Restrictive Practices

New Guidelines on Restrictive Practices

Dr Tim Exworthy
St Andrew’s Hospital

Forensic Faculty Conference
Budapest

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Restrictive Practices

“How is it that institutions established to care for the sick and helpless can have allowed them to be neglected, treated with callousness and even deliberate cruelty?”

J. P. Martin

Hospitals in Trouble

A charity leading innovation in mental health

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Winterbourne View

“Undercover Care: the abuse exposed” 2011

“Patients lived in circumstances which raised the continuous possibility of harm and degradation”

“(The) hospital’s failings . . . . resulted in the arbitrary violence and abuse (of patients)”
Other Drivers
Other Drivers

Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry
Executive summary

Mental health crisis care: physical restraint in crisis
A report on physical restraint in hospital settings in England
June 2013

A charity leading innovation in mental health
Other Drivers

Report of the Mid Staffordshire
NHS Foundation Trust
Public Inquiry

Hilary Term
[2014] UKSC 19
On appeal from: [2011] EWCA Civ 1257; [2011] EWCA Civ 190

JUDGMENT

P (by his litigation friend the Official Solicitor)
(Appellant) v Cheshire West and Chester Council
and another (Respondents)

P and Q (by their litigation friend, the Official
Solicitor) (Appellants) v Surrey County Council
(Respondent)
Positive and Safe Initiative

Outcome from the **Transforming Care** report, 2012.

Launched in April 2014

**Aim:** end unnecessary use of restrictive interventions across health and adult social care.

**Key Actions:**
- Improving care
- Leadership, assurance & accountability
- Transparency
- Monitoring & oversight
Positive and Safe Initiative

1. Positive and Proactive Care

“guidance on best practice on positive behaviour support so that the physical restraint is only ever used as a last resort where the safety of individuals would otherwise be at risk and never to punish or humiliate.”

Six Key Principles

• Compliance with rights of the ECHR
• To enhance people’s quality of life
• Involvement and participation – people, family, carers, advocates
• Compassion, dignity and kindness
• Balance safety from harm with freedom of choice
• Protect and preserve positive relationships
Restrictive Practices & Interventions

**Restrictive Practices**: range of activities which restrict people.

**Restrictive Interventions** lie within this and are specific interventions.

They are:
‘deliberate acts on the part of other person(s) that restrict an individual’s movement, liberty and/or freedom to act independently in order to:
• take immediate control of a dangerous situation where there is a real possibility of harm to the person or others if no action is undertaken; and
• end or reduce significantly the danger to the person or others; and
• contain or limit the person’s freedom for no longer than is necessary’.
2. **Positive and Proactive Workforce**

Calls for effective workforce development to minimise the use of restrictive practices

- Organisational values
- Person-centred thinking
- Developing people’s skills and knowledge
- Supervision
Positive and Safe Initiative

Equals a framework to “radically transform culture, leadership and professional practice to deliver care and support which keeps people safe and promotes recovery.”