

This is a health and safety policy document produced by Essex County Council. Please note that it will assist with, but is not a substitute for, carrying out a risk assessment of the activities concerned.

**Essex**  
**excellence**  
**is no accident**

# Health & Safety Policy

## Physical Intervention



Essex County Council

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## HSP 9.46 – Physical Intervention Policy

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## HSP 9.46 – Physical Intervention Policy

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### 1.0 OBJECTIVE

The purpose of the policy is to provide a coherent and consistent approach to intervention by Essex County Council Employees who face violence and aggression in the work place as a result of their employment.

### 2.0 SCOPE

This policy applies to all ECC employees including schools and Community Support Service under ECC control, i.e. Community and Voluntary Controlled (VC) schools and may be used for Voluntary Aided (VA) Schools, Academies, Free Schools and Foundation schools as best practice.

### 3.0 SUMMARY OF CHANGES SINCE THE PREVIOUS VERSION OF THIS POLICY

This is new Council policy, replacing some service specific policies, but not service guidance documentation.

### 4.0 PROCESS

#### 4.1 Physical Intervention Definitions

The restriction of an individuals' movement, liberty and/ or freedom to act independently in order to:

- Take immediate control of a dangerous situation where there is real possibility of harm to the person or others if no action is undertaken;
- End or reduce significantly the danger to the person or others;

Physical Intervention must:

- Contain or limit the person's freedom for no longer than is necessary;
- Be proportionate;
- Use no more force than is necessary.

This definition is in line with:

- Dept of *Health Positive and Proactive Care (DH2014)*
- Regulation 22 of the *Children's Homes England Regulation 2015* and *Keeping Children Safe in Education (DfE2018)*

#### 4.2 Physical Interventions Policy Statement

Essex County Council is committed to providing a clear framework for the use of physical interventions, consisting of this policy document together with service specific guidance documents, which aim to reduce the risks of violence or injury to staff and the children, young people and adults that use the council's services.

Although instances of work related violence are not acceptable ECC recognizes that some service users are unable to control their language and/or physical movements, which has the potential of unintentional offence or injury. However, all employees have the right to be treated with consideration, dignity and respect. Therefore there is a requirement to adequately manage the risk associated so far as reasonably practicable.

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The fundamental principles of the Council's overall policy for the use of physical interventions are that:

- ECC employees will apply the contents of this document within the context and framework of positive behavioural support;
- ECC employees will endeavor to understand the needs of individual service users, and to treat people with dignity, courtesy and respect when providing our services;
- The use of physical intervention should only ever be as a last resort following the application of other appropriate strategies such as withdrawing from the situation, de-escalation and the instruction to stop;
- Where physical intervention is being used for the safety of staff, children, young people and adults, the best interest of the individual must be the fundamental consideration, also we must adhere to appropriate legislation (i.e. *Mental Capacity Act* and the *Deprivation of Liberty Safeguard (DoLS)*)
- The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they might cause or suffer.

In order to minimise violence and manage challenging behaviour effectively, ECC will ensure that:

- Management systems, based on risk assessment, are put in place;
- Service management plans to avoid and, where that is not possible, reduce the need for physical intervention;
- Individual Behaviour Support Plans, and, in educational establishments, Individual personalised management plans will set out the specific strategies and techniques to be used;
- Where necessary the above will identify named service users who have been assessed as being at risk of needing restrictive physical interventions;
- Those plans could include 'Functional Assessment' of the believed functions of the behaviour, Primary & Secondary Prevention strategies specific to that (child) Person and positive elements including a pen picture, likes and dislikes etc.
- Guidance is provided for de-escalation with physical intervention only to be used as a last resort;
- Training is provided in the use of de-escalation techniques of behaviour management and support which reduce the need for such interventions;
- Staffing levels are appropriate for the risk;
- There is adequate staff supervision;
- Post incident support is available for staff and service users;
- Instances of the use of physical interventions are monitored and records kept of the post incident investigations;
- Lessons are learned from incidents where physical interventions were necessary.

### 5.0 RESPONSIBILITIES

#### 5.1 Executive Directors / Directors/ Heads of Service

It is the responsibility of Executive Directors to ensure that relevant Heads of Services prepare detailed practice guidance relevant to their circumstances and ensure it is communicated to staff.

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This may be either service-wide guidance or local guidance, where only applicable to specific teams within the service.

This guidance must make clear that, where breakaway, disengagement or restraint techniques are to be employed, they must involve minimal use of force which may be agreed by the Multidisciplinary Team which may be evidenced as the least intrusive strategy in given circumstances, which is consistent with the safety of staff and service users, and include contain the following:

- The concept of reasonable force;
- The approach to risk assessment;
- The requirements for training;
- The distinction between planned physical interventions and the use of reasonable force in emergency situations and
- Unacceptable practices that might expose service users or staff to foreseeable risk of injury or psychological stress.

### 5.2 Line Managers

Line managers must:

- a) Carry out risk assessments which consider whether their staff are likely to need to use restraint or other physical interventions when providing their services to the public.
- b) Where the need for training is identified, ensure this is provided as appropriate for the staff concerned – see section 6;
- c) Risk Assessments are reviewed at least annually and if and when there is any reason to suspect they are no longer valid for any reason;
- d) Ensure that the risks associated with physical intervention, violence at work and behaviour management are monitored;
- e) All incidents involving employees are investigated and reported via the Council's online reporting system (unless an exemption to this has been agreed with Corporate Health and Safety Team);
- f) In addition to standard incident reporting, additional guidance for service specific reporting process is followed.
- g) Where there is use of physical intervention which was not foreseen, or there is any increase in that anticipated a debrief of the incident is arranged to identify any lessons learnt and consider of sharing this further;
- h) Following such incidents, the risk assessment and system of work for the activity and/or care plan are reviewed and revised where appropriate.

### 5.3 Headteachers / Line Managers of Headteachers

In addition to the responsibilities as line managers (as stated in section 5.2 above) Headteachers must ensure that they have a *Behaviour Policy* in place for their schools in line with DFE statutory guidance, ECC and other relevant guidance.

### 5.4 Employees

Employees must:

- Co-operate with management and ensure that this policy is complied with;

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- Attend and participate in any training provided identified as relevant to their role;
- Ensure they put into practice the new skills/knowledge gained from the training received;
- Report and record any use of restraint or physical intervention and co-operate fully with the post incident debriefing or investigation as appropriate.

### 6.0 COMPETENCE AND TRAINING

Staff who are identified, through risk assessment, as being required to carry out physical interventions will receive training in:

- working to the practice guidelines on the use of appropriate physical intervention;
- appropriate techniques of behaviour management and support which reduce the need for physical intervention.

The Council will offer training and development that complies with the standards and requirements of the policy, national and local guidelines.

Schools should follow the Department for Education guidance - Use of Reasonable Force in Schools (July 2013) - <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

Service guidance will identify where physical intervention training will be required. For non-schools please contact the Essex Social Care Academy (ESCA) for advice.

### 7.0 MONITORING AND REVIEW

This policy will be regularly reviewed by the Corporate Health and Safety Team, in conjunction with those within the Council who are competent to advise it, and as required; i.e. following changes in legislation or national guidance.

### 8.0 RECORD KEEPING

Records of all training and incidents involving the use of restraint or physical interventions are to be kept as specified in HSP 3.0 Retention of Health and safety Documents Policy.

### 9.0 REFERENCES

This policy should be read in conjunction with Essex County Council Health and Safety Policies and Guidance:

#### 9.1 HSP's

HSP 1.0	Health & Safety Policy Statement
HSP 3.0	Retention of Health and Safety Documents Policy
HSP 5.0	Risk Assessment Policy
HSP 6.0	Health and Safety Training Policy
HSP 9.05	Lone Working Policy
HSP 9.16	Work Related Violence Policy
HSP 12.0	Accident Reporting and Investigation

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### 9.2 HSG's

HSG 020 Lone Working Guidance  
HSG 027 Work Related Violence Guidance

### 9.3 Service Specific Documents (Excluding Schools)

The following documents support the implementation of this Policy where relevant to your service:

- Guidance on Positive Behaviour Support and the use of Physical Intervention
- Guidance for Short Break and Residential Placements
- Screening Risk Assessment Form
- Physical Intervention Recording Form
- The Health & Safety People Warning Marker Policy
- (G1) Violent People Warning Markers procedure.
- and the related Information Governance:

### 9.4 Essex Schools Guidance Documents

Further information and guidance for managing physical contact / intervention in schools is available on the Essex Schools Infolink.

Safe Practice for Schools - Understanding and Supporting Behaviour (Including the use of restrictive / non-restrictive physical intervention)

### 9.5 Other National Documents

This policy is informed and supported by the principles and guidance set out in the following national documents:

- Challenging behavior and learning disabilities: prevention and interventions for people with learning disabilities whose behavior challenges (NICE 2015)
- 'Violence and aggression' (NICE 2015)
- The Mental Health Act Code of Practice 2015
- Mental Capacity Act Code of Practice 2007
- Code of conduct for nurses and midwives (NMC 2015)
- Positive and proactive care (DH 2014)
- A positive and proactive workforce (DH, Skills for Health, Skills for Care 2014)
- BILD Code of Practice for the use and reduction of restrictive physical interventions (BILD, 2014)
- Ensuring Quality Services (NHSE LGA 2014)
- The Fundamental Standards (CQC 2014)
- Code of conduct for healthcare support workers and adult social care workers' (Skills for Care 2013)
- Let's talk about restraint (RCN 2008)
- Use of Reasonable Force in Schools (DfE July 2013)
- Keeping Children Safe in Education (DfE 2018)
- Reducing the Need for Restraint and Restrictive Intervention (June 19)

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