



TITLE	REF	VERSION
Use Of Reasonable Force Procedure	LSPRO022	2.0

DEPARTMENT	Group Student Support		
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USE OF REASONABLE FORCE PROCEDURE

Procedure Statement

Activate Learning aims to provide a caring, calm, and secure environment in which tolerance, understanding and respect for others is fostered in line with the core values of our Learning Philosophy and our commitment to Trauma Informed practice.

This procedure guides Activate Learning staff in using physical intervention, when necessary, to ensure the safety, dignity, and wellbeing of individuals within our learning environments or whilst under our supervision.

It is aligned with Department for Education guidelines on the 'Use of Reasonable Force'. For information regarding use of positive touch and personal care, please refer to Activate Learning's 'People Moving and Handling and Personal Care Guidelines'.

Scope

This procedure applies to all those working in or on behalf of Activate Learning, including staff, volunteers, and contractors, and all those under its care or supervision, including students, apprentices and whilst on trips, visits, and work placements.

Procedure

Definitions:

'Reasonable force' covers a broad range of actions used by staff that involve a degree of physical contact with students.

'Force' is usually used either to control or restrain and can range from guiding a student to safety by the arm, breaking up a fight or where a student needs to be restrained to prevent disorder or injury.

'Reasonable in the circumstances' means using no more force than is needed.

'Control' means either passive physical contact, such as standing between students or blocking their path, or active physical contact such as leading a student by the arm out of a classroom.

'Restraint' means to hold back physically or to bring a student under control e.g., to break up a fight between students.

Guiding principles:

- Staff should always minimise risk of injury by using minimum necessary reasonable force. The means of restraint and its duration should be no more than necessary to accomplish its aim.
- Staff should not attempt to restrain a student if they are likely to put themselves at risk.
- Reasonable force should be as last resort and only when all other de-escalation methods and positive behaviour management strategies have been exhausted or deemed not appropriate. The safety, care, and well-being of all individuals involved should be the primary consideration when deciding to use touch, restraint, or reasonable force.
- All staff can use reasonable force; however, staff members should receive appropriate guidance in positive behaviour management techniques such as conflict resolution, de-escalation techniques, and the safe use of touch and restraint.
- All staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Staff do not require parental consent to use force on a student. However, it is best practice for staff to inform guardians about incidents involving the use of force.
- Staff must not use force as punishment – this is against the law.

When Can Reasonable Force Be Used:

Section 93 of the Education and Inspections Act 2006 allows the use of reasonable force to: prevent or stop the committing of any offence by a student; prevent or stop personal injury to, or damage to the property of any person (including the student themselves); or prevent or stop a student prejudicing the maintenance of good order and discipline.

Examples include but are not limited to:

- remove disruptive students from the classroom where they have refused to follow an instruction to do so.
- prevent a student behaving in a way that disrupts a college event or a trip or visit.
- prevent a student leaving the classroom where allowing them to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
- prevent a student from attacking a member of staff or another student, or to stop a fight.
- restrain a student at risk of harming themselves.
- conduct a search for “prohibited items” e.g., knives, weapons, illegal drugs, stolen items, fireworks, pornographic images, and any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property. Force cannot be used to search for items that are banned under the Student Code of Conduct.

In the unlikely event there are concerns involving a visitor or uninvited person on Activate Learning premises, the Duty Manager should be called upon. The person(s) should be asked to leave and escorted off site immediately. If they do not comply or become aggressive, the Police should be called to assist.

Using Force:

Any use of force or restraint carries risks; therefore, staff should always attempt to communicate with the individual calmly and clearly, using non-confrontational language and gestures to attempt to defuse the situation. They should give clear instructions, allowing the individual an opportunity to comply before considering the use of reasonable force.

Staff members should consider factors such as the level of threat, the individual's behaviour, and the potential of harm to themselves or others.

Staff should consider: the age and understanding of the student; any vulnerabilities, learning disabilities, or medical conditions of the student; the relative risks of not intervening; the method of restraint that would be appropriate in the circumstances; and the impact of the restraint on the future of the relationship with the student or other students.

If a staff member believes that touch, restraint, or reasonable force may be necessary, they should seek assistance from other staff members if available.

A calm and measured approach to a situation is needed and members of staff should never give the impression that they have lost their temper, or are acting out of anger or frustration, or to punish the student.

Staff should not act in a way that might reasonably be expected to cause injury, for example by: holding someone around the neck, or by the collar, or in any other way that might restrict the person's ability to breathe; slapping, punching or kicking; twisting or forcing limbs or digits against a joint; tripping anyone; holding or pulling anyone by the hair or ear; touching or holding anyone in a way that might be considered indecent; sitting on anyone; applying a 'basket' hold where the person's arms are drawn tight across their chest or diaphragm by a person standing behind them; or using clothing or belts to restrict movement.

As soon as it is safe, if restrictive physical intervention has been used, the intervention should gradually be relaxed to allow the student to regain self-control. It should be explained to the student what will happen next to reassure them.

Unplanned Interventions:

Unplanned interventions require professional judgement to be exercised, often requiring split-second decisions in response to unforeseen events or incidents. Unless the situation is urgent, staff should seek assistance from other members of staff, however, if such assistance is not available, any response must still be reasonable and proportionate, and should use the minimum force necessary to achieve the aim of the decision to restrain.

In exceptional circumstances, police may be called upon to help manage a dangerous situation and will use techniques and act in accordance with their professional training. Activate Learning staff are responsible for alerting police officers to any specific risks or additional needs that the student has and remain responsible for monitoring the student's physical and emotional wellbeing and alerting police officers to any specific concerns.

Learners With Special Educational Needs and Disabilities:

Activate Learning is committed to fulfilling its duties under the Equality Act and make reasonable adjustments for students with identified additional needs such as communication, learning, medical or behavioural.

Measures for managing identified risks should be set out in an agreed support plan. The student and their parent/carer (when under the age of 18 or adult with an EHCP) should be involved with this process and the plan shared with all those with a role in implementing it.

Some Activate Learning staff are trained in Management of Actual or Potential Aggression (MAPA) and may utilise this training for specified students, where there is an identified need and relevant risk assessment. Following use of MAPA intervention techniques, the incident is logged, triggers explored, steps taken to minimise further incidents and the student's Personal Risk Assessment and support plan is reviewed.

Post-Intervention Procedures:

Unplanned interventions and significant incidents should be reported as soon as is practicably possible to the Behaviour and Welfare Officer, Duty Manager, Group Director for Faculty and College, and a member of the Safeguarding Team. Incidents involving 14–16-year-olds should also be reported to the 14-16 Programme Manager, and the appropriate secondary school informed.

The staff member involved should record their use of 'physical intervention' on an [Accident and Incident Reporting Form](#) where they will be asked to provide details such as date, time, location, severity, description of incident and action take.

Any injuries will require a separate entry on the [Accident and Incident Reporting Form](#).

The student(s) may be followed up in line with the Student Behaviour and Disciplinary or Fitness to Study/Reside Procedures. This will be the responsibility of the study programme area, in collaboration with any relevant support services such as Group Learning Support or Group Student Support. Follow up actions may include (but are not limited to), a period of suspension, reduced timetable, review of the student's support plan, initiating or updating the student's Personal Risk Assessment, or withdrawal from their study programme.

Post-Intervention Support:

Serious incidents can be upsetting and can result in injuries. After incidents, staff should ensure support for the student(s) and staff involved by:

- Providing first aid treatment on site or seeking medical assistance for injuries beyond basic first aid. First aid treatment should be recorded on an Accident and Incident Reporting form.
- Ensuring any person where further treatment is required or recommended is transported to hospital safely. Staff should not transport students in their personal vehicles – staff should call for an Ambulance (if required), arrange for parents/carers to collect the student or arrange a taxi via Advice and Admissions. NB: Students under the age of 18 or considered vulnerable, should be accompanied by a member of staff who should stay with them until they are admitted, discharged back to the College or their parent/carer arrives.

- Staff should have the opportunity to de-brief with a manager and have time to reflect on the incident, identifying if there are any further learning or development needs.
- Where a staff member has been injured or emotionally impacted, the relevant HR Business Partner should be informed, and details of relevant support should be provided.
- The student and their parent/carer (if under 18 or an adult with an EHCP) should have opportunity to discuss and reflect with staff as to what led up to the incident, whether previously agreed behaviour plans had been utilised, and what might be done differently in the future.

It can also be distressing to observe an incident where restrictive physical intervention has been necessary, all staff and students involved and witness to this should be given appropriate emotional support.

It is important that learners and staff affected by an incident have continued support if required, using Activate Learning's existing support networks such as the Employee Assistance Programme, or by making referrals to relevant external support services such as Social Care.

Monitoring:

Incidents of physical interventions will be recorded via My Compliance and reported on at Safeguarding Committee meetings by the Health and Safety Team. These will be monitored by the Group Designated Safeguarding Lead and link Governor for Safeguarding. Such monitoring will enable continuous review of best practice in relation to supporting students' behaviour and support needs. It will also allow for identification of any disproportionate use of restraint in relation to groups of students e.g., those that share one of the relevant protected characteristics, or where there is additional staff training required.

Complaints

All complaints will be dealt with following Activate Learning's Customer Compliments, Comments and Complaints Procedure and will be appropriately investigated.

As per Department for Education 'Use of Reasonable Force' guidance, the onus is on the person making the complaint to prove their allegations are true and not for the individual staff member to show they have acted reasonably.

In instances where there is concern regarding excessive use of force or acted unlawfully, the Allegations Against Staff Procedure may be followed.

Review

This policy will be reviewed every 2 years, or where there is a significant change to the Department for Education guidance on 'Use of Reasonable Force' to ensure it aligns with current legislation and guidelines. Any changes will be communicated to all staff members, and additional guidance will be provided, if required.

References

This policy complies with:

Article 8 of the European Convention on Human Rights

Department for Education – Behaviour in Schools

Department for Education - Searching, Screening and Confiscation

Department for Education - Use of Reasonable Force

Education Act 1996

Equality and Diversity Act 2010

Health and Safety Act

Keeping Children Safe in Education

Local Safeguarding Children's Board guidance

Section 91 of the Education and Inspections Act 2006

This policy statement should be read in conjunction with the following Policies and Procedures:

Allegations Against Staff Procedure

DBS and Safeguarding Procedure

Safeguarding and Child Protection Policy

Safeguarding - Reporting a Concern Procedure

Student Behaviour and Disciplinary Procedure

Student Behaviour and Disciplinary Policy

Student Health and Wellbeing Policy

Student Search Procedure