
Policy on the appropriate use of physical contact and reasonable force

1 Policy Statement

1.1 The College:

- 1.1.1 Does not require staff to make physical interventions with students or perform physical restraint. This policy sets out the mechanism for such decisions to be made and how such actions should be implemented, monitored and evaluated.
- 1.1.2 Acknowledges that there will be occasions when an individual's behaviour may necessitate the use of physical restraint.
- 1.1.3 Believes that the management of difficult and challenging behaviour is an activity requiring decency, honesty, humanity and respect for the right of the individual, balanced against the risk of harm to students, staff and members of the public. It will not use force as a punishment.
- 1.1.4 Acknowledges that the use of restraint or reasonable force is a personal choice (and not a requirement) for an individual member staff.
- 1.1.5 Expects that if restraint is used, it is only used if not using restraint may put an individual at risk of significant harm, and when all other practical means of managing the behaviour, such as de-escalation, verbal persuasion, time out have failed or are likely to fail in the circumstances.
- 1.1.6 Expects that in managing behaviour staff should consider the cultural values, race and any special needs of the student in so far as is reasonably practicable.
- 1.1.7 Will ensure that systems and processes are in place to review all occasions where restraint is deployed, to ensure that any restraint used is reasonable, proportionate, necessary and used for the shortest possible interval to establish control.
- 1.1.8 Will ensure that professional and legal support is made available to any member of staff acting lawfully and in good faith, in situations where aggression or violence (actual or threatened) have led to restraint being applied.
- 1.1.9 Will ensure that staff involved in (or witness to) restraint are offered support, either via the Occupational Health Department or Employee Assistance Programme.
- 1.1.10 Establishes that any member of staff alleged of/witnessed using inappropriate or excessive physical contact or restraint with a student will participate in an independent investigation and/or procedures outlined by the College's Disciplinary Policy.

1.2 Introduction

- 1.2.1 City of Bristol College is committed to delivering the highest standards of health, safety and welfare to its students, staff and visitors.
- 1.2.2 Members of staff and students are aware of the standards of behaviour expected throughout the college to ensure learning takes place in a safe and supported environment. The college expects students studying at the college and staff to treat each other with courtesy, respect and to value the contribution each makes to the learning experience and the life of the college.
- 1.2.3 In order to ensure individuals are aware of expectations with regard to behaviour and the nature of their interactions with others, the college promotes its expectations via induction processes and supporting documents which are readily accessible via the College Intranet

and other relevant communication channels i.e. Student Charter, Staff Code of Conduct, Disciplinary Policies, Fitness to Study / Practice Policy and Equality, Diversity and Inclusion Policy.

- 1.2.4 This policy aims to offer guidance on the College's position on physical contact and use of reasonable force so that there can be no confusion.

2 Policy and Procedure

2.1 Physical Contact

- 2.1.1 There are occasions and circumstances when physical contact with a student may be required and appropriate. The Guidance for Safe Working Practices for the Protection of Children and Staff in Educational Settings states that: "A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate.
- 2.1.2 Any member of staff who is concerned about inappropriate physical contact should refer to the College's Safeguarding Policy and Procedure.
- 2.1.3 Staff should always avoid any action which might cause an injury or compromise the College's Covid-19 health and safety guidelines and procedures.
- 2.1.4 During the period of increased safety awareness as part of Covid-19, staff should consider additional Covid-19 safety precautions before acting, including the wearing of a face covering, avoiding wherever possible direct face to face contact and washing thoroughly immediately after the event, including face and hands.

2.2 Use of Reasonable Force, Recording and Monitoring of Serious Incidents

- 2.2.1 Restraint and reasonable force should only be considered as a last resort and only when all other avenues have been exhausted. Under Section 85C of Further and Higher Education Act 1992, staff have the right to use "reasonable force" in the circumstances for the purpose of preventing a student at the institution from doing (or continuing to do) any of the following:
- Committing an offence
 - Causing personal injury to, or damage to property of, any person (including himself), or
 - Prejudicing the maintenance of good order and discipline at the institution or among any of its students, whether during a teaching session or otherwise.
- 2.2.2 The Act also defines to whom the power applies as follows:
- any member of staff who works at the College (teaching staff, support staff, learning support assistants, learning mentors).
 - any other person who has been authorised to have control or charge of students (agency staff or contractors).
- 2.2.3 In all cases of physical restraint, the guiding principle must be to use the least restrictive and most proportionate option to control the behavior for the least amount of time possible.

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- 2.2.4 Any member of staff identifying violent or aggressive behaviour must escalate the incident to the senior person in charge, informing the Principalship immediately and wherever possible, and only if it is safe to do so, move other students away from the locality. The police should also be called if further expertise is required to safely control the behaviour.
- 2.2.5 The power to use reasonable force applies whether students are on College premises or elsewhere, as long as they are in the lawful control or charge of a staff member. This includes off site visits.
- 2.2.6 In an emergency, any member of staff is entitled to intervene or contact the police.
- 2.2.7 All incidents where physical restraint and/or reasonable force has been necessary must be reported immediately to the Principalship and recorded in accordance with the College's incident reporting procedures.
- 2.2.8 The use of physical restraint will be monitored in order to help staff learn from experience, promote the wellbeing of students in their care and provide a basis for appropriate support. Monitoring of records will inform policy and practice, risk assessment and management, and to identify training and development needs.
- 2.2.9 Wherever possible, assistance should be obtained as part of the de-escalation or physical restraint process. If a phone is available the "Urgent Incident response number" is 5333 from an internal phone or 0117 312 5333 from a mobile. Consideration should be given to evacuating the class/area, if at all possible to a safe distance and seek further assistance.
- 2.2.10 At the earliest safe opportunity, line manager, Head of Department or the Duty Manager should be informed of the incident to take on the responsibility for further appropriate action. An accident/incident report should be completed to document the actions taken in response to the incident.
- 2.2.11** During the period of increased safety awareness as part of COVID, staff should consider additional COVID safety precautions before acting, including the wearing of a face covering. Avoid wherever possible direct face to face contact. Wash thoroughly immediately after the event including face and hands.

2.3 The Searching of Students

- 2.3.1 The Principalship and staff authorised by them (members of the Strategic Leadership Team, managers, facilities officers and safeguarding officers) have a statutory power¹ to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have a prohibited item. Prohibited items are:
 - knives or weapons
 - alcohol
 - illegal drugs
 - stolen items
 - fireworks or any other explosives
 - 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 student).

- Any other items banned by the College.
- 2.3.2 If a member of staff believes a student needs to be searched because they suspect that the student has on their possession items such as those described above, they should report this a member of staff authorised to perform a search.
- 2.3.3 In cases when staff believe that a student may be in possession of an offensive weapon and is a current threat (such as having the weapon on display, making threats etc) the police should be notified immediately via 999 and a member of the Strategic Leadership Team should be notified, starting with the Principal, Deputy Principal or Designated Safeguarding Lead. If there is no current threat (for example a suspicion of a weapon in a bag) police should not be notified in the first instance and SLT contacted as above. The college will then follow the Bristol "Offensive Weapons in Education" guidance involving the safer options team and police as appropriate.
- 2.3.4 Staff conducting a search must be the same sex as the student being searched; and there must be a witness (also a staff member) and, if possible, they should be the same sex as the student being searched.
- 2.3.5 There is a limited exception to above rule. Staff can carry out a search of a student of the opposite sex to them and / or without a witness present, but only where they reasonably believe that there is a risk that serious harm will be caused to a person if they do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.
- 2.3.6 The delegated manager should ensure that the staff involved are fully prepared with suitable personal equipment to undertake the search. This should always include appropriate gloves where either personal search or possession searches are to take place. If the event is pre-planned, the delegated manager, should ensure a suitable risk assessment is included within the planning phase.
- 2.3.7 During the period of Covid-19 restrictions, face coverings or visors must be worn. If a personal search is to be completed, which would require contact within 1.0m distance, a suitable face mask must be used and any other appropriate safety equipment as part of the planning within the risk assessment. Close contact with an individual must be minimised and direct face to face contact avoided wherever possible. Staff should ensure that the search process is completed as quickly as possible and exposure must not exceed 15 minutes contact time, at a distance of less than 2.0m.

3 Linked Policies and Procedures

- Student Charter
- Staff Code of Conduct
- Safeguarding Policy
- Disciplinary Policy and Procedure
- Complaints Policy
- Fitness to Study / Practice Policy
- Equality, Diversity and Inclusion Policy
- Whole college COVID safe risk assessment

¹ Department for Education: Searching, Screening and Confiscation, January 2018

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Lead officer:	Head of Safeguarding
Senior Manager Responsible:	Vice Principal Curriculum and Quality
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