



**The John Roan School**

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# Physical Intervention and Searching Policy

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## Physical Intervention & Searching Policy

### 1. Introductions and Aims

At The John Roan School, a core part of our ethos is that all members of the school should feel safe and secure and that all students should be able to learn effectively in an environment shaped by our core values of PRIDE.

At the John Roan we recognise that, on rare occasions, it may be necessary to physically intervene or search a student. The purpose of this policy is to make clear the position of the school with regards to necessary physical interventions, screening, searching and confiscation. This policy aims to support staff in using appropriate actions in order to effectively safeguard students and staff, when a situation or incident requires the use of physical intervention, searching and confiscation.

It is the objective of The John Roan School to maintain consistent and safe practices in the use of handling, reasonable force & restraint and in that of screening, searching and confiscation. This policy follows non-statutory guidance from the DFE:

- Searching, screening and confiscation advice for Headteachers, school staff and Governing Bodies (January 2018)
- Use of reasonable force advice for Headteachers, staff and Governing Bodies (July 2013)

### 2. Physical Intervention and the Law

The right of school staff to use reasonable force is laid down in the Education and Inspections Act 2006, whereby staff are enabled to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

- Committing any offence; or
- Causing personal injury to, or damage to the property of, any person (including the student themselves); or
- Prejudicing the maintenance of good order and discipline at the school or among any of its students, whether that behaviour occurs during a teaching session or otherwise.

Staff should not hesitate to act in these situations provided they follow this policy; however, they should always satisfy themselves that the action they take would be considered justifiable by a wider audience of their professional colleagues. This policy should be read in conjunction with both the Behaviour Policy and the Safeguarding Policy.

### 3. What is Reasonable Force?

- a. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.

- b. Force is usually used either to control or restrain. This can range from guiding a pupil 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.
- c. 'Reasonable in the circumstances' means using no more force than is needed.
- d. As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.  
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.
- e. School 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 pupil.

#### 4. Implementation of Physical Intervention:

All members of staff working with students at the school are authorised to handle, use reasonable force or restrain students if/when such physical intervention is necessary.

No member of staff is required to employ any physical intervention strategy if they are not comfortable or confident to do so effectively.

No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place.

In all circumstances where physical intervention is or may become required, members of staff should ensure that adult assistance is requested before intervention, although it is understood that circumstances may lead to the need for intervention prior to the assistance arriving.

Staff considering handling, use of reasonable force or restraint must provide opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy and should continue to make instructions to the student and details of their intended interventions clear. In some circumstances, this may not always be possible.

The method of physical intervention employed must use the minimum reasonable force for the minimum length of time (additional guidance regarding what intervention is and is not appropriate is given in Appendix B).

All staff are aware that students with SEND will require reasonable adjustments. Any actions requiring the use of reasonable force should consider possible SEN and disability.

#### 5. Recording Physical Intervention

All incidents where staff feel that they have used force to modify behaviour or conduct should be recorded.

The Incident must be recorded via the school referral system – Confide. The Vice Principal/Principal will be informed of the intervention that has taken place and record accordingly to allow monitoring and tracking of situations resulting in the use of reasonable

force or restraint. It is the responsibility of the intervening member of staff to complete the record form on the day that the intervention took place. The circumstances and nature of the physical intervention will be held on the record of the student and Staff member involved.

The Vice Principal/Principal will inform any necessary agencies/authorities of the physical intervention in accordance with DFE and LA guidance. A Senior Leader or HOY will ensure that parents/carers are appropriately informed.

For the safeguarding of both staff and student, any subsequent investigation of the situation/incident should be undertaken by a member of staff, other than the one applying the physical intervention.

## 6. Staff Training

Staff should receive appropriate training to effectively carry out any roles relating to this policy. This should include regular refreshers, for example updates in the school bulletin or staff briefings. New members of staff should receive training as part of the safeguarding induction programme.

## 7. Complaints Regarding Force Used

All complaints about the use of force should be thoroughly, speedily and appropriately investigated. Guidance will follow the schools process for dealing with allegations against a member of staff.

## 8. Other Physical Contact with Pupils

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary. Examples of where touching a pupil might be proper or necessary: when comforting a distressed pupil; when a pupil is being congratulated or praised; to demonstrate how to use a musical instrument; to demonstrate exercises or techniques during PE lessons or sports coaching; and to give first aid.

## 9. Screening, Searching and Confiscation

On occasions, a member of staff may have reasonable grounds to suspect that a student is in possession of an item or items that contravene school regulations and could potentially cause harm to the student or others. School staff can search a pupil for any item if the pupil agrees. The Principal and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs & Drug paraphernalia
- stolen items
- tobacco and cigarette papers/Vapes
- fireworks
- pornographic images

- any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of any person (including the pupil)
- The Principal and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

### **Screening:**

The law states that schools can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand), even if they do not suspect them of having a weapon and without the consent of the pupils. The School has agreed with the Schools Safer policing team that screening methods will be used to offer additional safety systems at the John Roan School. This may include a knife arch at the school entrance points.

### **Searching:**

Searches will generally be conducted with the consent of the student. Where individuals refuse to provide consent, the school may still conduct a search where there is deemed to sufficient suspicion or grounds that a student is carrying prohibited items as described above.

Searches will be conducted with two members of staff present, one member of staff must be part of the Senior Leadership Team and/or Safeguarding Team, and at least one of whom will be the same sex as the student. Where possible, searches will be completed with the presence of the School Police Liaison Officer. This may not always be possible where a student is deemed to be at significant risk.

The John Roan School does not endorse and will not undertake a physical search of any student's person. Where necessary a student will be asked to remove his/her coat and/or blazer, empty all pockets, open their bags and in some circumstances remove their shoes and socks. Possessions and items of apparel that have been removed may then be searched by the staff present. 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.

### **Training for Staff:**

All members of the Senior Leadership and Safeguarding Team will receive appropriate training in-line with this document.

### **Use of Force**

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.

### **Confiscation**

A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.

Where a person conducting a search finds alcohol, tobacco or cigarette papers, vapes, fireworks or item described as a prohibited item as outlined in the school rules they may retain or dispose of it. This means that schools can dispose of these items and they will not be returned to the pupil.

Where they find controlled drugs, these will be delivered to the Police as soon as possible. Where they find other substances, which are not believed to be controlled drugs, these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled, they should treat them as controlled drugs as outlined above.

Where they find stolen items, these will be delivered to the Police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the person thinks that there is a good reason to do so.

If a member of staff finds a pornographic image, they will dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e. it is extreme or child pornography), in which case it will be delivered to the Police as soon as reasonably practicable.

Where an article that has been (or is likely to be) used to commit an offence or to cause personal injury or damage to property is found, it will be delivered to the Police. It may also be retained or disposed of. Any weapons or items which are evidence of an offence will be passed to the Police as soon as possible.

If undesirable items are discovered, the school will use its power of confiscation to retain the offending item(s). Parents/carers, if not present, will be contacted to explain what has been found and any subsequent sanctions that have been applied. Where appropriate, parents/carers will be invited to retrieve the offending property and asked to ensure that they are not brought to school again. In the event that illegal items are discovered then the Police will be informed immediately.

#### **Dealing with electronic devices:**

Designated members of school staff have the power to search electronic devices with good reason to do so. Where the person conducting the search reasonably suspects the device has been, or is likely to be, used to commit an offence or cause personal injury or damage to property, they may examine any data or files on the device where there is a good reason to do so. They may also delete data or files if they think there is a good reason to do so, unless they are going to give the device to the Police. This includes video or photographic images relating to an offence of breaking if school rules.

If an electronic device that is prohibited by the school rules has been seized and the member of staff has reasonable grounds to suspect that it contains evidence in relation to an offence, they must give the device to the Police as soon as it is reasonably practicable. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image

of a child or an extreme pornographic image, should not be deleted prior to giving the device to the Police.

All school staff should be aware that behaviours linked to sexting put a child in danger. Governing Bodies should ensure sexting and the school's approach to it is reflected in the school safeguarding policy.

Where a mobile phone or electronic device is confiscated for basic breach of school rules, this should be handed to the School Reception, with the details of the owner for safekeeping. This should be returned to the owner at the end of the school day.



## Appendix A: Guidance for Staff re: Handling, Use of Reasonable Force & Restraint

**In what way can you Physically Intervene?** Any application of physical intervention must only use the minimum force for the minimum time. There are a number of ways in which you can physically intervene and you must choose the strategy appropriate to the situation and presenting least risk to yourself, the student and other persons. Appropriate actions include; shepherding or guiding; using body positioning and positive gestures to move a student away from harm. This may include the placing of a hand on the back (between the shoulder blades) and using reasonable force to actively move them from one place to another. Blocking or interposing; placing yourself between the student and their objective (e.g. exit, another student) thereby preventing the potential injury damage or prejudice to good order. Holding and leading; gripping the student appropriately (e.g. by the upper arm) to prevent them from injury, damage, etc. In cases of resistance from a student, it may be necessary to employ holding to effectively achieve shepherding and, hence you are actively leading them away. Restraining; used only in the most extreme cases, restraining may require a significant amount of force in order to prevent significant injury (as described in the policy). Essentially, restraining is a more extreme version of holding, may require more than one adult and may last significantly longer than other strategies. However, the same care must be taken to restrain a student appropriately.

**In what ways must you NOT Physically Intervene?** The purpose of physical intervention is essentially to maintain good order and ensure the safety of all individuals therefore, it is never appropriate to employ a physical intervention strategy if you are not in control of your own emotions. Physical interventions must never be employed in anger or frustration. If you find yourself angry or frustrated by the situation at hand you must step back and allow someone else to manage the issue. It is never appropriate to use physical intervention strategies as a punishment. Just as there are a number of acceptable intervention strategies, there are also a number of actions that are completely inappropriate to take. Inappropriate actions include; hitting or striking; while it is entirely possible that in the course of an intervention (e.g. breaking up a fight) you may be hit yourself, you must not strike a student. Deliberately inflicting pain; it is not okay to twist limbs or put pressure on joints (e.g. arm up a student's back), pull or hold hair, pinch or hold a student in a pain inducing way (e.g. by the ear). Making contact with sexually sensitive areas of the body, where at all possible contact should be restricted to arms, shoulders and the back as previously described. Restricting breathing by holding round the throat or for a prolonged period around the chest. It is also never appropriate to sit on/straddle a student or hold them face down to the floor.

### **Guidance for managing your intervention**

- a) Always give a student an opportunity to resolve the situation without use of physical intervention first.
- b) Always send for assistance from colleagues or another authorised adult; other students should never be involved in physical intervention. You may have to intervene before help arrives, but not managing this entirely on your own is safer for all concerned.
- c) Be aware of your emotions. Are you comfortable and confident to deal with this scenario without anger? If not – do not intervene.
- d) Continue to communicate with the student (and witnesses) throughout the incident even if the student does not respond. Be clear about what you are doing and inform the student that the intervention will cease when it is no longer necessary.
- e) Apply only appropriate strategies and the minimum required force to achieve the required outcome (prevention of injury/harm, student/staff safety, restoration of good order). Release the student once this has been achieved.
- f) Manage the situation calmly – even if the student responds negatively.
- g) Complete a 'Physical Intervention Record Form' as soon as possible after the event.

**Minimising the need for Physical Intervention.** In most circumstances, physical intervention really should be a last resort or an emergency action. Therefore, all staff should:

- a) endeavour to create a calm environment that will minimise the risk of incidents where the use of physical intervention may be required;
- b) endeavour to teach pupils how to manage strong emotions and conflict through opportunities for SMSC and wider aspects of the school curriculum;
- c) quickly seek to de-escalate incidents if they do arise;
- d) only use reasonable force when the risks involved in doing so are outweighed by the risks involved in not using force;
- e) be aware of risk assessments and positive handling plans for specific individual pupils.