



Spring 2022

Safe Touch, Positive Handling

Watcombe Primary School



Aims

At Watcombe Primary School we believe that children have the right to independence, choice and inclusion, and we seek to provide opportunities for personal growth and emotional health and wellbeing. However, rights also involve responsibilities, such as not harming other people's rights. Children unable to control their actions or unable to appreciate danger, have a right to be protected; as do other children and staff; and staff have a duty of care to exercise.

Rationale

Children learn who they are and how the world is, by forming relationships with people and things around them. The quality of a child's relationship with significant adults is vital to their healthy development and emotional health and wellbeing.

Many of the pupils who require emotional support from school may have been subject to trauma or distress or may not have had a positive start in life. It is with this in mind that staff seek to respond to children's developmental needs by using appropriate 'safe touch'.

As a nurturing school our policy takes into account the extensive neurobiological research and studies relating to attachment theory and child development that identify safe touch as a positive contribution to brain development, mental health and the development of social skills. The school has adopted an informed, evidence based decision to allow 'safe touch' as a developmentally appropriate intervention that will aid healthy growth and learning.

Our policy rests on the belief that every member of staff needs to know the difference between appropriate and inappropriate touch. Hence, staff need to demonstrate a clear understanding of the difference. Equally, when a child is in deep distress, staff need to know when and how sufficient connection and psychological holding can be provided *without* touching.

All staff need to be clearly aware of procedures within this policy. This policy should be read in conjunction with the following school policies: Behaviour, Safeguarding, Intimate Care, and Anti bullying. Also, Behaviour & Discipline in School – Advice for headteachers and school staff, Jan 2016 and the Equality Act 2010, in respect of safeguarding and pupils with SEND.

Different types of touch

There are four different types of touch and physical contact that may be used, these are:

1. Casual / informal / incidental touch

Staff use touch with pupils as part of a normal relationship, for example comforting a child, giving reassurance and congratulating. This might include putting an arm out to bar an exit from a room, taking a child by the hand, patting on the back or putting an arm around the shoulders. The benefit of this action is often proactive and can prevent a situation from escalating.

2. General reparative touch

This is used by staff working with children who are having difficulties with their emotions. Healthy emotional development requires safe touch as a means of calming, soothing and containing distress for a frightened, angry or sad child.

Touch used to regulate a child's emotions triggers the release of the calming chemical oxytocin in the body. Reparative touch may include stroking a back, squeezing an arm, rocking gently, cuddling, tickling or sitting on an adult's lap, hand or foot massage.

3. Contact/interactive Play

Contact play is used by staff adopting a role similar to a parent in a healthy child- parent relationship. This will only take place when the child has developed a trusting relationship with the adult and when they feel completely comfortable and at ease with this type of contact. Contact play may include an adult chasing and catching the child or an adult and child playing a game of building towers with their hands.

This sort of play releases the following chemicals in the brain:

- Opioids – to calm and soothe and give pleasure;
- Dopamine – to focus, be alert and concentrate;
- BDNF (Brain Derived Neurotrophic Factor) – a brain “fertiliser” that encourages growth.

4. Positive handling (calming a dysregulating child)

All members of school staff may use force, as is reasonable, in all the following circumstances in order to prevent a pupil from doing, or continuing to do, any of the following:

- Committing a criminal offence
- Injuring themselves or others
- Causing damage to property
- Engaging in behaviour prejudicial to maintaining good order and discipline. (To prevent a pupil behaving in a way that seriously disrupts a lesson or to ensure a pupil leaves a classroom where the pupil persistently refuses to follow an instruction to do so. [as defined in the DfE ‘Use of reasonable force Behaviour & Discipline in

School' – Advice for headteachers and school staff, Jan 2016 as:

- The term “reasonable force” covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
- “Reasonable in the circumstances” means using no more force than is needed.
- As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

The relevant consideration which must be taken into account:

- The degree of force must be proportionate to the circumstances and incident, and seriousness of the event (or the consequences it is intended to prevent).
- It should always be the minimum needed to achieve the desired result. (It might also depend on the age, understanding and sex and SEND needs of the pupil).
- Use of force is only reasonable if particular circumstances warrant it, otherwise it is unlawful; it therefore follows that it should not be used for situations that can be resolved without it, or for trivial misdemeanors.
- Restraint must not be used to make a child comply with instructions unless it complies with the key points above.
- Schools do not require parental consent to use reasonable force but parents will be informed if it has been used.

A child who is in a state of dysregulation and has no mechanism for self-calming or regulating their strong emotional reactions will be physically contained by staff. Staff are trained in ‘Safer Handling Approaches’. This kind of containment will usually involve 2 members of staff safely responding to a need ensuring the child is managed safely with care and dignity.

- Staff will employ the safest and gentlest means of holding a child, which is entirely designed to enable the child to feel safe and soothed, bring him or her down from an uncontrollable state of hyper arousal. Maintaining boundaries in such cases can be a vital corrective emotional experience, without which the child can be left at risk of actual physical or psychological damage. The brain does not develop self-soothing neuronal pathways unless this safe emotional regulation has been experienced. Physical containment of a dysregulating child can be the only way to provide the reassurance necessary to restore calm. Such necessary interventions are fully in line with guidelines set out in the government document DfE “Use of reasonable force” Advice for headteachers, staff and governing bodies July 2013.

During any incident of restraint, staff must seek as far as possible to:

- lower the child’s level of anxiety during the restraint by continually offering verbal reassurance and avoiding generating fear of injury in the child.
- cause the minimum level of restriction of movement.
- ensure at least one other member of staff is present.

Steps to take before positive handling

If the school is aware that a pupil is likely to behave in a way that might require physical restraint, it should plan how to respond. Some children may present with challenging behaviour more regularly than others. There may be reasons for this which need to be addressed in support of changing behaviour choices. This support may be utilised through the Pastoral Support Team (meets weekly) and / or the SENDCO (specific referral form).

Some pupils may need personalized plans to support their behaviour choices. These can be managed through the pastoral team and SENDCO in liaison with the class team. It is important that the message is consistent.

Consideration should be given to:

- manage the pupil. Attune to pupils needs. Use re – active strategies to de – escalate event
- involve parents so that they are fully aware of how the school may have to react. Specific pupils will have behaviour plans in place agreed with parents.
- brief staff – ensure that everyone knows what action should be taken
- ensure that additional support can be summoned if appropriate
- the need to take specific advice about the safest way to hold pupils with specific health needs (some pupils will have specific behaviour management plans in place which staff, parents and child (age appropriate) will be made aware of.

Prevention strategies and calming measures will be employed and the following action should be taken before a restraint is used.

- conversation, distraction, coaxing skills, gentle persuasion or redirection to other activities (e.g. touching the child's arm and leading him/her away from danger, gently stroking the child's shoulder).
- encourage the pupil to help him/herself feel more secure by holding on to a large cushion or stuffed toy in a place of safety
- put distance between the child and others - move others to a safer place;
- calmly remove anything that could be used as a weapon, including hot drinks, objects, furniture;
- to prevent a child continuing to pose harm in a dangerous situation, advise others to leave but remain with the child;
- use seclusion only if necessary for a short period while waiting for help, preferably where a staff member can observe the child;
- keep talking calmly to the child, explain what is happening and why, how it can stop, and what will happen next;
- use first aid procedures in the event of injury or physical distress when safe to do so

Adults in charge should take a calm, measured approach to a situation, and never give the impression that they have lost their temper, or are acting out of anger, frustration, or to punish a pupil. All staff should respond intelligently rather than emotively

Physical intervention can take many forms:

- physically interposing between pupils or blocking a pupil's path
- touching, holding, pushing, pulling or leading a pupil by the arm – in line with team teach training
- shepharding a pupil away by placing a hand in the centre of the back.
- (in extreme circumstances) using a more restrictive hold – as per 'Safer Handling' training

Staff should always avoid touching or holding a pupil in a way that might be considered indecent. In exceptional circumstances, when there is an immediate risk of injury, (e.g. to prevent a pupil running on to a busy road, hitting someone or throwing something) staff may need to take any necessary action that is consistent with the concept of "reasonable force".

In other circumstances, staff should not act in a way that might reasonably be expected to cause injury, for example by:

- Holding a pupil around the neck or in a way that might restrict breathing
- Slapping, punching, kicking, tripping or forcing limbs against a joint
- Holding or pulling a pupil by the hair
- Holding a pupil face down on the ground

Where the risk is not so urgent, the staff member should:

- Consider carefully whether – and if so when – physical intervention is right
- Always attempt to deal with the situation through strategies

other than force

- Use force only when all other methods have failed.

The key issue is to establish good order, and so any action which could exacerbate the situation should be avoided. The age and level of understanding of the pupil is very relevant in these circumstances. Physical intervention to enforce compliance with staff instruction is likely to be increasingly inappropriate with older pupils. It should never be used as a substitute for good behaviour management.

Who can use positive handling?

The majority of staff have received 'Safer Handling' training.

All members of school staff have a legal power to use reasonable force (Behaviour & Discipline in School – Advice for headteachers and school staff, Jan 2016).

- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

Recording Incidents:

Serious incidents (resulting in a detention or contact with parents or repeated behaviour patterns) are recorded by all staff on the electronic monitoring system (CPOMS). This includes details of the incident and actions taken.

There are 2 tabs to link behaviour incidents to: Behaviour OR Verbal and Aggressive. It may be appropriate to link to other tabs as well. Ask if not sure. The DSLs will be automatically informed of incidents and appropriate staff should be tagged into the log.

Logs are analysed termly (by the SLT and Goves) and actions planned. Lower level behaviour incidents are recorded in the class warning book

Serious incidents involving safer handling will be recorded on a specific 'Restraint Record' form and be signed by the staff involved and parent.



**RESTRAINT REPORT
FORM updated 07062**

Working with Parents:

It is really important to keep parents informed of pupil behaviour. This can be for positive and negative reasons. Parents informed can then work in partnership to support the pupil in making improved choices. They may be able to attribute a reason for behaviours which can help us to plan a support package around the pupil.

Consideration should be given to what is shared with parents – Do they need to know every little incident?

As a parent receiving a positive reflection on your child's behavior and attitudes is very powerful. Messages home can be face to face, text, email or a phone call.

When having a dialogue with a parent be sensitive to the surroundings – consider where & how.

Power to search pupils without consent

In addition to the general power to use reasonable force described above, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images- If a member of staff becomes aware of an incident involving youth produced sexual imagery (sexting) they should follow the child protection procedures and refer to the DSL as soon as possible. The member of staff should confiscate the device involved and set it to flight mode or if this is not possible turn it off. Staff should not view, copy, or print the youth produced sexual imagery.
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for items banned under the school rules.

The possibility of a complaint:

² Section 550ZB(5) of the Education Act 1996

The best way of avoiding complaints is to involve the parents when incidents occur, and by following the clear guidelines provided within this policy. Use of force might lead to an investigation either under disciplinary procedures or child protection procedures, possibly leading to a disciplinary hearing, criminal prosecution or civil action. The key issue will be whether the degree of force was reasonable in all circumstances of the case, and whether the school policy has been followed, and whether the action was needed to prevent injury, damage or disruption.

Action in self- defence or an emergency:

Section 550A of the Education Act 1996 does not cover all the situations in which it might be reasonable for someone to use a degree of force. For example, everyone has the right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so. Similarly, in an emergency, for example if a pupil was at an immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene. The purpose of section 550A is to make it clear that teachers and other authorised staff, are also entitled to intervene in other, less extreme, situations.

Physical contact with pupils in circumstances not covered by Section 550A: There are situations, other than those covered in in Section 550A, where physical contact with a pupil may be appropriate or necessary – for example in PE lessons, sports, coaching or DT, or if a member of staff has to administer first aid. Also, young children or those with SEN may need physical prompts or help. Touching may be appropriate to comfort a child in distress. However, there may be some children where touching is particularly unwelcome perhaps because of their cultural background or because they have been abused - all staff must be aware of this.

Staff training

Most members of staff are trained by expert accredited providers in physical intervention and safer handling techniques. However, it should not be assumed that trained members of staff should be solely responsible for dealing with all incidents where physical intervention or restraint is required.

What happens if a pupil complains when force is used on them?

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.

- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.