

# St. Peter's C of E Primary & Nursery School



## Safe Touch and Physical Intervention Policy

Policy updated: December 2023  
To be reviewed: December 2024



### **St. Peter's Vision**

At St Peter's C of E Primary and Nursery School, the growth and development of children and adults is central to everything we do. As a church school, we aim to serve and take care of our community by providing an education which inspires every child to be the best they can be. This is within a framework which is rooted in distinctive Christian beliefs and values whilst embracing diversity, respecting other faiths and worshipping together. We encourage an understanding of the meaning and significance of faith and promote Christian values through the experiences we offer to all our school community.

### **Equality, Diversity and Inclusion statement**

St Peter's C of E Primary & Nursery School is committed to valuing diversity by providing equality of opportunity and anti-discriminatory practice for all children and families. We also value our staff and are committed to good employment practice.

St Peter's C of E Primary & Nursery School seeks to ensure that no member of the school community, or any person through their contact with the school, will receive less favourable treatment on the grounds of a protected characteristic. These include: race, colour, nationality, ethnic or national origin, religion or belief, gender, marital status, responsibility for children or other dependents, disability, sexual orientation, gender reassignment, age, trade union or political activities, socio-economic background, living situation, or spent convictions.

In this we include all members of the extended school community – pupils, staff, Governors, Parents / carers and others from our local community. Partners, supply teachers, contractors and other visitors to the school are also expected to adhere to this policy.

## Safe Touch

### 1. Context

1.1 Our policy on Safe Touch has been developed in the context of the local authorities' Child Protection Procedures and Policies' and Government guidance. It takes into account the extensive neurobiological research and other empirical studies relating to attachment theory and child development that identify safe touch as a positive contribution to brain development, emotional regulation, mental health and the development of pro-social skills. This policy also includes specific guidance relating to the use of force and physical intervention where it is used in emergency and planned situations.

1.2 This policy should be read in conjunction with 'Use of reasonable force Advice for headteachers, staff and governing bodies July 2013' (DFE), 'Behaviour and discipline in schools, Advice for headteachers and school staff February 2014' (DFE), Child Protection and Safeguarding policy, Health and Safety policy.

*'Governing bodies of maintained schools have a duty under section 175 of the Education Act 2002 requiring them to make arrangements to ensure that their 4 functions are carried out with a view to safeguarding and promoting the welfare of pupils.'*

1.3 We have a policy on safe touch in order to protect pupils and school staff from allegations. Under Child Protection procedures many schools, education authorities and academies have adopted 'No Touch' policies.

At St. Peter's C of E Primary and Nursery School we have adopted an informed, evidence-based decision to allow safe touch in special cases as a developmentally appropriate intervention that will aid healthy emotional growth and learning.

1.4 This policy applies to all staff at St. Peter's C of E Primary & Nursery School and to all activities, on or off-site and at all times. However, only staff who have received appropriate Manual Handling (Bettina Houghton or Anita Turner) training will hold pupils in any form of 'restraint' as guided by this training. All staff should seek a trained person to support them in the event of an emergency.

1.5 Named members of staff have received training know how and when to hold pupils in safe ways within governmental guidelines both for therapeutic purposes and in emergency situations.

1.6 Thrive Licensed Practitioners are also then trained by Thrive staff to combine their practice with the Thrive Approach™ so they can identify and use safe touch as a developmental intervention.

## **2. Responsibilities**

- 2.1 Overall responsibility for the implementation of this policy and related procedures lies with the Headteacher and the Governing Body. The policy will be reviewed annually.
- 2.2 The pupil's teacher will be the first point of contact for any member of staff, parent/carer who wishes to discuss any concerns relating to the behaviour of a child. The teacher should inform a member of the senior leadership team if a safe touch or positive handling plan is required.
- 2.3 The Headteacher will be the named member of staff responsible for ensuring that all School staff are aware of this policy and any related procedures.
- 2.4 The Senior Leadership Team will ensure that all staff supporting pupils who may require 'safe touch' have appropriate training. A record of this training will be held in the school office.
- 2.5 The Headteacher will be responsible for the monitoring of all individual positive handling plans (PHPs) and risk assessing any activities/individual pupils as necessary.
- 2.6 The school will ensure that suitably trained staff are available whenever pupils with significant SEMH needs and or those who may require a PHP are engaged in school activities.
- 2.7 The school will ensure that all new staff/students receive induction in appropriate touch when they begin work with pupils.

## **3. The developmentally necessary experience of safe touch**

- 3.1 Pupils learn who they are and how the world is 'in relationship'. The quality of the child's relationships with significant adults is key to their healthy development and emotional health and wellbeing. Touch is recognised as being a physical way of soothing, calming and containing distress. Berne identified touch as a human 'hunger' necessary for survival and well-being. Many research studies have indicated the necessity of human contact and touch in the healthy development of pupils. It is a factor in pupils who experience neglect and 'fail to thrive'.
- 3.2 If 'safe touch' is to be used as an intervention, it must be done with the full knowledge and consent of parents/carers, by trained and supervised staff in carefully monitored situations where its therapeutic use has been agreed because it addresses an identified developmental need on the part of the child.
- 3.3 The use of 'safe touch' by designated adults needs to be supervised, monitored and reviewed on a regular basis, as indeed does the policy, to ensure that it continues to meet the needs of pupils, parents/carers and staff.

- 3.4 Research (see Appendix 2) shows clearly that healthy pro-social brain development requires access to safe touch as one of the means of calming, soothing and containing distress for a frightened, sad or angry child. It is essential for all pupils to learn the difference between safe and unsafe touch and to experience having their strongest emotions contained, validated, accepted and soothed by a significant adult.
- 3.5 If pupils are behaving in unacceptable, threatening, dangerous, aggressive or out of control ways, they have not yet learned how their strongest emotional reactions can be contained, channelled and communicated safely. In recognition of this, under special, agreed and supervised conditions, specially trained staff will consider using safe touch as one of the means available to them for example to calm a distressed child, to contain an angry or wild child and/or encourage or affirm an anxious child or to support a child with low self-esteem.
- 3.6 Safe touch used to calm, soothe and regulate a child's emotions is a needed developmental experience. The brain does not develop self-soothing neuronal pathways unless and until this safe emotional regulation has been experienced within a positive relationship with a significant adult. Where pupils have had insufficient experience of safe touch and calming regulation this may be a priority to help the brain to develop access to thinking, judging and evaluating mechanisms.
- 3.7 Safe touch is one of the key ways of regulating pupils' emotions, but it is a strategy that fully trained staff will use only under supervision and in line with a whole school THRIVE approach.

Other means of calming, soothing and containing pupils' strong emotions include:

- Slowing one's pace
- Lowering the voice
- Breathing more deeply
- Initially matching the pitch and volume of the child's emotional display (shout, cry etc) and then regulating it down
- Talking slowly firmly and quietly in an unhurried way
- Providing clear predictable consistently held boundaries

The developmentally appropriate (and therapeutic) use of safe touch is defined by situations in which abstinence would actually be inhumane, unkind and potentially psychologically or neuro-biologically damaging.

Examples include the beneficial use of touch in the comforting of a child who is in an acute state of distress and/or out of control. Not to reach out to the child in such circumstances

could be re-traumatising and neuro-biologically damaging as well as confirming or inviting anti-social behaviour patterns.

Moreover, gentle safe holding is appropriate if a child:

- is hurting himself/herself or others (or is likely to hurt)
- is damaging school property
- is severely disrupting the learning of others (where it is not possible to move others out of the way)

3.9 This is in line with the 1996 Education Act (Section 550A) that stipulates that reasonable physical intervention may be used to prevent a pupil from significant harm to self or others, damage to property, or committing a criminal offence. Any staff member undertaking safe touch or a restraint of any kind should never do this without at least one witness. The 'help' protocol will be followed and all necessary staff will receive appropriate and timely training in line with team teach guidance.

3.10 Government guidance also specifies other examples where touching a pupil might be "proper or necessary":

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school. This should be avoided unless the child is distressed as it may have a detrimental impact on the child's independence.
- When comforting a distressed pupil
- When a pupil is being congratulated or praised
- To demonstrate how to use a musical instrument
- To demonstrate exercises or techniques during physical education (PE) lessons or sports coaching
- To give first aid

It is important that the age and stage of development of every child informs how adults are with that child. Any member of staff who is concerned about appropriate touch should discuss this with their line manager.

3.11 Some children like to hug adults as a sign of affection. Safe Touch can also be used to support a child's emotional needs in other circumstances such as if they are upset by an incident or if something is happening or has happened in their life to cause a degree of upset, or even trauma. In such circumstances, even Safe Touch should be limited.

Acceptable examples of Safe Touch include:

- Placing a hand on a child's hand, arm or shoulder briefly
- Placing one arm briefly around a child's shoulders if they 'need' a hug
- In the case of Foundation Stage aged children, sitting on an adult's knee
- Rubbing a 'bump' better – dependant on its location

Inappropriate Touch includes:

- Touching a child without good reason
- Stroking a child; this includes parts of the body or hair
- Wrapping both arms around the child

ANY TOUCH SHOULD ONLY BE FOR THE BENEFIT OF THE CHILD, NOT THE ADULT. DISCIPLINARY ACTION WILL BE TAKEN AGAINST ANY MEMBER OF STAFF WHO IS DEEMED TO BE EXCESSIVELY TACTILE WITH A PUPIL.

#### **4. Recording and Reporting**

- 4.1 Where an adult has held a child using a restrictive physical intervention, this will be recorded by the Head teacher. A copy of the entry and the most recent behaviour policy will be included on the child's file. Please refer to the Physical Intervention Policy section for more detailed procedures.
- 4.2 Any child who has significant SEMH needs will have a positive handling plan completed with teaching staff and shared with parents/carers. Any plan will be reviewed at least annually and discontinued as necessary.

#### **5. References**

- Stewart, Ian and Joines, Vann. *TA Today: A New Introduction to Transactional Analysis*. Lifespace Publishing, Chapel Hill, North Carolina. 1987
- [www.livescience.com/21778](http://www.livescience.com/21778)
- [www.bbc.co.uk/programmes/b015p62y](http://www.bbc.co.uk/programmes/b015p62y)
- [www.romania-insider.com](http://www.romania-insider.com)
- <http://www.danielhughes.org/html/PLACE.html>

#### **6. Appendices**

- A- Use of reasonable force- Advice for Headteachers, staff and governing bodies, 2013 DFE
- B- Behaviour and Discipline in Schools- Advice for Headteachers, staff and governing bodies, 2014 DFE
- C- Guidance on the use of restrictive physical intervention for staff working with pupils and adults who display extreme behaviour in association with learning disability and or Autistic Spectrum Disorders 2002 DFE
- D- Guidance on the use of restrictive physical interventions for pupils with severe behavioural difficulties
- E- Dealing with allegations of abuse against teachers and other staff, 2012 DFE F- Positive Handling Plan (blank example)

## **Physical Intervention**

### **1. Context**

At St. Peter's C of E Primary and Nursery School, in line with Every Child Matters, we aim to provide a safe, caring and friendly environment for all our pupils to allow them to learn effectively, improve their life chances and help them maximise their potential. We take the safety of our pupils and staff very seriously. We believe that all pupils and staff have the right to be and feel safe whilst at school or on a school-run activity.

This policy should be read in conjunction with our behaviour, discipline and safeguarding/child protection policies.

### **2. Minimising the Need to Use Reasonable Force**

As a school we are firmly committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force. We use the PSHE curriculum to explore and strengthen emotional responses to situations. We will only use force as a last resort and strongly believe in de-escalating any incidents as they arise to prevent them from reaching a crisis point.

Staff are skilled in promoting and rewarding positive behaviour and utilise various appropriate techniques in the management of a class environment. Staff will only use reasonable force when the risks involved in doing so are outweighed by the risks involved by not using force.

### **3. Staff Authorised to Use Reasonable Force Under Section 93 of the Education and Inspection Act (2006)**

The Head teacher of St Peter's C of E Primary School is empowered to authorise those members of her staff who are enabled to use reasonable force.

At St. Peter's C of E Primary & Nursery School, Bettina Houghton and Anita Turner have undertaken MAPA / CRB (Manual Handling) training.

Teachers and any member of staff who has control or charge of pupils in a given lesson or circumstance may be required to use physical intervention if the safety of a child or group of children is at risk (see other possible circumstances below). Force used should no more than 'reasonable'.

Other members of staff such as site management and administrative teams also have the power to use reasonable force if a circumstance should arise in which immediate action should be taken.

Deciding Whether to Use Reasonable Force Under English law, members of staff are empowered to use reasonable force to prevent a pupil from or stop them continuing:

- Committing any offence;
- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or,
- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

All members of staff will make decisions about when, how and why to use reasonable force. To help staff in making decisions about using reasonable force the following considerations may be useful:

- Whether the consequences of not intervening would have seriously endangered the wellbeing of a person;
- Whether the consequences of not intervening would have caused serious and significant damage to property;
- Whether the chance of achieving the desired outcome in a non-physical way was low;
- The age, size, gender, developmental maturity of the persons involved.

Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk, it may be more appropriate to gain support from other agencies, including the police.

Staff will be kept informed and have a duty to inform others about the plans around specific pupils who can present risks to themselves and others. This may include information about SEN, personal circumstance and temporary upset.

#### **4. Reasonable Force**

When using force, members of staff should only use the minimum amount of force required in achieving the required outcome. Staff should also use force within the context of existing good practice in nonphysical skills and techniques, such as in the RESPONSE© Strategy.

Staff should, where possible, avoid any type of intervention that is likely to injure a pupil, unless in the most extreme of circumstance where there was no viable alternative. Also staff should avoid using force unless or until another member of staff is present to support, observe or call for assistance.

#### **5. Staff training**

Staff at St. Peter's C of E Primary and Nursery School, who have been identified as needing training in this area, previously accessed Physical intervention and CRB® (formerly MAPA) training through the County Council co-ordinator, who delivered nationally accredited courses. These courses provide participants with an insight into recent legislation and guidance that could impact on policy and practice, as well as a range of physical and non-physical strategies to help manage the risks posed by children and young people's behaviour.

Nottinghamshire County Council has adopted the CRB® (Coping with Risky Behaviours) training model, and as such is an 'Approved Training Centre' for Positive Options Ltd, which is a BILD (British Institute of Learning Disability) accredited training programme. These training programmes are delivered to staff by accessing specialist training events. Staff who receive this training (BH & AT) will be accredited to use the physical elements of CRB® for a defined period as stated on their certificate. Staff will be expected to attend a refresher course to update their skills and renew their certification every 12- 15 months. These courses are not being delivered at this time.

#### **6. Recording and Reporting Incidents**

The governing body will ensure that a procedure is in place, and is followed by staff, for recording and reporting, significant incidents where a member of staff has used force on a pupil. The record must be made as soon as practicable after the incident.

'Unlocking the gates to a lifelong love of learning and faithfulness'

While ultimately only a court of law could decide what is 'significant' in a particular case, in deciding whether or not an incident must be reported, staff should take into account:

- An incident where unreasonable use of force is used on a pupil would always be a significant incident;
- Any incident where substantial force has been used (e.g. physically pushing a pupil out of a room) would be significant;
- The use of a restraint technique is significant;
- An incident where a child was very distressed (though clearly not overreacting) would be significant.

In determining whether incidents are significant, schools should consider:

- The pupil's behaviour and the level of risk presented at the time;
- The degree of force used and whether it was proportionate in relation to the behaviour;
- The effect on the pupil or member of staff.

Staff should also bear in mind the age of the child, any special education need or disability or other social factors which might be relevant. Sometimes an incident might not be considered significant in itself, but forms part of a pattern of repeated behaviour. In this case, although there is no legal requirement to record such incidents, schools are advised to let parents know about them.

Records are important in providing evidence of defensible decision-making in case of a subsequent complaint or investigation. Staff may find it helpful to seek the advice of a senior colleague or a representative of their trade union when compiling a report.

St. Peter's C of E Primary School will use the Nottinghamshire County Council electronic health and safety recording system 'Well Worker'. This system enables members of staff to report, using a standardised format, any significant incident where force has been used, or any incident where violence to staff has occurred or been threatened. Staff can access 'Well Worker' via the Head teacher.

## **7. Post-incident Support**

Members of staff who have been assaulted may wish to report the incident to the police and/or seek advice and support from their trade union representative.

If staff or pupils have been injured, immediate first aid will be provided and medical help accessed, if necessary. Staff and pupils will also receive emotional support. Letters to parents informing them about the use of restraint may be used to engage in discussion regarding future course of action. A positive handling plan may be necessary to prevent and deal with any further recurrence of behaviour that could lead to the use of restraint.

If necessary, the school will also inform local authority pupils' services (Youth Offending Team; Educational Psychology Service; Child and Adolescent Mental Health Service). Staff will aim to help the pupil to develop strategies to avoid repeating the difficult behaviour.

The school will provide ongoing support for staff and pupils as long as necessary in respect of:

- o physical consequences
- o emotional stress/loss of confidence
- o opportunities to analyse, reflect and learn from the incident

## **8. Complaints and allegations - Safe Touch & Physical Intervention**

- All school users and stakeholders have a right to complain about actions taken by school staff including use of force. If a specific allegation is made against a member of staff, then the school will follow the related policy and procedures.
- Other complaints will be dealt with via the school's complaints procedure.
- We will also make clear to pupils that they have a right, and are able, to question/complain about the use of reasonable force. We will ensure that mechanisms are in place for pupils, parents, carers and staff to voice the opinions, comments or concerns.

## **9. Monitoring and review**

This policy will be monitored regularly and reviewed by the governing body every three years or as required.

The Head Teacher is responsible for the implementation of this policy and Luke Evans is the Link Governor, who also has responsibility in this area.

## **10. Further information**

Further information can be found in the Nottinghamshire County Council's policy on the same subject, entitled 'Keeping Classrooms Safe for Learning and Teaching'.

Date of issue/revision: December 2023

Chair of SDP Committee: Yvonne Reeson

Head teacher: Yvonne Reeson

Date: 6<sup>th</sup> December 2023

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