

HOLLAND PARK SCHOOL

Reasonable Force Policy 2023-2024

Introduction

Holland Park School is committed to maintaining the safety of students and staff. Situations involving decisions about whether to use reasonable force can occasionally occur in school. This policy seeks to establish clear guidelines on the use of reasonable force by staff and acts as an important part in minimising risks associated with choosing to use or not use reasonable force.

DfE Guidance July 2013 (Under consultation due to report this year 2023) 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:

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- Committing any criminal offence.
- Causing personal injury to, or damage to the property of, any person (including the student themselves).
- Prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.

Objectives

This policy seeks to:

- Ensure the safety of students and staff.
- Prevent serious breaches of school discipline.
- Prevent serious injury to staff and/or students.
- Provide guidelines to staff when faced with situations that may require the use of force.

Definition

The use of force can be regarded as “reasonable” only if:

- The circumstances of the incident warrant it.
- The degree of force used is in proportion to the incident and is no more than is needed.

Otherwise, any use of force is unlawful.

- Force is used either to control or restrain and can range from leading a student by the arm through to more extreme circumstances such as breaking up a fight or restraining a student to prevent violence/injury.

When Reasonable Force May Be Used

Calm and measured responses will be considered before any force is applied in any situation. It is often inappropriate for a member of staff to intervene in an incident without help if they may be at risk of injury. In this event, they will remove other students who may be at risk and summon help from a colleague.

Reasonable force may be appropriate to restrain a student where action is necessary for self-defence; where there is an imminent risk of injury or damage to property or where a student is compromising good discipline.

Examples are:

- A student attacking a member of staff, or another student.
- Students fighting.
- A student deliberately damaging property.
- A student causing, or at risk of causing, injury or damage by accident, rough play, or by misuse of materials or objects.
- A student persistently refusing to follow an instruction to leave a classroom.
- A student behaving in a way that seriously disrupts a lesson, school event or visit.
- A student placing themselves at risk by absconding from school.
- A student who is at risk of harming themselves, or another, through their actions.

In these examples the use of reasonable force would be reasonable if the behaviour was sufficiently dangerous or disruptive to warrant physical intervention and could not realistically be dealt with by other means.

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action consistent with the use of reasonable force, for example, to prevent a student running into the path of oncoming buses or throwing something which might hit someone.

The decision on whether or not to physically intervene is down to the judgement of the member of staff concerned and should always depend on individual circumstance.

“School staff will always try to avoid acting in a way that might cause injury, but in extreme cases it may not be possible to avoid ...” (DfE Guidance July 2013).

Staff Authorisation

Permanent authorisation: All teachers and support staff who have control or charge of students automatically have the statutory power to use force. This includes teachers, teaching assistants and non-teaching staff.

Deciding Whether to Use Force

Reasonable force may be considered when:

- There is a need to prevent injury to another student and/or member of staff or to the student themselves.
- A student fails to comply with a reasonable instruction to stop an action that is potentially dangerous to themselves or others.
- A student's actions place in jeopardy the health and safety of others.
- A student's behaviour seriously prejudices good order and discipline in the school.

Members of staff should use the following guidelines to decide whether or not force should be used in particular circumstances:

- The potential consequences of not intervening were sufficiently serious to justify considering using force.
- The chances of achieving the desired result by other means were judged to be low.
- The risk associated with not using force outweighs those of using force.
- There was identifiable risk to other students and/or members of staff and/or property.

Proper account should be made of any Special Education Need and/or disability that a student may have. However, it is worth noting, that decisions often need to be made quickly and that the professional judgement of the member of staff involved is key.

Using Reasonable Force

- Staff should immediately call for SLT On Call. If available, the Assistant Principal: Behaviour and Attitudes will assist in the first instance.
- It is important to use the minimum force necessary to achieve the desired result. It is always unlawful to use force as a punishment.
- A clear verbal warning should be given to the student that force may have to be used.
- Restraint that is likely to injure a student (particularly anything that could constrict breathing) should only be used in extreme cases or where there was no viable alternative.
- Wherever possible force should not be used unless there is another responsible adult present to support, observe and call for assistance.

The Types of Force Used Could Include:

- Passive physical contact resulting from standing between students or blocking students.
- Active physical contact such as: -
 - (i) leading a student by the hand or arm.
 - (ii) ushering a student away by placing a hand in the centre of the back.

(iii) in more extreme cases using appropriate physical restraint.

Where there is a high and immediate risk of death or serious injury, a member of staff is justified in taking any necessary action (consistent with seeking to use the minimum force required to achieve the desired result) e.g. preventing a student running in to a busy road or preventing a student hitting someone with a dangerous object such as a hammer or glass bottle.

Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury.

However, it may not always be possible to avoid injuring a student.

Staff should avoid touching or restraining a student in a way that could be interpreted as sexually inappropriate conduct.

Recording Incidents

Appendix A should be used to record details of any incidents requiring the use of force. This should be completed as soon as is practically possible after the incident and handed to the School's Vice Principal: Behaviour and Safeguarding.

Appendix A:

Use of Reasonable Force to Control or Restrain Students – Incident Record
Details of student(s) on whom force was used by a member of staff (name, class)
Date, time and location of incident
Details of other students involved (directly or indirectly)