



USE OF FORCE BY STAFF TO CONTROL OR RESTRAIN PUPILS

This policy applies to all members of our school community, including those in our Early Years setting

Tranby is fully committed to ensuring that the application of this policy is non-discriminatory in line with the UK Equality Act (2010). Further details are available in the School's Equal Opportunity Policy document.

The School seeks to implement this policy through adherence to the procedures set out in the rest of this document.

This document is available to all interested parties on request from the main school office and should be read in conjunction with a range of policies, procedures and other documentation relating to:

- Rewards and Sanctions
- Behaviour
- Restorative Practice
- Child Protection (Safeguarding)
- School Standards and Framework Act 1998
- Use of reasonable force, advice for headteachers, staff and governing bodies

Use of Force	
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Policy Statement

- Physical restraint is the positive application of force in order to protect/prevent a student from causing injury to him/herself or others or seriously damaging property.
- Injury means 'significant injury'; this would include actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to themselves or others, by wilful or reckless behaviour and self-poisoning.

The Law

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 any offence (or, for a pupil under the age of criminal responsibility, what would be an offence to an older pupil)
- causing personal injury to, or damage to the property of, any person (including the pupil himself)
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school whether during a lesson or otherwise.

Corporal punishment is not permitted under any circumstance.

Minimising the need to use force

Tranby School works towards creating a calm, orderly and supportive environment that minimises the risk and threat of violence of any kind where pupils respect each other and all adults who work within the establishment.

It must be emphasised that force will only be used when the risks involved in doing so are outweighed by the risks involved in not using force. Restraint will not be used punitively

The School has a disciplinary approach based on positive reinforcement of acceptable behaviour. The use of restorative practices to encourage good relationships helps to manage conflict and reduce harm.

Staff authorised to use force

All permanent staff will have authorisation from the Headmaster to have the statutory power to use force. These will include teaching staff, teaching assistants, lunch time supervisors, administration, caretaking, and catering staff. Temporary authorisation can be given by the Headmaster to other adults who do not normally supervise pupils who may be working on a voluntary basis.

Deciding whether to use force

Staff will have to use their judgement to use force depending on the situation. The following examples would be reasonable (and therefore lawful) if it was clear that the behaviour was

sufficiently dangerous and disruptive to warrant physical intervention of the degree applied and could not be realistically dealt with by any other means.

- a pupil attacks a member of staff, or another pupil
- pupils are fighting, causing risk 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 tries to leave school other than at the authorised time. This would only be justified where allowing a pupil to leave would:
 - i) entail serious risk to the pupil's safety (considering the age and understanding) to the safety of other pupils or staff, or of damage to property
 - ii) 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
- a pupil is behaving in a way that seriously disrupts a school sporting event or school visit.

When making a judgement certain characteristics of the pupil should be considered, including his or her age, understanding and any SEN or disability that he or she may have. This would include the outcomes of any risk assessment and as appropriate, any specific strategies set out in a pupil handling plan.

Using force

Before using force, staff should, wherever practical, tell the pupil to stop misbehaving and communicate in a calm measured manner throughout the incident. Staff should not be seen to be acting out of anger or frustration or to punish a pupil and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

Types of force might include:

- passive physical contact resulting from standing between pupils or blocking a pupil's path
- active physical contact such as:
 - i. leading a pupil by the arm
 - ii. ushering a pupil away by placing a hand in the centre of the back
 - iii. in more extreme circumstances, using appropriate restrictive holds, which may require specific expertise or training.

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the Headmaster of using the minimum of force to achieve the desired result). Such situations could include, preventing a pupil running off the pavement onto a busy road or preventing a pupil hitting someone with a dangerous object.

Staff should make every effort to respond in a way that will not cause injury. However, in the most extreme circumstances it may not be possible to avoid injuring a pupil.

Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

Staff Training

The Headmaster will make decisions on staff training according to the needs of the school. It must be appreciated that the school cannot lawfully prevent teachers or other staff whose job involves having control or charge of pupils from using that power regardless of whether they have received training.

The School will ensure training will be given to those staff working closely with pupils with SEN and/or disabilities. Risk assessments on such pupils will help to inform training.

Recording incidents

Appendix A shows the incident report form which should be completed in the event of a member of staff using force to control or restrain a pupil. This report will be filed in the pupil's educational records and will include the name(s) of the pupil(s) involved; when and where the incident took place; the name(s) of any other staff or pupils who witnessed the incident; the reason physical restraint was necessary; how the incident began and progressed; the pupil's(s') response and the outcome of the incident; details of any injury suffered by the pupil/another pupil/member of staff and any damage to property.

Parents/guardians must be informed when it has been necessary to restrain their child as soon as possible by telephone after the incident and this should be followed up with a letter providing details of the incident.

When recording such incidents, staff should bear in mind that if this information is later passed to the police, it may be included in a Criminal Records Bureau disclosure. The school will retain records of such incidents until the member of staff involved has reached normal retirement age or for 10 years from the date of the allegation.

Parents/guardians may write and request a copy of the documentation which must be provided within 15 days of the request being received.

Post incident support

Should an incident result in injuries to a pupil or member of staff, immediate action should be taken to provide first aid and to access medical assistance if injuries are serious. It is also important to ensure that staff and pupils are given emotional support.

Where a pupil is responsible, he or she should be held to account so he or she recognises and repairs the harm caused. If Restorative Conferencing is considered appropriate, parents might be invited to take part and a pupil will be given the opportunity to repair the relationship with all those affected by the incident.

Some cases might lead to punishment of a pupil in keeping with the behaviour policy.

Where appropriate, strategies will be developed to help the pupil and staff to avoid such crisis situations again and inform relevant staff about these strategies and their roles.

The school will ensure that staff and pupils affected by an incident have continuing support as necessary in respect of:

- i) physical consequences
- ii) support to deal with any emotional stress or loss of confidence
- iii) opportunity to analyse, reflect and learn from the incident.

Physical contact with pupils in other circumstances

There are occasions when physical contact with a pupil may appear proper or necessary other than those covered by section 93 of the Education and Inspections Act 2006. Some physical contact may be necessary when issuing first aid or when demonstrating exercises or technique during PE lessons. Some physical contact may also be appropriate when a pupil is distressed and needs comforting. **Teachers will need to use professional judgement in such circumstances.**

Complaints and allegations

If a specific allegation of abuse is made against a member of staff the school will follow the guidance set out in the school Safeguarding Children Policy. Other complaints will be dealt with under the school's complaints procedure.

Review

The record of incidents of physical restraint are regularly monitored by the Headmaster to identify whether review or change in practice is needed.

Appendix A

Record of Use of Force by Staff to Control or Restrain Pupils

This form should be completed in BLOCK CAPITALS and then filed in the educational record of the pupil(s).	
Your Name	
Name of Pupil(s)	
When and where the incident took place	
Name(s) of any other staff or pupils who witnessed the incident	
The reason physical restraint was necessary	
How the incident began and progressed	
Response of the pupil(s)	
The outcome of the incident	
Details of any injury suffered by the pupil/another pupil/member of staff and any damage to property	
Signature	Date