

Gossops Green Primary School



SAFE TOUCH & POSITIVE HANDLING POLICY

Approved by: LGB
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Staff Member Responsible: DSL
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1. 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 & Positive Handling procedures within school.
- Outline acceptable use of touch while children are in loco parentis at school
- Outline unacceptable forms of touch
- Outline the Legal Framework around Positive Handling, it's use within school and the professional responsibilities of staff working within school
- Outline the use of risk assessments and how these are used within school to support vulnerable pupils with challenging behaviour and others around them
- Outline responsibilities for the carrying out of Positive Handling procedures and Safe Touch.
- 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 to be used in the event of Positive Handling being used while children are in loco parentis at Gossops Green Primary

2. Legislation and Statutory Requirements

This policy is based on the following legislation and advice:

- [Use of reasonable force in schools](#)
- [Keeping Children Safe in Education - Sept. '23](#)
- [Behaviour in schools: advice for headteachers and school staff \(2022\)](#)
- [The Equality Act 2010](#)
- [Criminal Law Act \(1967\)](#)
- Section 93 of the [Education and Inspection Act 2006](#)
- Joint DfES/DH guidance issued July 2002, [Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties](#)
- [Safer Handling](#) (private training company)

[Section 550A of the Education Act 1996 and DfE Circular 10/9](#) allows teachers and other members of staff at school who are authorised by the Principal, to use such force as is **reasonable** in circumstances where the pupil may need to be prevented from engaging in behaviour 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 offsite 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 (eg physical assault) being committed. Reasonable minimal force must be a matter of personal judgement. All teachers have a professional 'duty of care' to take all reasonable steps to ensure children are not exposed to unacceptable risks. Together with the legislative framework this enables teachers and other members of staff in the school, authorised by the Principal, to use such force as is reasonable in the circumstances.

3. Purpose

Gossops Green Primary School recognises that there is a need, reflected in common law, to intervene when there is an obvious risk of safety to its pupils, staff and/or property. The DfE's guidance document, [Use of reasonable force in schools](#) makes clear that there are occasions when physical contact with a pupil, other than reasonable force, is appropriate and necessary. Reasonable force will only be used when the risks involved in doing so, are outweighed by the risks involved in not using force.

This Safe Touch policy has been created with the aim of ensuring that all members of staff are aware of their responsibilities in terms of appropriate and inappropriate touch when involving pupils. All children are entitled to receive an education in an environment where they feel safe, secure and respected. The school will dedicate itself to ensuring that no pupil feels threatened or disrespected, in terms of physical contact between themselves or a member of staff.

Pupils attending this school and their parent/carers have a right to:

- Individual consideration of pupil needs by the staff who have responsibility for their care and protection
- Expect staff to undertake their duties and responsibilities in accordance with the school's policies
- Be informed about school rules relevant policies and the expected conduct of all pupils and staff working in school
- Expect Risk Assessments to be designed to achieve outcomes that reflect the best interest of the child whose behaviour is of immediate concern alongside others affected by the behaviour requiring intervention
- Be informed about the school's complaints procedure

4. Definition of Safe Touch and Unacceptable Touch:

a) Safe Touch

In this policy refers to the use of physical contact between adults and children while school staff are in loco parentis, whether on the school grounds or elsewhere such as school visits. This may take the form of Positive Handling. Examples include but are not limited to:

- Holding a child's hand as they move 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 (if age appropriate, EYFS-KS1), finding it difficult to cope in particular situations rather than providing sanctions for disruptive behaviour (assembly, visits to the theatre, visitors from outside where they are expected to sit still for periods longer than is usual) or when a child is physically hurt
- Any reasonable use of touch to convey warmth, positivity, and comfort
- When a child is not distressed, it is expected that children will initiate contact rather than adults. To prevent a child from being dismissed which may be distressing for them and damage self-esteem, the adult will respond appropriately to ensure that child feels validated in showing affection

It 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.

- The school understands that there are times when members of staff must provide physical intervention whereby a pupil presents danger to themselves or others
- All staff have the legal power to use reasonable force. In these instances, staff must always explain the reasons for their actions to the pupil and why it was necessary
- Reasonable force may be required in order to control or restrain a pupil in extreme circumstances, such as needing to guide a pupil to safety
- At all times, members of staff will ensure they use reasonable force in such a way as to avoid any injury to the pupil, but the school recognises that in some extreme cases, such as immediate intervention to prevent worse physical injury, this may not be possible

b) Unacceptable Touch:

In this policy refers to the use of unnecessary, excessive and avoidable physical contact between adults and children. Including:

- Hitting
- Deliberately inflicting pain
- Restricting breathing
- Contact with sexually sensitive areas
- Restraining a child on the floor
- 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

5. Positive Handling

In this policy, Positive Handling, refers to the use of physical contact between adults and children in order to keep both safe. It may be used in the following ways, but is not limited to:

- Physically interposing between pupils
- Removing objects to prevent harm to others, self or damage to property
- Blocking a pupil's path
- Leading a pupil by the hand or arm
- Shepherding a pupil away by placing a hand in the centre of the back
- A pupil attacking a member of staff, or another pupil
- Pupils fighting

- A pupil at risk of harming themselves or others
- A pupil causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- A pupil running in a corridor or on a stairway in a way in which they might have an accident likely to injure themselves or others
- A pupil absconding from a class or trying to leave school (NB. this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- A pupil persistently refusing to obey an order to leave a classroom
- A pupil behaving in such a way that it is seriously disrupting a lesson

6. Risk Assessment and Minimising the Need to Use Positive Handling:

Staff at Gossops Green recognise the use of reasonable force is only one strategy available to secure pupil safety/well-being and also to maintain good order and discipline. Our policy on the use of Positive Handling (reasonable force) is part of our overall pastoral care procedures and closely related to our policies on managing pupil behaviour. See our *Behaviour Policy* for details of day-to-day strategies used to maintain good order and discipline.

Although most young people at Gossops Green will never require any form of Positive Handling, staff may have to deal with some young people who exhibit disturbed, distressed and distressing behaviour. It is therefore necessary to complete an Individual Behaviour Plan (IBP) for individual children. Other factors that are considered to reduce risk include:

- **The Environment**- exploring the specific needs of the children and how they respond to the environment around them, putting in place strategies for them to remove themselves from situations where they become overwhelmed, providing mentoring adults or 1:1 support for those children who find emotions or stressful situations difficult to manage, providing pupil support for unstructured times to minimise conflict and provide mediation.
- **Body Language** – using non-confrontational body language with children, and possible triggers and reflecting this in body language.
- **The Way We Talk** – de-escalating situations using a calm tone of voice and being aware of pitch when dealing with children with challenging behaviour, specific needs, or those currently in a state of emotional distress.
- **The Way We Act** – ensuring that children feel they are cared about and respected, allowing space and time for children to talk through what they feel has happened, ensuring that their views are listened to, so that equality of treatment, taking into account gender, race, religion, disability and sexuality is fully implemented

7. Individual Behaviour Plan (IBP)

Some children who exhibit challenging behaviour on a regular basis maybe provided with IBP. These take account of any additional needs they may have (ASD, ADHD, Sensory, Emotional) and provide clear strategies for how incidents are to be managed for that child. The SENDCo is responsible alongside the class teacher and the school's Senior Leadership Team for evaluating these procedures and making adaptations where appropriate. These are reviewed annually, or where a significant difficulty arises which is not covered by the risk assessment currently in place due to changes or escalation in need or circumstance.

8. Curriculum

Through the PSHE Curriculum (via SCARF) pupils learn about feelings and managing conflict, where this is appropriate to their level of development. The ethos further promotes independence, resilience, choice and inclusion; pupils are given maximum opportunity for personal growth and emotional well-being.

9. Visits/Residentials

Should there be a situation where a child with a significant recent history of behaviour (that has resulted in frequent use of Positive Handling) is due to go on an off-site visit or residential, then every effort will be made to have a member of staff trained in Positive Handling accompany them.

10. Authorisation of Staff to Use Positive Handling

We recognise that Positive Handling will be seldom used, and it is a last resort to maintaining a safe environment and safety of pupils and staff. All staff trained to use Positive Handling are authorised to use Positive Handling as appropriate. Best practice will be monitored by senior staff.

Any members of staff, volunteers, Governors or visitors who are not trained in Positive Handling techniques or are not familiar with pupils IBPs are asked should a situation occur, to seek trained staff assistance first and only use reasonable physical intervention techniques in the case of an unavoidable emergency.

In the event of a complaint being received by the school in relation to the use of physical force by staff, the matter will be investigated in accordance with relevant guidance ([DfE 'Use of Reasonable force in schools'](#)):

- *School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action*
- *Suspension should not be an automatic response when a member of staff has been accused of using excessive force.*
- *Senior school leaders should support their staff when they use this power*

11. Training

The school will always ensure that it has staff trained in Positive Handling techniques – to enable it to keep staff and pupils safe. However, not all staff are trained. Staff are asked to undertake training based on their role within school. Staff can decline to undertake the training.

Upon joining the school, new staff and trainees will have this policy shared with them. Volunteers will also be asked to read the policy and ask any questions they might have.

Training with how to deal with challenging behaviour is provided throughout the year via; staff meetings, Support Staff training sessions, INSET days, direct support from the SENDCo or outside agencies.

When seeking training providers, the Principal will also carry out reasonable checks to ensure the training provider is suitable and the training is of an appropriate standard. [Safer Handling](#) (who have provided training for Senior Leaders in many TCT schools) have resources and information on their [YouTube](#) channel which can assist as an intermediate learning tool.

Schools are encouraged to renew staff training every two years, although should there be a change in circumstances, risks increase or staff feel they need to revise their training, then staff should carry out appropriate refresher training.

12. Parent/Carers

School staff have a duty of care to the young people in school and cannot escape the legal responsibilities by avoiding taking appropriate and necessary action. Parent/carers must always be informed when an incident occurs with their child, although this will not prevent all complaints. 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 statement is part of effective practice and should minimise risk to young people in our care and enhance staff protection.

13. Injury to a Child:

Whilst Positive Handling is intended to reduce risk, there is always risk when two or more people engage to use force to protect, release or restrain. Staff 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 Principal and parent/carers as part of the reporting process. Trained First Aiders may be called upon to implement First Aid or seek further guidance in the event of an injury or physical distress arising as a result of a physical intervention.

14. Staff Rights and Responsibilities:

As stated in the section entitled **Legal Framework** teachers have a Duty of Care to ensure the safety of children, which may include Positive Handling children who are a risk to themselves, others or of damaging property (for examples see Section 4 of this document. entitled **Definition of Safe Touch & Unacceptable Touch**.

Staff must ensure that if any incident occurs and a child needs physical intervention, they should act to keep themselves and/or others safe. However, if staff are unable to support physically, they are expected to support with de-escalation and management of the situation.

As stated above, staff have a legal responsibility and Duty of Care to all those at Gossops Green. All teachers, staff and the Principal 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 & Inspections Act 2006](#) and the subsequent 2013 guidance [Use of reasonable force in schools](#). Supply staff must ensure that they are familiar with this policy. Any members of staff, volunteers, Governors or visitors who are not trained in Positive Handling techniques or are not familiar with pupils IBPs are asked should a situation occur, to seek trained staff assistance first and only use reasonable physical intervention techniques in the case of an unavoidable emergency.

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 pupil
- When a member of staff believes that she/he may be at risk of injury.

In those circumstances where a member of staff has decided that it is not appropriate to positively handle the pupil without help, they should:

- Remove other pupils who might be at risk
- Summon assistance from colleagues
- Where necessary, telephone the police
- Inform the pupil(s) that help will be arriving
- Until assistance arrives the members of staff should continue to attempt to defuse the situation orally, and to prevent the incident from escalating.

15. Debriefing Arrangements

Following all incidents involving Positive Handling, the pupil and the member of staff will be checked for any sign of injury after an incident. First aid will be administered to anyone who requires it, or medical treatment obtained. The pupil will be given time to become calm while staff continue to supervise her/him.

A senior member of staff will initiate the formal de-brief procedures including a verbal discussion/phone call to parents, completion of the Incident and Positive Handling Report Form (Appendix 2) and a debrief with the pupil. When the pupil regains complete composure, a senior member of staff will discuss the incident with the pupil (if appropriate) and try to ascertain the reason for its occurrence. The pupil will be given an opportunity to explain things from her/his point of view. All necessary steps will be taken to re-establish the relationship between the pupil and the member(s) of staff involved in the incident. Following the completion of the formal de-brief procedures, risk assessments and individual care plans will be re-visited.

In cases where it is not possible to speak to the pupil on the same day as the incident occurred, this informal discussion will take place as soon as possible after the pupil returns to school.

16. Staff Support Following Incidents:

Any member of staff or pupil at the school involved in or witnessing a serious incident involving the use of physical hold, may require additional support following the incident. Supporting the member of staff is equally as important as the welfare of the pupil; one group will support the staff member following any incident and another group will be there to support the pupil.

All members of staff involved will be allowed a period to debrief and recover from the incident. This may involve access to external support. A senior member of staff will provide support to the member(s) of staff involved.

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 it is deemed necessary. Where staff have been involved in an incident involving reasonable force, they should have access to support; this will be made available/supported through the Senior Leadership Team. 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.

Staff involved in the incident will, at the earliest possible opportunity (on the same day), record the incident using Appendix 2) and saved on the schools online safeguarding recording system (CPOMS), tagging 'Positive Handling' clearly stating that physical intervention has been used. This will notify members of the senior leadership team responsible for behaviour, welfare and safety including the Principal.

17. Recording:

All staff are required to record all incidents of Positive Handling using the Incident and Physical Intervention Report Form (Appendix 2) on the day of the incident, in accordance with this policy and report it to the Principal. These reports will be recorded on the schools online safeguarding recording system (CPOMS), tagging 'Positive Handling'

18. Whistleblowing:

It is acknowledged that under some circumstances, physical intervention can be misapplied. Staff are reminded that part of their duty of care includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Principal, or with the Chair of Governors in order to allow concerns to be addressed and practice improved. External agencies such as the NSPCC also provide reporting avenues. The Local Authority Designated Officer (LADO) may be contacted by the school as a result of any reported concerns.

19. Further Documents

This policy has important links to the following documents:

- Safeguarding Policy
- Behaviour and Anti-Bullying Policy
- Complaints Procedure
- Whistleblowing Policy
- School Individual Behaviour Plan (IBP)
- TCT - Equalities Policy and Statement of Objectives

Appendices

Incident and Positive Handling Report Form

**to be completed on the day of the incident, by the member of staff who used Positive Handling with the support of SLT (and saved on CPOMS)*

Basic Details of Incident			
Date:		Time:	
Location:			
Pupil name:		Class:	

Was Positive Handling Required? Y/N	
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Parent/Carer Informed Y/N	
How and by whom?	

Other people (pupils/adults) involved:	
Witnesses (pupils/adults):	

First Aid required (pupil) Y/N <i>(if so, include details)</i>	
First Aid required (staff) Y/N <i>(if so, who and what?)</i>	

Police Informed Y/N <i>(if so, include details)</i>	
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Why was Physical Intervention required?			
Potential		Actual	
Harm/Risk to self		Harm/Risk to self	
Harm/Risk to others		Harm/Risk to others	
Damage to personal Property (self or others)		Damage to personal property (self or others)	
Committing criminal offence		Committing criminal offence	
Prejudicing maintenance of good order and discipline at school			

Activity at start of distress <i>(Be specific, e.g. arrival/break/lunch/moving around/assembly/off-timetable activity//lesson [which subject?])</i>	
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Location at start of distress <i>(Be specific, e.g. classroom/corridor/hall/toilets/off-site etc)</i>	
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ABC (Antecedent, Behaviour, Consequence)			
Antecedent - Immediate trigger			
Difficult task – Non preferred task		Restricted access to activity, object or place	
Request		Other pupil/s' behaviour	
Sensory issue		Transition, ending preferred activity	
Medication		Previous incident (No immediate antecedent)	
Feeling ill/Tired		Antecedent not identified	
Other			

Behaviour (Tick as many as is necessary)							
Environment		Self		Other Pupil/s		Staff	
Damage to Property		Absconding attempt		Assault		Assault	
Spitting		Absconding – class		Bullying		Disrupting lesson – noise	
Throwing large items		Absconding – school site		Disturbing lesson - noise		Verbal abuse	
Throwing small items		Climbing		Disturbing another class		Racism	
Throwing furniture		Self-endangerment		Spitting		Refusal to follow instructions	
Barricading		Swearing		Verbal abuse		Refusal to work	
		Soiling/Wetting		Racism		Spitting/Biting	
Smearing		Self-harm – threat		Threatening behaviour		Theft/Stealing	
Other: _____		Self-harm – attempt		Theft/Stealing		Threatening behaviour	
		Self-harm – actual		Fighting		Threatening to use weapon	
		Possession of weapon		Threatening with weapon		Assault with a weapon	
		Stripping		Assault with a weapon		Grabbing clothing/hair	
		Hiding		Grabbing clothing/hair		Attempt to use object as a weapon	
		Other: _____		Other: _____		Other: _____	

Behaviour Management Strategy Employed (Tick as many as is necessary)
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Reminder of class/school rules		Redirection		Distracting	
Prompting		Directive statement		Offer to listen	
Offer time out		Non-verbal signal to stop		Tactical ignoring	
Verbal warning		Address sensory antecedent		Withdrawal of other pupils	
Reassurance		Working out of class		Supported with a visual	
Change of face/staff		Other:			

Consequence (Tick as many as is necessary)							
Time Out		Sensory Room		SPACE Room		HUB Restricted play	
Internal Exclusion		Fixed Term Suspension		Permanent Exclusion		Reduced timetable	
Other (e.g. Loss of activity)							

Statement To be completed with or following a conversation with SLT
<i>Be specific: Who was involved (Pupils & Staff)? Time/location? How did the incident start? Witnesses? How was it resolved?</i>

Name of staff member (completing Incident Record)	
Job Title	