



Reasonable Force Policy



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Rights Respecting School

At Glenraig Integrated Primary School we are a Rights Respecting School and uphold the articles contained in the UN Convention on the Rights of the Child. This policy reflects the caring ethos of the school and focuses more closely on the following articles: -

Article 19 – Every child has the right to be protected from being hurt or badly treated

Article 24 – Every child has the right to the best possible health and medical care

Article 28 - Every child has the right to an education

Rationale

Glenraig Integrated Primary School has a pastoral responsibility towards the pupils in their charge and therefore takes all reasonable steps to ensure that the welfare of pupils is safeguarded and that their safety is preserved. The Board of Governors and the Principal of G.I.P.S. seeks to promote and secure good behaviour and discipline on the part of pupils at the school.

General School Aims

We endeavour to:

- ❖ Provide and encourage an atmosphere of acceptance and mutual respect for those within the school community, from all religious, non-religious, social, and cultural backgrounds as well as for those of differing abilities and needs
- ❖ Create a happy, secure, stimulating environment in which all pupils can learn effectively and become clear, confident communicators
- ❖ Present children with a variety of challenging, activity-based learning experiences incorporating all areas of study required by the Northern Ireland Curriculum
- ❖ Encourage children to recognise the value of developing a healthy mind and body and to foster, within each child, a positive self-image
- ❖ Encourage parents to play a constructive and positive role in the school
- ❖ Place the school at the heart of the local community

When is Reasonable Force Used

Article 4 of the Education (N.I.) Order 1998, which came in to force on 21 August 1998, clarifies powers which already exist under common law. It enables a member of staff to use, in relation to any pupil at G.I.P.S., such force that is reasonable in the circumstances:

- ❖ To prevent injury to themselves or others
- ❖ To prevent damage to property
- ❖ To prevent a pupil behaving in an undisciplined way that seriously compromises good order and puts at risk the safe and effective delivery of a lesson
- ❖ To prevent an offence being committed

Examples of situations that fall into one of the first two categories are

- ❖ A pupil attacks a member of staff or another pupil;
- ❖ Pupils are fighting
- ❖ A pupil is causing, or is at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
- ❖ A pupil is running in a corridor or on a stairway in a way which he/she might have or cause an accident likely to injure him or herself or others;
- ❖ A pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school.)

Examples of situations that fall into the third category above are:

- ❖ A pupil persistently refuses to obey an order to leave a classroom;
- ❖ A pupil is behaving in a way that is seriously disrupting a lesson.
- ❖ A pupil is running around the classroom despite being asked to sit down
- ❖ A pupil intentionally and persistently disrupts practical group activities.

If the school is aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, the school will have planned responses to such situations through the risk assessment process. Such planning will include

- ❖ Managing the pupil
- ❖ Involving parents
- ❖ Briefing staff involved with that pupil and identify any training needs
- ❖ Ensuring that any additional support can be summoned if appropriate.

Staff are empowered to use reasonable force to hold/secure/control a pupil in the circumstances listed above either: -

- ❖ Where the member of staff is on the premises of the school
- ❖ Elsewhere at a time when the member of staff has lawful control/charge of the pupil concerned e.g., School trips, residentials, sporting events educational visits

- ❖ To teachers and any other member of staff who has been identified and specifically authorised by the Principal to have **lawful control/charge of pupils** (i.e., Classroom assistants, lunch time supervisors, education psychologists, peripatetic teachers, or **suitably vetted volunteer**. See Note 1 **)

In such instances no more than the minimum necessary force should be used. Staff should act within the Department's and Education Authority's guidelines and seek to avoid injury to the pupil. Staff should keep a copy of any reports and may wish to seek advice from their union representative.

The need to use reasonable force to hold/secure/control a pupil should be rare.

At Glencraig Integrated Primary School we wish to emphasise that corporal punishment remains unlawful and that we in no way authorise teachers or others to use any degree of physical contact which is deliberately intended to cause pain or injury or humiliation.

Reasonable force should never be used as a substitute for good behaviour management.

The application of reasonable force to restrain or control a pupil is used **as a last resort**, only when other behaviour management strategies as outlined in our Positive Behaviour Policy have failed, and when the pupil, other pupils, members of staff, or property are at risk, or the pupil is **seriously** compromising good order and discipline.

It is also agreed that this policy does not wish to prevent any person from exercising his/her right under common law to defend themselves against an attack provided he/she does not use a disproportionate degree of force to do so.

What is Reasonable Force?

There is no precise legal definition. However, there are three relevant considerations:

1. The **use of force** can be regarded as reasonable **only** if the circumstances of the particular incident warrant it.
2. The **degree of force** employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the **minimum needed** to achieve the desired result.
3. Whether it is reasonable to use force, and the degree of force that could be reasonably employed, might also depend on the age, level of understanding and of the sex of the pupil, and any physical disability he/she may have.

Physical intervention can take a number of forms. It might involve staff:

- ❖ Physically interposing between pupils
- ❖ Blocking a pupil's path
- ❖ Leading a pupil by the arm
- ❖ Shepherding a pupil away by placing a hand in the centre of the back
- ❖ Holding by hand/wrist
- ❖ The use of a push/pull

More detailed guidance on what constitutes “reasonable force”, and its use can be found in the DENI “Safeguarding & Child Protection in Schools” publication Section 10. A copy of this is available from the **Designated Teacher and Principal.**

Record Keeping

It is extremely important that there is a detailed, contemporaneous, written report of any occasion (except minor or trivial incidents) where reasonable force is used. Glencraig Integrated Primary School will keep an up-to-date record of all such incidents, in an incident book.

Immediately after any such incident the member of staff concerned should tell the Principal and provide a short written factual report.

That report should include:

- ❖ The name(s) of the pupil(s) involved, and when and where the incident took place;
- ❖ The names of any other witnesses
- ❖ The reason that force was necessary
- ❖ Briefly, how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied, and for how long.
- ❖ The pupil's response, and the outcome of the incident.
- ❖ Details of any obvious or apparent injury suffered by the pupil, or any other person, and of any damage to property.

This incident book shall be reviewed annually, by the Chairman of the Board of Governors and Principal.

Records will be kept for five years after the date they occurred.

Parents of the pupil(s) involved will be informed.

****Note 1**

It is highly unlikely that suitably vetted volunteers in the school will have sole responsibility for the safety and wellbeing of pupils. Where a situation arises, therefore, where the use of reasonable force may be needed to be exercised, the volunteer should alert the member of staff in charge and defer to his/her judgement as to appropriate means of handling the situation.

However, in exceptional circumstances, where a member of staff is not readily available, and where it is possible that significant harm will occur if action is not taken immediately, then the volunteer should intervene using reasonable and minimum force.

A teacher, or authorised member of staff, is also entitled to intervene in other, less extreme situations.