



ANSFORD ACADEMY

LEARNING TOGETHER TO LEAD OUR LIVES

Behaviour and Inclusion Policy Suite

REASONABLE FORCE POLICY

Status:	Required
Adopted:	October 2023
Renewal Period:	Yearly
Next Review:	October 2024

Rationale

Section 93 of the Education and Inspections Act 2006 and further guidance issued by the DfE in July 2013 (Use of reasonable force - Advice for Headteachers, staff and governing bodies) enables academy staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

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

Aims

- To make clear to staff the powers they have under Section 93 of the Education and Inspections Act 2006.

Scope

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 Use of Force to Restrain or Control Students

The statutory power conferred by Section 95 is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence.

There is no legal definition of when it is reasonable to use force and each case must be judged on its circumstances and those exercising the power to use force must also take proper account of any particular special educational need and/or disability. It is though illegal to use force as a punishment.

The types of force which are deemed to be reasonable are:

- Passive physical contact resulting from standing between two students or blocking a student's path;
- Active physical contact such as leading a student by the hand or arm; ushering a student away by placing a hand in the centre of their back; or, in more extreme circumstances, using appropriate restrictive holds.

Decisions on whether circumstances justify the use of reasonable force will depend on:

- The seriousness of the incident,
- The chances of achieving the desired result by other means,
- The relative risks associated with physical intervention compared to using other strategies.

Where possible, a clear oral warning should be given to the student that force may have to be used. Examples of situations that particularly call for judgements of this kind are:

- A student attacking another student or member of staff;
- Students fighting and hence causing risk of injury to themselves or others;
- A student committing, or on the verge of committing, deliberate damage to property;
- A student is causing, or at risk of causing, injury of damage by accident, rough play, or by the misuse of dangerous objects or materials;
- A student persistently refuses to follow an instruction to leave the classroom;
- A student is behaving in a way that seriously disrupts a lesson; or
- A student is behaving in a way that seriously disrupts a school sporting event or school visit.

All incidents where force has been used should be recorded on My Concern and must include the following information:

- Student Name/Year Group/Tutor Group
- Date/Time/Location of incident
- Staff involved (including witnesses)
- Details of other students involved (including witnesses)
- Description of incident, including any attempts to de-escalate/warnings given that force might be used.
- Reason for using force and description of force used.
- Any injury suffered by staff or students and any first aid and/or medical attention required
- Follow up actions, including post-incident support and any disciplinary action against students
- Details of any staff/stakeholders who have been informed of the incident

The Designated Safeguarding Lead will notify the Headteacher of all incidents where force has been used

Complaints about the use of force will be dealt with under the procedures outlined in the *Management of Allegations Against Staff and Low Level Concerns Policy*.

Touching a Student

According to the DfE guidance, it is not illegal to touch a student and that there are occasions when physical contact with a student is 'proper and necessary'. Examples of where touching a student might be proper or necessary include:

- When comforting a distressed student.
- When congratulating or praising a student.
- When demonstrating how to use a musical instrument.
- When demonstrating exercises or techniques during PE lessons or sports coaching.
- When giving first aid.

Training for Staff

At Ansford Academy we are committed to ensuring that staff are aware of their responsibilities toward students and the use of reasonable force. The Designated Safeguarding Lead will provide regular updates on this topic for all staff. In addition, the DSL and the SENDCo will review the need for further advanced training on a regular basis and ensure that the appropriate number of staff have been trained to meet specific needs.

Linked Policies

This policy has been impact assessed to ensure that it is in line with our Equality Policy and the Equality Act (2010).

- Behaviour Management Policy
- Safeguarding and Child Protection Policy
- Management of Allegations Against Staff and Low Level Concerns Policy