

# RESTRICTIVE PRACTICE POLICY

## Next Gen Support Services

**Approved by:** Omar Salahuddin **Date:** 08/08/25

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## RESTRICTIVE PRACTICE

Section 93 of the Education and Inspections Act 2006 and further guidance issued by the DfE in July 2013 ([Use of reasonable force - Advice for Headteachers, staff and governing bodies](#)) enables school staff to use such force as is reasonable in the circumstances to prevent a Young Person from doing, or continuing to do, any of the following:

- committing any offence (or, for a Young Person under the age of criminal responsibility, what would be an offence for an older Young Person);
- causing personal injury to, or damage to the property of, any person (including himself); or
- prejudicing the maintenance of good order and discipline at the school or among any Young Persons receiving education at the school, whether during a teaching session or otherwise.

### **THE STAFF TO WHICH THIS POWER APPLIES ARE DEFINED IN SECTION 95 OF THE ACT AS:**

- any teacher/supporting/case managers staff who works at the school, and
- any other person whom the Warden has authorised to have control or charge of Young Persons,
- but it does not include Prefects.

The statutory power conferred by Section 93 is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence. There is no legal definition of when it is reasonable to use force and each case must be judged on its circumstances and those exercising the power to use force must also take proper account of any particular special educational need and/or disability.

### **THE TYPES OF FORCE WHICH ARE DEEMED TO BE REASONABLE ARE:**

- passive physical contact resulting from standing between two Young Persons or blocking a Young Person's path;
- active physical contact such as leading a Young Person by the hand or arm; ushering a Young Person away by placing a hand in the centre of his back; or, in more extreme circumstances, using appropriate restrictive holds.

### **DECISIONS ON WHETHER CIRCUMSTANCES JUSTIFY THE USE OF REASONABLE FORCE WILL DEPEND ON:**

- the seriousness of the incident,
- the chances of achieving the desired result by other means,
- the relative risks associated with physical intervention compared to using other strategies.

Where possible a clear oral warning to the Young Person that force may have to be used should be given.

### **EXAMPLES OF SITUATIONS THAT PARTICULARLY CALL FOR JUDGEMENTS OF THIS KIND ARE:**

- a Young Person attacking another Young Person or member of staff;
- Young Persons fighting and hence causing risk of injury to themselves or others;
- a Young Person committing, or on the verge of committing, deliberate damage to property;
- a Young Person is causing, or at risk of causing, injury of damage by accident, rough play, or by the misuse of dangerous objects or materials;

All incidents where force has been used should be recorded using the online form located on the school website for staff. Reports should be submitted to both the Head of Services and DSL.

The guidance also emphasises that:

**... it is always unlawful to use force as a punishment.**

**Other physical contact with Young Persons** ... it is not illegal to touch a Young Person.

The DfE says that it is not illegal to touch a Young Person and that there are occasions when physical contact with a Young Person is 'proper and necessary'.

**EXAMPLES OF WHERE TOUCHING A YOUNG PERSON MIGHT BE PROPER OR NECESSARY INCLUDE:**

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school.
- When comforting a distressed Young Person.
- When congratulating or praising a Young Person.
- When demonstrating how to use a musical instrument.
- When demonstrating exercises or techniques during PE lessons or sports coaching.
- When giving first aid