



THE SAINTS FEDERATION

Use of Reasonable Force Policy

2024-25



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Signed by Chair of Governors on behalf of the Governing Body

Signed by the Headteacher:

Date approved:(by full Governing Body)

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1. INTRODUCTION

- 1.1 The School and Governors recognise that as soon as a member of staff physically intervenes with pupils, a number of possible consequences may follow. These will include a formal investigation if a complaint is made about the incident which gives rise to the use of reasonable physical intervention. Evidence would suggest that avoiding physical interventions is the best practice.
- 1.2 However, the School also recognises that there may be rare and specific situations in which the behaviour of particular children necessitates some degree of physical intervention on the part of staff who care for and educate them. This document seeks to clarify the processes which should be followed by all who work in Cantonian High School in promoting good practice and in deciding what is acceptable.

2. PRINCIPLES

- 2.1 The School and Governors actively discourage the use of force with pupils and recognise the spirit of the United Nations *Convention on the Rights of the Child*, and in particular Article 19 which requires that all appropriate measures be taken to protect the child from all forms of physical violence.
- 2.2 The School's view is that any use of force to control or restrain pupils should be seen as a rarely used last resort when all other strategies have been exhausted. It should be regarded as an extreme 'emergency strategy' not a standard means of controlling the behaviour of pupils who cause difficulties. Any use of physical intervention should be at the lowest possible level.
- 2.3 It is unlawful for a teacher or other member of staff at Cantonian High School to use any degree of physical contact which is deliberately intended to punish a pupil or which is primarily intended to cause pain or injury or humiliation. That ban is absolute.
- 2.4 Any use of physical interventions should be consistent with the legal obligations and responsibilities of the School in respect of its duty of care to pupils, and consistent with the rights and protection afforded to employees, children and young people under the law.
- 2.5 The welfare and best interests of children should always be the paramount considerations when physical interventions are used. Staff

also have a responsibility to consider their own health and safety in such circumstances.

- 2.6 All staff should be aware that in the event of a complaint about a physical intervention, the School would always undertake a formal investigation. This may include a referral to the City & County of Cardiff Department for Education & Lifelong Learning.

3. GUIDANCE REGARDING THE USE OF REASONABLE FORCE

3.1 WHAT IS 'REASONABLE FORCE'?

- It is important to understand that there is no legal definition of what is 'reasonable force'.
- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. For example, the use of physical force could not be justified to prevent a pupil from committing a trivial misdemeanour.
- The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent.
- Any force used should always be the minimum needed to achieve the appropriate outcome.
- Whether it is reasonable to use force, and the degree of force that could reasonably be employed, may also depend on the age, understanding, physical maturity and gender of the pupil.
- Responding to particular situations can be very difficult. In doing so, the following will need to be considered:
 - ◆ Will the use of force exacerbate the situation and result in further injury to the teacher, the pupil or other pupils?
 - ◆ Will it set a poor example for other children?
 - ◆ Will it stress and/or distress the pupil or other pupils?

3.2 WHEN IS IT APPROPRIATE TO USE REASONABLE FORCE?

- The use of physical intervention should be viewed very much as the final option. It is very important to ensure that all possible preventative steps have been taken to ensure that physical intervention is unnecessary.
- The use of reasonable force may be permissible to prevent a pupil from doing, or continuing to do, any of the following:
 - ◆ Committing a criminal offence.
 - ◆ Injuring themselves or others.
 - ◆ Causing damage to property.
 - ◆ Engaging in behaviour prejudicial to good order or discipline.
- Concerning the last of these points, the Governors would urge the use of **extreme caution**. Any action which has to be taken should be in the light of the "principles" section of this document.

3.3 WHAT ABOUT SITUATIONS INVOLVING CHILDREN OR YOUNG PEOPLE WHO SHOULD NOT BE ON THE SCHOOL?

- All staff have a responsibility for their own safety and well-being, as well as that of the children in their care. Staff should not expose themselves to unreasonable risk when dealing with people who have the potential to be violent or aggressive.
- If an intruder is on the premises, request them to leave the premises, but if the situation is beyond this or unreasonable behaviour is being demonstrated, call the police.
- It may be necessary to restrict access of certain visitors to the School because of previous unreasonable or threatening behaviour, and/or to warn them of the consequences of any similar behaviour in the future. If a letter needs to be sent to a parent/carer of a young person in such cases, the School will inform the Pupil and Governor Unit. A copy of that letter will accompany the 'Violence at Work' / 'Verbal Abuse' form which staff will be required to complete.

3.4 WHAT ABOUT SITUATIONS WHICH ARISE OFF-SITE?

- Occasions during which pupil supervision by a member of staff occurs off-site are wide-ranging and varied. Conflict may arise during any of these situations and although taking place off school premises and even outside normal school hours, the same guidelines regarding the use of reasonable force will still apply.

3.5 HOW SHOULD INCIDENTS BE RECORDED AND WHO SHOULD BE INFORMED?

- Given that the circumstances are critical in determining what is a 'reasonable' application of physical force, it is extremely important to record all aspects of an incident accurately and promptly. The *Record of Incident* form (see Appendix 1) should be completed.
- If force has been used, then the following actions should be taken:
 - ◆ A verbal report should be made immediately to a member of senior management within the School. In the case of the Headteacher, a report should be made to the Chair of Governors.
 - ◆ As soon as possible afterwards, the incident must be recorded in detail. This record should include such information as: *antecedents to the incident, what actually happened, a description of the way in which force was used, witnesses, outcomes, who was informed and other actions taken.* The completed record should be handed to the Headteacher as soon as possible after the incident has occurred or, in the case of the Headteacher, should be forwarded to the Chair of Governors (or Vice Chair if necessary).
 - ◆ Caretakers should be asked to check for video footage on CCTV.

- ◆ In cases where there has been violence towards staff, a Violence at Work Report Form should also be completed. These are available from the main office or the staff rooms. In these cases, a copy of the *Record of Incident* form may also be appended.
- ◆ The parents/carers of pupils involved should be informed within 24 hours, by a senior member of staff, preferably in person, by telephone or failing all else, by letter.

3.6 IS THERE ANYTHING TO DO AFTER THE INCIDENT IS OVER?

- The Headteacher and/or senior member of staff available at the time should offer immediate support to those involved in the incident. The incident should then be recorded. Thereafter, supported establishment of the facts should take place in all cases.
- A full establishment of the facts should be carried out with the pupil to include his/her perception of the circumstances leading up to the incident and the incident itself.
- Further support to pupils may include seeking help from other agencies.
- Senior staff who undertake debriefing and support should recognise that involvement in an incident involving force may prove traumatic for many staff and may have considerable consequences for their self-confidence and emotional well-being.
- In some circumstances it may be more appropriate to offer further follow-up sessions to staff for planning and developmental work or to provide emotional or personal support by accessing the City & County of Cardiff Counselling Service.
- Any lessons emerging from debriefing should be incorporated into planning for dealing with possible future incidents.

3.7 WHAT SHOULD YOU DO IF THERE ARE COMPLAINTS ABOUT AN INCIDENT?

- Any complaint, whether verbal or written, which is received by the Headteacher, Senior Staff or member of the Department for Education & Lifelong Learning staff about the use of any physical restraint or contact (however apparently slight) will be thoroughly investigated. Advice from County Hall may be sought.
- As a result of this, there may be an investigation by the police and Social Services under the all-Wales Child Protection procedures and / or by the School under staff disciplinary procedures.

4. REVIEW

- 4.1 This policy will be reviewed annually by the Headteacher.

Appendix 1

'USE OF REASONABLE FORCE' Record of Incident

<i>Pupil</i>	<i>D.O.B.</i>	<i>Year</i>
<i>Date</i>	<i>Incident Start Time</i>	<i>Incident End Time</i>
<i>Antecedents</i>		
<i>Description of incident</i>		
<i>Description of the way in which force / physical intervention was used</i>		
<i>Witnesses</i>		
<i>Outcome</i>		
<i>Who was informed and how</i>		
<i>Other actions</i>		

Report by: _____ **Signed:** _____ **Date:** _____

Report made to: _____ *(name of senior member of staff)* **Date:** _____