

Good practice guide: Appropriate physical contact with learners and young people

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Introduction

Physical contact with learners and young people is sometimes necessary and proportionate in education and training settings. It can also be encouraging and positive when used appropriately. However, today, practitioners are no less fearful of physical (or sexual) harm allegations than before, even with the protection of clear policies and procedures. So how do you, as registrants, make the best decisions in sometimes difficult circumstances, to put the interests of the learner or young person first, and also to protect yourself?

This guide highlights what physical contact might be acceptable in your work setting. It also explains how best to prepare yourself for more difficult situations.

This is not regulatory or mandatory guidance. Scenarios have been included to help you think about and explore some of the issues which might arise, and how our advice might apply. We have also included examples of unacceptable practices where professional boundaries have clearly been crossed.

The Code

All Education Workforce Council (EWC) registrants are subject to the Code of Professional Conduct and Practice (the Code), which sets out the key principles of good conduct and practice for registrants. This guide should be read in conjunction with the Code.

The principles and expectations in the Code which refer to appropriate physical contact are:

1. Personal and Professional Responsibility

Registrants:

- 1.2 conduct relationships with learners and young people professionally by:
- ensuring any physical contact is necessary, reasonable, and proportionate
 - maintaining professional boundaries

2. Professional Integrity

Registrants:

- 2.1 are accountable for their conduct and professional competence

The Code is an important point of reference. Think about the five key principles and the expectations they place upon you. The Code will help you make the right decisions when faced with the challenges covered in this guide.

[The Code is available on our website.](#)

Making the best decisions in everyday practice

Today, the diverse nature of education and training in Wales means that, for many registrants, there is a high likelihood of physical contact with learners and young people. Day-to-day activities may seem innocuous, with little need to 'risk-assess' the setting and your behaviour with learners and young people.

But let us look at this a little differently. You may not have realised that everyday situations might leave you in a vulnerable position whilst practicing. Consider:

- if you have ever been alone with a learner or young person for study, assessment, or pastoral reasons
- for a learner or young person with specific emotional/behavioural needs, if you understand what their 'triggers' to react might be, and how best to respond
- if you are leading a sports-based activity, you are the lone adult
- whether you appreciate that necessary and/or proportionate touch might not be acceptable in all cultures and religions
- if off-site trips or visits might relax behaviours
- whether you would know how to safely restrain a learner or young person if you thought others were at risk of being hurt
- if you would know what to do if a learner or young person initiated physical contact with you

Are there any risks for you here? What if a learner or young person called your behaviour towards them into question in one of the above scenarios, whether false, misunderstood or mistaken? Difficult situations can arise very suddenly, sometimes calling for quick decisions to be made in seconds, both for a learner's or young person's protection, and your own.

In summary, there is an immense pressure on registrants to get decisions involving physical contact right.

The following key points of advice should help.

Raising your awareness: knowledge and skills

What physical contact might be OK?

The following examples illustrate situations where touching a learner or young person may be reasonable, necessary and/or proportionate:

- giving First Aid
- comforting a learner or young person who is injured, unwell, or upset
- preventing a learner or young person from harming themselves
- sports instruction or training demonstration
- moving a learner or young person away from danger
- preventing a learner or young person from harming others
- following an agreed Positive Handling Plan (PHP)
- administering medical treatment (where qualified, and where a designated responsibility)
- preventing a learner or young person from harming you

- moving a learner or young person who is causing disruption (physically directed)
- administering medication (where a designated responsibility)
- preventing a learner or young person from damaging property
- preventing a learner or young person from committing a criminal offence
- musical instruction

But how do you make sure you are behaving acceptably and professionally, even in the above situations?

Our advice is that you must familiarise yourself with, and apply the following guidance.

Follow mandatory guidance

We strongly encourage you to be conversant with the relevant national, mandatory guidance, and any amendments specific to your work sector and role. For example, Welsh Government guidance on Safe and Effective Intervention.

This extends to knowing any responsibility you may have as a practitioner under the Wales Safeguarding Procedures:

- read the relevant, mandatory guidance carefully
- understand what applies to you in your day-to-day work, and the protocols you may need to follow
- find out to whom you should turn to for support or further guidance in particular situations
- ask questions if you are not clear about any part of guidance which is relevant to your practice

Follow local policy and protocol

As well as targeted local guidance (for example, 'physical intervention'), protocols may also be embedded in other policies such as codes of conduct, safeguarding, behaviour/discipline, health and safety, administering medication, personal care and First Aid.

In specialised educational settings there should be manual handling protocols in place for, for example, learners and young people with age-related needs, or disabled learners/young people who need to be lifted or moved:

- take personal responsibility for finding out what your employer says about physical contact with learners and young people, this may be different in every sector/work place
- if in doubt, ask your employer to explain what it expects from you, what it would find acceptable, and how it says you should behave in certain situations
- if you don't feel equipped, ask your employer for training
- make sure you understand how to approach a situation as best you can, this guidance may include de-escalation techniques to avoid a situation which may otherwise lead to physical contact

Know your learners and young people

This may help inform day-to-day decisions where you believe physical contact may be reasonable, necessary, and proportionate:

- if your learners/young people have ALN (Additional Learning Needs), or other needs, know the specific plans/agreements in place
- develop an awareness of their needs, wants, and what may be unacceptable to them

What if things go wrong?

Early intervention can be invaluable.

Seek advice and support at the earliest possible stage from your line manager, trade union or at the very least, someone you trust. It can be a good idea to put events in writing for your own protection.

If you have an immediate safeguarding concern which could place a learner or young person at risk, and which therefore requires immediate intervention under the Wales Safeguarding Procedures, follow those procedures closely.

I don't have enough time to think...

You may not have much time to decide, and what is best may be difficult to make sense of in the chaos and confusion of a situation. Try to breathe for a few seconds if you can, to accurately assess the situation and evaluate risks, based on what you know and the support available around you.

If you do not feel equipped to deal with any situation which may lead to physical contact or intervention, ask for help immediately.

In all situations, keep the importance of maintaining the trust of your learners and young people, and their confidence in you as a professional at the forefront of your mind. Put their needs first, in order to protect yourself.

Breaches of the Code

The examples below are illustrative of cases where registrants (from all the registrant categories) have been subject to EWC disciplinary proceedings, as a result of not following procedures, and have made inappropriate physical contact with learners and young people.

In all cases, there has been a clear breach of the Code and the registrants received a range of disciplinary sanctions including, in some cases, being prohibited from practicing in the education workforce in the future.

A registrant:

- grabbed, hit, slapped, pulled, pushed, pinched, and struck learners causing red marks and bruises
- was convicted of assault for dragging a learner across the floor by his arm
- slapped a learner on the thigh after they failed to remove their legs from a library sofa when asked

- used inappropriate levels of force by holding a learner by the neck or shoulder area of their clothing, and pushing them up a flight of stairs
- hit a learner on the head and hands with a notebook in the classroom, against the disciplinary policy, after the learner refused to follow instructions
- sellotaped a learner's hands to a ball, to a desk, and to a chair
- attempted a 'wrap restraint' with a vulnerable learner when it was inappropriate to do so
- inappropriately touched a learner's face, feet, lifted them off the floor, allowed them to climb on their back, sit between their legs, stand on their hands, and stand on their chest

Further support

We offer presentations which focus on fitness to practise and the Code. If you or your employer would like to arrange one in the workplace, please contact us.

The [Code, and information about the EWC's fitness to practise work](#) are on our website.

If you require any of our publications in an alternative format, please contact us.

We welcome correspondence in Welsh and English.

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