Safe Touch Policy

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Introduction

The safety and wellbeing of our learners is our top priority, and we take all reasonable and sensible measures to ensure they are kept safe from harm.

As an employer, Liberty expects all staff and volunteers to share this commitment. We believe this policy should be a working document that is fit for purpose, represents the college ethos, enables consistency and quality across the college.

Keeping Children Safe in Education statutory guidance provides the legal requirements for safeguarding children and young people. It covers the importance of ensuring the ensuring all staff are aware of the safeguarding policies and procedures and that they are kept up to date with KCSIE changes annually.

Safe Touch is embedded into the Liberty College Safeguarding process to ensure the following:

- Learners are able to learn and in a safe environment
- Statutory responsibilities are adhered to
- Staff build appropriate relationships with learners
- Recruited staff and volunteers are the best in their field.

The DfE published a guidance document, 'Use of reasonable force in schools', in 2013, that clarifies the use of force to help staff feel more confident in occasions when physical contact with a learner, other than reasonable force, is appropriate and necessary. 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 learners. All children and young people are entitled to receive an education in an environment where they feel safe, secure and respected. The college will dedicate itself to ensuring that no learners feel threatened or disrespected, in terms of physical contact between themselves or a member of staff.

Key Points

The DFE guidance has Key Points stated below:

- College 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 college leaders should support their staff when they make use of this power.

What is reasonable force?

Liberty College staff are not trained in physical intervention with learners as we hope to encourage our learners to deal with situations using other tools, strategies and techniques and encourage independence. Support is given to learners to develop and learn resilience and coping techniques.

'Reasonable force' covers a range of actions that involves a degree of physical contact between staff and learners. This can include:

- Guiding a learner to safety by their arm

- Breaking up a fight
- Preventing injury or violence.
- Standing between learners
- Blocking a learner's path to keep them or others safe

Staff should not put themselves in danger of harm when using reasonable force. Staff and learner safety should be a priority. If a situation has escalated and the behaviour management techniques outlined in the behaviour policy have not improved and the situation escalate to the degree physical intervention (restraint) is needed, staff will call 999 for Police assistance.

What is safe touch?

When working with children and young people there will be circumstances where staff are required to have physical contact with learners. For the purpose of this policy, "safe touch" is defined as physical contact that, if otherwise avoided, would be inhumane, unkind and potentially emotionally or physically damaging for the learner.

Safe touch should never be invasive, humiliating or flirtatious. The college understands that the following examples are instances of safe touch which may occur between staff and learners:

- Comforting an upset or distressed learner,
- Congratulating or praising a learner,
- Holding the hand of a learner to guide them, such as when crossing a road, showing them directions,
- Giving first aid to a learner,
- Demonstrating exercises or techniques during sports lessons, administering medicine, or when using musical instruments.

Staff using touch for reward or comfort are encouraged to use the 'college-hug', rather than an embrace. The college-hug is a sideways hug whereby the member of staff places their hands on the learner's shoulders. This type of hug prevents a front facing hug and the learner turning themselves into the staff member which is deemed inappropriate.

At Liberty College will also encourage staff to use other touch for rewards such as a fist bump, high five etc, if the learner is comfortable doing so.

Roles and responsibilities

All members of staff at our college have a duty of care towards learners and must be aware of the boundaries involving physical contact.

- The Designated Safeguarding Lead (DSL) is responsible for conducting annual safeguarding training for all staff members and ensuring that they are aware of their responsibilities, in line with the college's Safeguarding Policy.
- The Headteacher and DSL are responsible for ensuring that all staff engage in safe touch with learners, and only where absolutely necessary.
- All members of staff are responsible for ensuring that no learner feels threatened or unsafe at our college as a result of inappropriate touch.
- All members of staff have a responsibility to report any instances of inappropriate touch to the DSL.

- Staff are responsible for communicating with learners and parents/carers and ensuring that they are aware of this policy.
- The college has a responsibility for ensuring that they create and promote a culture in which learners' wishes and feelings are respected

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Obtain two references, one being the most recent employer
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Provide safeguarding training and ensure volunteers are aware of policies and procedures.

Reporting inappropriate touch

If a learner attempts to engage in any inappropriate touch, the member of staff involved will report this immediately to the DSL, in order to prevent any allegations of inappropriate physical contact. If another member of staff suspects or witnesses inappropriate physical contact, whereby the member of staff is willingly involved, they will report this to the DSL immediately. Any allegations against staff will be dealt with as a matter of urgency, and in accordance with the procedures outlined in the Staff Code of Conduct.

Power to search learners without consent

In addition to the general power to use reasonable force headteachers and authorised staff can use such force to conduct a search for the following prohibited items:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

If reasonable forced is used

Reasonable force and physical contact should be a last resort technique and the Behaviour Management procedures must be followed in the first instance. If staff have to use reasonable force, then they must:

- report this immediately to the DSL and record on CPOM's.

- It is good practice to inform parents/carers of serious incidents where reasonable force has been used on their child and young person. It is the Headteachers responsibility to decide who will inform them of this information.
- Debrief with Headteacher/DSL/SLT to discuss incident

If a learner or parent/carer complains about reasonable forced used, then the complaint should be processed and followed using the complaints procedure. Complaints must be investigated quickly and appropriately.

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 responsibility 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 unnecessary force.