



Fulston Manor School

Use of Reasonable Force Policy and Guidelines

Version (Date):

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Member of Staff Responsible:

**Mrs S Burden
Executive Headteacher**

USE OF REASONABLE FORCE

POLICY STATEMENT

- ❖ Fulston Manor School places great importance on the development of self-discipline amongst its students and upon the fostering of positive relationships between staff and students. Within the calm and ordered environment of the school any form of sanction is only applied as a last resort.
- ❖ Section 93 of the 2006 Education and Inspections Act, which clarifies the right of staff to use force in certain circumstances, is viewed by the school within the context of the above statement. Whilst accepting the rights bestowed upon staff, the strict guidelines governing the type of force permissible, the situations in which such force may be employed and the procedures to be followed in these situations are to be rigorously adhered to at all times.
- ❖ Any form of physical force or restraint will only be used as a last resort in situations where no other course of action is considered to be appropriate at the time.
- ❖ As detailed in the guidelines which follow, any occasion on which force is used will be reported to the Headteacher and to the parents of the students concerned.
- ❖ This policy will be reviewed on a regular basis using the DfE Guidance: Behaviour and Discipline in Schools: **Use of Reasonable Force: Advice for Headteachers, staff and governing bodies - July 2013** and updates.

GUIDELINES

CIRCUMSTANCES

Reasonable force may be used to prevent a student from doing, or continuing to do, any of the following:

- ❖ Committing a criminal offence;
- ❖ Injuring themselves or others;
- ❖ Causing damage to property (including the student's own property);
- ❖ Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its students, whether that behaviour occurs in a classroom during a teaching session or elsewhere. "Elsewhere" covers such activities as field trips and other supervised sessions away from the school site.

Reasonable force may also be used in self-defence or in an emergency where there was a risk of injury to anyone.

Force shall be used only when it is necessary and will contribute to general good order

Immediate necessity arises when immediate restrained force is the only means of being effective such as when a student is already moving into the path of a moving vehicle or is in the process of damaging property or others.

If there is no such immediate necessity force shall only be used when the following conditions are satisfied:

Other guidance strategies have been tried and have proved to be ineffective.

The situation is sufficiently serious to justify the use of restrained force. Restrained force is not appropriate to trivial breaches of good order or discipline.

The student has been warned that force may be used and has failed to desist following the warning.

Force may never be used to punish, injure or humiliate a student or with the intention of causing pain.

AUTHORISED STAFF

All members of the teaching staff

Other people, such as midday supervisors, caretakers, learning support assistants, helpers on trips, providing that they have been specifically authorised by the Headteacher to have control or charge of students.

REASONABLE FORCE

Force may only be regarded as reasonable if the circumstances of the particular incident warrant it. There is a direct relationship between the nature of the student's behaviour and the force used to prevent it

Any force used should always be the minimum needed to achieve the desired outcome.

GUIDELINES (CONTINUED)

APPLICATION OF FORCE

Although there are circumstances when the following guidelines may not apply, if, for example, extreme action was needed to prevent immediate danger, these should be adhered to in all but the direst circumstances:

Acceptable:

- ❖ Physically interposing between students
- ❖ Blocking a student's path
- ❖ Holding
- ❖ Pushing
- ❖ Pulling
- ❖ Leading a student by the hand or arm
- ❖ Shepherding a student away by placing a hand at the centre of the back
- ❖ (in extreme circumstances) using more restrictive holds

Unacceptable

- ❖ Holding student round neck or by collar
- ❖ Slapping, punching or kicking
- ❖ Twisting or forcing limbs against a joint
- ❖ Tripping up a student
- ❖ Holding or pulling a student by the hair or ear
- ❖ Holding a student face down on the ground

Staff should always avoid touching or holding a student in a way that might be considered indecent.

REPORTING INCIDENTS

Any occasion when force has been used shall be reported as soon as possible to a senior member of staff. A written account will also be made and parents will be informed.

The written report must contain details of:

- ❖ Time, date and personnel involved – staff and students
- ❖ Names of witnesses
- ❖ The level of force used
- ❖ Reason that force was necessary
- ❖ Full details of the incident
- ❖ Student's response and outcome
- ❖ Details of any injury or damage to property

GUIDELINES (CONTINUED)

STUDENTS WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES (SEND)

The School acknowledges that they have a legal duty to make reasonable adjustments for students with special educational needs or disabilities.

COMPLAINTS

Following of the above guidelines should ensure that actions taken are not the subject of complaint or, should a complaint be made, should provide a full defence to action brought. The need to provide and keep detailed records is self-evident.

PHYSICAL CONTACT WITH STUDENTS IN OTHER CIRCUMSTANCES

There are other occasions where physical contact with students may be proper or necessary. Demonstrations during P.E., Sport, Design and Technology, Drama or Music, the administering of First Aid or on occasions when it is the teacher's professional judgement that a child is in distress and needs comforting. In general, however, physical contact with students should be avoided wherever possible.