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1. Introduction

The Education Act of 1996 clarifies the powers of staff in school to use reasonable force. This document outlines the extent of the responsibility of those authorised by Section 550A of that Act. In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of “reasonable force” for example to prevent a young student running off a pavement onto a busy road, or to prevent a student hitting someone, or throwing something. Staff should always avoid touching a student in a way that might be considered inappropriate.

2. Power of members of staff to restrain pupils

1. A member of staff may use, in relation to any pupil, such force as is reasonable in the circumstances for the purpose of preventing the pupil from:
 1. committing any offence
 2. causing personal injury to, or damage to the property of, any person (including the pupil), or
 3. engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether during a teaching session or otherwise.
2. This provision applies whether the student is at school or on an organised activity – e.g. field trip or visit. It covers all situations in which it might be reasonable to use a degree of force. For example, everyone has the right to defend themselves against attack provided they do not use a disproportionate degree of force to do so. Similarly, in an emergency, for example if a student were at immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene.
3. **Types of Incident:** There are a wide variety of situations where force might be appropriate:
 1. Where action is necessary in self-defence.
 2. Where there is a developing risk of injury, or significant damage to property.
 3. Where a student is behaving in a way that is compromising good order and discipline.
4. **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.
5. Where the risk is not so urgent the staff should consider carefully whether physical intervention is right. Staff should always try to deal with a situation through other strategies before using force. All staff need to develop strategies and techniques which they should use to defuse and calm a situation. In a non-urgent situation, force should only be used when other methods have failed. That consideration is particularly appropriate in situations where the aim is to maintain good order and discipline, and there is no direct risk to people or property. As the key issue is establishing good order, any action, which could exacerbate the situation, needs to be avoided. Physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older students. It should never be used as a substitute for good behavioural management.

3. Recording incidents

It is important that there is a detailed, contemporaneous, written report of any occasion where force is used. It may help prevent any misunderstanding of the incident, and it will be helpful should there be a complaint. Incidents involving the use of force can cause the parents of the student involved great concern. It is school policy to inform parents of an incident involving their child, and give them an opportunity to discuss it. Immediately following any such incident the member of staff concerned should tell the Principal and provide a written report as soon as possible afterwards. That report should include:

1. The name(s) of the student(s) involved, and when and where the incident took place.
2. The names of any staff or student who witnessed the incident.

3. The reason that force was necessary (e.g. to prevent injury to the student or member of staff).
4. How the incident began and progressed, including details of behaviour, what was said by each of the parties, steps taken to defuse or calm the situation, degree of force used, how applied, and for how long.
5. The student's response, and the outcome of the incident.
6. Details of any injury suffered by the student or member of staff and of any damage to property.
7. **Complaints:** Involving parents when an incident occurs with their child should help to avoid complaints. It may not prevent all complaints, however, and a dispute about the use of force by a member of staff could lead to an investigation, either under disciplinary procedures or by the Police and Social Services department under child protection procedures.

4. Physical contact with students in other circumstances

1. There are occasions when physical contact with a student may be proper other than those covered by Section 550A: to demonstrate exercises or techniques during sports coaching, or if a member of staff has to give first aid, or where a student, particularly a younger child, is in distress and needs comforting. Staff will use their own professional judgement when they feel a student needs this kind of support.
2. There may be children for whom touching is particularly unwelcome, because of their cultural background, or because they have been abused. It is important that all staff receive information on these children. Physical contact with students becomes increasingly open to question as students reach and go through adolescence, and staff should also bear in mind that even innocent and well intentioned physical contact can sometimes be misconstrued.

5. The ban on corporal punishment

Corporal punishment is prohibited for all pupils. The law (School Standards and Framework Act 1998) may be summarised as follows:

1. Corporal punishment given by, or on the authority of, a member of staff to a child ... cannot be justified in any proceedings on the ground that it was given in pursuance of a right exercisable by the member of staff by virtue of his position as such.
2. Any reference to giving corporal punishment to a child is to doing anything for the purpose of punishing that child which, apart from any justification, would constitute battery.
3. However, corporal punishment shall not be taken to be given to a child by virtue of anything done for reasons that include averting an immediate danger of personal injury to, or an immediate danger to the property of, any person (including the child himself).

Revision Control Table	
Drawn up by	N Shaw
Date	22/09/17
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