



# Education and Inspections Act 2006

## 2006 CHAPTER 40

### PART 7

#### DISCIPLINE, BEHAVIOUR AND EXCLUSION

### CHAPTER 1

#### SCHOOL DISCIPLINE

#### *Use of reasonable force*

#### **93 Power of members of staff to use force**

- (1) A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely—
  - (a) committing any offence,
  - (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
  - (c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.
- (2) This section applies to a person who is, in relation to a pupil, a member of the staff of any school at which education is provided for the pupil.
- (3) The power conferred by subsection (1) may be exercised only where—
  - (a) the member of the staff and the pupil are on the premises of the school in question, or
  - (b) they are elsewhere and the member of the staff has lawful control or charge of the pupil concerned.

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**Status:** *This is the original version (as it was originally enacted).*

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- (4) Subsection (1) does not authorise anything to be done in relation to a pupil which constitutes the giving of corporal punishment within the meaning of section 548 of EA 1996.
- (5) The powers conferred by subsection (1) are in addition to any powers exercisable apart from this section and are not to be construed as restricting what may lawfully be done apart from this section.
- (6) In this section, “offence” includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.