LAWRENCE SHERIFF SCHOOL
RUGBY

A Teaching School Hub

Searching Students and Restraint by Staff Policy

Review date	Spring 2026
Review period	Annual by SLT Triennial by Pastoral Committee
Next Review date	Spring 2027
Reviewed by	N Dandy
Approving committee	Pastoral Committee
Policy type	Non-legislative
Other related policies	Child Protection and Safeguarding Policy, Behaviour Policy

Contents

1. What the Law means 2
2. Who may use force? 2
3. Deciding whether to use force. 2
4. Using Force 3
5. Planning for Incidents 3
6. Training for Staff 3
7. Searching pupils 3
8. Physical contact with pupils 5
9. Recording Incidents 5
10. Post-incident support 5
11. Complaints and allegations 6

Appendix 1 7

This policy is drawn from advice issued pursuant to the Use of Force guidance from the Department for Children Schools and families, which supersedes the DfES Circular 10/98 – "Section 550(a) of the Education Act 1996: The Use of Force to Control or restrain Pupils"; and subsequent clarification of the aforementioned act provided by the Department for Education in 2011 and 'Use of Reasonable Force' - advice for headteachers, staff and governing bodies (DfE July 2013) as well as the Health & Safety at Work Act 1974.

The use of force upon any pupil by a member of staff is a serious matter, and should only be considered as a last resort. However, the law is clear and the Board of Trustees have a responsibility to all concerned, to

support any member of staff who as a last resort uses reasonable force in accordance with the law, and with this policy.

1. **What the Law means**

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing or continuing to do any of the following:

- Committing a criminal offence.
- Causing personal injury to themselves or others.
- Causing damage to property belonging to them or others, including the school.
- Any behaviour prejudicing the maintenance of good order and discipline in the school.

2. **Who may use force?**

The staff to which this lawful power is granted are defined in the Act. They are:

- any teacher who works at Lawrence Sheriff School
- any other person **expressly authorised by the Headteacher to have control or charge** of pupils, including teaching assistants employed by external agencies who are supporting students within the school. The Headteacher may also give temporary authorisation to those who do not usually have such control or charge (refer to Appendix 2). The power does not extend to Prefects appointed by the School

The Headteacher will keep a record of which staff have been authorised under the terms of the Act. The power may be used where the pupil including one from another school is on school premises or elsewhere in the lawful control or charge of a staff member – for example on a school visit. There is no definition of what is reasonable force but precedent shows there are two principle considerations. They are:

The use of force can only be reasonable if the circumstances of the particular incident warrant it; and the degree of force used must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequence the force is used to prevent. Any force shall only be the minimum required to achieve that objective.

In other words each use of force must be justified in the specific circumstances, and the use of any force will be the minimum to overcome the behaviour or prevent the consequence of the behaviour. Staff are reminded that the use of any force upon a pupil may need to be justified at some time after the incident, potentially before an internal enquiry or even ultimately at a Court of Law. Whilst it is not intended that this should be a deterrent from using force where it is appropriate, it will always lie with the individual to justify.

3. **Deciding whether to use force.**

As a general rule staff should only use force when:

- The potential consequences of not intervening are sufficiently serious to justify it.

- The chance of achieving the desired outcome by other non physical means are low.

- The risk associated with not using force outweighs the risk of using it.

4. **Using Force**

Before using force staff should where practicable tell the pupil to stop misbehaving. Care should be taken to avoid giving the impression that the member of staff is angry or frustrated, or are acting to punish the child. Once restraint is used, it should be made clear with calm language that as soon as the need for force ceases, it will stop.

Appropriate use of force will range from physical passive presence in between pupils, to blocking a pupil's path, ushering them by placing a hand in the centre of the back, leading them by the hand or arm, to in more extreme circumstances using appropriate restraining holds which may need specific training and expertise, for example Team Teach.

Whilst it is highly desirable that staff should avoid acting in any way which might reasonably be expected to cause an injury, in truly exceptional circumstances it is recognised that it may not always be possible to avoid. Any such injury caused will be properly investigated by the school and will require justification.

5. **Planning for Incidents**

Where there is an awareness that a pupil is likely to behave in a way which may require physical control or restraint, the school will plan how to respond if the situation arises. Particular attention will be given to individuals' needs which arise from statements of SEN or Disability, including an EHCP. In such cases of severe disability and extreme behaviour reference would be made to '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) and 'Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties' (2003).

6. **Training for Staff**

Physical restraint is an available option, only to be used when other means of dealing with the situation have failed. Any training, and the level of training required, for groups of staff that may need to use force under the conditions set out above, is determined by a termly risk assessment taking into account the needs within the educational setting. For guidance, reference should be made to the 'Use of Reasonable Force' - advice for headteachers, staff and governing bodies (DfE July 2013). This guidance is under government consultation (February to April 2025 to be implemented September 2025).

7. **Searching pupils**

If staff believe pupil to be in possession of something that they should not have in school then the pupil should be taken to a member of SLT. Whenever possible, two members of SLT should be present.

If there are reasonable grounds for suspecting the pupil has a prohibited item in their possession, the SLT member present may:

- either ask the student for permission to search, or

- search the student and their possessions without consent if it is an item which may be searched for – see the following list:-

  Banned items

  The following items are explicitly banned from the school site:

  - knives or weapons*
  - any substance or equipment used for smoking – this includes e-cigarettes / vapes*
  - energy drinks
  - alcohol*
  - drugs that are not medicinal*
  - fireworks*
  - stolen items*
  - pornographic images*
  - indecent images of children*

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

  This is not an exhaustive list. Students and parents should check with the school if an item will be considered unacceptable/ill-advised in a school environment.

  Items marked with an * may be searched for without student permission by a member of SLT ONLY.

In the case of suspected controlled drugs, the school will notify the police without delay.

Senior staff should not:

- attempt to identify a substance by tasting it
- attempt to interview the pupil alone
- pass on information to any member of staff or pupil who is not directly involved

If there is any difficulty with searching, the police will be contacted; the pupil should be supervised until they arrive. An attempt will be made to contact the parent/guardian of the pupil.

When in possession of the item, the member of SLT will secure the item and will discuss with other appropriate senior staff the course of action:

- this will always involve making an immediate attempt to contact parents. Should this fail parents will be contacted by letter
- this will usually involve contacting the police
- this may involve getting immediate help/counselling from outside agencies

Sanctions may involve fixed term or permanent exclusion and the length of which will depend on the severity of the incident. Parents may be required to come into school to speak to the Headteacher or the Headteacher's representative.

Any disciplinary response should balance the needs of the school and its community with care and concern for the pupil.

The Headteacher will consult with appropriate agencies about whether to hand back, handover or dispose of the substance.

8. **Physical contact with pupils**

There are occasions when physical contact with a pupil may be proper or necessary. For example, some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching, Music, Art or DT, or if a member of staff has to give first aid. Younger pupils or those with SEN may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is being congratulated or praised, or where the pupil is in distress and needs comforting.

Teachers should use their own professional judgment when they feel a pupil needs this kind of support, but take care that such contact cannot be misinterpreted. As a general principle staff must not make gratuitous physical contact with their pupils. It is particularly unwise to attribute touching to their teaching style or as a way of relating to pupils.

Any form of physical punishment of pupils is an unlawful assault as is any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that staff understand this both to protect their own position and the overall reputation of the school.

9. **Recording Incidents**

The School will keep a record of the use of force to control and restrain using the form Appendix 1 (annex B of the Department for Children, Schools and Families guidance) and will also record on Cpoms. The purpose of recording is to ensure that policy guidelines are followed, to inform parents (as advised in current consultation), to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry. Staff may find it helpful to seek advice from a senior colleague or a representative of their staff association when compiling the report. Differing accounts may sometimes be given of the same incident, however all should be recorded.

Incidents involving the use of force may cause parents of the pupil in question great concern. It is school policy to inform parents of such an incident involving their child and to give them the opportunity to discuss it. Parents should be told when and where the incident took place, which members of staff were directly involved (anonymised where necessary), why they decided that force had to be used, what force was used, whether there were any injuries and what follow-up action (support and/or disciplinary) was being taken in relation to their child. The Headteacher or member of staff to whom the incident is reported will consider whether that shall be done straight away or at the end of the school day, and whether the pupil's parents should be told orally or in writing.

10. **Post-incident support**

If there are injuries medical help should be sought straight away. It is also important to ensure that staff and pupils are given emotional support. If injuries occur then as soon as possible after the incident, parents should be informed. This will be followed up in writing confirming the details. At the time of writing parents should be provided with a copy of this policy.

For parents of pupils whose behaviour is associated with SEN and/or disabilities, a meeting should be arranged to agree an individual behaviour plan. (See also, planning for incidents above).

When assessing the incident consideration will be given to involving multi-agency partners. This could include local authority children's services, Child and Adolescent Mental Health Services or the Youth Offending Team.

Where appropriate the pupil will be given the opportunity to repair the relationships with staff and pupils affected by the incident and/or to develop their social and emotional skills. The pupil and staff will be offered help to develop strategies for avoiding such crisis points in future and given continuing support, as long as necessary, in respect of:

- physical consequences.
- support to deal with emotional stress or loss of confidence.
- opportunity to analyse, reflect and learn from the incident.

11. Complaints and allegations

If a specific allegation of abuse is made against a member of staff, then the school will follow the guidance set out in Keeping Children Safe in Education 2024. Other complaints will be dealt with under the school's complaints procedure.

Appendix 1

USE OF FORCE TO CONTROL OR RESTRAIN PUPILS: INCIDENT RECORD

Details of pupil or pupils on whom force was used by a member of staff (name, tutor group)

Date, time and location of incident

Names of staff involved (directly or as witnesses)

Details of other pupils involved (directly or as witnesses), including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons

Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used

Reason for using force and description of force used

Any injury suffered by staff or pupils and any first aid and/or medical attention required

Reasons for making a record of the incident

Follow up, including post-incident support and any disciplinary action against pupil(s)

Any information about the incident shared with staff not involved in it and external agencies

When and how those with parental responsibility were informed about the incident and any views they have expressed

Has any complaint been lodged (details should not be recorded here)?

Report compiled by:	Report countersigned by:
Name and role:	Name and role:
Signature:	Signature:
Date:	Date: