



Physical Intervention & Limits to Freedom Policy

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Approved: April 2017
Next Review: April 2022

PHYSICAL INTERVENTION AND LIMITS TO FREEDOM POLICY

1. Statement of Intent

We are committed to the principles of good corporate governance and sustainability and will endeavour to develop fair and consistent policies, procedures and practices.

The purpose of this policy is to define Kingdom Support and Care CIC's position on the use of physical intervention and limits to freedom. This policy reflects guidelines contained in the Mental Welfare Commission's publication, Rights, Risks and Limits to Freedom and the Care Inspectorate Adult Services Regulation Guidance on the regulation and the use of restraint.

We recognise that in order to ensure the personal safety of supported individuals, staff and members of the public, it may be necessary to use physical intervention or other methods which may limit the freedom of service users.

This policy outlines the context and use of physical interventions and other interventions which limit the freedom of the individuals supported. It provides guidance for staff who find themselves in positions where the use of such interventions are agreed and aims to provide protection for supported individuals, staff, the organisation and members of the public.

We aim to ensure that the choice, rights and independence of the individuals supported are upheld as far as possible. The safety of our staff during physical interventions is of equal importance to the safety and well being of the supported individuals. We consider it essential that where physical or other interventions which limit the individuals freedom take place that we ensure the supported individual:

- Is treated fairly and with courtesy and respect
- Can lead as independent a life as possible
- Can make choices and decisions which affect their lives, consistent with their culture, interests and well being
- Is protected through the law
- Has their rights upheld regardless of their ethnic origin, gender, sexuality, impairment, disability or age
- Is encouraged and supported to develop a proper awareness of their rights and responsibilities and to respect the rights of others

The use of any intervention which results in a limit to an individual's freedom involves a number of ethical, safety and legal implications, which staff must be clearly aware of, before they use any physical intervention or limit to freedom with supported individuals.

It is expected that any physical interventions and limits to freedom will be the exception rather than the norm and that staff will make every possible effort to prevent and avoid the need to use physical



intervention or any other limits to freedom. Any use of limit to freedom or physical intervention must be the last option and of benefit to the person over all other approaches for the given situation.

Our aim is to understand the behaviour of any individual which may result in the use of any limit to freedom and will endeavour to support the individual through the use of positive behaviour support.

In line with our commitment to equality and diversity, this policy can be made available in a variety of formats, including large print, translated into another language or other media. We will make any reasonable adjustments to assist the supported individual if they have a disability.

2. Defining Limits to Freedom

The Mental Welfare Commission defines restraint in its best practice guidance “Rights Risks Limits to Freedom” (updated 2013)

“.. restraint is taking place when the planned or unplanned, conscious or unconscious actions of care staff prevent a resident or patient from doing what he or she wishes to do and as a result is placing limits on his or her freedom”.

This policy will specifically refer to 5 main areas of limits to freedom. The examples included within each area is not an exhaustive list:

Physical - this is also referred to as “physical intervention”. It refers to direct physical force to restrict freedom of movement. We will only adopt the CALM model of physical intervention due to the evidence based approach of this model.

Environmental - this will include limits placed on a person such as: locked doors, an individuals’ property or items being secured where they cannot easily access them.

Mechanical - this refers to the use of equipment which limits freedom of movement such as helmets, arm splints, seating harnesses.

Chemical - this refers to the use of “as required” medication (also known as PRN medication) to control a person’s mood or behaviour.

Technological - this refers to technology which is used to monitor the action and movements of a service user such as video surveillance, monitors or wandering technology.

3. Values of Limits to Freedom

Limits to freedom will only be used to promote the well being and safety of the individual, employees and / or others. It must also be a benefit to the individual over the potential of not using the specific Limit to Freedom or physical intervention within the specific situation.



Any use of limit to freedom or physical intervention must be the least restrictive and be used for the least amount of time required to deal with the situation at the time.

Any physical or other interventions which limit freedom must never be used as a threat or punishment.

Any physical or other interventions which limit freedom must not be used to cover any deficiency in the service provided, or defects in the environment in which the person lives.

Any physical or other interventions which limit freedom must consider the wishes of the person and involve consultation with relevant others.

The physical intervention system used within Kingdom Support and Care CIC is Crisis, Aggression, Limitation and Management (CALM).

Our aim will always be to reduce or eliminate the use of any limits to freedom or physical intervention in the support of an individual.

4. Legal Issues

Under the Health and Safety at Work etc Act (1974) and Management of Health and Safety at Work Regulations 1999, employers have a legal responsibility to take reasonable steps to ensure the health and safety and welfare of their workforce and others. This requires employers to assess potential risks in relation to support of individuals and to train staff in any necessary limits to freedom procedures as required.

Some limits to freedom may be seen as a breach of the law, for example, the Human Rights Act, Adults with Incapacity (Scotland) Act (2000), or the Mental Health (Care and Treatment) (Scotland) Act (2003). The law on restriction and limits to freedom in Scotland is complex and limits to freedom covers a variety of activities, but the following can be regarded as a summary of the main areas of the law:

- If any limit to freedom is used, it must not be for longer or involve more force than is reasonably necessary as dictated by the situation
- The level of limit to freedom or physical intervention must be the least restrictive and used for the least amount of time required for the situation
- Any limit to freedom must be in proportion to the risk posed
- Limits to freedom must be for a clear purpose and every attempt should be made to inform the individual what this purpose is
- If limit to freedom is excessive, unnecessary or degrading it may be regarded as assault and could lead to prosecution of either the individual staff member or Kingdom Support and Care CIC as a whole.



5. Policy Review

This policy will be reviewed 5 years from the date of approval or earlier as required. In the event that this policy is not reviewed within the above timescales, the current approved policy will continue to apply.



Policy reviewed with reference to:

Draft 1:

Draft 2:

Policy audited by:

Presented for discussion and to Board of Management on:

Policy Approved:

Next review date: No later than

