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# POSITIVE TOUCH POLICY

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## **Context**

For pupils who are at an early stage of development touch is likely to be the most fundamental, tangible form of communication; establishing a foundation for all further communication development.

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role and code of conduct. A 'no touch' approach is impractical for most staff and will in some circumstances be inappropriate.

When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, and sensitive to gender, ethnicity and cultural background. Appropriate physical contact in schools will occur most often with younger pupils or those whose learning is in the early stages of development.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil. Staff should therefore, use their professional judgement and code of conduct at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible using an incident report and, if appropriate, a copy placed on the pupil's file.

Physical contact, which occurs regularly with an individual pupil, is likely to raise questions unless the justification for this is part of a formally agreed plan e.g. an intimate care plan. Any such contact should be the subject of an agreed policy and subject to review. Where feasible, staff should seek the pupil's permission before initiating touch. Staff should listen, observe and take note of the child's reaction or feelings and – so far as is possible – use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary.

A general culture of 'limited touch' should be adapted, where appropriate, to the individual requirements of each pupil. Pupils with special needs may require more physical contact to assist access to their everyday learning. These arrangements should be understood and agreed by all concerned, justified in terms of the pupils needs, consistently applied and open to scrutiny.

It is recognised that some pupils may seek inappropriate physical contact. Adults should be particularly aware of this especially when it is known that a pupil has suffered previous abuse or neglect. In such cases it may be that in the pupil's view, physical contact might be associated with such experiences and lead to touch being misinterpreted. In all circumstances where a pupil initiates inappropriate physical contact, it is the responsibility of the adult to sensitively deter the pupil and help them understand the importance of personal boundaries and intimate space. Such circumstances must always be reported and discussed with a senior manager and the parent/carer.

Recent research into neurobiology is now studying the cells of the nervous system and the organization of these cells into functional circuits that process information and mediate behaviours. Scientists have early research to pinpoint specific sensory neurons and this may provide further understanding and insight of the benefits of sensory programmes, which make use of touch with children.

## **To whom does it apply?**

### **Staff**

This policy applies to all staff (paid or unpaid) working within Spring Common Academy. Touch is essential in order to provide sensitive and good quality care for pupils we teach whose learning is within the early stages of development.

The purpose of this document is to provide practical safeguards and guidelines for the use of physical contact via positive touch. Staff often express concerns about the safe use of touch to use in a professional role and this policy has been developed in the context of the Local Authority Model Safeguarding and Child Protection Policy alongside the Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings (also see Legal/Guidance Framework below) and Keeping Children Safe in Education.

Here at Spring Common Academy we use positive touch to prompt, guide, reassure and comfort pupils in the early stages of development. Low level touch such as an elbow guide, arm around the shoulder or a held hand may be used to encourage pupils to stay still, for transitions to access the curriculum or keep them and/or other pupils safe.

A small number of our pupils seek out physical pressure from staff around them. If this has been observed and assessed as having a positive impact on their ability to regulate and return to positive learning behaviours it will be recorded on their sensory profile and detailed on their sensory diet plan. These documents are updated regularly and shared with the class team. Staff are trained in safe methods of applying deep pressure.

We believe that touch used in this way can be a positive reinforcement to relationships and learning as well as a comfort in times of inertia or distress. Any behaviour that escalates and increases the need for physical contact should only be practised within the guidance in the school's physical intervention policy.

### **Pupils**

Many of our pupils working within the early stages of development have sensory impairments, e.g. sight or hearing together with problems with verbal communication. This emphasises the necessity to use available channels of communication in order to ensure that pupils have access to a variety of rich social experiences. Physical contact is a deep, fundamental form of communication for all human beings, and can be particularly effective for ensuring the transmission of profound messages about self worth and respect, particularly (but not only) when speech communication is not available.

Touch is a normal interaction for the affirmation of relationships and giving of emotional and physiological support even when cultural attitudes to touch vary.

Pupils who have difficulties with appropriate touch, for example are heavy handed or physically challenging need experiences of positive touch which is calm in order to adapt their behaviour. Appropriate touch cannot be experienced, understood and reciprocated when touch is withdrawn by an adult providing a caring environment for a child in the early stages of development.

Some pupils do not like to be touched, as a result we can see that they lack knowledge of a huge area of human experience and thus we should sensitively address and ameliorate the problem if possible with sensitivity. Appropriate touching may make the recognition of negative inappropriate touch more likely, and thus may be a proactive measure against inappropriate touch and/or the effects of the experience of inappropriate touch.

## **Duty of Care**

The Children Act 2004 places a duty on organisations to safeguard and promote the welfare of children and young people. This includes the need to ensure that all adults who work with or on behalf of children and young people in these organisations are competent, confident and safe to do so.

All adults who come into contact with children and young people whether working in a paid or unpaid capacity have a duty of care to safeguard and promote their welfare. Children and young people have a right to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well being of children and young people. Failure to do so will be regarded as neglect.

The duty of care is in part, exercised through the development of respectful and caring relationships between adults and children and young people. It is also exercised through the behaviour of the adult, which at all times should demonstrate integrity, maturity and good judgement.

Employers also have a duty of care towards their employees, both paid and unpaid, under the Health and Safety at Work Act 1974. This requires them to provide a safe working environment for adults and provide guidance about safer working practices. Employers also have a duty of care for the well being of employees and to ensure that employees are treated fairly and reasonably in all circumstances. The Human Rights Act 2000 adopted by the UK sets out important principles regarding protection of individuals from abuse by state organisations or people working for those institutions. Adults who are subject to an allegation should therefore be supported and the principles of natural justice applied.

The Health and Safety Act 1974 also imposes a duty on employees to take care of themselves and anyone else that may be affected by their actions or failings. An employer's duty of care and the adult's duty of care towards children should not conflict. This 'duty' can be demonstrated through the use and implementation of these guidelines.

## **What does this mean in practice?**

Touch is important and may be used routinely for any of the following reasons (this gives examples and is not an exhaustive list):

### For **communication**

This is particularly likely to occur during intensive interaction. Any intensive interaction will be supported by an individual plan for the pupil.

### For **use in specific curriculum subjects**

This is likely to occur when support or guidance is needed for example during P.E or swimming.

### For **play**

This is likely to be encouraged so that pupils have similar experiences as their mainstream peers e.g. playing tag games.

### For **therapy**

This may be provided by a therapist or by another member of staff carrying out a therapy programme or following therapy advice.

### For **emotional reasons**

To communicate affection and warmth, to give reassurance and to communicate security and comfort or support a child who is distressed

### For the **purposes of care**

Touch necessary to carry out personal care e.g. toileting

### To **give medical and nursing care**

This is particularly likely when staff need to offer support after a seizure or injury following a medical programme or advice.

### To **give physical support**

Such as transferring into and out of a wheelchair and in order to guide pupils between places, rooms or activities or for moving and handling

### To **protect**

All pupils from dangerous situations by physically intervening e.g. to break up a fight or to manage challenging behaviours. All touch that results in a positive handling procedure will be recorded in the Bound Book using the Physical intervention Policy and procedures which includes appropriate debrief with pupils when this is possible.

Touch should take place only when it is necessary in relation to a particular activity. Staff will treat all pupils with dignity and respect and avoid contact with intimate parts of the body. Staff will take into account gender, cultural or religious issues. It should take place in a safe and open environment e.g. one easily observed by others and last for the minimum time necessary in relation to a particular activity. Contact will be relevant to their age or understanding especially for children in the early stages of development and staff will remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

As a general rule touch will be brief, gentle contact on usually clothed parts of the body: hands, arms, shoulders, head, hair and feet. With older pupils in the early stages of development staff should encourage touch on shoulders with staff positioned at the side to avert frontal hugging.

As part of planning touch all staff will be aware of parts of pupils body where touch would be invasive or which could be confusing, traumatising or experienced as eroticising in any way whatsoever. Touch will never be used as an ill-thought out or impulsive act of reassurance or gratification.

## **Guidelines**

It is helpful for staff when planning the use of touch within the curriculum to consider the following:

- Understand why you do it
- Have consent
- Be prepared to discuss your practices
- Be prepared to explain your practices
- Be prepared to change your practices
- Ensure your documentation and planning are referred to
- Work as a team within your guidelines and policies
- How many staff should be present
- Other policies/guidance which must be adhered to e.g. Use of Mobile phones/technology.

The use of touch should be discussed openly and regularly between staff. Planned use of touch within the curriculum should be included as appropriate in the child/young person's EHCP. Planned use of touch within Intimate Care should be linked to a Personal Care plan.

Staff must be clear and open about why they are using touch and be able to explain their practice. There must be clarity and transparency and wherever possible a description and rationale for physical contact and the details of it should be documented following discussion with the pupil, parents/carers and other relevant staff.

As far as possible the pupil involved should consent to any touch given and staff should be sensitive to any verbal and/or non-verbal communication they give that might indicate that they do not want to be touched. It should always be considered by staff that for touch to provide positive experiences it should be consensual.

Staff should be sensitive to any changes in the pupil's behaviour (e.g. over excitement or negative reactions) that might indicate the need to reduce or withdraw touch; particularly during play or intensive interaction. Significant changes in behaviour or presentation should be clearly recorded in the appropriate place and referred to a senior manager

The pupils we teach should also be given opportunities to touch each other while interacting and playing as would happen naturally for any child or young person. Attention should always be given to ensure that both parties are happy with any contingent touch and it is an appropriate activity.

Staff must be aware of the potential hazards:

- Staff must be sensitive to the danger of the touch being misunderstood and triggering sexual arousal and must be alert to all feedback signals from the pupil.
- Pupils may occasionally inadvertently touch intimate parts of a member of staff's body when there is no sexual intent or understanding. The member of staff should withdraw without giving negative feedback and the incident should be recorded on a Logging Concern form and passed on to the designated safeguarding lead (DSL)
- It is never appropriate for staff to touch a child/young person's intimate body areas except as part of intimate or medical care.
- It is never appropriate for a child/young person to touch a member of staff intimate body area with sexual intent and this should be immediately recorded on a Logging Concern form and passed to the DSL.
- Staff will be informed on a need to know basis if the child/young person they are working with has suffered previous abuse or neglect. For the child/young person any physical contact may be associated with such experiences. The Designated Safeguarding Lead will give clear guidance to staff working in such situations to ensure that the child/young person is dealt with in a sensitive and supportive manner and that staff work in way that does not put them at risk of an allegation.

If staff are in any doubt about issues concerning appropriate touch or observe any practice that causes concern they should discuss this immediately with their Designated Safeguarding Lead. Staff who work in a transparent open way as a team and staff who try to monitor and assist each other in carrying out their work are more likely to work in a safer way and be less likely to have allegations made against them.



## **Management Considerations**

### **Training for all staff**

- All staff will receive mandatory Safeguarding/Child Protection training every 3 years. Such training will ensure staff are able to recognise signs of abuse and/or neglect and know how to log and pass their concerns on to the designated persons within their school.
- Staff will be confident that their concerns will be taken seriously and acted on. All staff will also be aware of the Whistle blowing Policy and understand how it works.
- School will ensure that all staff read the "Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings". As part of the schools duty of care to all staff we ensure that staff will sign to say that have read it and will adhere to the guidance.

### **Personal Safety in PSHE**

All pupils will be taught at the appropriate level personal safety skills as part of the PSHE curriculum. This will ensure that pupils know who they can tell if they have a worry. This curriculum should also include for pupils understanding the difference between good touches and bad touches, good secrets and bad secrets. These curriculum activities will be shared with the parent/carer to enable them to be consolidated the learning within the home/community.

### **Protective Ethos**

Schools should create an ethos in which both pupils and staff feel secure, their viewpoints are valued, they are encouraged to talk and they are listened to. Below are ways we use to build and maintain a positive ethos in this school:

- Provide all staff, parents and children with suitable support and guidance.
- Have a clear, written Safeguarding and Child Protection Policy.
- Have a clear understanding of the types of bullying and act promptly to combat it.
- Ensure all staff are trained within the policies and guidelines of the school, to ensure their skills and knowledge are up to date.
- Be vigilant in cases of suspected abuse – be able to recognise the signs and indicators, know and adhere to procedures.
- Endeavour to raise children's awareness and actively promote self-esteem building so that children have a range of strategies and contacts to ensure their own protection.
- Actively teach personal safety and assertiveness skills.
- Work with parents to build an understanding of your establishment's responsibility to the welfare of the children.
- Have a clear set of guidelines about physical contact between physical and staff, which maintains a balance between support and preventing abuse.
- Have E-Safety Acceptable Use Policies for use of electronic means of communication – for staff and children.
- Have a clear Positive Handling/Physical Intervention/Behaviour policy.

- Use the minimum amount of physical intervention to create a safe situation.
- Have a clear policy about handling allegations of abuse by members of staff and ensure that all staff are aware of it. Ensure that Local Authority procedures are followed in all situations.
- Model being a 'safe person':
- Respect children's needs
- Model appropriate boundaries
- Avoid having a special relationship with one pupil
- Staff to encourage pupils to achieve an appropriate degree of independence in pupils
- Be aware of how your actions may look when seen by someone from outside. If in doubt about how your interaction with a child may appear to an objective observer, don't do it!

### **Targeting and Grooming**

Part of creating a protective ethos involves raising awareness among staff and children about the process of targeting and grooming used by sex offenders.

**Targeting** - is the process offenders use to identify a victim. Pupils most likely to be targeted are those in groups identified as "vulnerable". They may fall into one of some of the categories below:

- Children with troubled or unsettled lives
- Children with identified behavioural or emotional problems at school
- Children who are separated from parents
- Children who are known to have been previously abused
- Insecure children with low self esteem
- Isolated children, socially or geographically
- Children with disabilities or SEN

**Grooming** - is the process by which an offender manipulates the environment in order to increase the likelihood of offending without being caught. Some areas to consider in relation to grooming are listed below:

- It involves adults and children.
- The more protective adults a child has in their network the less likely they will be successfully targeted.
- It is subtle and it may be carried out in such a way as to have an "innocent" explanation.
- It is manipulative and deliberate
- It may be seen as warmth and helpfulness making the person extremely plausible
- It can be a slow process
- Children become entrapped and feel responsible and guilty
- Children are coerced to keep secrets.
- Use of mobile phones/technologies

Staff need to know that if they have concerns about the behaviour of a member of staff or volunteer within the school they should follow the procedure outlined on the back of their school's Safeguarding and Child Protection Policy.

## **Recording and sharing with parents**

It is important that parents/cares are involved in planning for touch of their child/young person throughout the school day. Pupils will also be involved in this discussion and consent as appropriate to the individual pupil.

Parents/carers will be informed of the school touch policy and will be asked to provide signed consent as appropriate in the curriculum.

School will share planning and records with parents at appropriate times for example the EHCP review.

## **Linked documents relating to Safeguarding**

- Safeguarding and Child Protection Policy including allegations flowchart
- Whistle Blowing Policy : Guidance for Employees
- Whistle Blowing Poster
- Domestic Violence Guidance for Schools and Colleges
- Guidance for Schools on the Use of Images
- Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings.
- Keeping Children Safe in Education
- Policy for Intimate Care,
- Risk Assessment for Children and Young People who Exhibit Sexually Inappropriate or Harmful Behaviours
- Moving and Handling Policy
- Anti-Bullying Policy
- Physical Intervention/Positive Handling Policy
- Behaviour Management Policy

## **Other useful documents:**

**Available from** <http://www.education.gov.uk/schools>

**Safeguarding Children and Safer Recruitment in Education** - sets out the responsibilities of all Local Authorities, schools and FE colleges in safeguarding and safe recruitment. It also includes the process for dealing with allegations of abuse against staff.

**What to do if you're worried a child is being abused** - basic guidance on what you should know and do if you are worried about a child being abused

**The Early Years Foundation Stage Setting the Standards for Learning, Development and Care for children from birth to five** - Department of Education and Skills

**HM Government Working Together to Safeguard Children (2018)** – sets out how organisations and individuals should work together to safeguard and promote the welfare of children.

**Framework for the Assessment of Children in Need and their Families** – outlines the Assessment Framework and how it should be used.

**Children Act 1989**

**Children Act 2004**

**Education Act 2002**

**Information Sharing: Practitioners' Guide**

Available from the Cambridgeshire LSCB website  
[www.cambslscb.org.uk](http://www.cambslscb.org.uk)

**Cambridgeshire LSCB Core Inter-Agency Procedures (July 2010)** – sets out the procedures to be followed when a child is at risk of harm and provides guidance to assist practice

**“Guidance for professionals working with sexually active young people under the age of 18 in Cambridgeshire”**

**“Safeguarding Children with Drug or Alcohol Misusing Parents” (2010)**  
Practice Guidance for agencies.

**“Protocol to safeguard the welfare of children at risk when they are residing with a parent(s) or carer(s) with a learning disability” (April 2011)**

**Human rights Act 1998 and 2000**

**United Nations rights of the child – ratified by UK government in 1991.**

Policy agreed on: \_\_\_\_\_

Signed on behalf of the Trustees \_\_\_\_\_

Committee: \_\_\_\_\_

Author: \_\_\_\_\_

Review date (optional): \_\_\_\_\_

Website Y/N