SUTTON VALENCE SCHOOL
SINCE 1576

Safe Touch Policy

(Prep School)

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This Policy applies to Sutton Valence School (including, as the context requires, the Nursery and the Prep School).

This document has regard to:

1. Sutton Valence School Child Protection Policy
2. Sutton Valence School Anti-Bullying Policy
3. Sutton Valence School Positive Behaviour Policy
4. Sutton Valence School Parents' Handbook
5. Sutton Valence School Staff Handbook
6. 'Use of reasonable force' non – statutory advice for Schools from the Department of Education July 2013
7. Sutton Valence School EYFS Toilet and Intimate Care Policy

It has also been written with the following legislation in mind:

1. Education and Inspections Act 2006 (legislation.gov.uk)
2. DfE Use of Reasonable Force 2013
3. Statutory framework for the early years foundation stage (publishing.service.gov.uk)
4. Keeping children safe in education 2023

General Approach

All members of staff should strive to create a setting and an environment where all children in the School feel safe and valued. Children should be encouraged to articulate their feelings and wishes and they should be listened to**.** Wherever possible, physical contact with children should be avoided, especially if ever alone with a child. Avoiding all physical contact is not always possible or indeed appropriate though, in particular with our youngest children. The type and appropriateness of any physical contact will vary for several reasons, including according to the age of the child. Whenever safe touch is appropriate, staff should use brief and gentle contact on open or clothed parts of the body e.g. hands, arms or shoulders.

All staff have a responsibility to behave in a manner appropriate to their status as a role model to young people. It should also reflect their ability to safeguard the welfare of the children in their

care. They should adopt high standards of personal conduct in order to maintain the respect and confidence of parents, children and colleagues.

As staff, whenever possible we will always ensure that we:

- Have a positive, can-do attitude;
- Value what children have to say;
- Communicate verbally in a kind, considerate and empathetic manner;
- Listen to all parties, especially in a dispute;
- Recognise and praise a child when appropriate;
- Do not show anger;
- Do not shout (unless required to do so for safety reasons or perhaps when outside);
- Model behaviour when dealing with children and / or parents;
- Expect good behaviour and be surprised by bad behaviour;
- Admit our mistakes, and report and apologise for them if necessary; and
- Ensure our approach is always fair and consistent.

Of course, there are occasions when physical contact with children happens, both deliberately and by accident. This policy exists to provide guidance and parameters for staff, parents and children about these occasions so that all physical contact that happens is safe, appropriate and mutually understandable.

The appropriateness of any deliberate touch will vary depending upon the age of the child, as well as to some extent upon the individual circumstances. For instance, children in Nursery may be lifted and cuddled when upset whilst children in Pre-Prep may appreciate a sideways cuddle instead. The youngest of our learners might sit on knees when reading books or look for other forms of physical contact due to myriad reasons including, most commonly:

- needing reassurance;
- sheer excitement;
- anxiety at handover; and / or
- wanting rocking at sleep times.

These types of touch will not be appropriate for older children. Older children might only experience touch when shaking hands to greet someone or when receiving recognition or awards. There may be specific occasions when touch might be required, such as when coaching in sport or when music teachers are helping a child to learn to play an instrument. In general though, touch should only be offered (not required) and should usually take place when other children or adults are present.

Accidental touch might occur for a number of reasons. For instance, a child might initiate a cuddle but, depending upon the age of the child and the appropriateness of the circumstance, this may be discouraged kindly.

In general, we guide staff to remain in view of other staff so that children and staff are safe. Staff must use their professional judgement at all times and the latest Child Protection Policy explains how and why all staff members can self-refer incidents if ever any physical contact felt or might have looked out of the ordinary.

Incidents

Incidents will sometimes occur in School which might require physical intervention to protect children or other adults.

Before intervening physically, staff should, whenever practicable, tell the children what is going to happen before carrying out the action. The member of staff should attempt to communicate with the child throughout the incident and should make it clear that physical contact or restraint will stop once it ceases to be necessary. A calm and measured approach is needed and the member of staff should never give the impression that they have lost their temper, or are acting out of anger or frustration, or are punishing the child.

Sometimes a member of staff should not intervene in an incident without help (unless it is an emergency). For example, when dealing with an older child, or a physically large child, or more than one child, or if the member of staff believes they may be at risk of injury.

In these circumstances, the member of staff should remove other children who might be at risk and summon assistance from a colleague, or where necessary telephone the police. The member of staff should inform the child / children that they have sent for help. Until assistance arrives, the member of staff should continue to attempt to defuse the situation orally and try to prevent the incident from escalating.

Planning for incidents

Where the School is aware that a child is likely to behave in a way which may require physical contact or restraint, an individual plan or risk assessment may be drawn up. It will address:

a) Managing the child (e.g. discussing with them reactive strategies to defuse a conflict, holds to be used);
b) Involving the parents to ensure that they are clear about what specific action the School might need to take;
c) Briefing staff to ensure they know exactly what action they should be taken (this may identify a need for training);
d) Ensuring that additional support can be summoned if appropriate;
e) In some cases, the School may seek medical advice from the School nurses about the safest way to hold children with specific health needs.

Action in self-defence or in an emergency

Everyone has the right to defend themselves against an unprovoked attack provided they do not use a disproportionate degree of force to do so.

In an emergency, where a child is at immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene.

Type of incidents

The wide variety of situations in which reasonable force might be appropriate, fall into three broad categories:

1. Where action is necessary in self-defence or because there is an imminent risk of injury. Some examples of situations which fall within this category might be:
    - A child attacks a member of staff or another child;
    - Children are fighting;
    - A child is engaged in or is on the verge of committing deliberate damage or vandalism to property;
    - A child is causing, or at risk of causing, injury or damage by accident through rough play or by misuse of dangerous materials or objects;
    - A child is running in a corridor or on a stairway in a way which might cause an accident likely to injure the child or others;
    - A child absconds from a class or tries to leave the School.

2. Where there is a developing risk of injury, or significant damage to property.

3. Where a child is behaving in a way which is compromising good order and discipline. Examples of situations that fall within this category:
    - A child persistently refuses to obey an order to leave a classroom; or
    - A child is behaving in a way that is seriously disrupting a lesson.

In all these circumstances, physical intervention should only be used when all other strategies have been tried and found to be unsuccessful. In the first instance, staff should always attempt to diffuse the situation by:

- Appropriate use of their voice in terms of pace and tone;
- Adjustment of body position to ensure minimum threat to the young person and maximum safety for staff, often a sideways stance;
- Appropriate facial expression and eye contact to reassure and calm;
- Appropriate use of humour;
- Making clear the expectations of all concerned in the incident and the likely consequences if behaviour deteriorates further;
- Seeking help from other staff to diffuse the situation.

If these techniques have been unsuccessful, it may be necessary to use physical intervention. There are three categories of physical intervention:

1. Escorting – the intention is to move a child away from a particular area;
2. Holding – the intention is to keep a child in a particular area;
3. Restraint – the intention is to overpower the child because they have lost all control and are a danger to themselves and or others or property.

What is reasonable force?

The definition of 'reasonable' force will always depend on all the circumstances of the case. The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore, physical force would not be justified to prevent a child

committing a trivial misdemeanour, or in a situation that clearly could be resolved without force. Also, the degree of force involved must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is trying to prevent. Any force used should always be the minimum needed to achieve the desired result.

Whether it is reasonable to use force, and the degree of force that could reasonably be used, might also depend on the age and understanding of the child.

Application of force

Physical intervention can take several forms. It might involve staff:

- Physically interposing between children;
- Blocking a child's path;
- Holding, pushing or pulling;
- Leading a child by hand or arm;
- Shepherding a child away by placing a hand in the centre of their back.

Staff must never act in a way that might reasonably be expected to cause injury, for example by:

- Holding a child around the neck, or by the collar, or in any other way which might restrict the child's ability to breathe;
- Slapping, punching or kicking a child;
- Twisting or forcing limbs against a joint;
- Tripping up a child;
- Holding or pulling a child by the hair or ear;
- Holding a child face down on the ground.

If application of force is deemed necessary, staff should always use the minimum degree of force necessary for the shortest period of time possible. Staff should also explain what they are about to do and why they deem this to be necessary both for the child and for any other witnesses to the application of force. Staff should also always avoid touching or holding a child in a way that might be considered indecent.

Staff should always try to deal with a situation through other strategies before using force. This is particularly appropriate where the aim is to maintain good order and discipline and there is no direct risk to people or property.

As the key issue is establishing good order, any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically need to be carefully evaluated.

The age and level of understanding of the child is also very relevant. Physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older children.

The use of force should never be used as a substitute for good behaviour management.

Recording incidents

It is important that there is a detailed, written report of any occasion where force is used. It may help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful should there be a complaint.

An up-to-date record of all such incidents must be kept in the Incident Book found in the Medical Room. Immediately following any such incident, the member of staff concerned should inform the Head or, in their absence, one of the Designated Safeguarding Leads (currently, the Deputy Head, Head of Nursery and Pre-Prep and the Nursery Manager). The Head will require a written report within 24 hours. This report should include:

- The name(s) of the child(ren) involved and when and where the incident took place;
- The names of any other staff or children who witnessed the incident;
- The reason that force was necessary (e.g. to prevent injury to the child);
- How the incident began and progressed, including details of the child's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied, and for how long;
- The child's response and the outcome of the incident;
- Details of any injury suffered by the child(ren) and of any damage to property.

The Head will decide when, by whom and how parents will be informed of an incident involving their child. A referral to the local safeguarding authorities and or the police may ensue following child protection rules and procedures.

Complaints

It is possible that parents may make a complaint about the use of force by a member of staff, which may lead to an investigation by the School but also by outside agencies. Their aim would be to establish if the use of and degree of force was reasonable in the circumstances. It would be likely to take account of the School's policy on restraint, whether that had been followed, and the need to prevent injury, damage or disruption in considering the circumstances of the case.

Relations with Children and Families

Staff must always follow all child protection guidelines. Furthermore, staff should never be party to gossip about children or families. Children must always be dealt with impartiality; there should be no favouritism and disparaging remarks of any sort should be avoided. Staff must also be aware of and respect the anti-bullying stance of the School.

SEND Considerations

This School policy considers 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.

Students with SEND and SEMH needs are especially vulnerable to experiencing negative touch and the staff team are aware and will make suitable adaptations to their practice to support these students. We are aware that some students with SEND will experience touch differently and we will endeavour to ensure we understand and share these students touch preferences through their provision plan.