

Occupational Therapy Services

Environmental Restraint Policy & Procedures

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Name, title and dept of originator / author:	Stephanie Doar, Senior Practitioner Occupational Therapist, Disabled Children's Team
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Legislation and Policy

- UN Convention on the Rights of the Child 1989.
- Human Rights Act 1998.
- Department of Health and Department for Education and Skills: Guidance for Restrictive Physical Interventions: How to provide safe services for people with Learning Disabilities and Autistic Spectrum Disorder 2002.

The UN Convention is a wide ranging instrument with 54 articles and four core principles, one of which identifies the best interests of children must be the primary concern in making decisions that may affect them.

The Human Rights Act, article 5, refers to the right to liberty and personal freedom, and identifies the deprivation of this should be considered only in exceptional circumstances and should always be proportional to the presenting risk. However, there is no single definition or any checklist that can be used to automatically identify in which circumstances a person is being deprived of their liberty.

The 2002 DoH / DfES guidance focuses on the need for agencies to have effective policies, procedures and training for staff who work with people who may have behavioural episodes where restrictive physical intervention is necessary for their safety and/or the safety of others. The document highlights that the scale and nature of any intervention must be proportionate to both the behaviour of the individual and the potential harm. This guidance does not specifically refer to physical restraints, however the principle of proportionality and the requirement for policies and procedures is the same.

Criteria and Circumstances

This policy and guidance focuses upon environmental restraint, which refers to:

- The use of barriers to limit freedom of movement, for example door locks of any kind.
- The use of materials or equipment to restrict or prevent movement, for example contained beds or bed surrounds used to prevent self injury.

Where a need for support in relation to safety or risks within the home is identified (in circumstances whereby the eligibility criteria for an Occupational Therapy Assessment, outlined within the Occupational Therapy Services Policy and Procedures, has been met), an assessment by an Occupational Therapist is required.

Where environmental restraints are identified as being in use, *not* as an outcome of an Occupational Therapy assessment, professionals have a duty to refer this to the Occupational Therapy department for assessment.

Principles

Nottingham City Council expects staff will demonstrate a commitment to:

- Equity and Consistency – treating children and families fairly and without prejudice, and making impartial judgements conforming to legislation and policy and reflecting individual need.
- Liberty and Freedom – working with children and families to identify and implement the interventions which are least restrictive in terms of the child's liberty and freedom.
- Best interests – working with children and families, in collaboration with other relevant professionals, to ensure any restrictive physical interventions are in the best interests of the child.

In order to put these principles into practice, a high quality of individual assessment is required in order to identify the specific unmet needs and/or risks to the child, and identify the most appropriate intervention.

Process and Guidance

Interventions in relation to risk must be considered with the primary aim of ensuring the child's safety.

In order to identify the most appropriate intervention, proportionate to the identified needs, a risk assessment must be completed and documented.

As part of the risk assessment, information regarding the topography of the behaviour/s is required. This should include a clear, objective description of the behaviour in order to establish the baseline; inform intervention planning; and enable accurate measurement and evaluation considering frequency, severity, duration and environment.

The function of the behaviour should be explored. This may represent a need for attention; escape (physical or emotional); sensory stimulation or access to a tangible and/or positive reinforcement. This should be explored with professionals from the field, such as a psychologist or behavioural support practitioner.

Multi-disciplinary input within the risk assessment is crucial, so as to ensure detailed information gathering and joint decision making by all professionals involved in the care of the child.

In each decision, consideration of all the options available to manage the risk/s is required, in order to identify how to do so in the least restrictive way.

Blanket policies (imposed in every case) must be avoided, as these do not represent individualised assessment and care planning, therefore potentially resulting in greater harm or detriment to the child.

In the same manner, no outcome or intervention will be excluded from consideration, however, as stated, the proposed plan must represent the least restrictive suitable option to meet the child's needs.

The agreed individualised intervention plan must be subject to regular review.

A blank copy of the standard format for risk assessment is annexed to this policy.

Outcomes

The identified outcomes of employing an Environmental Restraint Policy, highlighting the need for individualised risk assessments and care planning, are as follows:

1. Maximising safety and reducing risks for children.
2. Ensure children's needs are fully assessed.
3. Ensure the use of fully documented multi-disciplinary risks assessments.
4. Ensure proposed solutions are proportionate to identified needs.
5. Ensuring employment of the least restrictive suitable intervention.
6. Ensuring any recommended environmental restraints are no more than what is reasonably required to protect the child from harming themselves (or others).
7. Ensuring any recommended environmental restraint represents one part of a broader strategy / care plan.
8. Ensuring any recommended environmental restraint is employed in the child's best interests in order to maintain their safety.
9. Ensuring environmental restraints are recommended only when the risks of not employing any restraint are outweighed by the risks of doing so.
10. To ensure the recommendations are monitored and reviewed by an Occupational Therapist to ensure they remain appropriate.