

No	QUESTION	ACTION	CONFIRMED	
			Yes	No
INSURANCE				
1	Company Public and Employers liability insurance cover? (It is a legal requirement for all companies to have insurance) insurance	Check to see it		
2	Does it contain a specific inclusion for occupational physical skill instruction, restraint / intervention and breakaway / self-defence? (Should have as a minimum £5 Million cover)	Check to see it		
3	Do you have Professional Indemnity Insurance Cover? (Should have as a minimum £100,00 cover)	Check to see it		
If the provider cannot produce their Public and Employers Liability Insurance cover and Professional Indemnity cover policies cover with specific inclusion for physical restraint / intervention and / or breakaway / self-defence instruction do not engage their services and do not proceed further.				
QUALIFICATIONS / COMPETENCIES / ACCREDITATION				
4	Does the trainer possess a recognised Awarding Body Qualification or equivalent for the activity they are proposing to teach for you?	Ask to see it		
5	What certification are the offering to your staff? Is it an in-house certificate or one issued by a Awarding Body? The latter shows that the learning and assessment requirements will be to a nationally recognised standard.	Check for Confirmation		
6	Is the trainer / organisation Accredited by an Awarding Body (Edexcel, HABC, IQ, City & Guilds)? (Note: BILD is not an Awarding Body)	Ask the question		
7	Is the trainer in-date for their trainer accreditation?	Ask to see current certificates		
POLICIES, PROCEDURES, AUDITS & REVIEWS				
8	Has the training been subject to any form of legal assessment / audit to ensure legal accuracy?	Check to see it		
9	Has your training ever been subject to a medical review of the skills taught?	Ask to see it		
10	How does the training provider review & measure the appropriateness and effectiveness of their training?	Check to see it		
11	What procedures does the training provider have in place to internally &/or externally verify their training?	Ask for evidence		
12	What procedures does the training provider have in place for complaints and / or appeals?	Ask to see it		
RISK ASSESSMENTS & DUE DILIGENCE				
13	Has the training provider got a risk assessment for the training course they are proposing to deliver?	Ask to see it		
14	Restraint is a manual handling activity so ask to see the provider's manual handling risk assessment specific to restraint.	Ask to see it		
15	Do delegates complete medical questionnaires before each course?	Check to see it		
16	Do delegates complete a declaration of acceptance form or written contract outlining and identifying basic rules before training commences?	Check to see it		
17	Does the organisation have safety briefs for the course based on assessments of risk? (Pre-course, static & dynamic training briefs)	Check to see them		
LEGAL & HEALTH & SAFETY CONTENT				
18	The training should contain instruction on the law in relation to the use of physical force relative to the sector you are in?	Ask for evidence		
19	The training should provide Health and Safety advice / refer to any H&S Sections, Regulations or Guidance for staff relative to the sector you are in?	Ask for evidence		

PHYSICAL CONTENT			
It is imperative that for the staff to be able to learn, remember and recall what is being taught to them that the number of techniques are taught to a minimum and based on sound principles in relation to skill development. Ideally, no more than half-a dozen techniques should be taught.			
20	Breakaway Training: How many physical techniques are you proposing to teach?	Ask for reasoning / methodology	
21	Breakaway Training: What type of attacks will staff be learning to defend against?	Ask for reasoning / methodology	
22	Physical Restraint: Will you be instructing staff in non-harmful methods of control?	Ask for reasoning / methodology	
23	Physical Restraint: Will you be instructing staff in more restrictive methods of control?	Ask for reasoning / methodology	

GUIDANCE NOTES ON THE ABOVE QUESTIONS

1.	All companies / individuals should have at least £5 million public and employer's liability insurance cover. Although public liability cover is optional employers liability cover is not. Failing to check if a provider has such cover could make the local authority liable if an injury occurs and a claim is made – Note: <i>Martial Arts insurance may not be the appropriate cover for an occupational physical skills training programme</i> . The law has changed with effect from 28th February 2005 to exempt very small companies that employ only their owner from the requirement to have employers' liability compulsory insurance (see the Employers' Liability (Compulsory Insurance) (Amendment) Regulations 2004, SI 2004/2882).
2.	Check to see that any insurance cover has the activity/ activities of: Physical Intervention / Restraint & Disengagement / Breakaway included in the policy as the activities covered by it. Getting insurance cover specifically for these activities is very difficult and normally requires proof of qualifications / competencies so id a good filter for sorting through providers.
3.	Professional indemnity insurance protects businesses against compensation sought by a client if a training provider makes mistakes or they found to have been negligent. Professional indemnity insurance will also cover any legal costs. Most professionals carry professional indemnity cover. All consultants who are in the business of selling their knowledge or skills, should consider taking out professional indemnity insurance. Professional personal safety & physical skills instructors should also have this cover.
4.	Home Office 'approved' training and BILD 'accredited' training are not qualifications. Trainers should have an Awarding Body Qualification and / or the relevant competent experience in teaching the skills required to a competent level and be able to demonstrate and evidence that experience / competence. As a good practice measure all trainers should also have an educational learning and development qualification (i.e. PTLLS, CTLLS, DTLLS or equivalent) from one of the UK Educational Awarding Bodies (Edexcel, IQ, City and Guilds, etc.).
5.	Many training companies offer only in-house certification. This is ok, but it is generally not related to any form of audit or national standard in learning and assessment. An Awarding Body Qualification however (Edexcel, HABC, City & Guilds, IQ, NOCN, BIIAB, etc.,) is. Therefore ask what certification they will be providing for your staff once they have been trained.
6.	Many organisations and trainers will promote their services based on the fact that they are 'accredited' by an organisation. If they are offering an 'accredited' qualification or certification, ask to see their accreditation document / certificate. Note: BILD accreditation is only recognised by BILD. It is NOT a nationally recognised standard such as Edexcel, HABC, City & Guilds, IQ, NOCN, BIIAB, etc.
7.	All instructors should have a current certificate from whomever they are trained by that shows that they are in-date for their trainers accreditation.
8.	This will reduce the instructors and the local authority's liability by showing that an independent audit of the advice given is legally accurate.
9.	All credible training providers should be able to show a medical review of the skills / techniques that they are proposing to teach.
9.	A H&S review by an independent H&S professional would be good evidence to show how the training provider is monitoring and measuring their training in line with a risk control strategy.
10.	The training provider should also be able to demonstrate how they are monitoring and reviewing their own training skills and techniques as part of their own quality management.

11.	Can the training provider show how they are internally verifying their training and, if they are using additional trainers, how they externally verify that what they are teaching is correct.
12.	Equal Opportunity and Discrimination legislation should allow for any decision made by a training provider to be appealed against. For example, is a delegate failed a course the provider should be able to justify, in writing, their assessment criteria and inform an individual of their rights of appeal. This is a requirement of all sporting Governing Bodies and Educational Awarding Bodies such as BTEC, City & Guilds etc.
13.	If training is a risk control measure ask the provider to show how they have come to formally agree the system / syllabus they are proposing to teach. They should be able to provide documentation to support their answer in the form of a risk assessment or training needs analysis. Point to note: No provider should be teaching the prone restraint as a primary method of intervention due to the risk of death.
14.	Restraint is a manual handling activity (as defined by Health & Safety Guidance) so the training provider should be able to show you a manual handling risk assessment for what they are proposing to teach.
15.	If they are being asked to provide a specific course for staff ask them to demonstrate why what they are proposing to instruct will be right for staff.
15.	Medical questionnaires are important as they will highlight any injuries that delegates may have (past and present) and any medication that delegates may be on that they need to be aware of. Failure to do this may mask injuries that could be further affected by the training and as such may breach the duty of care owed to the delegate. As Restraint is a manual handling activity a manual-handling checklist should be used as a minimum for that activity in line with the Regulations.
16.	A declaration of acceptance is important as it gets the delegate to agree to the terms and conditions of the training. All delegates should sign such a document as it provides a contract between the trainer and the learner.
17.	Safety briefs are important and should be read at the beginning of the course and before any static (closed loop) and dynamic (open loop) training takes place and should be based on an assessment of risk so that the salient points to be covered in the brief have been identified by a formal process.
18.	If instructors are proposing to give advice and instruction in relation to the law then it would be feasible for them to have had some form of training. This should not require an instructor to hold a law degree, but they should be able to demonstrate their understanding of these areas and justify their advice given. If someone is going to give advice on the law and instruction in relation to the law, then they should be able to explain what Reasonable means and any other pieces of legislation that relate to the specific sector that they are proposing to teach in. Therefore, ask the provider to demonstrate their understanding of areas such as: Common Law, Criminal Law, the Human Rights Act and various other pieces of legislation that may relate to your sector, such as the Children Act, The United Nations Convention on the Rights of the Child, and any relevant supporting guidance issued under a statutory instrument. This is important when you consider point 3 above - Professional indemnity insurance.
19.	With regard to Health & Safety legislation, does the training work within a hierarchy of control measures. For example, Breakaway and Restraint should be a last resort option but how is this being demonstrated and taught to staff. Does the provider show the relevant H&S Sections and Regulations and what models, if any, do they use to illustrate their advice and guidance? Again, this is important when you consider point 3 above - Professional indemnity insurance.
20.	The more techniques that are taught the less staff will remember and / or be able to recall under pressure and distress. If too many techniques are taught then we have to ask why and get the provider to justify their answer. If they state that it is because that is the "National Standard" be careful as no "National or International Standard" exists. It would also be apparent that the provider is unaware of the relationship between motor learning and performance and as such has had no formal training in this area and is possibly does not hold a recognized instructional / coaching award.
21.	Many Breakaway courses teach a wide range of defences against attacks including: wrist grabs, hair grabs (front & rear), collar grabs, strangles (front & rear), bear-hugs (front & rear), ear grabs and floor techniques. In some programmes 14 different techniques are taught to defend against 14 different types of attacks. However, the programmes omit to cover the most common types of assault that staff are exposed to such as: punches, slaps, kicking, biting, pushing and shoving, which are all mainly front-on assaults. Therefore, some techniques are taught that are not needed, some that are needed are not taught, and too many techniques are taught that staff will forget. You only need to provide training that meets the types of assault that your staff are foreseeably likely to be exposed to. Therefore ask you prospective training provider how they will meet that need.

22.	Non-harmful methods of control are important and should be included in every training programme. They provide a low-level approach to using force and are preferable to just using more higher-level restrictive techniques. However, although non-harmful methods of control are preferable it has to be accepted that they are limited by design and so will fail when attempted in situations of high risk. This may increase the risk of injury and also fatality.
23.	Restrictive intervention will involve the use techniques that have a higher potential to cause harm and as such are 'disapproved of' by many instructors / agencies who advocate that they "cannot be used" as they form the basis of abuse. However, a restrictive intervention must be considered where a non-harmful method of control is likely to fail and where the risk of positional asphyxiation can be reduced by its implementation. This is a legal requirement under the duty of care owed to your staff and client group. Be wary of any provider that tells you that the use of a restrictive technique is "illegal". This shows a clear lack of understanding of the law and can leave you as a commissioning agency very culpable for any injury or harm that could occur.