



POLICY REGARDING RESTRAINT OF STUDENTS

"Though defensive violence will always be 'a sad necessity' in the eyes of men of principle, it would be still more unfortunate if wrongdoers should dominate just men." St Augustine

At St Augustine College, we hope that there will not be situations where force will be used to restrain a student however, if there is an incident where force needs to be used, then it should be the minimum required to control the situation and bring it to a safe conclusion.

Definition:

- The term 'reasonable force' covers the broad range of actions used by educators that involve a degree of physical contact with students.
- Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.
- The use of force to control students and to restrain them means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
- The use of force to restrain students means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.
- College staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

Responsibilities:

This policy applies to any member of staff at the College. It can also apply to people whom the Rector/Head of campus has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit, during break times and during morning and afternoon supervisions.

Every member of staff will inform the Head of campus immediately after they needed to restrain a student physically.

When can reasonable force be used?

- Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder.
- Force is used for two main purposes – to control students or to restrain them.
- The decision on whether to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used:

- Guiding/removing disruptive student from the classroom, by the arm, when they have refused to follow an instruction to do so;
- prevent a student behaving in a way that disrupts a College event or a school trip or visit;
- prevent a student leaving the classroom where allowing the student 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 through physical outbursts.
- Use of force as a punishment cannot be used.

Searching

In addition to the use reasonable force described above, the College reserves the right to search students and their possessions, eg. their bags and lockers.

The Head, or a member of staff authorised by the Head, may search a student provided there is another staff member present as a witness. The College does not conduct intimate searches and only a student's outer clothing (for example coats, hats, shoes, gloves and scarves) will be removed to facilitate a search, but a student will first be given the opportunity to 'empty their pockets' and to disclose anything that they

should not have in school. The College will always consider the age of the student to be searched. The consent of a student will usually be obtained before conducting a search unless the Head (or authorised member of staff) reasonably suspects that the student has in their possession an item that has been, or is likely to be, used to commit an offence, or to cause personal injury to any person (including the student being searched), or cause damage to property, or the student has, or is reasonably suspected to have in his/her possession any of the following items:

- Knives;
- Weapons;
- Alcohol;
- Illegal drugs;
- Stolen items;
- Tobacco and cigarette papers;
- Fireworks;
- Pornographic or offensive images; or
- Any item banned by the College Rules (including electronic devices).

Should a forbidden item be found in possession of a student, the College will inform his parents/guardians, and the item is confiscated.

Confiscation

- Any prohibited item found in possession of a student is to be passed on to the Head of campus. This may be retained or disposed of, but will not be returned to the student.
- Should any illegal item be found in possession of a student, this will be passed to the Police.
- Should a stolen item be found in possession of a student, this will be passed to the Police, or may instead be returned to the rightful owner.
- When a prohibited electronic device is found during a search, the item is confiscated by the Head of campus, and only be returned after 3 days to a parent/guardian and not the student.
- When a prohibited electronic device is found during a search and there are reasonable suspects that the device has been, or is likely to be used to commit an offence or cause personal injury or damage to property, the College may examine relevant data or files on the device, where there is good reason to do so. Parental consent to search through the electronic devices is not required. The College may also erase any data or files from the device if the College considers there to be good reason to do so, unless there are reasonable grounds to suspect that the device may contain evidence in relation to an offence (for example, certain pornographic material), where the files should not be deleted.

Communication with Parents/Guardians

- It is good practice to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents.
- A record detailing the incident is to be kept in the student's file.
- The College will always inform the parents/guardians when it has been necessary to use physical restraint on their son, and if necessary invite them to the College, to discuss their son's misbehaviour.
- Parents/guardians will be informed of the incident on the same day or as soon as is reasonably practicable.
- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- When a complaint is made, the onus is on the person making the complaint to prove that his/her allegations are true. It is not for the member of staff to show that he/she has acted reasonably, that is, they have used reasonable force in order to prevent injury, damage to property or disorder.

Version December 2022