**

An Incident Book will be kept of all instances where physical control or restraint are used and parents will be informed either verbally or in writing at the earliest appropriate time of the details and circumstances of the incident. Staff involved should, therefore, immediately following the accident:-

- a) inform the Headteacher or a senior member of staff of the occurrence;
- b) provide a written report detailing names(s), place, time, circumstances, witnesses, degree of force used, injuries (if any), damage to property (if any), responses and outcomes;
- c) keep a copy of the report and, if desired, seek advice from a senior colleague or representative of their professional association.

### **COMPLAINTS**

Parents should be made aware of the existence and contents of this Policy.

If a dispute arises about the degree of force used by a member of staff, the Headteacher will undertake a full investigation involving the Governing Body of the school as appropriate.

In the circumstances of a disciplinary hearing, a criminal prosecution or a civil action being brought it would be expected that due regard would be given to the school's policy and whether it had been followed.

USE OF FORCE TO CONTROL OR RESTRAIN PUPILS: INCIDENT RECORD

Details of pupil or pupils on whom force was used by a member of staff (name, class)	
Date, time and location of incident	
Names of staff involved (directly or as witnesses)	
Details of other pupils involved (directly or as witnesses), including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons.	
Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used.	
Reason for using force and description of force used.	
Any injury suffered by staff or pupils and any first aid and/or medical attention required	
Reasons for making a record of the incident	
Follow up, including post-incident support and any disciplinary action against pupils	
Any information about the incident shared with staff not involved in it and external agencies	
When and how those with parental responsibility were informed about the incident and any views they have expressed	
Has any complaint been lodged (details should not be recorded here)?	
Report compiled by:	Report countersigned by:
Name and role:	Name and role:
Signature:	Signature
Date:	Date: