



USE OF REASONABLE FORCE POLICY

Purpose of this statement	To detail the use of reasonable force policy for Buttershaw Business and Enterprise College
Dated	January 2024
Review	January 2025
Contact	Headteacher

THE ETHOS OF BUTTERSHAW BUSINESS AND ENTERPRISE COLLEGE



At Buttershaw Business and Enterprise College our values are:

- **Ambition** – We set ourselves challenging goals
- **Resilience** - We give it a go
- **Courtesy** – We are polite to everyone
- **Kindness** – We show we care about those around us.

Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. (DFE Exclusions Guidance 2023)

Section 93 of the Education and Inspections Act 2006 provides all school staff, including non-teaching staff, with the power to use reasonable force to prevent pupils from hurting themselves or others, from damaging property or causing disorder. When it is safe, lawful and absolutely necessary, the Government supports school staff to use reasonable force, including restraint, as an intervention.

‘Use of Reasonable Force’ guidance, (DFE 2013), is non-statutory advice from the Department for Education. This guidance advises that reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

The Need for a Policy

Buttershaw Business and Enterprise College promotes positive behaviour through the example set by adults and student role models, the behaviour policy and by having high expectations. Learning that there are consequences to inappropriate behaviour is an important aspect of education and the behaviour strategy has clear sanctions for when expectations are not met.

As per the DFE ‘Use of Reasonable Force’ guidance there are occasions when it may be necessary and appropriate to use reasonable force to prevent pupils from hurting themselves or others, from damaging property or causing disorder.

At Buttershaw Business and Enterprise College, if appropriate in the situation, other forms of de-escalation will always be attempted first before reasonable force is considered to bring a situation under control. This may include speaking calmly with the student, giving clear instructions to stop a particular action in a firm but calm manner, offering take up time for students to process information being given, access to a 'safe space' for a period of time to aid with take up and understanding. There are some rare situations where more immediate physical intervention may be appropriate such as when an assault of another student or adult is taking place, or if they are in immediate danger of hurting themselves or damaging property.

Purpose

The purpose of this policy is to set out the guidance around the use of reasonable force in school for the benefit of parents, staff and students so as to ensure a consistent process for all concerned.

Parents

The definition of a parent for the purposes of the Education Act is broadly drawn. In addition to the child's birth parents, references to parents in this guidance include any person who has parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives.

Definitions

The government define **reasonable force** as:

Physical contact by a member of staff on a pupil to control or restrain their actions/movements in order to prevent or stop

1. a pupil from committing any offence
2. a pupil causing personal injury to any person including the pupil themselves
3. damage to property,
4. disruption to education and good order at the school.

Reasonable force can also include physical restraint, such as holding a pupil's arms back to prevent a fight but is not limited to this. 'Reasonable' means using no more force than is necessary; for example, guiding a pupil to safety by the arm or blocking a pupil's path.

The government define **restrictive practices** as:

Any planned or reactive action which limits a pupil's movement, liberty or freedom to act independently. Restrictive practices may include use of equipment, medication, or seclusion. Seclusion means isolating a pupil by preventing them from leaving a room or space of their own free will. There could be a number of methods used to seclude/isolate an individual.

While **physical restraint** is a type of restrictive practice, it has been specifically excluded from this definition as it is captured within the definition of reasonable force given above.

(Note - It is important to note that the Department for Education recognises that there are different definitions and categorisations used across the sector for some of these terms.)

What is reasonable force?

The DFE 'Use of Reasonable Force' guidance states that

1. 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. 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.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force 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.
5. 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.
6. **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 unintentionally.**

Who can use reasonable force?

The DFE 'Use of Reasonable Force' guidance states that

1. **All members of school staff have a legal power to use reasonable force.**
2. 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.
3. School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.

When can reasonable force be used?

The DFE 'Use of Reasonable Force' guidance states that

1. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
2. In a school, force is used for two main purposes – to control pupils or to restrain them.
3. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is **not exhaustive** but provides some examples of situations where reasonable force can be used:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour or learning of others
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground
- restrain a pupil at risk of harming themselves through physical outbursts.

When can't reasonable force be used?

The DFE 'Use of Reasonable Force' guidance states that

Schools cannot use force as a punishment – it is always unlawful to use force as a punishment.

The guidance document also states that following methods of restraint are not permissible

- 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.

The 'Reducing the need for restraint and restrictive intervention' guidance (HM Government 2019), states that "people should not be deliberately restrained in a way that affects their airway, breathing or circulation, for example by covering the mouth or nose or applying pressure to the neck region or abdomen."

Staff at BBEC will never use any of these techniques with students under any circumstances.

Additional training for staff

The pastoral manager team and selected other senior staff have received evidence based training from Team Teach (<https://www.teamteach.co.uk/>) in the use of reasonable force with students. This includes specific holds and techniques to use with students. This does not preclude other staff from intervening with students however as Section 93 of the Education and Inspections Act 2006 provides **all** school staff, including non-teaching staff, with the power to use reasonable force.

Other physical contact with pupils

The DFE 'Use of Reasonable Force' guidance states that

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 include but are not limited to:

- 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
- To give first aid
- Although less common in a secondary school; holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school if a student's additional needs dictate a need for this.

Use of reasonable force on students with additional needs

The DFE 'Use of Reasonable Force' guidance states that

- Any policy on the use of reasonable force should acknowledge a school's legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).

Staff at BBEC will always take into account any additional needs of a student (including disabilities) when making a decision on whether reasonable force is required to de-escalate a situation. The judgement on whether to use reasonable force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned. In some cases a specific risk assessment may already be in place for a student and the recommendations of this will be followed wherever possible.

Communication and recording

The DFE 'Use of Reasonable Force' guidance states clearly that '**schools do not require parental consent to use force on a student**'.

The guidance also states that schools 'should not have a no contact policy'. A no contact policy would potentially place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm to themselves or others if such a policy was implemented.

The primary concern of every staff member at BBEC remains to safeguard all the students in our care.

BBEC staff involved in the use of reasonable force with a student will record the details of the incident (including the lead up to the incident) on our school safeguarding logging system (CPOMS) on the same day of the incident.

Whenever possible parents will be informed that reasonable force has had to be used with their child. Under no circumstances will parents be able to access CCTV records of a specific incident as this would be in breach of GDPR data laws. The Safer Schools Police Officer working with BBEC will be able to access CCTV records and can provide a secondary source of information on the incident if parents require it.

Power to search pupils without consent

The DFE 'Use of Reasonable Force' guidance states that

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

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for other items banned under the school rules.

Complaints

Parents and students have a right to make a formal complaint if they feel it is required and should refer to the separate complaints policy for the details of how to do this. This is available on the school website.

It should be noted however that the DFE 'Use of Reasonable Force' guidance states that

- 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.

Named Governor:	Neil Margerison
Monitoring of the Policy:	M Colman
Reporting to:	A Taylor
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Appendix

The Use of Reasonable Force Policy is part of a suite of policies and documents which also include the following:

PA2L (Positive Attitude to Learning) Behaviour Policy

Exclusions Policy

Anti-bullying Policy

E-Safety Policy

Additionally reference should be made to documents published by DFE including:

[Use of reasonable force in schools](#)

[Exclusion from maintained schools, academies and pupil referral units in England](#)

[Preventing and tackling bullying](#)