

PHYSICAL INTERVENTION AND CONTACT POLICY 2021-24

APPROVED BY SELT COMMITTEE ON 10 NOVEMBER 2021

Applies to:

Harrogate College

Keighley College

Leeds City College

Leeds Conservatoire

White Rose Academies Trust

CHANGE CONTROL

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Approved by:	SELT Committee	
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Related policies: (list)	<p>Policies found in Policy Portal - https://leedscitycoll.sharepoint.com/sites/Policies</p> <p>Promoting Positive Relationships and Supporting Behaviour Policy Safeguarding Policy Foundation Studies - Personal Care Guidance SEND and Learning Difficulties Policy (DRAFT) Storage of Medicine and Emergency Administration Policy (DRAFT) Fitness to Study Policy (DRAFT) Complaints Procedure TLA Strategy Staff Code of Conduct</p>	
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1. POLICY STATEMENT

The College mission is to create learning environments where every student can reach their full potential. We apply a fair and consistent approach to behaviour and communication that is appropriate to the needs of students and their circumstances, as set out in the Promoting Positive Relationships and Supporting Behaviour Policy

This policy acknowledges that situations may occasionally arise in which it may be suitable for staff to implement risk reduction strategies, including physical intervention and contact, in order to manage potentially unsafe situations. The College does not support the routine use of physical intervention. The policy acknowledges that in serious situations where individuals may be at risk of harm, some use of appropriate, positive, physical contact with students can support a safe and friendly college. Government guidance refers specifically to 'reasonable force'; this document will continue to refer to physical intervention and contact.

The policy is for all Further Education colleges in the Luminate Education Group, and will be applied equitably: that means that not every student will be treated the same, but that our approach will acknowledge the different support needs and experiences of our students. It sets out the guidelines to support staff in making decisions regarding where physical intervention or contact may be appropriate and supportive. When referring to 'colleges' it refers to all Further Education colleges in the Luminate Education group.

Note that this policy relates specifically to physical intervention and contact for non-medical reasons. Please refer to other related policies and guidance for other kinds of physical contact, including Personal Care.

2. POLICY AIMS

This policy seeks to ensure that:

- Students and staff are safe from harm.
- Students are supported to re-regulate themselves through non-physical intervention wherever possible.
- Staff understand the legal framework for when they may use physical intervention and contact.
- Staff use the correct physical intervention and contact in accordance with the national guidance and the college ethos of restorative working.
- Staff and students understand the college's rights for searching for certain prohibited items.

3. LEGAL FRAMEWORK

This policy has due regard to all relevant legislation including, but not limited to, the following:

- [The Education Act 2011](#)
- [The Children Act 1989](#)
- [The Equality Act 2010](#)

This policy has due regard to the following guidance:

- DfE (2013) '[Use of reasonable force](#)'
- DfE (2018) '[Working Together to Safeguard Children](#)'
- DfE (2020) '[Keeping children safe in education](#)'

- DfE (2018) '[Searching, screening and confiscation](#)'

4. USING PHYSICAL INTERVENTION AND CONTACT

4.1 When physical intervention and contact may be used

Where a situation arises that puts individuals at risk, staff should always attempt to support the safety of staff and students. Initial intervention will always be without force; staff should utilise de-escalation techniques. These include:

- Keep calm and self-assured
- Speak with an even tone
- Remove others from the space
- Distraction and diversion

The decision to physically intervene during a situation is down to the professional judgement of the member of staff and always depends on the circumstances.

Physical intervention and contact should be used as a protective measure and never as a disciplinary penalty. The judgement on whether to use physical intervention and contact and what type to use should always depend on the circumstances of each case and (crucially in the case of learners with additional needs, including Social, Emotional, and Mental Health) information about the individual concerned.

Consideration should be given to those learners who have support plans and/or Education and Health Care Plans (EHCPs). Staff are responsible for being aware of the detail on these plans for students that they teach and/or support, and should pay particular attention to personal de-escalation tactics identified on the plan.

Staff have no obligation to physically intervene in a situation where staff or students may be at risk, but have a legal duty of care to take steps to support the safety of all. If staff are not comfortable to physically intervene they should request support from other staff members and/or the police.

Staff should consider:

- the seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if physical intervention or contact is not used. The greater the potential for injury or serious disorder, the more likely it is that using physical intervention may be justified; and
- the relative risks associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force may be justified.

Help is likely to be needed in dealing with a student who is likely to be able to over-power others, where there are multiple students involved, or if the member of staff believes they may be at risk of injury. In these circumstances they should take steps to remove other students who might be at risk and summon assistance from other staff and/or the police.

4.2 What physical intervention and contact may be used

Guidance states that 'reasonable force' can be used in situations where staff or students may be at risk of harm.

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. 'Reasonable in the circumstances' means using no more force than is needed.

Staff will always calmly communicate the reasons for their actions to the pupil and explain why it was necessary in a non-threatening manner.

Staff will never give the impression that they are acting out of anger or are punishing the pupil.

Examples of forms of physical intervention and contact that may be used by staff:

- Guiding a student away by placing a hand in the centre of the back
- Leading a student by the hand or arm
- Physically stepping in between students

In more extreme circumstances:

- Holding
- Pushing
- Pulling
- Using more restrictive holds

Staff should always avoid actions that might reasonably be expected to cause injury, for example:

- holding a learner around the neck, or by the collar, or in any other way that might restrict ability to breathe
- slapping, punching, kicking or tripping up a learner
- twisting or forcing limbs against a joint
- holding or pulling a learner by the hair or ear
- applying pressure to the neck, chest, abdomen or groin areas
- forcing a learner onto the floor or holding them face down on the floor
- using clothing or belts to restrict movement

4.3 Searching for prohibited items

Occasionally staff may be required to carry out a consensual search of a student to search for items prohibited by law, such as:

- Knives, bladed objects or other weapons
- Alcohol
- Illegal drugs
- Stolen items
- Fireworks
- Pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property

Searches will take place either as part of a pre-agreed risk assessment, or as the result of a

dynamic risk assessment undertaken by a member of staff as a result of information at the time.

Campus Directors and Heads of Departments should identify staff across their campus who are comfortable to support with consensual searches of students.

Campus Directors will make hand held metal detectors available for the staff who are involved in searches in order to limit physical contact with students where possible.

The Department of the students will make arrangements to ensure the following:

- The search takes place in a space away from other students
- The search is completed by two members of staff - one to carry out the search and one to witness and support.
- The search is, wherever possible, completed by a staff member of the same gender as the student. At least one member of staff should be the same gender as the student wherever possible.

If, in the case of a pre-agreed Safeguarding risk assessment, a student does not agree to a consensual search, there will need to be further discussions with the Head of Department and Head of Safeguarding, as they may not be able to continue their learning on campus.

If, in the result of a dynamic risk assessment, a student does not agree to a consensual search and there is serious reason to believe that a student has in their possession an item prohibited by law, the staff member should contact the police. A Safer College Police Officer can be called on in the first instance for support in individual cases, but it is not their responsibility to be regularly involved in the searching of students. If a Safer College Police Officer is not available, staff should call 999 or 101 dependent on the level of risk.

5. REPORTING AND FOLLOW-UP PROCEDURE

The College will keep an Incident Report Log and record of all incidents where physical intervention involving the use of force against the will of a student has been necessary, or where a search has been required.

5.1 Reporting physical intervention and contact

Where physical intervention or contact has been used this should be recorded on Pro-Monitor under the 'physical intervention and contact' learner comment type. This should include:

- Date and time of intervention
- Details of the incident
- Details of the physical intervention or contact used
- Any injuries sustained to the staff or student
- Details of others involved or witnesses

The written record will be completed by the member of staff involved within 1 working day and discussed with the Head of Department.

Where the students falls under the following categories it may be necessary to also involve other Heads of Department/Leads:

- Care experience student
- Has an Education Health Care Plan (EHCP)
- Other vulnerable groups, including those supported by the Safeguarding Team.

In line with the College's commitment to working with Parent/Carers, they will also inform Parent/Carers of Students under the age of 18 or for those with an EHCP up to the age of 25 and discuss with them the implications of the situation as appropriate and in accordance with data protection legislation.

Where physical intervention or contact is used with a student who has an EHCP the Local Authority must be informed. Staff should speak to the SENDCO or SEND Support Lead for the student so that they can arrange this.

A restorative meeting should be arranged with the student(s) involved to discuss the incident, how those involved were impacted, and what steps need to be taken next to repair the relationship. This can be supported by the Restorative Practice Champion if needed.

Complaints following a dispute about the use of physical intervention by a member of staff should, if an informal resolution is not possible in the first instance, be referred through the official complaints process.

Should a member of staff allege that a student has assaulted them the 'Promoting Positive Relationships and Supporting Behaviour Policy' will be adhered to and a full investigation into the circumstances of the allegation will take place.

5.2 Recording searches

Where a search has been agreed as part of a Safeguarding Risk Assessment, the document will be discussed with the student and uploaded to CPOMS (Child Protection Online Monitoring System) for reference and shared only with relevant staff.

Where a search has taken place as a result of a dynamic risk assessment the Safeguarding Team should be alerted to assess any ongoing risks and safeguarding concerns. This will be recorded as per the Safeguarding Policy.

6. STAFF WELL-BEING

The college acknowledges that where staff have been in a situation where they have had to use physical intervention and contact, they may require time and space to debrief. They will discuss with their line manager or Head of Department to ensure appropriate support is available where required.

7. STAFF TRAINING

Training is available to staff on restorative practice, and dealing with conflict in a restorative way.

Where need is identified in line with the TLA standards, coaching, mentoring and or departmental training can be offered by the Advanced Practitioner in residency to support the staff team.

Heads of individual departments, such as the Inclusive and SEND provision, will give special thought to appropriate and supportive training for their teams based on the needs of their students. Designated staff members will be trained in restricted intervention techniques such as TeamTeach, which they will use to de-escalate medium or high level incidents when required.

8. REVIEW

This policy will be reviewed every three years by the Head of Safeguarding and Health and Behaviour Lead.

The Health and Behaviour Lead will review the number of incidents requiring restrictive intervention on a quarterly basis to analyse the frequency of occurrence and determine what further measures could be taken to prevent these situations from reoccurring.

Appendix

Contact List for relevant staff

Head of Safeguarding and Wellbeing - Andrew Ottey

Head of SEND and Vulnerable Adults - Liz Burkey

Deputy Director of Inclusive Provision and SEND - Sarah Young

Care Experience Outcomes Coordinator – Katie Ball

Restorative Practice Champion - Helen Llewellyn

Health and Behaviour Lead - Lauren Turnbull

Safer College Police Officers:

TBC - Park Lane Campus (Main Campus), Joseph Priestley Centre, Temple Newsam Home Farm, Rothwell Centre

PC Leon Ricketts - Printworks Campus (Main Campus), Somerville House, Enfield Centre

PC Matt Beilby - Quarry Hill Campus (Main Campus), Quarry Hill Annexe, Mabgate Centre, Deacon House

Stay Safe Officers:

Janet Gee - Printworks and Rothwell: 07824 306810

Laura Conner - Somerville House and Mabgate: 07500 798379

Brenda Farara - Park Lane and Enfield: 07500 067658

Kirsty Pybus - Park Lane , Beeston and Vine: 07973 637762

Daisy Russell - Quarry Hill and Temple Newsam: 07943 929164

Evelyn Boakye- Quarry Hill: 07973 638177

