

Reasonable force describes actions that involve a degree of physical contact with pupils e.g.:

- **Control:** passive or active physical contact
- **Restraint:** hold physically or control
- **Reasonable in the circumstances:** using no more force than 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 legal power to use reasonable force
- Anyone the Head has temporarily put in charge of pupils e.g. volunteers or parents

**Reasonable force** can be used to prevent pupils:

- From hurting themselves or others
- From damaging property
- From causing disorder

The decision is the professional judgement of staff & based on the individual circumstances, e.g. to:

- remove disruptive children from the classroom
- prevent a pupil from disrupting an event, trip, visit
- prevent a pupil leaving class if this would risk safety or lead to disruptive 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:

- seated double embrace: forcing pupil to sit & lean forward while monitoring breathing
- double-basket: holding arms across chest
- nose distraction: sharp upward jab under nose

It is unlawful for education settings to use force as a punishment.

Physical contact with pupils is sometimes appropriate e.g.:

- walking together at the setting or on a trip
- comforting a distressed pupil
- first aid
- when a pupil is being congratulated or praised
- demonstrating the use of e.g. musical instrument, exercise or PE/sports coaching

Settings should NOT have a 'no contact' policy; staff have a duty of care to prevent pupil causing harm.

Governors should ensure that staff, volunteers, parents, carers & pupils understand your behaviour policy, use of reasonable force & reasonable adjustments for SEND pupils.

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

## Managing behaviour:

- Risk-assess all situations of pupil disruption
- Develop behaviour management strategies involving parents and carers
- Brief staff & ensure additional support is available

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

## Staff training - the Head should consider:

- The needs of the pupils at the setting
- What staff might be expected to do e.g. control, restraint, search & screen

## Telling parents & carers when force is used:

You should inform parents about serious incidents involving the use of force, taking into account the pupil's behaviour, level of risk, degree of force, effect on the pupil or staff & child's age & understanding.

## Complaints:

- Thorough, speedy & appropriate investigation
- Suspension must not be automatic
- Follow 'Allegations of Abuse against Teachers and Other Staff' in [education policies, procedures & guidance, Safeguarding Sheffield children](#) website
- Support for staff subject to a formal allegation

The statutory [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.

## Search & seize powers in education settings

Article 8, European Convention on Human Rights says:

- Pupils have the right to expect a reasonable level of personal privacy
- any interference with this right must be justified and proportionate

### Screening:

Schools can, without consent, require pupil screening via a walk-through or hand-held metal detector even if they do not suspect they have a weapon.

Health & safety legislation requires a school not to expose pupils or staff to health and safety risks.

- Any member of staff can screen pupils
- If a pupil refuses, the school can refuse to have them at the setting but give them 'unauthorised' absence rather than exclusion
- Screening without physical contact is **not** subject to the same conditions as search without consent

### Power to search pupils:

- Staff can search pupils with their informed consent for any item
- Schools do not require formal written consent from the pupil, verbally agreement is sufficient
- School behaviour policies & communications should make clear what items are banned
- If staff suspect a pupil has a banned item, they can instruct them to turn out their pockets or bag
- If a pupil refuses to co-operate schools can apply an appropriate disciplinary penalty

### Searching without consent:

Heads & authorised staff have a statutory power to search pupils or their possessions without consent if they suspect they are carrying "prohibited items" e.g.:

- Knives, weapons, fireworks
- alcohol & illegal drugs
- items stolen or used for offence, injury, damage
- tobacco and cigarette papers
- pornographic images

### Who can search a pupil?

- staff & witnesses of the same sex as the pupil

.....unless there is a risk of serious harm if you do not search immediately and it is not reasonable to summon other staff.

## Who is authorised to search?

- Heads decide who to authorise & this does not have to be in writing
- Heads can only require **security** staff to undertake a search
- Staff can be authorised to search for some items but not others
- If the security guard is not employed by the school the person witnessing the search should be a permanent member of staff

### Authorised staff (without reasonable force) can:

- Only search for items banned in the rules
- Only search without consent on the premises or where they have lawful control of the pupil
- seize, confiscate, retain, and dispose of items considered harmful or detrimental to discipline

### Confiscation:

Staff can seize any prohibited item found as a result of a search and seize any item they consider harmful or detrimental to school 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 or 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

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

### 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](#)