

What is reasonable force?

- actions that involve a degree of physical contact with pupils
- control, i.e. passive or active physical contact
- restraint, i.e. to hold back physically or to bring a pupil under control
- 'Reasonable in the circumstances' means using no more force than is needed

Staff should avoid acting in a way that might cause injury, but in extreme cases it may not be possible.

Who can use reasonable force?

- All staff have a legal power to use reasonable force
- Anyone the Head has temporarily put in charge of pupils e.g. volunteers or parents

When can reasonable force be used?

To prevent pupils from:

- hurting themselves or others
- damaging property
- causing disorder

The decision is the professional judgement of staff and should depend on the individual circumstances, e.g. to:

- remove disruptive children from the classroom
- prevent a pupil behaving in a way that disrupts a school event, trip or visit
- prevent a pupil leaving the classroom where this 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
- restrain a pupil at risk of harming themselves

Unacceptable techniques:

- the 'seated double embrace' involving 2 staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing
- the 'double basket-hold' which involves holding a person's arms across their chest
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

Physical contact with pupils:

Sometimes it is appropriate to touch a pupil, e.g.:

- Walking together around the setting or on a trip
- Comforting a distressed pupil
- When a pupil is being congratulated or praised
- Demonstrating the use of musical instruments, exercises or techniques during PE lessons or sports coaching
- To give first aid

Your behaviour policy should include:

- When you would use reasonable force
- How incidents are recorded
- A list of any items banned under your rules

Settings should **NOT** have a 'no contact' policy - staff have a duty of care and may need to prevent a pupil causing harm.

Managing behaviour:

- Risk-assess all situations where a pupil has behaved disruptively
- Develop strategies to manage the behaviour, involving parents and carers
- Brief the staff and ensure that additional support is always available

Clarity can reduce the likelihood of complaints when force has been used properly.

Governors should ensure that staff, volunteers, parents, carers & pupils understand the settings' behaviour policy, including the use of reasonable force and reasonable adjustments for SEND pupils.

Settings do not require parental consent to use force on a student.

Staff training:

The Head should consider:

- Whether designated staff require additional training to carry out their responsibilities, e.g. control, restraint, searching and screening
- the needs of the pupils at the setting

Education settings cannot use force as a punishment – this is always unlawful



Telling parents & carers when force is used:

It is good practice for schools to speak to parents about serious incidents involving the use of force, taking into account the:

- pupil's behaviour
- level of risk presented
- degree of force used
- effect on the pupil or member of staff
- child's age

Complaints:

- Thorough, speedy & appropriate investigation
- Suspension must not be automatic
- Follow 'Allegations of Abuse against Teachers and Other Staff' guidance
- Provide appropriate pastoral care to staff subject to a formal allegation

Pupils have the right to:

- A reasonable level of personal privacy
- Intrusions on pupil privacy must be justified and proportionate
- **only** remove outer clothing when searched

The [Early Years Foundation Stage Framework, DfE 2017](#) states that you must always record physical interventions used for a child under 5 years old and inform parents and carers on the same day if practicable.

For further information:

- [Use of reasonable force, DfE 2013](#)
- [Keeping Children Safe in Education, DfE 2019](#)
- [Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders \(2002\)](#)
- [Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties \(2003\)](#)
- [Searching, screening & confiscation, DfE 2018](#)
- [Behaviour and Discipline in Schools, DfE 2016](#)
- [Information Commissioner advice on the Data Protection Act](#)

Power to search pupils:

Any staff can search for an item if the pupil gives verbal agreement, taking account of their age & understanding. If a pupil refuses, staff can apply a punishment within the behaviour policy.

Searching without consent:

Heads and authorised staff can use reasonable force to search pupils or their possessions for the following "prohibited items":

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- item that has/may be used to commit an offence, cause injury, damage property

Authorised staff can:

- search (without reasonable force) for items banned in the setting rules
- seize, confiscate, retain, dispose of items considered harmful/detrimental to discipline

Offensive weapons, drugs, pornographic images & stolen items must be passed to the police.

Staff who find an electronic device that is prohibited or has/could be used to commit an offence, cause personal injury, damage property, disrupt teaching or break the school rules can:

- Examine any data on the device
- Delete data unless giving it to the police
- Data relating to an offence should not be deleted

Who can search a pupil?

- staff of the same sex as the pupil
- the staff witness should also be the same sex
- unless there is a risk of serious harm if you do not search immediately and it is not reasonable to summon other staff.

Force cannot be used to search for items banned under the school rules.

Screening:

- pupils can be screened without consent or suspicion of carrying a weapon
- Any member of staff can screen pupils
- If a pupil fails to comply, and is not let in, their absence is 'unauthorised'