




Safe Touch Policy

2021

Date adopted by the governing body	6 th October 2021
Date to be reviewed	October 2023
Signed: Chair of Governors	
Signed: Headteacher	<i>Becky Reed</i>

Our Aims:

This policy has been created to:

- Define and describe what Safe Touch and Positive Handling means, when and where they may be used and what this may entail
- Support the Behaviour Policy in terms of the use of Safe Touch and Positive Handling procedures within school
- Outline acceptable and unacceptable use of touch within school
- Outline the Legal Framework and responsibilities around Positive Handling, its use within school and the professional responsibilities of staff working within school
- Outline the use of risk assessments and risk reduction plans and how these are used within school to support vulnerable children with challenging behaviour, as well as those around them
- Provide information for staff with regard to their rights and responsibilities regarding safe touch, and what to do should an incident occur
- Provide template paperwork for recording in the event of Positive Handling being necessary

Underpinning Values

Everyone attending or working in this school has a right to:

- recognition of their unique identity
- be treated with respect and dignity
- learn and work in a safe environment
- be protected from harm, violence, assault and acts of verbal abuse

Children attending this school and their parents have a right to:

- individual consideration of the child's needs by staff who have responsibility for their care and protection
- expect staff to undertake duties and responsibilities in accordance with school policies
- be informed about school rules, relevant policies and expected conduct of children and staff in school
- expect risk assessments and risk reduction plans to be designed to achieve outcomes that reflect the best interests of the child, and for all staff to be aware of and work in accordance with them
- be informed about the school's complaints procedure

Definition of Safe and Acceptable Touch and Unacceptable Touch:

Safe Touch in this document refers to the use of physical contact between adults and children whilst they are under our care, both on and off site.

Safe Touch may take the form of positive touch. Examples include but are not limited to:

- Holding a child's hand moving through the school, at playtime or on school visits
- Placing a hand on their head or back to congratulate them on an achievement
- Sitting a child on their lap due to distress or finding it difficult to cope in particular situations for example during assembly, visits to the theatre, or visitors from outside the school community, or when a child is physically hurt
- Hugging a child when approached by that child, for comfort, or as an expression of affection by the child, where possible side hugs with one arm will be used, (side hugs will always be used for children bigger than waist height).
- Any reasonable and appropriate use of touch to convey warmth, positivity and comfort
- Some children are involved in nurture programmes where some needs may be met through a range of touch to enable emotional development. Information about these activities will be provided for parents through Additional Needs Plans and review meetings, and consent from parents will be sought where touch is used regularly as a planned strategy
- When a child is not distressed it is expected that children will initiate contact rather than adults. In order to prevent a child from feeling dismissed which may be distressing for our vulnerable children the adult will respond appropriately to ensure the child feels validated

Safe Touch may also take the form of a Behaviour Management strategy to ensure that children and adults within the school environment are safe and that property is not excessively damaged due to challenging behaviour. This is known as Positive Handling. Positive Handling may take the form of, but is not limited to:

- Physically interposing between children
- Removing objects to prevent harm to others, self or damage to property
- Blocking a child's path
- Pushes or Pulls
- Leading a child by the hand or arm
- Shepherding a child away by placing a hand in the centre of the back or using "caring cs";
- Holding; or (in extreme circumstances) using more restrictive holds and manoeuvres to move children away from challenging situations

Unacceptable Touch:

- Hitting
- Deliberately inflicting pain
- Any restriction of breathing
- Contact with sexually sensitive areas
- Any contact with a child that may make them feel uncomfortable, unless this needs to be carried out under the legal framework as laid out below

Safe Handling may be used for the examples below but are not limited to these:

- A child attacks a member of staff, or another child
- Children fighting
- A child is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- A child is running in a corridor or on a stairway in a way in which s/he might have or cause an accident likely to injure him/herself or others
- A child absconds from a class or tries to leave school (NB this will only apply if a child could be at risk if not kept in the classroom or at school)
- A child persistently refuses to obey an order to leave a classroom (although where possible the other children are likely to be removed)
- A child is behaving in such a way that is seriously disrupting the learning for the other children (although where possible the other children are likely to be removed)

Changing Children after Toileting Accidents

- Children are expected to be fully toilet trained before coming to school unless there is a medical need or disability. However, we do understand that some children have relapses and that accidents can occur for a number of reasons
- If a child has a medical need then a plan will be in place alongside discussions with the parent to ensure that needs are met effectively
- One adult only is expected to be present during changing following wetting or soiling accidents, but in some circumstances it may be decided that two adults is a preferred option
- If a child is wet then the adult will support the child in changing clothes but the child is expected to be able to make themselves clean
- If a child has soiled their clothes then most will be expected to clean themselves and change their own clothes
- For younger children or those who cannot manage to clean themselves up then the adults will encourage them to have a go at cleaning themselves before intervening
- If incidents are happening regularly then parents may be asked to come into school to change the child to prevent disruption to the learning of other children

Visits Out of School

Our vision at Chantry is that all children are included in all curriculum activities. However, Health and Safety remains a priority and staff should carry out risk assessments for children that may be a possible danger prior to each visit into the community. Due consideration should be given to the following:

- Is the child able to cope with the demands of the proposed visit?
- Are there sufficient, suitably trained staff, particularly if there should be an incident?
- How will you contact school to get extra help if necessary and how will you get back?
- Has sufficient preparation been put in place for a successful visit?

Legal Framework

Section 550A of the Education Act 1996 and DFEE Circular 10/98 allow teachers, and other members of staff at school who are authorised by the Headteacher (see Appendix), to use such force as is **reasonable** in circumstances where the child may need to be prevented from engaging in behaviours which are **likely to cause injury to themselves, others or damage to property**. The guidance extends this to **maintaining good order and discipline, for both on-site and off-site activities**. Positive handling should be **limited to emergency situations** and **used only in the last resort**.

There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed. Reasonable minimal force must be a matter of personal judgement. All teachers have a professional 'duty of care' within their job description which is underwritten by paragraph 58.7 of School Teachers' Pay and Conditions Document 2002. Together with the legislative framework this enables **teachers and all other members of staff** in the school, authorised by the Headteacher, to use such force as is reasonable in the circumstances.

Risk Assessment and Minimising the Need to Use Force

We recognise the use of reasonable force is only one strategy available to safeguard children and our Safe Touch policy is part of our management of all children's wellbeing. Also see our Behaviour Policy.

Although most young people at Chantry will never require any form of safe handling, some children may exhibit dysregulation during their time with us. It is therefore necessary to carry out risk assessments for some individuals.

We attempt to reduce risk by managing:

- **The environment** – exploring specific needs of the child and how they respond to the environment around them
- **Body language** – using non-confrontational body language where possible and being aware of a child's history and possible triggers
- **The way we talk** – de-escalating situations using calm tone of voice and being aware of pitch, allowing "face saving" time where possible
- **The way we act** – ensuring that children feel they are cared about and respected, allowing space and time for their views to be listened to.
- **Providing proactive and preventative measures** - Our use of the Empowerment Approach throughout the school supports this. Staff training takes place regularly to ensure staff have an understanding of language patterns and strategies that may support children in a distressed state.

Some children who exhibit dysregulation on a regular basis are provided with additional risk assessments or risk reduction plans. These take account of additional needs (ASD, ADHD, Sensory, SEMH, trauma for example) and provide strategies and information on how incidents are to be managed. The class teacher is responsible for ensuring strategies are in place consistently. The SENCO is responsible alongside the class teacher and the school's Senior Leadership Team for evaluating these procedures and making appropriate adaptations. These are reviewed alongside the Additional Needs Plan review cycle, or where changes or

escalation in need or circumstance occur. Examples of items named in Risk Assessments may include but are not limited to:

- Boxes or activities that children can move to or can be directed towards by an adult when they are experiencing strong feelings
- Stress toys in the classroom for easy access
- Named adults to provide a safe space for children to go to for support
- An awareness of children's needs in order to prevent behaviours being triggered
- Use of Empowerment Approach strategies across the school or in a more targeted way
- Removing the child or the other children from a space when behaviour becomes unmanageable
- Use of the Calm Room when the child is exhibiting behaviours that are dangerous to themselves or others

Through the PSHE curriculum children learn about feelings and managing conflict, as appropriate to their level of development.

The Empowerment Approach is our focus for Behaviour Support within school and staff receive regular training for this.

A nurture team is in place at Chantry to support children with additional needs that may lead to dysregulation requiring Positive Handling.

Support from outside agencies such as ESBAS, CLASS, the Virtual School for Looked After Children or Key Workers may also be called upon to support the child's needs.

We recognise the importance of working closely with parents and carers of high need children. Parents/carers receive copies of the risk assessment or risk reduction plan, and be given an opportunity to provide feedback and make changes in consultation with the school.

Staff subjected to physical violence or assault have the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant.

Positive Handling will only be used when the risks involved in doing so, are outweighed by the risks presented by not using this form of containment. For further information with regard to policies surrounding challenging behaviour and strategies used to target this, please see the school Behaviour Policy.

Responsibilities:

The Headteacher and Health and Safety Officer have a responsibility to ensure that there are trained members of staff who can provide Safe Handling should this be necessary. It is the responsibility of the Head teacher to ensure staff understand the methods outlined in this policy. Any new member of staff will be provided with this policy as part of their induction training.

Keeping staff up to date is important as they are expected to be able to actively support each other, and children, if an incident occurs and a child needs physical intervention to keep themselves and/or others safe. However, if staff are unable to support physically they are expected to support with de-escalation or seeking help from others.

Parent/Carer Complaints

Teachers have a duty of care to the young people in school and cannot escape the legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by staff should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation. All complaints are dealt with according to the school's Complaints Policy and procedures.

Adhering to the principles and procedures referred to in this policy is part of effective practice and should minimise risk to children in our care and enhance staff protection.

Injury to the Child

Whilst Safe Handling is intended to reduce risk, there is always risk when force is engaged to protect, release or restrain. We will always seek to avoid injury to the child, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the child remains safe. Any such injury will be reported to the Head teacher and parents / carers. Almost all staff are trained in First Aid.

Staff Rights, Responsibilities and Procedures

As stated above, Staff have a legal responsibility and Duty of Care to all those at Chantry. All teachers, staff and the Head teacher are authorised to have control or charge of children automatically, they have the statutory power to use reasonable force within the context of The Education and Inspections Act 2006 and the subsequent guidance 'The Use of Reasonable Force to Control and Restrain Pupils'. Supply staff must ensure that they are familiar with this policy.

Authorisation is not given to volunteers, students on placement, visitors or parents as they will not have control of children who may present with challenging behaviour, but will be supervised at all times.

There are some situations where a staff member should not intervene physically without help. Assistance should be sought when dealing with:

- A physically large child
- More than one child
- When the teacher believes that s/he may be at risk of injury

In those circumstances where the member of staff has decided that it is not appropriate to restrain the child without help they should:

- Remove other children who might be at risk

- Summon assistance from colleagues
- Where necessary, telephone the police
- Inform the child(ren) that help will be arriving
- Until assistance arrives, the member of staff should continue to attempt to defuse the situation verbally, and try to prevent the incident from escalating

The use of the Empowerment Approach strategies as provided during INSET, Twilight and staff Professional Development Meetings should be employed to support the child with the emotions they are experiencing and allow a de-escalation of the situation.

Staff Support Following Incidents

Any member of staff or child at the school involved in or witnessing a serious incident involving the use of physical hold, may require additional support following the incident. Staff should ensure that they are fully recovered from an incident, both physically and emotionally, before resuming their duties and colleagues are encouraged to seek and offer support where necessary. Where staff have been involved in an incident they should have access to support; this will be made available/supported through the Senior Leadership Team. Staff may also contact the Local Authority CYPs Counselling Line. Staff subjected to physical violence or assault have the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant.

Recording

Staff should record all incidents of positive handling (including restraint) on CPOMS in accordance with this policy, and report these to the DSLs (Head teacher, Assistant Heads). For incidents where children are held for a short time (less than two minutes) and are held regularly Running Records are stored in Staff Only>Risk Assessments>relevant year>child's name. They should be completed with clear details on:

- Staff member(s) involved (including any who were observing the incident)
- How long the hold was for
- A brief outline of context, type of hold, de-escalation methods, what happened once the child was calm

Where there has been a higher level incident of positive handling (child being held multiple times, for longer periods than two minutes, where injury has occurred to staff member or child, where it is unusual for positive handling to be needed for that child) this should be recorded on CPOMS in accordance with this policy, and report these to the DSLs (Head teacher, Assistant Heads). More comprehensive report should also be made. Master copies can be found in Staff Only>Risk Assessments>relevant year>child's name.

- Factors necessitating physical intervention
- The strategies which were employed prior to using physical intervention

- What kind of physical intervention was employed, how many times, for how long
- Outcome of restraint
- Any other action taken in the management of the incident
- Parents/carers should be contacted as soon as possible after the incident and the report sent home to them

Whistle Blowing

It is acknowledged that under some circumstances, physical intervention can be misapplied. Staff are reminded that part of their duty of care to children includes the requirement to report any such matters which cause them concern in relation to children's management and welfare. Any such concerns should be raised with the Head teacher, or with the Chair of Governors, in order to allow concerns to be addressed and practice improved. The following documents will be taken into consideration:

- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff Code of Conduct
- School Behaviour Policy
- Exclusions Procedure. In the case of violence or assault against a member of staff this may be considered. The member of staff will be kept informed of any action taken.
- In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

This policy has important links to the following policies:

- Equality
- Behaviour and Anti-bullying policy
- Exclusions Policy
- Complaints Procedure
- Whistle-blowing Policy

This policy also has links to specific named children with individual risk assessments (see Risk Assessment file, staff only)

Appendices

Appendix 1:

Staff Report Form Following an Incident of Safe Handling **(This needs to be linked to CPOMS along with a brief description of the incident recorded)**

Date and Time	Name of Child/ren involved	Name of Staff Member/s involved	Does this child have a consent form for Safe Handling?
What happened in the build up to the incident?			
What happened that necessitated physical intervention (Safe Handling?)			
What strategies were used to diffuse the situation before Safe Handling was employed?			
What form did the Safe Handling take? (How many adults; were they held, if so, how; how long were they held for; where were they taken etc)			
What was the outcome of the Safe Handling? (The child calmed down (after how long?), the child left the room when they were previously refusing, environment was made safe again, children in class were able to continue their work eg)			
Were there any other sanctions employed following the Safe Handling (child has internal exclusion, external exclusion, missed playtimes, permanent exclusion eg)			
Was anybody hurt during the Safe Handling? (Adults, other children, child being Safe Handled) Please detail. (Where, how severely, how did it happen, was any treatment needed wither immediately or at a later date.)			
Parents to be contacted as soon as practicable after the incident with information from above. Notes from conversation with parent recorded below:			

Appendix 2: Letter for consent to parents for Positive Handling (to be pasted onto headed paper)

Dear XXX,

Following our discussion around XXX needs and the fact that at times he may need to be held, I am enclosing a form for you to sign. It outlines that you understand:

- the reasons we may hold XXX (his own safety, others' safety, to prevent damage to property, to prevent him absconding from the school grounds)
- that we have a number of staff trained in handling children (through MAPA or Team Teach) where needed, but that there may be times when a trained person is not immediately available and he may be held by someone without full training
- that we work hard at Chantry to have protective measures in place (as outlined in XXX Additional Needs Plan and Risk Assessment – also enclosed), and attempt to use de-escalation strategies wherever possible to prevent holding being necessary, but that at times XXX will need holding for the reasons stated above
- if there is a significant incident and XXX needs to be held for a long period of time (in excess of 5 minutes) a full report form will be completed and sent home to you
- that if XXX is held for short periods of time you will be informed verbally, and you are welcome to request a meeting or full report if you feel this is necessary. A rolling log of these is available with brief outline of what happened
- that a risk assessment of XXX needs and behaviours is in place (copy enclosed) and that all staff are aware of it
- you have the right to request the paperwork around holding XXX at any time and it will be provided for you as soon as practically possible

I have enclosed a copy of our Safe Touch Policy, XXX Additional Needs Plan and Risk Assessment for you to read so that you feel confident in understanding how we work at Chantry to keep your child safe.

If you have any further questions please don't hesitate to contact me.

Many thanks for your ongoing support,

Helen Drake
(SENCO)

I have had a discussion with the SENCO regarding my child's needs. I have had input with and have a good understanding of strategies in place to support my child. I fully understand that my child may be held by members of staff at Chantry if needed as outlined in the Safe Touch Policy, Additional Needs Plan and Risk Assessment (enclosed with this letter). I give permission for staff at Chantry to hold XXX as needed as part of the support for his needs.

Signed: _____ **Print Name:** _____ **Date:** _____