

# Maidwell Primary School

Draughton Road  
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Northamptonshire  
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## Restraint & Reasonable Force Policy

Adapted from the DfE document: *Use of reasonable force, Advice for headteachers, staff and governing bodies, July 2013*

History	Details
January 2017	New Policy
November 2018	No amendments (except formatting inconsistencies)
November 2020	No amendments

The Governing Body of Maidwell Primary School have formally adopted this policy. The Headteacher and the Governing Body will review it no later than two years from the date of signature below **or immediately if a child joins the school whose risk assessments indicate restraint may be likely**

Last Review

November 2020

Next Review

November 2022

GB Approval  
Date

Signature  
Chair of Governors

## MAIDWELL PRIMARY SCHOOL

### RESTRAINT AND REASONABLE FORCE POLICY

#### 1. What is reasonable force?

- 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
- 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
- 'Reasonable in the circumstances' means using no more force than is needed
- 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
- 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
- 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

#### 2. Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force<sup>1</sup>
- 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 pupils such as unpaid volunteers or parents accompanying students on a school organised visit

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<sup>1</sup> Section 93, Education and Inspections Act 2006

### **3. When can reasonable force be used?**

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder
- In a school, force is used for two main purposes – to control pupils or to restrain them
- 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 and cannot be used.

Reasonable force can be used to:

- 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 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

Force cannot be used:

- as a punishment – it is always unlawful to use force as a punishment

### **4. Power to search pupils without consent**

- In addition to the general power to use reasonable force described above, authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited items'<sup>2</sup>:
  - knives and weapons
  - alcohol
  - illegal drugs
  - stolen items

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<sup>2</sup> Section 550ZB(5) of the Education Act 1996

- 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 items banned under the school rules

## **5. Parental communication**

- Parental consent is not required to use force on a pupil
- If physical intervention has been used for a child, the parents should be informed as soon as possible and a written record made

## **6. Using force**

- A panel of experts<sup>3</sup> identified that certain restraint techniques presented an unacceptable risk when used on children and young people. The techniques in question are:
  - i. 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;
  - ii. the 'double basket-hold' which involves holding a person's arms across their chest; and
  - iii. the 'nose distraction technique' which involves a sharp upward jab under the nose.

## **7. Staff training**

- At Maidwell Primary School we do not embrace any additional restraint training such as *TeamTeach*

## **8. What happens if a pupil complains when force is used on them?**

- All complaints about the use of force will be thoroughly, speedily and appropriately investigated

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<sup>3</sup> Physical Control in Care Medical Panel - 2008

- 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
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident

## **9. What about other physical contact with pupils?**

- 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:
  - Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school
  - 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