



Use of Restraint Policy

This policy is applicable to all pupils in the school, including those in the EYFS. Cheltenham College seeks to cultivate an environment of mutual respect and treats pupils and staff in a fair and just manner. Physical force should only be used as a last resort. The College does not use corporal punishment. The College fully accepts the guidelines given in the Education Act 1997 Section 550A that includes the following:

Teachers may use reasonable force to prevent a pupil:

- Committing a criminal offence
- Injuring themselves or others
- Causing damage to property – including the students own property
- Engaging in any behaviour prejudicial to maintaining good order and discipline within the school.

This applies where a member of the staff of a school is:

- On the premises of the school; or
- Elsewhere at a time when as a member of its staff, he or she has lawful control or charge of the pupil concerned.

Reasonable force depends on the circumstances and situation but must be the minimum to manage the incident. Physical force should only be used as a last resort and should, normally, be preceded by a verbal warning.

Scope of the Use of Restraint Policy

This policy applies whilst at school and on authorised school activities and trips.

Examples of incidents in which use of reasonable force would be appropriate:

- A pupil attacks a member of staff or another student
- Two or more students are fighting
- A pupil is engaged in or is about to commit deliberate damage to property
- A pupil is likely to cause injury through rowdy behaviour
- A pupil is running in a corridor or on a staircase
- A pupil persistently refuses to leave the classroom when instructed to do so
- A pupil is behaving in a manner which is causing serious disruption to a lesson.

Reasonable force

There is no definition in the Act of 'reasonable force', only a description of the circumstances where it might be used in schools by teachers and authorised staff. It should be noted that the use of any degree of force is unlawful if the particular circumstances do not warrant it. The degree of force should be in proportion to the

circumstances and seriousness of the behaviour or consequences it is intended to prevent. The level and duration of the force used should be the minimum necessary to achieve the desired result, such as to restore safety. It is impossible to describe definitively when it is reasonable to use force and how much may be used, beyond stating that this will depend on the circumstances of the case.

Relevant considerations as to whether it might be reasonable to use force and the degree of force to be used could include for example the age and sex of the child. In some circumstances it would be inadvisable for a teacher to intervene without help, such as where a number of pupils are involved, where the pupil is older and physically mature, and where the teacher might be at risk of injury: in such cases College Security should be called. In all circumstances, if a teacher intervenes to restrain a child, it is better to find a second responsible adult to assist or to witness. However, a teacher could be held to be negligent if he or she did not intervene to stop an injury, because there was no adult help nearby.

Recording Incidents involving the Use of Restraint

All incidents involving the use of physical force must be recorded as appropriate. The name of the pupil, the date and time of the incident, the location, all pupils & staff involved, the reason why force was necessary, details of the incident and the outcome should all be noted. The Deputy Head (Pastoral or Head of Pastoral Care at the Junior School, housemaster, housemistress or Head of Department and tutor must be fully informed of the incident. It is likely that the matter will be treated as a major disciplinary incident and dealt with according to the disciplinary procedures with parental involvement.

September 2010

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