





## Safe Touch Policy

Date adopted by the governing body	15 <sup>th</sup> June 2022
Date to be reviewed	June 2023
Signed: Chair of Governors	
Signed: Headteacher	

## **Aims**

This policy has been created to:

- Define and describe what Safe Touch and Safe Handling means, when and where they may be used by staff
- Support the Behaviour Policy in terms of the use of Safe Touch and Safe Handling (Restraint) procedures
- Outline acceptable touch, and unacceptable touch
- Outline the Legal Framework around Safe Handling, it's use within school and the professional responsibilities of staff
- Outline the use of risk assessments and plans, and how these are used to support vulnerable pupils and others around them
- Outline responsibilities for the carrying out of Safe Handling and safe touch procedures, and who is responsible for staff training
- Provide information for staff for their rights and responsibilities, and procedures when an incident occurs
- Provide template paperwork to be used in the event of Safe Handling
- Provide clarity on recording an incident of safe touch

## **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

Pupils and parents/carers have a right to:

- consideration of individual pupil needs (vulnerabilities, SEND)
- information about linked policies and where to gain access to them
- information about staff duties and responsibilities, legal requirements around these
- information about the expected conduct of pupils and staff
- Risk Assessments and plans designed to reflect the best interests of the child, and others affected by distressed behaviour
- information 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 acceptable physical contact between adults and children, on the school grounds or offsite (school visits e.g).

Examples include but are not limited to:

- Holding a child's hand
- Placing a hand on their upper back or shoulder (for praise e.g.)
- A child sitting on their lap (distressed behaviours, difficulty coping in particular situations, physically hurt e.g.). This may be recorded in plans or Risk Assessments

- Hugging a child when approached for comfort or expressing affection
- Touch to convey warmth, positivity and comfort on appropriate zones of the body (shoulder, upper back e.g.)

When a child is not distressed it is expected that children initiate contact rather than adults. In order to prevent a child from feeling dismissed or rejected the adult will respond appropriately to ensure the child feels validated. For older children, a “side hug” will be used when sought by the child.

Staff are responsible for ensuring that they conduct themselves in a manner that they feel comfortable with, and that prevents vulnerability.

### **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 understand that some children have relapses and that accidents can occur.
- Wetting: the adult may support changing clothes but the child is expected to be able to make themselves clean. One adult is expected to be present, when this is possible and other children’s supervision and safety is ensured.
- Soiling: most children are expected to clean themselves and change their own clothes. For younger children or those with SEND, adults may encourage them to have a go at cleaning themselves before intervening to ensure they are properly clean, and in some cases clean the child to prevent health risks. One adult is expected to be present when this is possible and other children’s supervision and safety is ensured.
- If incidents are happening regularly then parents are asked to come into school to provide input on a plan, and referrals to health professionals (school nurse e.g.) may follow.

**Safe Touch** also includes specific Behaviour Support. Examples include but are not limited to:

- Physically interposing between pupils
- Removing objects to prevent harm to others, self or damage to property
- Blocking a pupil’s path
- Holding a pupil’s hand
- Shepherding a pupil away by placing a hand in the centre of the back or using “caring cs” (Team Teach strategy)

Safe Touch that involves holding a child to ensure that children and adults are safe and that property is not excessively damaged is recorded as **Safe Handling**. Safe Handling may take the form of, but is not limited to:

- Shepherding a pupil away by placing a hand in the centre of the back or using “caring cs” (Team Teach strategy) ;
- Holding; or
- (In extreme circumstances) using more restrictive holds and manoeuvres to move children away from challenging circumstances

### **Unacceptable Touch:**

- Hitting

- Deliberately inflicting pain
- Restricting 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 (see below)

**Safe Handling may be used for, but are not limited to:**

- A pupil physically hurting a member of staff, or another pupil
- Pupils fighting
- A pupil causing, or at risk of causing, injury or damage by accident, rough play, or misuse of dangerous materials, substances or objects
- A pupil running in a corridor or stairway in a way which may cause an accident likely to injure him/herself or others
- A pupil absconding from class or school (this only applies if a pupil is at risk if not kept in the classroom or at school). If a child absconds from school the police will be called and informed that a vulnerable child is missing. Pupils are informed of this if they are attempting to abscond. Parents/Carers are informed if this occurs. Staff may be unable to follow the child.
- A pupil persistently refuses to obey an order to leave a classroom or is behaving in such a way that is seriously disrupting a lesson (other strategies applied first. See Behaviour Policy).

**Visits Out of School**

Our equal opportunities policy states that all pupils should be included in all curriculum activities. However, Health and Safety remains a priority and staff should carry out risk assessments for pupils that may be a possible danger prior to each visit into the community. Due consideration should be given to the following:

- Is the pupil 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 the school be contacted for assistance, who will this be and is safe return to school grounds possible should an incident occur?
- For some children, in order to necessitate safe attendance, parents/carers may be asked to attend and support their child.

**Legal Framework**

Section 550A of the Education Act 1996 and DFEE Circular 10/98 expects staff, with authorisation by the Head teacher, to use such force as is **reasonable** in circumstances where the pupil 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**.

There is no legal definition of reasonable force. The Criminal Law Act (1967) states any person can use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault).

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 provides a responsibility for

teachers and other members of staff in the school to use safe touch and safe handling such as is reasonable in the circumstances. Reasonable minimal force is a matter of personal judgement, and staff will undertake dynamic Risk Assessments during an incident.

At Chantry we always seek first to use de-escalation and therapeutic strategies. A child who demonstrates repeated distressed behaviour has a Risk Assessment or plan that outlines procedures when incidents occur. Positive handling is **used only as the last resort**.

### **Minimising the Need for Positive Handling**

At Chantry training and policy underpin our ethos that distressed children need support. Empowerment Approach and Therapeutic Thinking strategies minimise the need for Safe Handling.

This policy is part of our overall pastoral care procedures. See our Behaviour Policy and SEND Policy for details of day to day strategies used to support all pupils, including vulnerable pupils, meet expectations.

Most young people at Chantry will never require any form of safe handling. Staff may need to provide support for some young people who exhibit distressed behaviour.

Planning and de-escalation strategies include but are not limited to:

- Looking at our environment – exploring specific needs of some children (children with ASD, ASC or Social, Emotional, Mental Health (SEMH) difficulties e.g.) and how they respond to the environment around them. Strategies for support (ability to remove themselves from overwhelming situations, mentors or 1:1 support for those children, additional spaces for unstructured times, alternative work spaces or conditions e.g.) are then put in place for this. The class teacher is responsible for ensuring strategies are in place consistently. The SENCO is responsible alongside the class teacher and the Senior Leadership Team for evaluating these procedures when they reach Wave 2 (see SEND Policy).
- Body language – staff use non-confrontational body language with an awareness of children's history and possible stressors that may trigger distressed behaviours.
- The way we talk – staff use a calm tone of voice and are aware of pitch when supporting children with distressed behaviour. Language is based in the Empowerment Approach and Therapeutic Thinking. Some children may have a Risk Assessment or plan that includes a script. All staff are expected to use this when supporting these specific children.
- The way we act – staff demonstrate kindness and care for our children's wellbeing, space and time is provided for follow up conversations and restorative practice. Equity is ensured by taking into account gender, race, religion, disability and sexuality, as well as any additional vulnerabilities such as SEND, English as a Second Language (ESL), or trauma/ACES/Attachment difficulties.

We recognise that all children can demonstrate distressed behaviours when things go wrong or additional stressors occur in their lives. We have a nurture team, therapeutic support, an Educational Mental Health Practitioner and coaches to support this. Safe adults, alternative spaces (including support for unstructured times and our calm room) and regulation activities are also provided as required.

Through the RSHE curriculum pupils learn about emotions, empathy and managing conflict (Empowerment Approach, Neuroninja, e.g.). See RSHE Policy for further details.

Safe Handling is used in the best interests of the child and when the risks involved in doing so are outweighed by those if intervention does not occur.

Response to distressed behaviour, is graduated and outlined in our Behaviour Policy

### **Responsibilities:**

The Head teacher and Health and Safety Officer have a responsibility to ensure that training for members of staff who can provide Safe Handling occurs.

It is the responsibility of the Head teacher to ensure all staff understand the methods outlined in the Behaviour and Safe Touch Policies. Any new member of staff will be provided with these as part of their induction.

All staff need to make themselves aware of and adhere to Risk Assessments and plans provided for them, as well as follow procedures outlined in the Safe Touch and Behaviour Policies.

Staff have a Duty of Care to ensure the safety of themselves and all those within school, which may include the use of Safe Handling.

The staff member who first supports the behaviour is responsible for recording the incident on CPOMS (Safe Touch that does not include holding) or through paperwork (incidents when holding occurs) when this is required. Other adults will then add to this to ensure that a full and accurate picture is provided. For incidents of holding, parents/carers will be informed the same day.

Where injury has occurred to a member of staff, Accident and Injury Forms must be completed by that member of staff.

### **Parent Complaints**

Staff have a duty of care to young people and cannot escape legal responsibility by avoiding taking necessary action. Good relationships and clear communication with parents/carers, together with a clear policy adhered to consistently reduces incidents of conflict and complaint. It will not prevent all complaints, and a dispute about the use of force by a member of staff may lead to investigation. Complaints are supported through the School's Complaints Policy.

For children with Risk Assessments that outline Safe Handling may be needed, permission may be sought from parents (see Appendix 2). Not gaining this permission does not diminish legal responsibility however, and Safe Handling will be used if necessary.

### **Injury to the Child**

Although intended to reduce risk of injury, there is always risk when Safe Handling is needed. We will always seek to avoid injury to the child, but bruising or scratching may occur. These are not necessarily a failure of 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. The school has First Aid trained members of staff who may be called upon to apply First Aid or seek further guidance.

### **Staff Rights, Responsibilities and Procedures**

Staff have a legal responsibility and Duty of Care to all at Chantry. All teachers, staff and the Head teacher are authorised to have “control or charge of pupils” 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, as well as any additional Risk Assessments or plans in place for individual children.

Authorisation is not given to volunteers, students on placement, visitors or parents as they will not have sufficient relationships, experience, or understanding of additional needs or plans of individual children.

Adhering to the principles and procedures referred to in this policy statement is part of effective practice and minimises risk to young people and staff.

There are some situations where a staff member should not intervene physically without support. Assistance must be sought for:

- A physically large pupil
- More than one pupil
- 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 use Safe Handling without assistance, they must:

- Remove other pupils who might be at risk
- Summon assistance from colleagues
- Inform the pupil(s) that help will be arriving
- Until assistance arrives, continue to attempt to de-escalate the situation verbally

### **Staff Support Following Incidents**

Staff or pupils involved in or witnessing a serious incident involving the use of physical hold may require additional support following this.

Staff should ensure that they are fully recovered, both physically and emotionally, before resuming their duties and colleagues are encouraged to offer support where necessary. They may be released from duties for the rest of the day if deemed appropriate. Staff are responsible for monitoring their own wellbeing around incidents and informing Senior Leadership Team if they feel they are unable to continue work for that day.

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

Where staff have been involved in an incident involving reasonable force, they have access to support made available through the Senior Leadership Team. Staff can also contact the Local Authority Employee Assistance Programme (EAP) on 0333 212 8382.

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 who have dealt with distressed behaviour in the first instance record this using CPOMS. Others involved later will add to this to provide a clear and accurate picture. Where Safe Handling has been used additional paperwork provides a more extensive picture (See Appendix 1). This is completed by those who have taken part in Safe Handling. It is added to the CPOMS report, and a copy is sent to parents/carers as soon as is reasonably possible (usually by the next working day). Parents/Carers will be informed face to face or by phone call the same day if Safe Handling occurs.

Details to be recorded (see Appendix 1):

- Date and Time
- Name of child/ren
- Name of Staff member/s
- What occurred prior to safe handling
- What happened that meant safe handling was required
- Strategies used to de-escalate prior to safe handling
- What form the safe handling took
- The outcome of safe handling
- Consequences (protective or educational) in place following the safe handling
- Injuries sustained prior to or during the safe handling due to the incident
- Notes recorded from conversation with the parent/carer
- Any additional relevant information

### **Whistle Blowing**

It is acknowledged that under some circumstances physical intervention can be misapplied. Part of staff members' duty of care to pupils includes the requirement to report matters which cause concern in relation to pupil wellbeing and behaviour support. Concerns should be raised with the Head teacher in the first instance, or with the Chair of Governors where the incident includes the Head teacher. The following documents will be taken into consideration:

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

This policy has links to the following policies:

- Equality Policy
- Behaviour Policy
- SEND Policy
- Complaints Policy
- Whistle-blowing Policy
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This policy also has links to specific named children with individual Risk



Assessments or plans (staff only).

## **Appendices**

Appendix 1:

Staff report

### **Staff Report Form Following an Incident of Safe Handling**

This form must be completed by those supporting distressed behaviour through Safe Handling. It may be completed by more than one member of staff depending on who was present at each of the stages outlined below. Staff must record their names before their contribution for clarity.

Date and Time	Name of Child/ren	Name of Staff Member/s
<b>What occurred prior to safe handling?</b>		
<b>What happened that meant safe handling was required?</b>		
<b>Strategies used to de-escalate before Safe Handling?</b>		
<b>What form did the Safe Handling take? (How many adults; type of hold used; how long were they held for; where were they taken to regulate etc)</b>		
<b>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)</b>		
<b>If known: consequences (protective and educational) following Safe Handling (alternative learning or unstructured spaces, therapeutic or nurture intervention, additional adult input, referral to outside agencies, part time timetable e.g.)</b>		
<b>Injury sustained prior to or during Safe Handling (directly related to the incident)? (Adults, other children, child being Safe Handled)</b> <b>Please detail. (Where, how severely, how did it happen, was any treatment needed either immediately or at a later date.) Accident and Injury Form MUST be completed for adult injury. Parents/Carers MUST be informed of any injuries when meeting or phone call occurs.</b>		
<b>Parents to be contacted on the same day with above information (face to face or phone call). Notes from conversation below:</b>		
<b>Any Additional information (Plans or Risk Assessments linked to the child, relevant contextual information, permission for Safe Handling provided by parent/carer e.g.):</b>		

Incident to be recorded on CPOMS by adult who supported the behaviour in the FIRST

**INSTANCE.** Other adults to add to this to provide a clear and accurate picture. Paperwork, including this form and any accident and injury forms, to be uploaded as part of CPOMS recording.

Appendix 2:  
Consent form for parents.

### **Safe Handling Consent Form**

This form is provided for parents/carers of children who present with distressed behaviours and may therefore need additional support, including Safe Handling. Safe Handling is used when de-escalation strategies, or those outlined in a child's individual Risk Assessment or plan, have been used and have not been effective, or when an incident escalates quickly and in such a way that makes Safe Handling a necessity. Please see the attached ***Safe Touch Policy*** which provides further information.

Permission for Safe Handling is not a legal requirement. At Chantry we strive to build strong partnerships with parents/carers, working as a team for the best interests of the children in our care.

All staff at Chantry CP School have a legal responsibility to use Safe Handling to prevent children from hurting themselves or others, from severely damaging property or from absconding from school grounds where this puts them at risk. Authority in this is provided by the Head teacher, and while several members of staff are trained in Safe Handling (Team Teach), all staff are legally expected to step in to prevent situations becoming unsafe for those in school (Section 550A of the Education Act 1996 and DFEE Circular 10/98).

Many thanks for your ongoing support,

Helen Drake  
(SENCO)

Child's Name: \_\_\_\_\_

Parent/Carer's name: \_\_\_\_\_

Date of signing: \_\_\_\_\_

I have received the school's Safe Touch and Behaviour Policies



I have read and understood the above Policies

☐

I give permission for Safe Handling of my child in the circumstances laid out by the Safe Touch Policy, and understand that I will be contacted with the details following an incident occurring

☐

Signed (Parent/Carer): \_\_\_\_\_