

## **RESTRAINT POLICY & PROCEDURE**

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### **POLICY STATEMENT**

ELCAP staff will not use restraint on a service user except in very specific circumstances. Restraint can only be used if:

1. A Clinician has stated restraint is necessary or a court order provides authority for this; or
2. There is a clear and direct danger to the service user or others.

### **PROCEDURE**

#### **Challenging behaviour**

Where the behaviour of a service user challenges our service delivery, we take advice from the people around the service user about their understanding of this behaviour and how we respond to this. We take advice from Psychiatrists, Psychologists and members of the Community Learning Disability Teams and other teams, for example, offender management services as appropriate. We develop individual redirection and de-escalation interventions which are agreed with the Care Manager based on the professional advice. We provide training to staff based on this advice and we seek to provide the same training and the same management approaches as other people in the person's life to ensure consistent support. All incidents of challenging behaviour are reported through line management and managers are available at all times to advise staff.

#### **Managing Violence**

Sometimes managing violence is part of our work in dealing with challenging behaviour. Guidelines for staff are developed and individual redirection and de-escalation interventions are agreed with care managers. All incidents of violence are reported through line management and managers are available at all times to advise staff. Sometimes managing challenging behaviour or managing violence can require a service user to be restrained.

Staff in Elcap will only use restraint where;

1. Clinicians have introduced an agreed intervention plan as the least intrusive option to keep the service user and others safe from harm. The clinician also needs to agree what staff training is necessary and when this intervention is to be reviewed. Any agreed use of restraint will be formally recorded in risk assessments and reviews of support.
2. There is an expressed right given to a named individual to limit someone's freedom stated in a court order and, in order to provide the support which we have contracted to provide, we must comply with its terms.
3. In an emergency, when there is a clear and direct danger to the service user or others, the member of staff will use reasonable force to restrain a person if no other intervention will keep the person safe. Any use of restraint in an emergency will be recorded as an incident and will be reported to the Care Commission and to the relevant agencies under *Protecting Vulnerable Adults: ensuring rights and preventing abuse guidelines*, *Adult Support and Protection Guidelines* and under the *Lothian Child Protection Policy and Guidance*.

Staff who provide direct support to service users will be aware of the guidance;

- Adult Support and Protection: Ensuring Rights and Preventing Harm
- the Lothian Child Protection Policy and Guidance and
- “Rights, Risks and limits to Freedom” and
- “Safe to Wander”

Staff will be aware of existing risk assessments which have been developed to support service users and will comply with these. These documents may only be amended with the agreement of the clinicians or care managers who have developed them.

**Clinicians have introduced an agreed intervention plan with agreed staff training as the least intrusive option to keep the service user and others safe from harm and the clinician has stated when this intervention is to be reviewed. Any agreed use of restraint will be formally recorded in risk assessments and reviews of support.**

Where the use of physical interventions, lap straps, belts, cot sides or other devices for safety or medicines have been agreed with Healthcare professionals or Care Managers, this is written in the service user’s personal plan and is written in a risk assessment document. These types of restraint are discussed at each review of the service user’s support with the Care Manager or clinician. If they are used according to the instruction given, an incident form is not required and the Care Commission are not notified.

- **If these** or any form of control are used in a way that is different from the agreed risk assessment with the Healthcare professionals or the Care Manager, this may be abuse and an incident/accident form must be completed and Adult Support and Protection: Ensuring Rights and Preventing Harm and the Lothian Child Protection Policy and Guidance must be followed.

**There is an expressed right given to a named individual to limit someone’s freedom stated in a court order and, in order to provide the support which we have contracted to provide, we must comply with its terms.**

- A copy of the legal authority from the court and the instructions of the named person who can introduce the limits to freedom are held by the registered manager of the service. Minutes of regular reviews of the legal restriction and the limits to freedom and a clear statement of when the restriction is anticipated to expire are held by the registered manager. All staff will be aware of the limits imposed. Any support provided which is not consistent with the limits stated either a relaxation of limits or the imposition of other limits are reported to the manager immediately. An incident/accident form must be completed, the Care Commission must be informed and Protecting Vulnerable Adults: ensuring rights and preventing abuse guidelines and the Lothian Child Protection Policy and Guidance must be followed.

**In an emergency, when there is a clear and direct danger to the service user or others, the member of staff will use reasonable force to restrain a person if no other intervention will keep the person safe. Any use of restraint in an emergency will be recorded as an incident and will be reported to the Care Commission and to the relevant agencies under Protecting Vulnerable Adults: ensuring rights and preventing abuse guidelines and under the Lothian Child Protection Policy and Guidance.**

If a person was in immediate and serious danger, **it is not abuse** to use reasonable force to prevent a person harming himself or herself or another, if their safety could not be achieved another way.