DURLSTON

Policy 2.23
Durlston School Restraint Policy

(Including EYFS pupils)

Updated:	02.08.26
Author:	BRS
Next Review date:	01.09.27

Durlston School 2.23 Restraint Policy

1. Introduction

1.1 Use of Corporal Punishment is not accepted at Durlston School.

1.2 All staff at Durlston School aim to help children take responsibility for their own behaviour. This can be done through a combination of approaches, which include:

- Positive role modeling
- Planning a range of interesting and challenging activities
- Setting and enforcing appropriate boundaries and expectations through the Code of Conduct and Golden Star Values
- Providing positive feedback

1.3 However, there are very occasionally times when a child's behaviour presents particular challenges that may require physical handling.

1.4 The term physical handling means the use of reasonable force.

1.5 Reasonable force can be used to control or restrain pupils in certain circumstances, which are detailed in the following procedures and follow the guidance 'Use of Reasonable Force, July 2013' from the DfE. The key points are:-

1.6 Using reasonable force means no more force than is needed;

1.7 Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example, when two pupils are fighting and refuse to separate without physical intervention.

1.8 All members of Durlston School have the legal power to use reasonable force. It can also apply to people whom the Head has temporarily put in charge of pupils, such as unpaid volunteers or parents accompanying pupils on an organised school visit/trip.

1.9 Positive Handling means the positive use of touch is a normal part of human interaction. Touch might be appropriate in a range of situations.

- Giving guidance to children (such as how to hold a paintbrush or when climbing).
- Providing emotional support (such as placing an arm around a distressed child).
- Physical care (such as first aid or toileting).

1.10 Our staff exercise appropriate care when using touch (there is further guidance in our child protection policy).

1.11 Physical intervention means physical intervention that can include mechanical and environmental means such as high chairs, stair gates or locked doors. These may be appropriate ways of ensuring a child's safety.

2. Procedures

2.1 **Legal position**

2.1.1 The Education Act 1997 (Section 4) clarified the position about the use of physical force by teachers and others authorised by the Head of a school to control or restrain pupils.

2.1.2 The clarification was made by adding a section (Section 550A) to the Education Act 1996. This new section came into force on 1 September 1998 and applies to all schools. It restates principles derived from common law and states which have in the past been misunderstood. For example, there is a common misconception that, since the Children Act 1989, any physical contact with a child is in some way unlawful. That is not true, and where necessary, reasonable force can be used to control or restrain pupils.

2.1.3 This section allows employees of Durlston School to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

2.1.4 Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility);

2.1.5 Injuring themselves or others;

2.1.6 Causing damage to property (including the pupil's own property);

2.1.7 Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.

2.1.8 The provision applies when an employee of Durlston School or other authorised person, is on the school premises, and when he or she has lawful control or charge of the pupil concerned elsewhere eg, on a field trip or other authorised out-of-school activity.

3. Action in Self Defence or in an Emergency

3.1.1 Section 550A does not cover all the situations in which it might be reasonable for someone to use a degree of force. For example, everyone has the right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so. Similarly, in an emergency, for example if a pupil was at immediate risk of injury or on the point of inflicting injury on someone else, anyone would be entitled to intervene. The purpose of Section 550A is to make it clear that all employees are also entitled to intervene in other, less extreme situations.

4. Type of Incidents

4.1.1 There is a wide variety of situations in which reasonable force might be appropriate or necessary to control or restrain a pupil. They will fall into three broad categories:

4.1.2 where action is necessary in self-defence or because there is an imminent risk of injury;

4.1.3 where there is a developing risk of injury, or significant damage to property;

4.1.4 where a pupil is behaving in a way that is compromising good order and discipline.

4.1.5 Examples of situations that fall within one of the first two categories are:

4.1.6 a pupil attacks a member or staff or another pupil;

4.1.7 pupils are fighting;

4.1.8 a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;

4.1.9 a pupil is causing, or at risk of causing, damage by accident, by rough play, or by misuse of dangerous materials or objects;

4.1.10 a pupil is running in a corridor or on a stairway in a way in which he or she might cause an accident likely to injure himself or herself or others;

4.1.11 a pupil absconds from a class or tries to leave school (NB. This will only apply if a pupil could be at risk if not kept in the classroom or at school).

4.1.12 Examples of situations that fall into the third category are:

4.1.13 a pupil persistently refuses to obey an order to leave a classroom;

4.1.14 a pupil is behaving in a way that is seriously disrupting a lesson.

5. **Reasonable Force**

5.1.1 There is no legal definition of 'reasonable force' so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the case.

5.1.2 There are two relevant considerations:

5.1.3 The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore, physical force could not be justified to prevent a pupil from committing a trivial misdemeanour or in a situation that clearly could be resolved without force;

5.1.4 The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result.

5.1.5 Whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age, understanding and sex of the pupil.

5.1.6 The Act allows all employees of Durlston School to use reasonable force to control or restrain pupils. It also allows other people to do so, in the same way as teachers, provided they have been authorised by the Head to have control or charge of pupils. Authorisation may be on a permanent or long term basis because of the nature of the person's job, or short-term, for a specific event such as a school trip. The Head, or a delegated person, will inform employees of their authorisation and a list will be kept by the Headmaster's PA.

5.1.7 Where the risk is not so urgent the employee or other authorised person should consider carefully whether, and if so when, physical intervention is right. Employees should always try to deal with a situation through other strategies before using force. All employees need developed strategies and techniques for dealing with difficult pupils and situations which they should use to defuse and calm a situation. In a non-urgent situation force should only be used when other methods have failed.

5.1.8 That consideration is particularly appropriate in situations where the aim is to maintain good order and discipline, and there is no risk to people or property. As the key issue is establishing good order, any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, need to be carefully evaluated. The age and level of understanding of the pupil is also very relevant in those circumstances. Physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older pupils. It should never be used as a substitute for good behavioural management.

6. Practical Considerations

6.1.1 Before intervening, an employee physically should, wherever practicable, tell the pupil who is misbehaving to stop, and what will happen if he or she does not. The employees should continue attempting to communicate with the pupil throughout the incident, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and employees should never give the impression that they have lost their temper, or are acting out of anger or frustration, or to punish the pupil.

6.1.2 Sometimes an employee should not intervene in an incident without help (unless it is an emergency). For example, when dealing with an older pupil, or a physically large pupil, or more than one pupil, or if the employee believes he or she may be at risk of injury. In those circumstances, the employee should remove other pupils who might be at risk and summon assistance from colleagues, or where necessary telephone the police. The employee should inform the pupil(s) that he or she has sent for help. Until assistance arrives, the employee should continue to attempt to defuse the situation orally and try to prevent the incident from escalating.

7. Application of Force

7.1.1 Physical intervention can take several forms. It might involve an employee:

7.1.2 physically interposing between pupils;

7.1.3 blocking a pupil's path;

7.1.4 holding;

7.1.5 pushing;

7.1.6 pulling;

7.1.7 leading a pupil by the hand or arm;

7.1.8 Shepherding a pupil away by placing a hand in the centre of the back, or

7.1.9 (in extreme circumstances) using more restrictive holds.

7.1.10 In exceptional circumstances, where there is an immediate risk of injury, an employee may need to take any necessary action that is consistent with the concept of 'reasonable force': for example to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone or throwing something. In other circumstances employees should not act in a way that might reasonably be expected to cause injury, for example by:

7.1.11 holding a pupil around the neck or by the collar, or in any other way that might restrict the pupil's ability to breathe;

7.1.12 slapping, punching or kicking a pupil;

7.1.13 twisting or forcing limbs against a joint;

7.1.14 tripping up a pupil;

7.1.15 holding or pulling a pupil by the hair or ear;

7.1.16 holding a pupil face down on the ground.

7.1.17 Employees should always avoid touching or holding a pupil in a way that might be considered indecent.

7.1.18 A detailed, contemporaneous, written report should be made of any occasion where force is used. It may help to prevent any misunderstanding or misrepresentation of the incident, and will be helpful should there be a complaint. Such a report should be supported/witnessed by another colleague or senior pupil (ie. Prefect) if possible. The incident should be reported to the Designated Child Protection Officer – Assistant Head (Pastoral and Boarding) or the Head of the Junior School (Junior and Nursery) - as soon as possible, accompanied as soon as possible by the written report using a Serious Incident Proforma (**Appendix 1**). The Designated Safeguarding Lead will look and see if a pattern is forming.

7.1.19 the report should include:

7.1.20 name, form, house, tutor;

7.1.21 names of any witnesses;

7.1.22 reason force was necessary;

7.1.23 description of how incident started, progressed and ended;

7.1.24 pupil's response;

7.1.25 details of any injury.

7.1.26 (The incident should be recorded in the Behavioural file. A medical log should also be made on CPOMS if there is any injury).

7.1.27 Incidents involving the use of force can cause the parents of the pupil concern. It will normally be school policy to inform parents of such an incident involving their child, and give them an opportunity to discuss it. This should be discussed with the Deputy Head Pastoral, who will advise and decide whether the parent should be informed straightaway or at the end of the school day, and whether parents should be told orally or in writing. Staff should be careful who they speak to and in their own interest be careful what they say.

8. Disciplinary Action

8.1.1 The possibility that a complaint might result in a disciplinary hearing or a criminal prosecution or in a civil action brought by a pupil or parent cannot be ruled out. In those circumstances it would be for the disciplinary panel or the court to decide whether the use of force

was reasonable in all the circumstances. In that event however, the panel or court would have regard to the provisions of Section 550A. It would also be likely to take account of the school's policy on restraint, whether that had been followed, and the need to prevent injury, damage or disruption, in considering all the circumstances of the case.

9. Physical Contact with Pupils in Other Circumstances

9.1.1 There are occasions when physical contact with a pupil may be proper or necessary other than those covered by Section 550A of the 1996 Act. Some physical contact may be necessary to demonstrate exercises or techniques for example during PE, Drama or Dance lessons, sports coaching or DT, or if a member of staff has to give First Aid. Young children and children with special educational needs may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting and in the case of rewards and recognition. Employees will use their own professional judgement when they feel a pupil needs this kind of support.

9.1.2 If an employee feels that, in their professional judgement, physical contact is required, they should:

- ensure that they explain to the child the physical contact that is required (e.g. moving the child's hand, applying a wound dressing)
- where appropriate to the age and situation, seek consent from the child (i.e. "Is it OK if I…")
- where possible, ensure that there is another member of staff present, or if not possible (e.g. peripatetic lesson) that the action could be witnessed (i.e. in a room with a clear window or door open)
- report to the DSL immediately if they feel that they have been compromised in the process of performing physical contact that they had originally deemed appropriate

9.1.3 There may be some children for whom touching is particularly unwelcome. For example, some pupils may be particularly sensitive to physical contact because of their cultural background, neurodiversity, or because they have been abused. In addition, the school will need to develop clear common practice towards particular groups of children and events. There should be a common approach where employees and pupils are of different sexes. Physical contact with pupils becomes increasingly open to question as pupils reach and go through adolescence, and employees should also bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued.

10. Conducting search or screening using a detection wand.

10.1 Under UK law, schools can enforce **"non-contact screening"** (scanning students with a wand) without prior consent and without individual suspicion, provided it is part of the established school rules. However, an actual **physical search** triggered by a wand's alert requires "reasonable grounds for suspicion" and strict procedural safeguards.

11. Purpose & Legal Framework

This policy governs the use of handheld security screening wands (including metal-detecting and air-sampling devices) to maintain a safe, vape-free, and weapon-free environment. This policy complies with:

- The Education Act 1996 and Education and Inspections Act 2006.

- DfE Statutory Guidance: Searching, Screening and Confiscation in Schools.
- Health and Safety at Work etc. Act 1974.

Electronic cigarettes, vapes, nicotine products, and weapons are strictly designated as Prohibited Items under our school behaviour guidelines.

12. Power to search pupils without consent

12.1 In addition to the general power to use reasonable force described above, the Head and SMT can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited items':-

12.2 Knives and weapons

12.3 Alcohol

12.4 Illegal drugs (and apparatus)

12.5 Stolen items

12.6 Tobacco and cigarette papers

12.7 Fireworks

12.8 Pornographic images

12.9 Any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

12.10 Force cannot be used to search for items banned under the school rules. For pupils, this information is in the Pupil Record Book.

13. Low-Contact "Screening" (No Suspicion Required)

- **Random & Blanket Scanning:** The school reserves the right to require pupils to undergo screening with a hand-held detector wand. This may take place at school entrances, before school trips, or at random intervals.
- **Consent:** Statutory power allows the school to mandate screening without the student's explicit consent, even if there is no individual suspicion.
- **Location:** Screening must be conducted in an orderly manner and may happen in view of other pupils.
- **Refusal:** If a pupil refuses to be screened, the school may refuse to admit them to the premises or to an activity. The refusal will be treated as a serious disciplinary breach under the standard behaviour policy.

14. Targeted "Searching" (Reasonable Suspicion Required)

14.1 If a screening wand alerts ("beeps" or vibrates), or if staff have active information to suggest a student is carrying a vape or weapon, a targeted search will occur.

15. Procedural Safeguards (The "Two-Staff" Rule)

- **Authorised Staff Only:** Only the Headteacher or staff explicitly authorised by the Headteacher may conduct a physical search.

- **Same-Sex Requirement:** The staff member operating the wand/conducting the search must be the same sex as the pupil being searched.

- **Witness Present:** A second staff member (acting as a witness) must be present during the search. If possible, the witness should also be of the same sex.

- *Exception:* A search may be carried out by a member of the opposite sex or without a witness *only* if the staff member reasonably believes there is a risk of serious immediate harm.

- **Extent of Search:** Staff may use the wand to scan outer clothing. Pupils can be asked to empty pockets and bags. Staff **must never** conduct an intimate physical search or ask a pupil to remove items of clothing other than outer coats, blazer, hats, or gloves.

16. Confiscation and Electronic Data

- **Seizure:** If a vape, component, or weapon is found, it will be immediately confiscated. Vapes and associated paraphernalia will be disposed of safely and will not be returned to the pupil.

- **Phone & Device Searches:** If a smart device or phone is discovered, staff may examine data or files if there is a "good reason" to suspect it contains evidence of bullying, illegal activity, or school rule breaches.

17. Recording and Parent Communication

- **Logged Events:** All targeted searches resulting from a wand alert or suspicion must be formally documented in the school's Serious Incident log (Held by the Head and Deputy Head Pastoral). Appendix 1 should be completed and a copy should be stored on CPOMS and in the Serious Incident Log Folder.

- **Parental Notification:** While there is no legal requirement to seek parental consent *before* a search, the school will inform parents/carers if a prohibited item is found or if a student refuses a legitimate search request.

Appendix 1

PERSON REPORTING INCIDENT:
DATE/TIME INCIDENT REPORTED:
STUDENT(S) INVOLVED:
SUMMARY OF INCIDENT: •
ACTION TAKEN, INCLUDING CONTACT WITH PARENTS: •
TIMESCALE: •

Incident Type

**Racist abuse/harassment*	
*Sexual abuse/harassment	
*Homophobic abuse/harassment	
*Disability abuse/harassment	
*Child Protection Concern	
Other abuse/harassment	
Verbal abuse	
Threatening language	
Threatening behaviour	
Intimidation	
Physical abuse	
Theft	
Damage to property	
Defiance/refusal to cooperate	
Constant low-level disruption	
Missing Pupils	

Incidents highlighted with a * should be saved onto the IWP and a copy of the Serious Incident Proforma should be placed within the relevant whole school recording file.