



Weald of Kent Grammar School

Use of Reasonable Force Policy – March 2018

DfE guidelines have been issued regarding the use of “reasonable force” on students. This policy document clarifies Weald of Kent School’s interpretation of these guidelines.

Note at the outset that the School regards the use of reasonable force on students by its staff as a last resort which is therefore necessary only in exceptional and rare circumstances.

This advice also relates to:

Education Act 1996

Education and Inspections Act 2006

What is reasonable force?

- The term ‘reasonable force’ covers the broad range of actions which may be used by teachers at some point in their career that involve a degree of physical contact with students.
- Force is usually used either to control or restrain. This can range from guiding a student 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.
- Staff would only ever use force to control students and/or to restrain them.
 - Control means either passive physical contact, such as standing between students or blocking a student’s path, or active physical contact such as leading a student by the arm out of a classroom.
 - Restraint means to hold back physically or to bring a student under control. It would typically be used in more extreme circumstances, for example, if two students were fighting and refused to separate without physical intervention.
- Staff should always try to avoid acting in a way that might cause injury, but it is understood that in extreme cases it may not always be possible to avoid injuring the student.
- Staff should only use reasonable force if they feel it does not put themselves at risk in anyway.
- Examples where the use of reasonable force might be appropriate include:
 - To prevent a student from attacking or endangering another student, a member of staff or other person, or to stop a fight.
 - To restrain a student at risk of harming themselves through physical outbursts.
- And less frequently
 - To prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
 - To remove a disruptive student from the classroom where they have refused to follow an instruction to do so and are endangering themselves or others.
 - To prevent a student behaving in a way that disrupts a school event or a school trip or visit and so endangers themselves or others.

Who can use reasonable force?

The power applies to any member of staff at the School and extends to people whom the Headteacher has temporarily put in charge of students.

Reporting

When force has been used on a student it is school policy that this must always be a matter of written record and reported to the student's parents. The written incident report should be written by the member of staff as soon as possible after the event using the Reasonable Force Documentation (Appendix 1 – copies available in the Head of Year Folder in the Staff Resources). The report should be forwarded to the Lead DSL who will then arrange for the parents to be informed. The report should include:

- The student's behaviour and level of risk presented at the time of the incident.
- The degree of force used.
- The effect on the student of the use of force.
- The student's age.
- Names of any students or staff who have witnessed the use of force.

Weald of Kent policy in the event of a complaint arising from the use of force on a student

- All complaints about the use of force will be thoroughly, speedily and appropriately investigated.
- The School notes that when a complaint is made the onus is on the complainant to prove that his/her allegations are true rather than for the member of staff to show that he/she has acted reasonably.
- Moreover, where a member of staff has acted within the law i.e. 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.
- Suspension will not be the School's automatic response when a member of staff has been accused of using excessive force. The School will bear in mind the "Dealing with Allegations of Abuse against Teachers and Other Staff" - DfE guidance regarding an allegation against a member of staff of the use of excessive force. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- The School will, therefore, weigh carefully whether the circumstances of the case warrant the suspension of the member of staff until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a member of staff, the School should ensure that the member of staff has access to a named contact that can provide support. The School has a duty of care towards its employees and acknowledges its duty to offer appropriate pastoral care to any member of staff who is subject to a formal allegation following the use of force.
- In reaching a decision on whether or not to take disciplinary action against the member of staff, the Governing Body shall consider whether the individual has acted within the law.

Other physical contact with students; a clarification

It is not illegal to touch a student. There are occasions when physical contact, other than "reasonable force," with a student is proper and necessary; DfE guidance includes the following examples where touching a student might be proper or necessary:

- To demonstrate how to use a musical instrument.
- To demonstrate exercises or techniques during PE lessons or sports coaching.
- To give first aid.
- When a student is being congratulated or praised.

This Policy has been written to reflect: ***"Use of Reasonable Force – Advice for Headteachers, Staff and Governing Bodies."*** DfE 2012

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Appendix 1 – Report of reasonable force documentation

Name of member staff completing the form	
Name of member of staff involved in using reasonable force	
Name of student	
Year group and class of student	
Date of incident	
The student's behaviour and level of risk presented at the time of the incident	
The degree of force used	
The effect on the student of the use of force	
Names of any students or staff who have witnessed the use of force	
Staff signature and date the form was completed	