LEICESTER GRAMMAR SCHOOL TRUST

Use of Reasonable Force Policy

1 Introduction/Policy Statement

The Trust strives to create a safe, secure and supportive environment for all our pupils and staff. The Trust encourages the establishment of good teacher/pupil relationships and support for the Schools' values through a system of rewards and sanctions which are designed to promote a calm, disciplined learning environment.

Whilst good behaviour is the usual situation, there are circumstances in which physical force can and may need to be used. Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing or continuing to do any of the following:

- Committing a criminal offence;
- Causing personal injury to themselves or another;
- Causing damage to property belonging to them or another, including the school;
- Any behaviour prejudicing the maintenance of good order and discipline in the school.

It is understand that the use of restrictive interventions can have a significant impact on pupils, staff and parents/carers. In our schools, they are only ever considered as a last resort, once all other prevention and de-escalation strategies have been exhausted.

This policy aims to:

- Minimise the need to use restrictive interventions, through early support, prevention and de-escalation strategies
- Help school staff feel confident in knowing how to use restrictive interventions safely, appropriately and lawfully, when they are necessary
- Clearly set out the steps for recording and reporting incidents of reasonable force, seclusion and restraint
- Protect the safety, wellbeing and dignity of all pupils and staff, and help create a positive and safe place for everyone at school

2 Legislation and Guidance

This policy is based on the Department for Education (DfE) guidance on restrictive interventions, including the use of reasonable force, in schools. It also meets the requirements of:

- The Independent School Standards Regulations (ISSR).
- Independent Schools Inspectorate (ISI) – Para 9, Part 3 ISSR – Behaviour; Welfare, Health and Safety of Pupils.
- Education and Inspections Act 2006, Section 93
- Education Act 1996, Section 550ZB(5)
- Keeping Children Safe in Education
- Human Rights Act 1998
- Equality Act 2010
- Pupil Behaviour, Rewards and Sanctions Policy
- Safeguarding and Child Protection Policy
- The Schools (Recording and Reporting of Seclusion and Restraint) (No. 2) (England) Regulations 2025
- EYFS Statutory Framework for group and school based providers

3 Definitions

The terms used in this policy are defined as follows. These definitions are based on the Department for Education's guidance on restrictive interventions.

- **Restrictive interventions** are used to prevent, restrict or subdue movement of the body or part of the body. This policy uses 'restrictive interventions' as the umbrella term to describe both physical and non-physical actions aimed to restrain pupils in different ways.

  Examples of restrictive interventions could include:

  - Supervised seclusion of a pupil in an area away from others, where the pupil is prevented from leaving for their own safety and/or the safety of others
  - Passive physical contact, such as a staff member blocking a pupil's path if they're running towards danger (like a busy road), or staff standing between pupils to prevent a fight

- **Reasonable force** refers to the broad range of actions used by staff that involve a degree of physical contact to restrain children, using no more force than is needed for the least amount of time, to achieve the desired safety result, the application of which will depend on the circumstances. Examples of the use of reasonable force could include:

  - A staff member guiding a pupil to safety by the arm
  - Staff breaking up a fight between pupils
  - A staff member restraining a pupil to prevent injury to the pupil, or others

- **Restraint** is a form of non-disciplinary intervention which immobilises a pupil or limits their movement. This may or may not include direct physical contact. Examples could include:

  - A staff member holding a pupil's arms to their sides when the pupil is attempting to harm themselves or others

- **Seclusion** is a non-disciplinary intervention that keeps a pupil confined to a place away from others and prevents them from leaving, for the safety of that pupil and/or others. This could be through physical obstruction or by making the pupil believe that they will be punished if they leave. For example, putting a pupil into a 'holding' room until they calm down is a form of seclusion.

- A **significant incident** is any incident where the use of force goes beyond appropriate physical contact between a member of staff and a pupil. This includes when physical force is used to implement a non-physical restrictive intervention.

4 Permissible Use of Reasonable Force

Adults within schools can use reasonable force. Examples of where the use of force might be reasonable are listed below:

- A pupil attacks a member of staff, or another pupil;
- Pupils are fighting, causing a risk of injury to themselves or others;
- A pupil is committing, or on the verge of committing, deliberate damage to property;
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or object;
- A pupil absconds from a class (or detention) or tries to leave school other than at an authorised time.

Refusal of a pupil to remain in a particular place is not enough on its own to justify use of force. It would only be justifiable where all other de-escalation measures have been exhausted and allowing a pupil to leave would:

- Entail serious risks to the pupil's safety (taking into account their age and understanding), to the safety of other pupils or staff, or of damage to property;
- Lead to behaviour that prejudices good order and discipline, such as disrupting other classes;
- A pupil persistently refuses to follow an instruction to leave a classroom;
- A pupil is behaving in a way that seriously disrupts a lesson; or
- A pupil is behaving in a way that seriously disrupts a school sporting event or school visit.

In these examples, use of physical force is likely to be construed as reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention to the degree applied and could not realistically be dealt with by any other means.

5 Deciding when to use force

The scale and nature of any use of force must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause. Ideally, more than one adult should be present. In addition, those exercising power to use force must also take proper account of any special educational need (SEN), vulnerability and/or disability that a pupil may have and the Disability Discrimination Act 1995 states at school must not 'treat a disabled pupil less favourably for a reason relating to his or her disability, than someone to whom that reason does not apply, without justification'; and should 'take reasonable steps to avoid putting disabled pupils at a substantial disadvantage to pupils who are not disabled'.

The judgement on whether to use force and what force to use should always depend on the circumstances of each case and information about the individual concerned (especially SEN disabilities). The decision to use force calls for serious assessment of the situation by a member of staff who must deem the use of force to be necessary and be clear that without using it, the seriousness of the incident would be much more severe and if they had used the strategies.

6 Using Force

Where unacceptable behaviour threatens good order and discipline and warrants intervention, the member of staff should first use defusing or diversion strategies such as:

- effectively manage the situation using calm, non-threatening verbal communication and body language. E.g. going with pupil to a quiet room or away from bystanders so concerns can be listened to.
- verbally warned the pupil;
- physically interposing between pupil;
- blocking pupil's path;
- holding;
- shepherding a pupil away by placing a hand in the centre of the back, or leading a pupil by the hand or arm;
- staff should always avoid touching or restraining a pupil in a way that may be interpreted as sexually inappropriate conduct.

Particular attention will be given to individuals' needs which arise from any diagnosis of SEN or disability, or associated EHCPs.

There are circumstances where a member of staff should not intervene without help unless in an emergency, and in these situations help should be summoned. Such incidences may include:

- If that member of staff believes they may be at risk or
- if there is more than one pupil involved.

In such circumstances, the member of staff should take alternative steps such as removing other pupils from the situation who may be at risk.

Staff should realise that the use of force should never be used as a punishment.

7 Keeping Records

When force has been used, the Head and Designated Safeguarding Lead should be informed immediately.

A record of each significant incident of the use of force to control and restrain will include the following details:

- name of member of staff;
- date of the incident;
- names of pupils involved;
- witnesses;
- where the incident took place;
- description of the incident;
- any steps taken to calm the situation before force was considered necessary;
- reason why the use of force was necessary;
- nature of the force used;
- the pupil's response;
- the outcome;
- details of any injury suffered or damage to property.

A copy of the incident form can be found at the end of this policy (Appendix A), entitled, 'Record of an Incident Requiring Physical Intervention/Restraint'.

The purpose of recording is to ensure that policy guidelines are followed, to inform parents/carers, to inform future planning as part of the school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry. Parents/carers will be informed of the incident on the same day or as soon as practicably possible.

8 Post Incident Support

After any physical restraint, the pupil needs to be assessed by the School Nurse and recorded on the Physical Intervention Form found at the end of this policy. If injuries result from the application of reasonable force, medical attention should be sought immediately. It is also important to ensure that staff are given emotional support. As soon as possible after the incident, parents/carers should be informed. When assessing the incident, consideration may be given to involving multi-agency partners to offer support or advice.

Where a pupil is responsible for injury to another, as well as holding him/her to account and issuing appropriate sanctions, the pupil will be given the opportunity to repair the relationships with pupils and staff affected by the incident. The pupil will be offered appropriate support to help develop strategies for avoiding such crisis points in future.

9 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:

- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during a PE lesson or coaching session;
- To administer first aid.
- To comfort a pupil in the lower end of the Junior School.
- When a pupil seeks to hold an adult's hand.
- To guide a young pupil who is exploring mark making activities (for example to correct their pencil grip).
- To support pupils in the lower end of the Junior School in managing their own personal hygiene, including dressing and undressing for PE lessons.

10 Seclusion

As defined above, seclusion is a non-disciplinary intervention that keeps a pupil confined to a place away from others and prevents them from leaving, for the safety of that pupil and/or others. This could be through physical obstruction or by making the pupil believe that they will be punished if they leave. For example, putting a pupil into a 'holding' room until they calm down is a form of seclusion.

During seclusion:

- The pupil will be secluded in a safe place that does not feel threatening or intimidating to them. e.g. the wellbeing room
- A member of staff will be close by at all times and for Junior School age pupils, there will always be at least one member of staff in the room with the pupil.

Following the use of seclusion, staff will complete the record of incident form (Appendix A) and ensure that parents are informed.

11 Searching a Pupil, Confiscation and Police Involvement

Details regarding procedures for searching a pupil, confiscating prohibited items and police involvement can be found in the Behaviour policies.

12 Complaints and allegations

Staff have a duty of care to the children in school, which includes a moral responsibility to take appropriate action when necessary. The Trust will, of course, always closely involve parents when an incident occurs with their child. Where a parent wishes to make a complaint about actions, which may include the use of force, taken by school staff, the School's Complaints policy procedure should be followed. If a specific allegation of abuse is made against a member of staff, the School will follow the procedures set out in the Child Protection and Safeguarding Policy.
In addition:

1) All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
2) 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.
3) 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.
4) 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 (see Associated Resources section below) 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.
5) Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
6) If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
7) Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
8) 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.

13 Staff Training

The Trust will ensure that all staff re aware of this policy and the circumstances under which restrictive intervention may be used. Key staff who are likely to need to use reasonable force and/or other restrictive interventions will be adequately trained in their safe and lawful use of restrictive interventions and in preventative strategies.

14 Roles, Responsibilities and Review

The Deputy Head Pastoral has strategic oversight of this policy which is reviewed every three years unless otherwise required owing to a change in policy/legislation or guidance; once reviewed, the policy is presented to the Executive for their formal

recommendation to present it to the Safeguarding and Wellbeing Committee for final approval.

In the event of circumstances where reasonable force has been used, the Deputy Heads will review with their Head to determine if any aspects should be re-considered regarding the policy or its implementation.

Appendix A

Record of an Incident Requiring Physical Intervention/Restraint/Seclusion

(to be completed promptly following a physical restraint incident and to be passed to the Deputy Head Pastoral or the Headteacher)

Name of staff member: _____

Name of pupil: _____

Time and date: _____

Type: RI or Seclusion: _____

Witnesses: _____

Location of incident: _____

Description of the incident (including any steps taken to calm the situation initially, reason why the use of force was necessary, nature of the intervention used, the pupil's response, the outcome):

_____

_____

_____

Was the School Nurse called to assess any injury?: (this is advisable even if there is no visible injury):

_____

Details of any injury suffered or damage to property: _____

_____

Have the Head and DSL been informed: _____

Have parents been informed: _____

Parental response: _____

_____

Next steps for prevention or learning points: