

BLACKFEN USE OF REASONABLE FORCE POLICY – Student Discipline policy

Date Adopted: 29.6.17

LT Lead: Deputy Head – Student Development

Statutory statement:

Blackfen School provides a written statement of general principles to guide the head teacher in determining measures to promote good behaviour in the school and review it with governors every year. This policy forms part of our Behaviour Charter (September 2017) and is linked to the non-statutory advice from the Department for Education (July 2013).

Rationale:

The purpose of this policy is to provide clarification on the use of force by staff to ensure that they feel confident about using this power. 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 students.

Outcomes:

A positive attitude to learning leads to success. Good behaviour has a positive impact on the life of the school community. Our expectation is that all students have respect for each other, the environment and themselves. Good behaviour ensures a safe school for all. Sometimes reasonable force is necessary and this covers the broad range of actions used that may involve a degree of contact with students.

Procedures:

Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder. It is unlawful to use force as a punishment.

Reasonable force can be used for two main purposes – to control students or 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 member of staff should use their judgement and consider the student's behaviour and level of risk at the time of the incident, the degree of force used, the effect on the student or member of staff and the student's age.

Reasonable force can be used:

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

This policy acknowledges that there is a legal duty to make reasonable adjustments for disabled children and children with AEN. It is not illegal to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary. These may include (in the context of Blackfen)

- Comforting a distressed student
- Congratulating or praising a student
- Demonstrating the use of a musical instrument
- Demonstrating exercises or techniques during PE lessons or sports coaching.
- Giving first aid

Procedures if a student complains when force is used on them (See Appendix 1)

Recording

- Any incident where reasonable force is used on a student must be reported **immediately** to the line manager of the member of staff involved.
- Any incident where reasonable force is used on a student must be reported **immediately** to the school Safeguarding Officer.
- The Safeguarding Officer must record the incident and inform parents of the use of force.

Key roles

All members of staff have a legal power to use reasonable force. All members of staff have a legal power to use reasonable force. Any person who has been put temporarily in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit also have the power to use reasonable force.

The Safeguarding Officer has the responsibility for recording and monitoring and reporting to the Deputy Head Teacher

Related documents: Behaviour Charter. Home School Agreement. Behaviour for Learning policy. Screening, searching and confiscation policy. Complaints procedure.

Review: Annually (June 2018)

Appendix 1 – Procedure if a student complains when force is used on them.

The complaint must be thoroughly, speedily and appropriately investigated (see Complaints Procedure)

The investigation must be carried out by the Safeguarding Officer. If the complaint is about the Safeguarding Officer the Head Teacher should decide on the person who will carry out the investigation.

The onus is on the person making the complaint to prove that the allegations are true.

The School must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved. Suspension must not be an automatic response.

If a person is suspended the School must ensure that the teacher has access to a named contact who can provide support.

Governing bodies should always consider whether a member of staff has acted within the law when reaching a decision on whether or not to take disciplinary action.

As an employer the School has a duty of care towards the employee.