

Guidelines on Physical Contact with Students

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one learner in one set of circumstances may be inappropriate in another, or with a different learner. You should therefore, use your professional judgement at all times. Physical contact should never be secretive, or for your gratification, or represent a misuse of authority.

Considerations should be made to learners for whom touching is particularly unwelcome. For example: Some learners may be particularly sensitive to physical contact because of their cultural background, or because they have been abused.

- Touching learners, including well-intentioned gestures such as putting a hand on a shoulder, can, if repeated regularly, lead to serious questions being raised. As a general principle, staff must not make gratuitous physical contact with their pupils. It is particularly unwise to attribute touching to their teaching style or as a way of relating to pupils.
- Teachers and other staff do, however, have the right to use reasonable physical force to restrain learners in certain circumstances.
- Any form of physical punishment of pupils is unlawful as is any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that staff understand this both to protect their own position and the overall reputation of the school.
- Some staff are likely to come into physical contact with learners from time to time in the course of their duties. Staff should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted

Learners in Distress

There may be occasions when a distressed learner needs comfort and reassurance. This may include age-appropriate physical contact.

- You should use your discretion in such cases to ensure that what is normal and natural does not become unnecessary and unjustified contact, particularly with the same learner over a period of time.
- You should remain self aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.
- If you have a particular concern about the need to provide this type of care and reassurance you should seek further advice from a senior manager.

Care, Control and Physical Intervention

The college does not expect you to physically intervene with learners and staff who do so must understand that they are exercising a personal judgement. The College recommends that staff should call for Security to attend and manage the situation.

We recognise that some staff will feel they have to intervene in the most extreme and unusual occasions. This may be where it is necessary for staff to restrain a student to prevent them from inflicting injury to others, self-injury, damaging property, or causing disruption. In such cases only the minimum force necessary may be used and any action taken must only be to restrain the learner.

You should be aware that any such physical intervention could be open to challenge and must only be at a minimum level of restraint.

Under no circumstances should physical force be used as a form of punishment. You should have regard to the health and safety of yourself and others. The use of unwarranted physical force is likely to constitute a criminal offence.

Where an employee has taken action to physically restrain a learner they should make a written report of the incident to their line manager.

NB. staff who are required to provide personal care of an intimate nature are fully trained and follow clear protocols.

Behaviour Management

All learners have a right to be treated with respect and dignity. You should not use any form of degrading treatment to punish someone. The use of humour can help to defuse a situation but the use of sarcasm, demeaning or insensitive comments towards learners is not acceptable in any situation. The College's Disciplinary Procedure gives a clear framework of warnings and sanctions which you are expected to implement.

One to One Situations

If you are working in one to one situations with children and young people you may be more vulnerable to allegations of inappropriate physical contact and therefore should take actions to minimise that risk (see Appendix 1).

Reporting incidents

If you believe you may have witnessed inappropriate physical contact by a member of staff towards a learner it may be sensible to take an informal approach in the first instance. This would involve having a conversation with that colleague to explain how their actions either have been perceived or may be interpreted.

However, there will be circumstances in which a formal approach is required. For example, if the physical contact is clearly unwelcome, inappropriate or unprofessional. Such behaviour should be reported to your line manager who will advise about the next course of action. This may involve Human Resources procedures and/or Safeguarding Procedures.

The college will take action against you if you have acted unprofessionally, or used force to punish a learner or used unnecessary force.

Appendix 1

To avoid behaviour, which might be misinterpreted by others, and report and record any incident with this potential, **you should always** :

- Consider the way in which you offer comfort to a distressed learner
- Make sure that the physical contact is what the learner wants. It might be appropriate to hold a learner's hand if s/he is distressed – ask them first
- Tell a colleague when and how you offered comfort to a distressed person
- Record situations which may give rise to concern.
- Be aware that even well intentioned physical contact may be misconstrued by the learner, an observer or by anyone to whom this action is described
- Be prepared to explain actions and accept that all physical contact be open to scrutiny
- Always seek to defuse situations using strategies other than physical interventions
- Always use minimum force for the shortest period necessary – preferably with assistance from a colleague.
- Avoid one-to-one meetings with learners in remote or secluded areas of college
- Where possible ensure there is visual access and/or an open door in one-to-one situations
- Inform other staff of the one-to-one meeting beforehand, assessing the need to have them present or close by
- Report any situation where a learner becomes distressed or angry to a senior colleague
- Consider the needs and circumstances of the learner involved.
- Consider carefully before giving students a lift in a car. In general, it isn't a good idea, however there could be circumstances where the greater risk would be NOT to give a student a lift. E.g. after a late return from a college trip, one learner has missed their last bus home.
- Use the tutorial process and Disciplinary Procedures to manage behaviours and to bring about change
- Try to defuse situations before they escalate

You should never:

- Give someone a hug because it would make you feel better if you did
- Touch a learner in a way which may be considered indecent. (staff who are required to provide personal care of an intimate nature are fully trained and follow clear protocols)
- Indulge in horseplay, tickling or fun fights.
- Use force as a form of punishment