

## Restraining and Searching Students Guidelines

### Introduction

The College has designated staff trained and authorised to restrain and/or search students. Only these designated and properly trained staff will have the authority to search and/or restrain students. Restraint will only be considered if there is no viable alternative. Staff should never put themselves at risk of harm in conducting a search or restraining a student.

### Legal Background – Restraint

The Education and Inspections Act 2006 (section 165) enables College staff to use such force as is reasonable in the circumstances to prevent a student from doing or continuing to do any of the following:

- committing any offence;
- causing personal injury to any person (including themselves);
- causing damage to property; or
- prejudicing the maintenance of good order and discipline at the College or among any of its students, whether during a teaching session or otherwise.

This authority to use reasonable force applies whether students are on College premises or elsewhere, for example on trips, as long as they are in the lawful control of a member of Halesowen College staff.

### *After an incident where force or restraint has been used*

All incidents where force or restraint is used will be reported immediately to the Safeguarding and Inclusion Manager and the Principal. All incidents of restraint and search will be recorded and details held on file by the Safeguarding and Inclusion Manager.

### Legal Background – Search

Designated staff may search a student **with** their consent.

The Education Act 2011 enables authorised staff to request that a student empties their bag, removes top clothing, empties out their pockets **without** consent for:

- the prevention of crime and disorder
- the protection of the rights and freedoms of others

### Guidelines – Searches

- Searches can be made for a range of items such as alcohol, illegal drugs, stolen property, weapons, fireworks, pornographic images or any article that the member of staff reasonably suspects the student is holding:
  - to commit an offence

- to cause personal injury to, or damage to the property of, any person (including the student themselves)
- Searches should always be conducted in the presence of a witness; another member of staff or security personnel.
- The College will also search students prior to entering or leaving an exam room if there are reasonable grounds to suspect that a student is in possession of a digital device or any other items prohibited by JCQ regulations.
- The staff member searching a student and the witness should be the same sex (wherever practically possible). Search of a student of the opposite sex to the staff member and/or without a witness present can only be conducted where it is reasonably believed that there is a **significant** risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff. Students identifying their gender as non-binary or transitioning should be asked which gender they prefer to conduct the search.

The College adheres to the government recommendations not to search when resistance is expected but rather call the police. When searching for weapons, the Violent Crime Reduction Act 2006 also enable staff to search students for knives and weapons, without consent.

The legislation says

- members of staff can search a student or their possessions if they suspect the student may be carrying an offensive weapon;
- the search should be carried out by staff authorised to do so, and in the case of a weapons search, this must be two College staff;
- a student's possessions may only be searched in his or her presence and in the presence of an additional person over the age of 18;
- for a weapons search, both adults must be the same sex as the student.

Staff should consider the risk factors such as:

- the potential for allegations of assault;
- accusations that the staff member has planted the weapon on the student;
- the risk of becoming injured if coming into contact with a needle or blade when carrying out the search and any negative impact on relationships and reputation. Prior to carrying out a search, staff should ask the subject if there is anything sharp that they should be aware of. If told there are needles, staff should wear protective gloves if they are not already doing so and take appropriate care.

## Guidelines - Use of Reasonable Force

Factors influencing this judgement include:

- the seriousness of the incident, assessed by the effect of the injury, damage or disorder that is likely to result if force is not used;
- the chances of achieving the desired result by other means;
- the relative risks associated with physical intervention compared with using other strategies.

## Guidelines on Using Restraint

All staff have a duty of care to students, others in the vicinity and themselves. They may have to use whatever force is necessary and proportionate to protect themselves or others until such time as sufficient members of staff or Police arrive on scene in order to deal with the incident safely.

They must also bear in mind any use of force must be –

- reasonable in the circumstances
- necessary
- no more than is necessary

The decision to use force, even at the lowest level, should not be taken lightly; all staff must consider whether any other alternatives that do not involve force are considered and, where practicable are attempted, prior to the application of physical techniques.

Guiding holds are low level techniques that can be applied by one member of staff (or in some circumstances two) to enable them to escort a person away from an incident area in order to prevent a situation from escalating, or to safely remove them from the premises when necessary.

The responsibilities of those staff attending such an incident are to –

- assess the need and type of physical intervention
- initiate and maintain non-threatening dialogue, creating opportunities for de-escalation
- monitor the behaviour, language and non-verbal signs from the person
- continually assess the need for physical intervention

**Never strike blows or retaliate against students:** to do so would exceed authorisation to intervene, and create a significant risk of an allegation of assault being made.

## Arriving at the Situation

Remember safety in numbers, call for support from other staff/security officers if you think the situation may require it, and call the Police if, for example, an assault is known to have taken place.

At the scene, before intervening, identify the relevant risk factors: POP (Person, Object, Place)

## Person

- Continually assess people to judge whether you may be at risk.
- What can you judge from their appearance or demeanor?
- Is the person known to be aggressive, and/or a known criminal?
- Is the person suffering the effects of drink or drugs?
- Are they bigger, fitter or stronger than you?
- Is the person accompanied by people who could 'join in'?

## Object

- Assess the situation with regard to the risk presented by any objects.
- Could there be knives, syringes or other weapons present, perhaps concealed in pockets or bags they are carrying.
- Could apparently innocent articles be used as weapons – bottles, glasses, umbrellas, pens, loose chairs.

## Place

- Assess the situation with regard to where you are.
- Is it a small confined area or open?
- Is the area isolated, poorly lit, a staircase?
- Are there members of staff/public present?
- Is it quiet or busy?
- In the worst case scenario could you exit from the situation easily?
- If you need assistance, you should not try to deal with the situation until help arrives.
- Consider your own safety and that of others before attempting to intervene in a potentially violent situation.
- Adopt the correct stance to ensure balance and can retreat carefully if necessary
- Maintain eye contact, use a controlled non aggressive tone
- Keep your distance, do not touch them or invade their personal space
- Remain calm and talk in a calm but firm manner, do not rise to the aggression, respond to or exchange insults thrown at you
- Keep your hands above your waist and use passive gestures (this also helps reaction time to any act of violence against you)
- Talk to them and make it appear that you see their point of view.

## Control your tone of voice

- Speak clearly and in a controlled way. This will help people accept what you say.
- Do not raise your voice
- Focus on facts rather than opinion

- Do not use critical or sneering tones in your voice
- Never talk down to anyone

## Control your body language

- Physically relax
- Show you understand the person's feelings by nodding and smiling. This helps them to accept what you are saying or doing.
- Look confident, your body language should say "I am in control of the situation and I am paying attention to you."
- Maintain natural eye contact without staring.
- Look alert.
- Maintain self-control. You must never 'bite' if insults or threats are directed at you.
- Signal non-aggression. Keep your hands above your waist and use calming open palm gestures.
- Match energy levels. It is important to match the energy level of the other person. This does not mean that you should be 'aggressive' back; it means that you should quickly engage with the person and use your body language and tone to show that you are concerned and interested.
- Show empathy and listen actively. You can show that you are listening and understanding their problem without having to agree with their point of view.
- If the person is behaving unacceptably, you can use statements such as "I appreciate you are angry, but if you continue to shout and swear, you will leave me no option but to call the Police, which I don't want to have to do".

## Exit Strategy

When you are in a situation that you recognise as high risk, it may be necessary for you to exit the situation. This may be to remove yourself from immediate danger in order to call or wait for help to arrive, or to think about how to deal with the situation rationally.

Have a readymade reason to exit, such as "I'm afraid I can't make that decision, I will go and speak to a Manager about it". Note: Never turn your back on an aggressive person.

## Escorting Hold Examples



## Restraint Hold Examples



## Crisis Intervention (Security Officers)

Where possible, always call for available back up before rushing in. It may be difficult to summon help during a struggle. Try to keep the person talking long enough for backup/ the Police to arrive.

### If physical intervention is unavoidable

Use whole body movements (push with the body, pull with the arms). Move as close as possible to restrict the person's space and ability to generate power. Officers must communicate with each other at all times.

Avoid placing the person in a position where they may have difficulty breathing or where pressure is exerted against the diaphragm or chest, which could cause asphyxia.



If at any stage a person being restrained exhibits any signs of medical difficulties or distress the security officer(s) may have to consider **immediate release** or modify the restraint as far as practicable to achieve an immediate reduction in any restriction of breathing or to deal appropriately with a medical emergency.

Security officers must continually assess the situation and once it is under control, they should consider:

- the health and welfare of the person or others
- the appropriateness of any other lower level responses
- whether it is safe to reduce the level of restraint or release
- the appropriateness of the techniques in operation and associated risks of the position they are applied
- the duration of any restraint on the ground and ensure it is kept to a minimum

## After the Event

All incidents where force or restraint is used will be reported immediately to the Safeguarding and Inclusion Manager and the Principal. All incidents will be recorded.

All security officers involved should make an entry in their pocket notebook and complete an incident report. Security officers may record the incident using micro-cameras attached to their uniform providing that they inform the student when this is turned on and off.

A meeting shall be called for a debrief. This debrief should establish whether force used was:

- reasonable in the circumstances
- necessary
- no more than necessary

Topics of the debrief should include –

- What were the circumstances
- Why force was used
- Was there an urgent need to resolve the situation
- Were there another means available
- Did they try those means first
- Was the force being used stopped when no longer necessary

Any concerns about the techniques and methods used by any security staff involved must be reported to Olympian Head Office in writing as soon as possible in order that a root cause analysis can take place, and any preventive action can be assessed and planned.

The aim of the debrief is **NOT** to apportion blame, but to be used as a learning exercise to enhance future training and or operational events.

## What must be done with prohibited items seized following a search

Please refer all items to the Safeguarding and Inclusion Manager who will take the following actions. In the case of:

<b>Alcohol</b>	Dispose of in an appropriate manner
<b>Drugs</b>	Deliver to the Police or dispose of in an appropriate way if the Police advise to do so
<b>Stolen Items</b>	Contact the Police who will return to the owner if known
<b>Fireworks</b>	Handed to Health and Safety Officer
<b>Pornographic Images</b>	Refer to Safeguarding and Inclusion Manager
<b>Weapons</b>	Handed to the Police

## List of Staff Designated to Restrain and Search Students

Renate Broomhall  
Jacquie Carman  
Tim Crees  
Julie Edwards  
Lee Fletcher  
Mark Garratt  
Ann Lanni  
Lynn Pass  
Gill Pendry  
Penny Riddle  
David Roberton  
Olympian Security Staff  
Elizabeth Skipper  
Avril Swayne  
Joanne Williams

### Review

Reviewed/Approved	By	Date
Updated by	Jacquie Carman	18.10.17