



Shetland Islands Council

Policy on Physical Intervention

Applies to: All staff groups
Effective from: 12 February 2018
Review Date: February 2021

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1 Introduction

- 1.1 This Policy deals with all situations where physical intervention or physical restraint may be used when carrying out the activities of the Council.
- 1.2 This policy forms part of the suite of documents that comes under the SIC overall Health, Safety and Welfare Policy.
- 1.3 The Council's ethos is not to use physical intervention if at possible, but accept that in certain circumstances physical intervention or physical restraint may be necessary. Strategies for early intervention and de-escalation and interrupting behaviour must be used in the first instance.
- 1.4 The Council is committed to promoting a positive ethos in dealing with challenging behaviour across Services, and acknowledges that every individual has the right to take risks in their own lives.
- 1.5 At a local level it is important that every establishment defines clear guidance on acceptable behaviour to make it clear to staff, service users and members of the public what is and what is not acceptable in terms of the use of physical intervention or physical restraint.

2 Scope of Policy

- 2.1 This policy applies to all employees of Shetland Islands Council that carries out Physical Intervention activities at MAPA foundation level (or equivalent) as part of their employment.

3 Policy Statement

- 3.1 The Council is committed to protecting its employees and those affected by their activities from the hazards associated from violence and aggression that may adversely affect their staff or service users. This may include the need to protect persons from injuring themselves or others due to their behaviour. At all times The Council will respect individuals and ensure that their health, safety and welfare is protected at all times.

The Council recognises that there are inherent risks associated with the use of physical interventions, and undertakes to ensure that such action is only taken in line with the following criteria:

- Physical intervention must only be used as a last resort
- Whilst safety is always the priority, consideration must also be given to preserving the dignity of an individual.
- Nonphysical interventions are always the preferred method of dealing with risks.

- Physical interventions must never be used to punish or coerce an individual.
- Physical interventions are intended to be pain and injury free.
- The minimum amount of force necessary to effectively deal with an individual must be used, and for the least amount of time.
- Physical interventions must be combined with other approaches that will help an individual learn more adaptive behaviour.

4 Terminology

4.1 Physical Intervention refers to any action by which one or more people restrict the actions of another, e.g. blocking the path of a person or guiding them away from a harmful situation. It includes Physical Restraint.

4.2 Physical Restraint is holding a person to restrict movement or mobility in order to prevent harm.

5 Organisation

5.1 The Chief Executive has overall responsibility for this Corporate policy. Directors will be responsible for ensuring compliance with the requirements of this policy within their areas of responsibility.

5.2 Executive Managers will, within their areas of control:

- Provide resources for maintaining and monitoring all training and procedures relating to the use of Physical Interventions to ensure that they comply with the requirements of all relevant legislation.
- Ensure that the associated procedures to manage Physical Interventions are implemented at a Service level. These procedures detail the circumstances in which any Physical Intervention will be used, what methods are to be used and who is authorised to carry this out.
- Ensure that adequate training on the use of Physical Interventions is undergone by all relevant members of staff. This will include 'train the trainer' training for staff where appropriate.
- Ensure that relevant staff required to perform specialist tasks are identified and attend further training to ensure their competency in these roles.

- Ensure that the most up to date copies of relevant Physical Intervention guidance is available for use within their areas. This guidance should form the basis for any procedures developed in this area.

5.3 Team Leaders and Head Teachers will;

- Ensure all operational aspects of the Policy and associated procedures are implemented within their areas of responsibility.
- Ensure that, where appropriate, risk assessments and an individualised behaviour plan are written which detail the methods of intervention to be used in each case.
- Identify members of their team who may require training in Physical Intervention and at what level.
- Identify members of staff who will lead if Physical Intervention is required.
- Ensure that trained staff have regular opportunities to practice the techniques they have learned, and take part in refresher training at appropriate intervals.
- Determine under what circumstances it is necessary to seek assistance from other agencies including Emergency Services.
- Ensure that a debriefing opportunity will be offered to staff, and any other relevant party following any Physical Intervention. This will include reviewing of Risk Assessments, procedures and individualised plans.

6 Links to other policies

6.1 This policy forms part of the documentation made under the Health, Safety and Welfare Policy and should be read in conjunction with that document.

7 Legislation

7.1 The Health & Safety at Work etc. Act 1974 places various obligations on the employer and employees.

Employers must ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees, by;

- the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health ;

- the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees.

Employers must conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in their employment who may be affected are not exposed to risks to their health.

Employees must ensure that they take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions at work, and to co-operate with their employer to ensure that any statutory duty is performed or complied with.

- 7.2 Standards in Scotland's Schools etc Act 2000 states that action taken to avert an immediate danger of personal injury to, or an immediate danger to the property of, any person (including a pupil concerned) shall not be viewed as corporal punishment.
- 7.3 The Human Rights Act 1998 deals with the prohibition of inhumane or degrading treatment or punishment.
- 7.4 The Adults with Incapacity (Scotland) Act 2000 and the Mental Health (Care and Treatment)(Scotland) Act 2003 outline principles related to the use of Physical Intervention should this be found to be necessary.
- 7.5 The Regulation of Care (Requirements as to Care Services)(Scotland) Regulations 2002 require that no service user is subject to restraint unless it is the only practicable means of securing the welfare of that or any other service user and there are exceptional circumstances.
- 7.6 All Staff have a Duty of Care to all people who use their services, colleagues and anyone else who may be affected by their work activities.

8.0 Principles of Physical Intervention

- 8.1 All staff who are likely to use Physical Intervention should receive training to an appropriate level.
- 8.2 Methods of Physical Intervention not specifically authorised by the Council will be investigated and may be grounds for disciplinary action.
- 8.3 Physical Interventions that compromise safety or the individual's ability to breathe must not be used.
- 8.4 At all times during Physical Intervention staff involved must closely monitor the well-being of the individual and take appropriate action if this appears to be affected.

- 8.5 Following the use of Physical Intervention all those who have been involved must be assessed for injury or psychological distress.
- 8.6 Inappropriate use of Physical Intervention or Restraint can be viewed as a form of abuse.
- 8.7 Bed rails must not be used as a form of physical restraint. They must only be used in accordance with the criteria contained in the “Use of Bedrails” guidance.

9.0 Physical Restraint for the purposes of medical intervention

- 9.1 Staff without advanced training must not engage in physical restraint for the purpose of the administration of rapid tranquillisation of any person.
- 9.2 If a person is acutely disturbed and standard de-escalation techniques are not effective the last resort is to contact the emergency services to remove them to the hospital where such rapid tranquillisation can be undertaken by trained staff.

10.0 Training

- 10.1 Training will emphasise proactive and early intervention strategies and skills so that the use of Physical Intervention is truly minimal and will comply with the British Institute of Learning Disabilities (BILD) Code of Practice.
- 10.2 All relevant staff will undertake an initial training programme with the emphasis on early intervention and non-physical methods for preventing or managing disruptive behaviour. These measures will be identified through the Risk Assessments process.
- 10.3 Specifically identified staff will be required to undertake a second stage of training which expands on crisis intervention methods including the study and practice of non-harmful methods of Physical Intervention, used as a last resort when an individual becomes an immediate danger to self or others.
- 10.4 Training is viewed as an ongoing process, with staff required to undertake regular practice sessions. Formal refresher training will be undertaken every 12 -18 months.
- 10.5 The Council will maintain a core of accredited trainers who will be responsible for delivering training across Services.
- 10.6 All aspects of training will be monitored and reviewed by a Steering Group comprising of representatives from relevant Services.

11 Recording and Reporting

- 11.1 All reporting will be carried out in accordance with the requirements of the associated procedures.

12 Procedures

- 12.1 Associated procedures will be developed and approved by the Steering Group and must be read in conjunction with this policy and implemented by Services. The Steering Group will consult with relevant stakeholders.
- 12.2 The procedures will be reviewed regularly in line with changes in legislation, best practice or as a result of information obtained from debriefs and consultation with relevant stakeholders.

13 Review

- 13.1 This Policy will be reviewed every three years or more frequently if changes to Policy or legal framework necessitate an update.