



Policy No: SJD/YP/34	Authorised by: Davina Powell	Review Date:
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USE OF RESTRAINT		

Legislation

The Children Act 1989 requires that any restraint of a child must be within the general law. But the law recognises that there are circumstances where there are legal justifications for the use of restraint, namely:

- In self-defence;
- In protection of a particular child;
- In protection of other children and/or adults;
- In protection of property from serious damage.

Children's Homes Regulations 2015. Regulation 20

(1) Restraint in relation to a child is only permitted for the purpose of preventing—

- (a) injury to any person (including the child);
- (b) serious damage to the property of any person (including the child); or
- (c) a child who is accommodated in a secure children's home from absconding from the home.

(2) Restraint in relation to a child must be necessary and proportionate.

(3) These Regulations do not prevent a child from being deprived of liberty where that deprivation is authorised in accordance with a court order.

Where a measure of restraint is used on a child accommodated in a children's home, it must be proportionate and no more force than is necessary should be used. A measure of restraint is used where a person uses, or threatens to use, force to secure the doing of an act which a child resists or restricts a child liberty of movement, whether or not the child resists.

Definitions

Restraint is defined as the positive application of force with the intention of overpowering a child. Practically, this means any measure or technique designed to completely restrict a child's mobility or prevent a child from leaving, for example:

- Any technique which involves a child being held on the floor;
- Any technique involving the child being held by two or more people;
- Any technique involving a child being held by one person if the balance of power is so great that the child is effectively overpowered; e.g. where a child under the age of ten is held firmly by an adult;

- The locking or bolting a door in order to contain or prevent a child from leaving.

Holding: Includes any measure or technique which involves the child being held firmly by one person, so long as the child retains a degree of mobility and can leave if determined enough.

Policy

The physical restraint of any child or young person will only be used as a last resort and only to prevent a young person harming themselves, others or damaging property. Restraint may not be used to force compliance or as a punishment where Significant Harm or serious damage to property are not otherwise likely to occur.

A child/young person can be prevented from the leaving the home if it is felt they are at Significant Harm in the following circumstances:

- Sexual Exploitation;
- Gang Related Activities;
- Use of drugs.

The method of restraint adopted by SJD Homes is taught during Positive Handling Training. Staff are trained in how and when to restrain and be up to date with refresher training as required. If for any reason, a staff member is unable to safely use restraint techniques, colleagues should be made aware.

Only staff who have undergone the Positive Handling Training are authorised to use restraint where deemed necessary.

The physical restraint of any child is a controversial issue. It is acknowledged that on occasions staff may be faced with children who lose control, placing themselves or others in danger. It is accepted that in such circumstances it may be necessary to use physical restraint. Only approved restraint techniques should be used.

Although this procedure is applied to all children, staff in residential homes will need to be mindful of the age and ability of the child. They should also be aware of the special circumstances that may apply to children with a disability and also of their own safety.

Procedure for use of Restraint

1. The use of physical restraint will only be undertaken by staff who have completed approved training in Positive Handling with annual refresher courses. A record of training will be maintained and placed on the staff member's personal file and supervision record;
2. It is essential that all residential staff members are aware of when, and when not to restrain a child or young person and how to restrain when the need arises. This will be

assessed through training and practice and recorded on the staff member's personal file and supervision record;

3. Under no circumstances should restraint be used to enforce compliance with the house rules or the instruction of a member of staff, or as a punishment;
4. Restraint should only be used in the context of the child's abilities and level of understanding;
5. The following issues should be taken into consideration:
 - Has the child been given sufficient time to process and respond to a verbal request given their communication and other abilities?
 - Has a request been made in language or form of communication appropriate to the child?
 - Has the child been given every opportunity to resolve a situation positively and informally?
 - Is the child at risk of self-harm or causing harm to others?
6. Staff, when dealing with challenging behaviour or using restraint, should employ all aspects of the Positive Handling Training.
7. Within a reasonable period of any child or young person being restrained, a meeting should be held with the child or young person;
8. The child or young person must be seen by a manager not involved in the restraint to assert the young person's feelings regarding the restraint process and their well being. This should be recorded on the relevant part of the Behaviour Management Record;
9. Where Physical Intervention has been used, the child, staff and others involved can call on medical assistance. Children must always be given the opportunity to see a Medical Practitioner, even if there are no apparent injuries;
10. Within 24 hours of any child or young person being restrained, the Behaviour Management Record should be completed regarding the incident and sent to the child or young person's social worker and relevant others;
11. Where a child's behaviour is such that it is likely that they will need to be restrained, a Risk Assessment/Individual Crisis Management Plan (ICMP) should be undertaken and reflect this, with a view to informing the day to day Care Plan and any proposed agreed strategies. The young person, Key Worker and Registered Manager or Deputy should sign their agreement to the plan;
12. Placement Plans and Care Plans concerning children and young people whose risk assessments indicate that their challenging behaviour needs to be managed through the use of restraint, should be reviewed at least every three months. The ICMP and Risk Assessment should be reviewed monthly, or more regularly following an incident or change of Placement Care Plan.

The following Policies must also be referred to:

