

Safe Touch Policy

Audience:	School and academy staff, Local Governance Committees
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Other related policies / procedures	Safeguarding & Child Protection Policy Equality Policy Anti-Bullying Policy Positive Behaviour Management Policy E-Safety Policy PREVENT Strategy & Duty Guidance HM Gov Keeping Children Safe in Education DfE Staff and Volunteer Code of Conduct Policy Working Together to Safeguard Children HM Gov 2023 Staff and Volunteer Code of Conduct
Owner	Safeguarding Lead
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Introduction

Children need to learn who they are and how they fit into the world. The quality of the child's relationships with significant adults is key to their healthy development and emotional health and wellbeing.

Research 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 children 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. If children are significantly overwhelmed, dysregulated and/or may cause danger to themselves or others they have not yet learned how their strongest emotional reactions can be contained, channelled, and communicated safely.

The Trust policy rests on the belief that each staff member must appreciate the difference between appropriate and inappropriate touch and will need to demonstrate a clear understanding of the difference, acknowledging both the damaging and unnecessary uses of touch in an educational context.

1. Definitions

1.1 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 neurobiologically damaging. Examples include the empirically backed beneficial use of touch in the comforting of a child who is in an acute state of distress and/or overwhelmed. Not reaching out to the child in such circumstances could be re-traumatising and damaging, confirming or inviting anti-social behaviour patterns.

1.2 Abstinence in the face of intense grief, stress, overwhelm and/or emotional reactions can lead to a state of hyperarousal in which toxic levels of stress chemicals are released in the body and brain. The severely damaging long-term effects of this state have been intensively researched worldwide and are well documented.

For the purposes of this policy, '**physical intervention**' is used to refer to any situation in which physical contact with a pupil is necessary – this includes reasonable force, e.g. to defuse a situation in which a pupil is at risk of harming themselves or others, and safe touch, e.g. comforting a pupil in emotional distress.

1.3 For the purposes of this policy, '**positive handling**' is defined as the overall, graduated approach of responding to pupils' behaviour and emotions with the intention of protecting pupils and staff and limiting damage to others and property. Positive handling adopts the least intrusive intervention techniques in response to situations, before using gentle physical intervention and reasonable force as a last resort.

1.4 For the purposes of this policy, '**reasonable force**' is considered to refer to a broad range of actions that may be used to control or restrain a pupil to prevent that pupil from hurting themselves or others, from damaging property, or from causing disorder. Reasonable force covers force that is necessary and proportionate to the circumstances.

1.6 There are two key types of reasonable force:

1.6.1 '**Control**' – actions used in an attempt to direct a pupil's movements; this includes passive physical contact, e.g. standing between pupils or blocking a pupil's path, or active physical contact, e.g. leading a pupil out of a classroom by their arm.

1.6.2 '**Restraint**' – actions used in an attempt to physically bring a pupil under control. This type of force is typically used in more extreme circumstances, e.g. where two pupils are fighting and refuse to separate, causing staff to intervene to hold them back from one another physically.

1.7 For the purposes of this policy, '**safe touch**' is defined as physical contact which, if avoided, would be inhumane, unkind or cause distress to a pupil, e.g. where a pupil is significantly distressed and in need of physical comfort.

2. Safe Touch

2.1 The Trust adopts an informed, evidence-based decision to allow safe touch in special cases as a developmentally appropriate intervention that will aid healthy growth and learning. The brain does not develop self-soothing neuronal pathways until this safe emotional regulation has been experienced.

2.2 In recognition of this, under agreed and supervised conditions, staff will consider using safe touch as one of the means available to them to calm, soothe and regulate a child's emotions is a needed developmental experience.

2.3 Where possible, staff will be trained in positive handling, physical intervention and restraint.

2.4 Where children have had insufficient experience of safe touch and calming regulation, this may be a priority to help the brain develop access to thinking, judging and evaluating mechanisms.

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

2.4.1 Slowing one's pace

2.4.2 lowering the voice

2.4.3 breathing slowly and deeply

2.4.4 initially matching the pitch and volume of the child's emotional display and then regulating it down, talking slowly, firmly and quietly in an unhurried and unflustered way

2.4.5 roving clear predictable consistently held boundaries.

2.5 In addition, gentle safe holding in line with Section 4 of this policy (Positive Handling) is appropriate if a child:

2.5.1 is hurting themselves or/and others, or is highly likely to hurt themselves or others

2.5.2 is damaging property

2.5.3 is significantly overwhelmed and/or dysregulated, so that all verbal attempts to engage him/her have failed

2.5.4 or, in extreme cases, committing an offence.

2.6 Such necessary interventions are fully in line with guidelines set out in the Government

2.7 Document 'Use of reasonable force- advice for headteachers, staff and governing bodies, 2013'.

2.8 Staff in each Trust school have been trained in the safest and gentlest means of holding a child (Team Teach), which is designed to enable the child to feel safe and soothed whilst bringing them down from uncontrolled states of overwhelm or hyper-arousal. Without this intervention, the child can be left at risk of actual physical or psychological harm.

3. Positive Handling

3.1 The principle of positive handling means that the school expects staff to assess whether the incident requiring a response can be resolved without physical intervention.

3.2 When safe and appropriate, de-escalation, without the need for positive handling, should always be the primary response.

3.3 Members of staff may need to use positive handling (Physical Intervention and Restraint,) to keep children safe. This includes preventing them from injuring themselves or others, damaging property, or, in extreme cases, committing an offence.

3.4 Positive handling will only be used as a last resort when all other strategies have been ineffective. Therefore, touch is not to be used as an ill-thought-out or impulsive act of futile reassurance and must never be used as a means to ensure compliance.

3.5 Where there is no immediate risk of harm to themselves or others, destruction of property or serious disruption,

reasonable force will not be used on the pupil. Any reasonable force used in situations that are non-urgent will only be used once all alternative options have been exhausted and where the staff member in charge deems that the situation is escalating.

3.6 The Trust and school understand that, in some cases, action may be required very quickly, e.g. in the event that a pupil attempts to run out into a busy road, or where pupils begin a violent fight with one another and staff are forced to pull the pupils apart. Staff will not be penalised for resorting to the use of physical intervention or reasonable force in such situations where it is justified and perceived necessary to prevent harm to others or property in the circumstances.

3.7 Positive handling, such as Team Teach techniques, are intended to require the minimum amount of reasonable force for the shortest time. Physical interventions should maintain as much dignity as possible for all those concerned.

3.8 All staff should ensure the following guidelines are adhered to:

- 3.8.1 When positive handling has been used, the full details of the incident will be recorded in the Physical Intervention and Restraint Record Book, signed by the Headteacher who, in doing so, confirms that parents have been informed at the earliest possible opportunity and within 24 hours, and all details recorded on CPOMs
- 3.8.2 if positive handling is identified within a risk assessment and/or a child's behaviour plan, parent will be informed and asked to formally sign the plan to indicate understanding
- 3.8.3 Where this is the case, staff should agree to the use of safe touch in discussion with the Headteacher and its use should be regularly reviewed.

3.9 Safe touch may include the use of brief, gentle contact on open or clothed parts of the body: hands, arms, shoulders, head or hair

3.9.1 parents/Carers will be informed of the Trust practice by all schools displaying the policy on their website.

3.10 Where staff determine physical intervention is necessary, they will calmly communicate the reasons for their actions to the pupil and explain why it is necessary in a non-threatening manner. In most cases, staff will communicate this to pupils before making physical contact to minimise distress and/or further escalating behaviour from the pupil; however, the Trust and the school recognise that this is not possible in some emergency situations.

3.11 Positive handling, physical techniques are not risk free.

3.12 There is a possibility that accidental bruising, scratch marks, and other injuries can occur from the use of a physical technique. These should be recorded when reporting the use of restrictive practices and parents informed.

3.13 Where a member of staff believes that they are at risk, e.g. where an injury is likely to occur, they will not intervene in an incident without the help and assistance of another staff member.

3.14 We understand that children sometimes need time to regulate in a calm, safe and supported environment away from their peers. This means that an adult will accompany them to a separate space. When the child is ready, they may return to their class. In very exceptional circumstances, for example, where a child's behaviour presents a significant risk of substantial harm to themselves or others, an action that prevents a child from leaving a safe space will be taken in the short term. The school will follow the DfE guidance Behaviour in Schools: Advice for headteachers and school staff, February 2024, at all times.

3.15 All staff will have due consideration to the risks posed by the additional vulnerability of pupils with SEND in terms of physical intervention and reasonable force. Staff members will not assume that a technique employed for one pupil with SEND will be applicable to other pupils with SEND and will seek advice from training providers as necessary.

4. Post-incident support

4.1 Following an incident of physical intervention or restraint, all pupils and staff members involved will be given any necessary first aid to treat injuries as soon as possible, and emotional support.

Wherever physical intervention is used, staff members and pupils involved in incidents will be given separate opportunities to reflect on what happened.

4.2 It will be explained to the pupil involved the reason that such intervention was used and reassured that the use of the intervention was not a punishment for their behaviour, but rather a method of defusing the situation and preventing them from harming themselves or others. The pupil will be asked about the reasons for their behaviour, including:

4.2.1 Why their environment was causing such distress for them, e.g. in an instance of sensory overstimulation leading to a meltdown.

4.2.2 Whether they feel there was anything that could have been done to meet their needs before the situation escalated.

4.2.3 Whether, and how, staff actions were helpful or unhelpful.

4.3 Staff will be encouraged to reflect on their actions and how they handled the situation, and will be reassured, where appropriate, that they have done nothing wrong and acted in what they perceived to be the best interests of pupils.

5. Reporting incidents

5.1 When positive handling has been used, immediately following an incident, the member(s) of staff involved will verbally report the incident to the headteacher and provide a comprehensive written record of the situation as soon as possible on CPOMs. The full details of the incident will be recorded in the Team Teach Logbook, which will be signed by the Headteacher, who, in doing so, confirms that parents have been informed at the earliest possible opportunity and within 24 hours, and all details recorded on CPOMs.

5.2 Staff members who do not report and/or record an instance of reasonable force where it has occurred may be disciplined in line with the Disciplinary Policy and Procedures.

5.3 Records will be retained and analysed by the headteacher, and SENCO where physical intervention was used on a pupil with SEND, on a termly basis to ensure that such interventions are being used appropriately, and to identify patterns of behaviour and responses to that behaviour that may require changes to school practice, e.g. increased staff training or further behavioural or emotional support. The number of incidents will also be shared with the Trustees and LGCs for on-going evaluation.

6. Unsafe Touch

6.1 At no point and under any circumstances should staff members use touch to satisfy their own need for physical contact or reassurance. Staff need to show awareness of touch that is invasive or which could be confusing, traumatizing or experienced as eroticizing in any way whatsoever.

6.2 Touch is not to be used as an ill-thought-out or impulsive act of futile reassurance.

6.3 Touch must never be used as a means to ensure compliance.

6.4 Staff must always be particularly sensitive to pupils who are demonstrating that they are not comfortable with touch, even if it appears to be appropriate to the member of staff. It is vital for a member of staff to think about what they represent to a particular child. A child's history may also influence who represents a 'safe' adult to them. Additionally, some children may be used to experiencing different levels or types of touch as part of their cultural upbringing.

6.5 Should any such touch be used it would be deemed as the most serious breach of the Code of Ethics warranting the highest level of disciplinary action.

7. Complaints

7.1 All complaints regarding the use of physical intervention or reasonable force will be investigated in a thorough and speedy manner. The person making the complaint is responsible for providing evidence for their allegations, e.g. testimony of events or evidence of injury – it is not for the member of staff to prove that their actions were made reasonably.

7.2 Any allegations against staff will be dealt with as a matter of urgency, and in accordance with the procedures outlined in the school's Allegations of Abuse Against Staff Policy. The headteacher will be responsible for conducting a thorough investigation to find out the correct details of what occurred; this may include talking to other pupils about the incident, for instance those who witnessed the event.

7.3 In extreme circumstances, parents may take civil action or pursue a criminal prosecution. In the case where a member of staff has acted within the law, this will provide a defence against any civil or criminal prosecution.

7.4 Members of staff accused of using excessive force will not be automatically suspended as a response to the allegations. The following procedure will be adhered to, in line with the Allegations of Abuse Against Staff Policy.

7.5 Where a safeguarding allegation is made against a member of staff that involves physical contact, e.g. restraint, the strategy discussion or initial evaluation with the LADO will take into account that teachers and other school staff are entitled to use reasonable force to control or restrain pupils in certain circumstances, including dealing with disruptive behaviour as set out in the DfE's 'Use of reasonable force' guidance 2013.

7.6 Any complaints should be made following the Trust's complaints policy.