

Touch Policy

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Regulations and Standards:

The Children's Homes (England) Regulations 2015:

- Regulation 11 - The Positive relationships standard.
- Regulation 12 - The Protection of Children standard
- Regulation 31 - Staffing of children's homes
- Regulation 33 - Employment of staff

This HND Children's Care Ltd Policy provides guidance on using appropriate and unambiguous touch as a form of positive communication between an adult and child.

Relevant Policies:

'Safeguarding – Child protection Policy'

'Positive Behaviour Support Policy'

'Children's Bedrooms Policy'

'Lone Working Policy'

'Child Protection Referrals Policy'

'Code of Conduct Policy'

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1. Introduction:



The term 'Touch' is used throughout this guidance in two different contexts. 'Touch' as a form of Physical Intervention designed to prevent a child or others from being injured or to protect property from being damaged; and the use of 'Touch' to enable staff to demonstrate affection, provide comfort, eases distress and signals care as would be expected between good parents and their children.

Guidance is also provided elsewhere on the use of touch as a form of physical intervention (see '[Positive Behaviour Support Policy](#)'). This guidance provides advice on touch as a demonstration of affection, acceptance, and reassurance. This policy provides guidance on the latter, relating to the demonstration of affection, acceptance, and reassurance.

It is acknowledged that touch raises particular issues for those working with children. Staff may be anxious about allegations of inappropriate physical contact with children. Touch is acceptable; but staff should consider appropriate touch, culture, and boundaries.

This guidance has been produced considering the following:

[Children Act \(1989\), revised Children Act \(2004\).](#)

[Working Together to Safeguard Children 2023.](#)

[The Children's Homes \(England\) Regulations \(2015\).](#)

2. Children's Background and Plans:

HND Children's Care Ltd appreciate that touch can be difficult to provide guidance about as it involves individual people (staff and children), group living, individual / group relationships and the complexity of personal feelings. However, HND Children's Care Ltd are committed to ensuring that the children who are accommodated deserve the highest quality safe service, so we will continue to explore best practice.

All adults who work with children have a crucial role to play in shaping their lives, staff have a unique opportunity to interact with children in ways that are both affirming and inspiring. All adults who come into contact with children in their work have a Duty of Care under the Children's Act 1989 (revised 2014) (the duty which rests upon an individual to ensure that all reasonable steps are taken to ensure the safety of a child / young person involved in any activity, or interaction for which that individual is responsible. Any person in charge of or working with children / young people in any capacity is considered, both legally and morally, to owe them a duty of care) to be accountable for the way in which they exercise authority, manage risk, use resources, and safeguard the children to promote their welfare. This means that staff who work with children need to keep them safe and to protect them from physical, sexual, and emotional harm and staff need to be competent, confident, and safe to do so.

Children may have had particular experiences, which make it difficult to accept touch from an adult; or the child's experiences may lead to a need for more touch than is acceptable. It is therefore important for staff to obtain information about the child's background before



acting in any way, not just in terms of the use of touch.

If there are particular needs that children have, or if it appears that the child may respond more or less favourably to touch, this must be reflected in the planning process. Dependent on the age and level of understanding of the child, s/he should be involved in this assessment and planning; and should be encouraged to consent to being touched; or to place conditions on it.

3. The Culture, the Boundaries:

The culture or values of the home should be such that touch is encouraged as a positive and safe way of communicating affection, warmth, acceptance, and reassurance. Staff and children should be encouraged to use touch, positively and safely, however it is important for staff and children to know if boundaries exist within the home or for individual children. If boundaries or expectations exist for individual children, they should be identified in their care plan, placement plan or other relevant assessment.

In the absence of any plan or expectation, the following should be taken into consideration:

- When thinking about who an appropriate person is to positively touch a child, it is vital to consider what the adult represents to the particular individual. Personal likes and dislikes will play a part in any relationship.
- In addition, many factors influence the power relationship between adult and child, including gender, race, disability, age, sexual identity and role status.
- The background of the child will also influence any decision about who represents a 'safe' adult in the eyes of the individual.
- Children from ethnic minority backgrounds may be used to different types of touch as part of the culture.
- Children who have been subject to physical or sexual abuse may be suspicious or fearful of touch. This is not to say that children who have experienced abuse should not be touched, it may be beneficial for the individual to know different, safer, and more reliable adults who will not use touch as a form of abuse.
- For each child, what constitutes an intimate part of the body will vary; but generally speaking, it is acceptable to touch children's hands, arms, shoulders. It may be appropriate to hug or cuddle children. Therefore, it may be appropriate to touch a child's back or ruffle their hair if the individual indicates such touch is acceptable. To go beyond this would be unacceptable, even if the child appeared to accept it. In any case, no part of the body should be touched if it were likely to generate sexualised feelings on the part of the adult or child.
- Also, no part of the body should be touched in a way that appears to be patronising or intrusive. Therefore, the context in which positive touch takes place is usually a decisive factor in determining the emotional and physical safety for both parties.
- What message is being sent to the child? If the intention is to positively and safely communicate affection, warmth, acceptance, and reassurance it is likely to be acceptable.



- Physical contact should never be secretive, or for the gratification of the adult and in any way that may be considered indecent or represent a misuse of authority.
- A fleeting or clumsy touch may confuse a child or may make them feel uncomfortable or even cause distress. Staff should positively touch with confidence, and should verbalise their affection, reassurance, and acceptance; by touching and making positive comments. For example, by touching a child's arm and saying, "Well Done".
- Where children indicate that positive touch is unwelcome staff should back off and apologise if necessary being aware of the need to respect individuals wishes and treating them with dignity.
- Staff should talk to colleagues and record their interactions with children. If particular strategies work, or not, colleagues should be informed so they can build on or avoid making the same mistake.

Touch of an equally positive and safe nature is acceptable between staff; it demonstrates positive role models for children and shows that adults can get along and use touch in non-abusive or threatening ways.

It is also acceptable to talk about how positive touch feels, about acceptable boundaries and expectations.

Play fighting is not acceptable because such situations can easily get out of hand and what started as fun can become angry and aggressive. Play fighting is sometimes used as a way of establishing levels of authority within groups of people and the consequence of this can be that children see the strongest person as the one who has most authority and this should be challenged.

The key is for staff to help children experience and benefit from touch, positively and safely; as a way of communicating affection, warmth, acceptance, and reassurance.

Where a member of staff feels that it would be inappropriate to respond to a child seeking physical comfort, the reasons for denying this should be explained to the child, and the child should be comforted verbally as necessary.

End.