



Reducing Restrictive Practice Policy

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Owner:	Mags Anderson	Job Title:	Regional Manager
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Version Control

Date	Owner	Version	Reason for Change
April 2023		4.0	Cyclical review

Summary of Changes

Section	Change
1.0 Ark's Values	Updated to reflect the Organisation Values Statement
All	Updated Change in roles Registered Operations Manager to Operations Manager, Area Manager to Regional Manager and Senior Leadership Team to Operational Management Team
3.0 Policy Statement	Additional of reference to Human Rights and statements contained in the Human Rights Framework for Restraint Addition of statement on monitoring and reviewing
5.0 Legal/Regulatory Framework	Addition of • Adult Support and Protection (Scotland) Act 2007 • Health & Safety At Work Act 1974 • Human Rights Framework for Restraint (Equality and Human Rights Commission) March 2019 • Restraint Reduction Network Training Standards Version 1.2 January 2020 • Restraint Reduction Practice Framework (Welsh Government) 2021 • GDPR/Data Protection Act UK 2018
7.0 Reducing Restrictive Practice	Additional the Definition on Restraint from Human Rights Framework 2019 Addition of reference to Ark Care Planning Addition of Categories of Restraint Addition of Care & Support Staffs mandatory training Addition of information on organisation data collection
8.0 Related Policy & Procedures	Removal of CS02 Personal Planning and CS04 Risk & Vulnerability and combined as CS02 Care Planning Addition of G24 Data Protection
11.0 Stakeholder Consultation	Addition of Policy review Group, Compliance & Improvement BS, Tenant & SP Participation Officer



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1.0 Arks Values

Arks values are true to the core purpose of the organisation and the services we deliver. They determine our behaviours towards one another and what we should expect in our relationships with one another. Working within the following values will guide and help us deliver our vision and mission of Ark being an organisation where everyone is equal:

Trust

We have confidence in our people to deliver excellent services and trust in them to do so. We will develop trusting and honest relationships and our customers will feel assured that they can rely on us to deliver.

Respect

We treat everyone fairly and we listen. We are respectful of each person with whom we come into contact and expect our people to respond professionally and treat others as they would wish to be treated.

Understanding

We will operate with empathy and compassion and approach each situation with an open mind. We will question and challenge to ensure we achieve the right outcomes for customers and our people.

Equality

We believe everyone is equal and expect our people to create positive experiences where everyone feels valued and included.

Integrity

We will do the right thing and take responsibility for our actions. We will work together to uphold the highest standards of behaviour and practice.

2.0 Purpose

This policy and its associated procedure explains how Ark Care & Support services will implement, record and monitor any restrictive practices used while supporting people.

3.0 Policy Statement

It is the responsibility of all Ark Care & Support workers to uphold supported people's Human Rights, while protecting them from harm and abuse.

There may be circumstances where a supported person's rights are restricted. These practices should only ever be used as a last resort and should only be used where there is a **real** possibility of harm to the individual or to others.

Any restrictive practice will always be lawful, reasonable, proportionate, and of the least restrictive method required to maintain the person's health, safety and/or wellbeing

When restrictive practice is in place these will be kept under regular review to ensure that they are relevant in relation to the person's changing needs and other proactive, preventative, strategies which may reduce the need for any restrictions.

4.0 Scope

This policy and associated procedure applies to all Care & Support teams. It includes agency staff, volunteers and students undertaking direct practice with supported people on behalf of Ark.

5.0 Legal/Regulatory Framework

This policy and associated procedures are written with regard to the following:

- Human Rights Act 1998
- Equality Act 2010
- Adults with Incapacity (Scotland) Act 2000
- Mental Health (Care & Treatment) (Scotland) Act 2003
- Adult Support and Protection (Scotland) Act 2007
- Health & Safety At Work Act 1974
- Management of Health & Safety at Work Regulations, 1999
- Health (Tobacco, Nicotine, etc. and Care)(Scotland) Act 2016
- Rights, Risks and Limits to Freedom (Mental Welfare Commission, 2013)
- Use of Seclusion: Practice Guide (Mental Welfare Commission, 2019)
- Human Rights Framework for Restraint (Equality and Human Rights Commission) March 2019
- Restraint Reduction Network Training Standards Version 1.2 January 2020
- Restraint Reduction Practice Framework (Welsh Government) 2021
- Codes of Practice for Social Services Workers and Employers (SSSC, 2016)
- Health and Social Care Standards (Scottish Government, 2017)
- The General Data Protection Regulation/Data Protection Act 2018 (UK)

6.0 Responsibilities

6.1 Board of Management

Ark's Board of Management is responsible for consideration and approval of this policy, and for ensuring that its decisions are taken in accordance with relevant legislation, regulatory expectations, training and guidance.

6.2 Executive Team

Ark's Executive Team is responsible for ensuring that this policy is reviewed in accordance with ARK's schedule for review of policies, or sooner if required. The Executive Team is responsible for ensuring that its decisions, and that the decision of officers, are taken in accordance with relevant legislation, regulatory expectations, training and guidance.

6.3 Operational Management Team

Ark's Operational Management Team is responsible for review of the policy, and for ensuring that its decisions, and that the decision of officers, are taken in accordance with relevant legislation, regulatory expectations, training and guidance.

6.4 Managers

Ark Care & Support Managers, Operations Managers and Regional Managers will be responsible for the effective implementation of this policy within their area of responsibility. They must also ensure that all Care & Support staff are made aware of this policy and complete relevant training.

6.5 All Staff

All Ark Care & Support staff are required to familiarise themselves with this policy and comply with its provisions as well as undertake any training required as part of this policy or associated procedures.

6.6 Third Parties

All agency staff, volunteers and students undertaking Care & Support duties are required to familiarise themselves with this policy and comply with its provisions.

Ark will ensure that the Public Sector Equality Duty is complied with when third parties, such as contractors, are carrying out functions on behalf of Ark.

7.0 Reducing Restrictive Practice

Restraint' is an act carried out with the purpose of restricting an individual's movement, liberty and/or freedom to act independently - Human Right Framework for Restraint 2019

The Mental Welfare Commission (2013) explains that "restraint is taking place when the planned or unplanned, deliberate or unintentional actions of care staff prevent a person from doing what [they] wish to do and as a result limits [their] freedom of movement"

Any practices that place a limit on the individual's rights to autonomy or liberty can be described as 'restrictive'. This ranges from:

- Physical restraint (holding someone safely, planned or unplanned)
- Chemical (use of sedative medication, covert medication administration)
- Environmental (physical, social)
- Mechanical (use of alarms and monitors, lapbelts,)
- Coercion (verbal control used by staff)
- Seclusion
- Blanket Restrictions (rules and procedure routinely applied without individualise assessment)

7.1 Care Planning

Ark's values are based on a rights based approach to practice. With this in mind we provide a service which is promotes collaborative person centred Care Planning based within a Positive Behaviour Support Framework.

Ark Care & Support teams will always aim to reduce the use of restrictive practices by seeking opportunities for supported people to increase their skills, abilities and independence

7.2 Staff Training

All Ark Care & Support Workers will be/ clear on what constitutes restrictive practice, the legal regulations in its use and their obligations and responsibilities relating to this.

As part of their mandatory training, all Care & Support Staff will complete:

- Reducing Restrictive Practice training
- NES Trauma Skilled module
- Behaviour of Concern Awareness

7.3 Monitoring & Reviewing

No restrictive practices will be undertaken without the prior agreement of the relevant legal representative i.e. Guardian/Power of Attorney and will be subject to scrutiny and regular review. The review must evidence how restrictive practices are being reduced as the individual's skills increase.

Ark will collect and analysis data on their use of restraint, across the whole organisation, annually. This will be done to identify if restraint is being disproportionately used and reduction in restrictive practice is continuing.

8.0 Related Policies & Procedures

- HS01 Health & Safety
- HS03 Risk Assessment
- HS04 Incident Reporting
- HR15 Whistleblowing
- CS02 Care Planning
- CS05 Support with Money
- CS08 Support with Medication
- CS17 Behaviours of Concern
- G24e Data Protection/CCTV procedure
- G34 Equality
- G36 Keeping People Safe
- G57a Adult Support & Protection procedure

9.0 Equality Impact Assessment (EIA)

Please see relevant Equality Impact Assessment.

10.0 Data Protection Impact Assessment (DPIA)

There are no changes within this policy which have data protection implications and consequently a DPIA has not been completed

11.0 Stakeholder Consultation

- Ark Board of Management
- Ark Operational Management Team
- Ark Care & Support Management Group
- Ark Support Workers
- Ark Working Group
- Ark Policy Review Group
- Ark Compliance & Improvement Business Partner
- Ark Health & Safety Adviser
- Ark Tenant & Support People Participation Officer
- Ark Support People

12.0 Monitoring and Review

12.1 Monitoring

Ark's Executive and Operational Management Team will monitor implementation of this policy on an ongoing basis and ensure that relevant decisions within ARK are taken in line with the obligations and expectations set out in this policy.

12.2 Review

This policy will be reviewed within 3 years from the date of approval by our Board of Management, in accordance with Ark's policy review framework.