



Sidcot  
Live Adventurously

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**Policy Name: Reasonable Force and Physical Restraint**

**Policy Number: 5.7**

**Date: 5 November 2020**

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## **1. Introduction**

1.1 Quakerism provides the framework for the School. The recognition and development of the “good” within each person, and the peaceful and reasonable resolution of conflict are applications of Quaker principles. The Quaker way implies non-violence in thought, word and deed. We encourage students to let their life speak for them; to ensure that their actions reflect well on them and the School; to endeavour to act always with consideration and thought of the needs of others both in school and in the wider community.

1.2 Reasonable force may only be used as a “last resort”, after other methods of intervention have been unsuccessful. However, it is recognised that on rare occasions, it may be necessary for staff to intervene and use reasonable force in very limited circumstances.

1.3 The purpose of this policy is to safeguard the well-being of students and staff when an incident requires the use of physical intervention.

1.4 The intention is to develop and encourage consistent and safe practices in the use of physical restraint and use of reasonable force.

## **2. Scope**

2.1 This is a whole school policy and applies to the EYFS, Junior, Senior and Boarding students. It is to be read in conjunction with the School’s other behaviour policies.

2.2 This policy applies not just on school property, but whenever a member of staff is lawfully in charge of the student for example on a school-organised or school-related activity for example trips and activities.

2.3 This policy is available on the main school website, on the staff intranet, and in hard copy form upon request in accessible formats. All staff in contact with children should read it and be familiar with it.

## **3. Aims**

3.1 This policy aims to:

- Provide clear guidance to staff about the circumstances when physical restraint and reasonable force may be used;
- Provide guidance about how such force may be exercised;
- Set out the School’s commitment to training staff in this area;
- Advise of the recording and reporting procedures when an incident involving reasonable force / physical restraint has occurred.

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## **4. Promoting Equality**

4.1 The School is active in its responsibilities under the Equality Act 2010 and will not discriminate on the basis of protected characteristics including race, colour, religion or belief, national, ethnic or social origin, gender, gender reassignment, sexual orientation, disability or special educational need.

4.2 The School recognises that where challenging behaviour is related to a student's special educational needs or disability, their particular circumstances should be taken into account. Any child who has specific difficulties is closely monitored by the SENCO, and every effort will be made to manage their behaviour in a non- confrontational, non-violent way.

## **5. Who can use Reasonable Force?**

5.1 The following people may use reasonable force:

- Any teacher who works at the School;
- Any other person whom the head teacher has authorised to have control or charge of students.

5.2 This power applies to any member of staff at the school. It can also apply to people whom the Head teacher has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.

## **6. What is Reasonable Force and when is it Permitted?**

6.1 Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm, through to restraining a student to prevent violence or injury.

6.2 Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example, when two students are fighting and refuse to separate without physical intervention.

6.3 Like all schools, we reserve the right for our staff to use reasonable force to control or restrain a student in specific circumstances after other methods of dissuasion have been unsuccessful or in an emergency. The Education and Inspections Act 2006 enables school 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 any person (including the student themselves);
- Causing damage to the property of any person (including the student themselves);
- Prejudicing the maintenance of good order and discipline at the school, and among any students receiving education at the school, whether during a teaching session or otherwise – for example preventing a student from

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leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts others.

6.3.1 Examples of situations where reasonable force may be appropriate include where a student:

- Attacks a member of staff or another student or;
- Is committing, or is on the verge of committing, deliberate damage to property or
- Is causing, or is at risk of causing, injury or damage by accident, rough play, or misuse of dangerous materials or objects or
- Persistently refuses an instruction, for example to leave a classroom or an area of the School or
- Is behaving in a way that seriously disrupts a lesson, a school sporting event or school visit or
- Is fighting, causing risk of injury to themselves or to others.

6.4 When is force not reasonable?

6.4.1 It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, which is illegal.

6.5 Use of reasonable force to search

6.5.1 In addition to the general power to use reasonable force described above, head teachers and authorised staff can use such force, as is reasonable given the circumstances, to conduct a search for “prohibited items” as defined in the search and seizure policy.

6.6 Guidance to staff

6.6.1 Staff should not hesitate to act in an emergency.

6.6.2 Staff must always satisfy themselves that the action they take would be considered justifiable (reasonable) by a wider audience of their professional colleagues. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result.

6.6.3 If the force used is reasonable all staff will have a robust defence against any accusations.

6.6.4 In any application of physical restraint, the minimum reasonable force should be used to calm the situation. Help should be summoned from colleagues; other students should never be involved in restraint.

6.6.5 The student should be approached calmly but firmly. Where possible, the staff member should explain the consequences of refusing to stop the behaviour and continue to communicate with the student throughout the incident. It should be made clear that the physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach is needed and a teacher must never give the impression that he/she has lost his/her temper, or is acting out of anger or frustration or to punish the student.

6.6.6 The method of restraint must use the minimum force for the minimum time and must observe the following requirements:

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**Restraint must NOT**

- Involve hitting the student
- Involve deliberately inflicting pain on the student
- Restrict the student's breathing
- Involve contact with sexually sensitive areas

**During any incident the restrainer SHOULD:**

- Offer verbal reassurance to the student
- Cause the minimum level of restriction of movement
- Reduce the danger of any accidental injury
- Remove objects that might pose a risk to the personal safety of the child or member of staff
- In the case of a tantrum/manic episode in a young child, it might be necessary to stand and observe silently until it is safe and appropriate to intervene.

**Physical intervention can take several forms. It might involve staff:**

- Physically interposing between students
- Blocking a student's path
- Holding
- Pushing
- Leading a student by the hand or arm
- Shepherding a student away by placing a hand in the centre of the back or (in extreme circumstances) using more restrictive holds.

**Staff SHOULD:**

- Be aware of any feelings of anger
- Summon help
- Continue to talk to the student in a calm way
- Provide a soft surface if possible
- Be aware of any accessories worn by you or the student
- Hold the student's arms by his/her side
- Remain calm
- Consider removing a young child's shoes if they are persistently kicking

**Staff SHOULD NOT:**

- Try to manage on their own
- Stop talking even if the student does not reply
- Straddle the student or hold them face down on the ground
- Push arms up the back
- Touch the student near the throat or head/hold or pull a student by the hair or ear
- Put pressure on joints
- Trip up a student

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- Lock a child in a room

## 7. Recording Incidents

7.1 It is important that a written report is kept on any occasion when force is used; the member of staff concerned should advise the Head, Deputy Head Pastoral (who is also the DSL), Junior School Head or Out of School Care Manager immediately following the incident.

7.2 Staff must provide a written report on the Record of Physical Restraint Form (Appendix 1) as soon as possible afterwards. The report will be written in the same format as other similar documents, and should include:

- The name(s) or the student(s) involved;
- When and where the incident took place;
- The name(s) of any other staff or students who witnessed the incident;
- The reason that force was necessary;
- How the incident began and progressed;
- The student's response and the outcome of the incident;
- Details of any injury suffered by the student/another student/member of staff and any damage to property;
- Where body injury has occurred, staff should use the body map form to record details of these. The School's Student Accident or Incident and Investigation Report Form should also be completed where medical care is required. In the first instance, staff must also ensure that the child is seen by staff in the Health Centre;
- Staff may find it helpful to seek advice from their professional association or a senior colleague when writing a report.

### 7.3 Informing parents

- The School does not require parental consent to use reasonable force on a student.
- If an incident has occurred, the School will inform parents and guardians of the circumstances as soon as possible. In the case of children in the EYFS, this will be no later than on the same day.
- If parents are unhappy, they should be directed to the School's complaints procedure and policy.

## 8. References

- The (Education) Independent Schools Standards Regulations (ISSRs) 2014
- The Handbook for the Inspection of Schools (Commentary on the Regulatory Requirements) (September 2019).
- The National Minimum Standards for Boarding Schools (effective from April 2015)

- Statutory Framework for the Early Years Foundation Stage (effective from September 2014)
- Keeping Children Safe in Education', DfE. September 2019
- The Education and Inspections Act 2006
- Schools Standards and Framework Act 1998
- The Education Act (1996) Section 550A
- Use of Reasonable Force – Advice for headteachers, staff and governing bodies (Dfe July 2013)

## 9. Relevant Policies

- 1.1 Accident disaster or serious incident policy
- 2.1 Safeguarding and child protection
- 2.2 Staff student code
- 2.6 Complaints procedure
- 2.11 Equal opportunities children
- 5.1 a,b,c Behaviour policies
- 5.10 Search and confiscation

## 10. Monitoring and Review

The Deputy Head Pastoral and her team monitor this policy in conjunction with the Pastoral Group. This policy is subject to annual review by the Pastoral Group.

## 11. Document Change History – document any changes since October 2016 – redraft of policy

Date of change	Detail significant changes and any new legislation / guidance taken into account
08.10.2016	Redrafted policy adopted by Board. Redraft in new format, in line with 2013 DFe guidance and includes introduction, clarification of scope, aims, reference to Equality Act, who may use reasonable force, reference to search and confiscation policy
22.11.2017	Paragraph 2.3 – amended to read in respect of this policy that all staff should read it and be familiar with it. The specific training requirements from the previous version of the policy have been removed in line with the Dfe's advice that it is for each school to determine what training should be provided.
01.12.2018	Reviewed and adopted by Board Paragraph 1.2 rephrased. References updated.



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30.11.2019	Minor changes, reference to not locking a child in a room included in accordance with revised ISI commentary. Review and monitoring paragraph inserted to reflect future monitoring by the Pastoral Group. Reviewed and adopted by Board
5.11.2020	Reviewed and adopted by the Pastoral Group

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## Appendix 1

### Details of Person Providing Physical Restraint

Name	(Print) (Signature)	Pupils' Name:
Job Title:		Pupil's Date of Birth:
Address:	Sidcot School Oakridge Lane Winscombe BS25 1PD	Form/Class Teacher/Keyworker
Telephone:	01934 843102	

Date of Concern/incident

Time of concern/incident

*Describe the incident/concern as factually as possible. Include where it occurred, what happened immediately beforehand, witnesses to the incident, the reason that restraint was necessary, what occurred during and immediately after restraint, any injuries that were suffered by the pupil, or others as a result, etc. Describe clearly any behavioural or physical signs you have observed.*

*(continue on separate sheet if necessary)*

### Action now required/recommended

- 1) Health Centre review
- 2) Contact with Designated Person to discuss