



Policy & Procedure on Training in Challenging Behaviour & Physical Interventions

Purpose

The purpose of this policy is to ensure that organisations commissioning training from Sherwood Training & Consultancy Services adhere to the BILD (2014) *Code of Practice for minimising the use of restrictive physical interventions: planning, developing and delivering training* when booking, attending or delivering in-house training in Challenging Behaviour and Physical Interventions.

Scope

This policy applies to all employees, volunteers and any other representatives of the commissioning organisation who have access to its services for people who may at times present challenging behaviours or those who work in some capacity to support them (Support Workers, Managers etc). Everyone using Sherwood Training within the organisation must be made aware of this policy and procedure either directly or through the development of a local policy providing equivalent guidance and procedures.

Rationale

This policy is necessary to fulfill our legal obligations and to operate under best practice, which is set out in:

- Health & Safety at Work Act (1974) and associated regulations
- BILD (2014) Code of Practice for minimising the use of restrictive physical interventions: planning, developing and delivering training
- DfES/DH (2002) Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders
- UK Standards (2009) National Occupational Standards for Prevention and Management of Work-Related Violence
- HSE RR495 (2006) Violence management training. The development of effective trainers in the delivery of violence management training in healthcare settings
- DH (2014) Positive and Proactive Care: reducing the need for restrictive interventions
- DfE (2012) Use of reasonable force: Advice for head teachers, staff and governing bodies
- Care Quality Commission (2010) Essential standard of quality & safety - guidance on compliance with Health and Social Care Act (2008)
- The Mental Capacity Act (2005)
- The Mental Capacity Act: Deprivation of Liberty Safeguards (2007)

- NICE (2015) NG10: Violence and aggression: short-term management in mental health, health and community settings

Policy Statement

Sherwood Training believes that all people using education, health and social care services should be treated with dignity, empathy and respect and that their physical, emotional, social and material well-being should be maximized through every available means.

Sherwood Training believes that people who present challenging behaviour should continue to exercise and enjoy the same human rights and freedoms as any other citizen and that any challenging behaviours should be managed in a safe and dignified way.

Sherwood Training is committed to ensuring the health, safety and well-being of all who come to use its training programmes including training in the use of RPI training.

People who commission and use our services need to have confidence in the organisations ability to provide training that will assist in safely managing challenging behaviours and adhere to the BILD Code of Practice.

Procedure

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1. Key Principles

Last Resort – Sherwood Training's philosophy is that Restrictive Physical Interventions (RPI) will only be used as a last resort when other (non-physical) strategies have been tried and failed to ensure the safety of the person and/or others **OR** in an emergency situation when the risks of using the RPI are outweighed by the risks of inaction.

Part of a Wider Positive Behaviour Support Plan – The use of RPI must only be used as part of a wider positive behavior support plan. It is not justifiable to rely solely on RPI to ensure a person's safety and to manage high-risk behaviours.

Justifiable, Legal & Ethical – The use of RPI must be justifiable in the circumstances, legally defensible and fit with current ethical approaches to challenging behaviour as outlined in the BILD Code of Practice.

Risk Assessment – Any physical skills used (breakaway/self-protection and RPI) must be risk assessed for use with the service user(s) concerned. This should take into account the physical and mental health and well-being of the person. The risk assessment is the responsibility of the commissioning organisation.

Restraint Reduction – RPI should never be viewed as a long-term solution in supporting people with challenging behavior. In some exceptional cases it may be necessary but nevertheless, those responsible for the care of the individual should always seek to find alternative and less restrictive ways of keeping the person and others safe.

2. Levels of Training Appropriate to the Service / Service User

Sherwood Training in Challenging Behaviour & Physical Interventions is delivered on 2 Levels:

- **Level 1** – Theory (Understanding Challenging Behaviour and Developing Positive Behaviour Support Strategies) & Breakaway/Self-Protection Skills
- **Level 2** – All of Level 1 + Restrictive Physical Intervention (RPI) Skills

The training is only to be delivered to staff groups who work in support of people or in services, where a formal behavioural assessment clearly justifies the level of training (See 4).

Sherwood Training also offers an **In-House Trainer Development Programme** which enables successful candidates to deliver the BILD accredited training programmes (Levels 1 & 2) under licence within their employing organisation.

3. Purchasing/Commissioning Training

Initial enquiries for the provision of training may be done through direct telephone call, ordering via the website (<http://sherwoodtraining.co.uk>) or by email (office@sherwoodtraining.co.uk).

The decision to agree to provide training is made by a Principal Trainer under the supervision of the Training Manager. All purchasing organisations must be made aware of their obligations under the BILD Code of Practice (4th Edition) and this policy document. A letter to this effect is sent by the Training Manager to the commissioning manager and an agreement signed and returned by them to Sherwood Training

The following conditions must be met in order to provide training:

3.1 Training will only be provided if supported by a **Behavioural Audit** clearly identifying the need for staff to be trained to the relevant level in order to provide safe support to the person(s) concerned. (See section 4 below.) The commissioning organization must also demonstrate that it has completed a **training needs analysis**

that takes into account the needs of service users and staff. In addition to basic mandatory training (Health & Safety, Safeguarding etc), there should be training in place specific to the service user group (e.g. first aid, autism awareness, person-centred planning, Makaton etc)

3.2 The organization must also confirm that it has in place **policies** to cover the use of the training within its services. The relevant policies must include:

- An appropriate value base
- A commitment to proactive support and prevention
- A commitment to the reduction of restrictive practices
- The rights of service users
- The principles of least restriction and reasonable force
- The legislative framework
- Debriefing and support systems for staff
- Health and safety legislation
- A strategy for restraint reduction

3.3 The commissioning organisation must provide evidence of **risk assessments** relating to the challenging behaviours of the people they support taking into account the risk to the person, risk to others and risk to the environment.

3.4 The commissioning organization must provide evidence that it has in place or is working towards establishing support for the individuals concerned that reflects the principles of **Positive Behaviour Support** incorporating proactive (primary preventative) measures, de-escalation strategies (secondary preventative measures) in addition to strategies aimed at the safe management of the behaviours should they occur. Strategies should be based on behavioural analysis and the behaviour(s) of concern clearly defined.

3.5 There should be a specific risk assessment for each person who is at risk of being subject to physical intervention skills – a **physical interventions risk assessment**. This must take into account the physiological and psychological well-being of each person and its relevance to the use of physical intervention skills.

3.6 There should be evidence that the organization had considered and either has, or is in process of addressing the appropriate **legal framework** in respect of any restrictive practices including the use of physical intervention skills. For example, in a registered care setting for adults in England, Wales and Northern Ireland this would come under the Mental Capacity Act (2005) and Deprivation of Liberty Safeguards (2007), the Mental Health Act (2007) or order of court (e.g. The Court of Protection).

3.5 Organisations commissioning training must provide their staff with sufficient notice of the training including times, location, dress code and health and safety issues (a pro forma letter can be provided by Sherwood Training for this purpose). They also inform Sherwood Training of the names of participants, at least 28 days prior to the training course.

PLEASE NOTE: Although the provision of the training is conditional on meeting the above criteria, in some exceptional circumstances, training may be delivered to address urgent safety needs as long as the commissioning organisation expresses a clear commitment to do so. Sherwood Training and its Principal Trainers will offer support to organisations in order to achieve compliance with the above and with the BILD Code of Practice (4th Edition). However, training provided in such

circumstances must be approved by the Training Manager. There must be in place an agreement to work toward compliance and failure to make reasonable progress towards meeting the requirements will result in a withdrawal of Sherwood Training's services. The ultimate implication being that the organization has failed to meet its obligations and accordingly invalidated the accreditation status of the training provided.

4. Behavioural Audits

Physical interventions training is only provided on the basis of a clearly identified need relating to the individual(s) being supported by the service. As described in Section 3, this requires the completion of a Behavioural Audit.

The completed Behavioural Audit will be examined by a Principle Trainer and will in part, inform the decision as to whether to provide the training requested. If agreed and approved, the written rationale for the course content specifying the physical skills components will be sent either by post or email to the commissioning manager.

A copy of the current pro forma can be found in Appendix I.

5. Duration of Training

- Level 1 is a 2-day programme (14hrs including breaks)
- Level 2 is an additional day therefore a 3-day programme (21hrs including breaks)
- Annual Refresher Training is a 1-day programme (7hrs including breaks)
- In-House Trainer Development is a 5-day programme (35hrs including breaks)

All training programmes will run in accordance with the timings above. Delivering the programmes over a shorter period of time will invalidate the accreditation of the training and is strictly forbidden under this policy.

In exceptional circumstances, it may be possible to deliver the course over split days or longer days as long as the full course content is delivered over the required hours.

6. Number of Participants per Course/Trainer

The maximum permissible number of course participants per course is 15 with 1 trainer or 30 with 2 trainers. However, this assumes that a suitable venue is available.

Ideally training should be provided to groups of a maximum of 12 participants with 1 trainer and 24 with 2.

The Lead Trainer is allowed to exercise some discretion based on the size and suitability of the venue. However, 15:1 and 30:2 are the absolute maximum numbers.

7. Pre-Course Information

Pre-course information must be sent to all participants at least 14 days before the planned training date.

The information should outline the course content, times, dates, duration, provide advice about suitable clothing and footwear, details of the venue and a health and safety statement advising participants of the physical elements of the course and the need to complete a health declaration on attendance.

8. Venues

Venues for training must be of an adequate size and have clear space for physical skills practice. Ideally at least the size of a small sports hall or community hall.

The Trainer is responsible for risk assessing the venue at the beginning of each course and if unsuitable should cancel the course and inform the commissioning organisation.

Venue bookings will be made by agreement with the commissioning organisation who will provide details of the size and layout of the venue at least 2 weeks in advance of the course dates. Sherwood Training reserves the right to refuse to use a venue on the grounds of health and safety.

9. Managing Attendance

Participants must attend the course on the times specified in the pre-course information letter.

Staff arriving late may be refused access to the course and/or may fail to attend for the required hours. The Trainer may exercise some discretion regarding lateness but failure to attend more than an hour of the training will result in the person concerned having to re-take the whole course at a later date.

The Trainer will report any issues regarding attendance back to the employee's line manager.

10. Assessing Behaviours and Attitudes

The Trainer is responsible for assessing the competence of all participants and must decide whether participants meet the required level. If a participant fails to meet the required level of competence, they will not be issued with a certificate and will be 'referred' for further training. The 'referral' will take the form of a letter or email to the participants line manager outlining the reasons and recommendations for further training.

Any participant assessed as competent will be issued with a certificate.

Ground rules are discussed at the beginning of each session and the trainer will emphasise the importance of appropriate conduct. Behaviours that will not be tolerated are for example:

- Dangerous or overzealous behaviour when practicing physical skills
- Refusal to participate in sessions (without legitimate reason)
- Inappropriate or abusive language
- Sexist, racist comments, language or behaviours
- Inappropriate attitudes towards service users

The trainer is expected to deal with any such behaviours as they occur. In the first instance it would be expected that the person be taken to one side and the concerns about their behaviour discussed. However, in extreme circumstances or when a participant does not adapt their behaviour after being spoken to by the trainer, or if their behaviours are causing distress and/or disruption or are putting anyone's health and safety at risk, under our training policy the trainer may ask a participant to leave the course. In the event, the trainer will at the earliest possible opportunity inform the participant's line manager of their decision and the reasons behind it (including a written report by letter or email).

Behaviours and attitudes are monitored by the trainer on an ongoing basis throughout the training. Participants are expected to have positive attitudes towards their work and the people they support/work with. The trainer records any concerns on the course portfolio. However, positive attitudes and behaviours should also be noted and entered in the notes section of the person's course registration document by the trainer.

11. Health Declarations and Risk Assessments

All training will be delivered in accordance with the Health & Safety at Work Act (1974) and associated regulations.

The commissioning organisation is responsible for ensuring that nominated course participants are fit to attend.

All participants must complete the health declaration in the registration form prior to participating in physical skills training. The trainer must read and sign off each declaration based on their risk assessment and according to the information declared by the individual. The trainer is responsible for making a decision as to whether the person may or may not continue with the training. Sometimes it is possible for the person to observe and help coach colleagues if they have a particular health issue. Other conditions may mean that the person will be asked to leave the course. As the person responsible for health and safety during the training course, the trainer's decision is final.

If a participant fails to declare a known pre-existing injury or health condition and suffers further injury or ill-health as a result, they cannot hold the trainer or Sherwood Training in any way liable.

12. Feedback and Referral

Commissioning employers are given feedback on the performance of each participant on completion of the course. Usually this will be in the form of a list of those who have successfully completed the course with any additional comments (as required).

Failure to achieve the required standard to pass the course leads to referral.

The participant will be informed (discreetly) of this decision by the Trainer or Principle Trainer. The discussion will take the form of advice and support with the person being encouraged to pursue further training as soon as can be arranged.

The commissioning organisation will be informed – usually this would be in the form of a letter or email to the participant's line manager. It will include:

- the areas in which they have failed to provide evidence of competence
- actions that can be taken to enable them to achieve evidence
- implications re competence and working with e.g. people with CB

NB Any consequent implications on the person's employment are not the responsibility of Sherwood Training. However, the employer is responsible in ensuring the health, safety and well-being of its employees and service users in accordance with health and safety law and regulations.

13. Commissioning Organisation's Responsibilities for In-House Trainers

The responsibilities of the commissioning organisation in respect of their own in-house trainers are:

- to maintain a record of all who are permitted to train
- require trainers to keep records of all training
- ensure a regular and systematic audit of training records
- ensure trainers update skills every 12 months by attending a trainer refresher course
- ensure trainers comply with all of the requirements set out in the BILD Code of Practice (4th edition) in respect of their qualifications, experience and CPD (Continuing Professional Development)
- to provide supervision relating to the role of in-house trainer
- provide sufficient time during normal working hours for pre-course and post-course administration (we recommend 2hrs pre-course preparation and 3hrs post-course administration)
- provide the necessary equipment and resources to deliver the training
- provide suitable venues that are risk assessed as suitable by the in-house trainer
- a suitable insurance policy covering the teaching of physical intervention skills to staff by in-house trainers (employees of your organisation)

14. Record Keeping and Audits

Sherwood Training keeps records relating to all training delivered. These records are stored securely, administered in accordance with its Data Protection Policy. Records are audited annually to ensure they are complete and accurate.

Commissioning Organisations who employ in-house trainers have the responsibility for ensuring training records are kept up to date and accordingly ensuring there is an audit process in place. Sherwood Training will provide copies of its own auditing tool for this purpose on request.

15. Refresher Training

Staff must attend as a minimum requirement, annual refresher training in order to maintain their certification. Failure to attend a refresher course in effect means that the person concerned can no longer safely practice physical skills.

The maximum permissible time between refreshers is 12 months.

Failure to attend a refresher course within 12 months will result in the person having to attend a full training course.

Please note: Under health and safety legislation, it is the employer's responsibility to ensure the ongoing competency of their employees in the skills required to maintain their health and safety and their duty of care. Accordingly, the employer must make a decision as to whether annual refreshers are sufficient for this purpose. If not, more frequent refresher periods must be set in order to ensure that the necessary requirements are met.

16. Trainers Qualifications

Any Trainer delivering Sherwood Training in Challenging Behaviour and Physical Interventions must hold a current qualification to teach the relevant level approved by Sherwood Training & Consultancy Services.

Trainers should have a minimum experience of 2 years working in a relevant setting where the safe management of challenging behaviours and use of physical interventions forms part of that experience.

Trainers hold (or are working towards) a relevant adult education teaching qualification e.g. C&G 730, ENB 998, PTLLS.

Trainer should hold a current valid first aid qualification relevant to their role in delivering training.

Principle Trainers employed by Sherwood Training comply with all of the requirements set out in BILD Code of Practice (4th Edition)

NB This policy was last reviewed and revised on 16 January 2017.

Nick Butcher, Training Manager

16 January 2017

Review Schedule (annual review required):

Date:	Action Required:	Name:	Signature:



APPENDIX I

BEHAVIOURAL AUDIT for the COMMISSIONING of PHYSICAL INTERVENTIONS TRAINING

Name of Service: _____

Address:

Name of person completing this form: _____

Your contact details:

Tel. _____

Mob. _____

Email _____

Summary of Training Needs *(Including presenting behaviours that justify the need for physical Interventions. – Please use simple descriptive language of the behaviours of concerned – be specific and avoid general descriptions (e.g. aggression) which do not describe the behaviour. Also, please specify the rationale for using physical interventions.):*

Summary of Positive Behaviour Support Strategies in place to avoid or reduce the need for RPI *(Please a brief outline current strategies already in place e.g. to avoid or reduce the impact of triggers, to facilitate effective communication, to assist staff in understanding the behaviours, how you respond to risk situations and when the behaviours of concern occur etc):*

On how many occasions in the last 12 months has a restraint procedure or RPI been used in support of this person? *(Please provide a number and indicate if it is an approximation or taken from records. If not applicable, please indicate.)*

Skills Required (Tick the appropriate box):

Breakaway & Self-Protection Skills (Level 1)

Reason/Justification *(Please provide clear rationale):*

Standing/Walking Restraint (Level 2)

Reason/Justification *(Please provide clear rationale):*

Seated Restraint (Level 2)

Reason/Justification *(Please provide clear rationale):*

Other Restraint (Bespoke Training) – Please specify: _____

Reason/Justification *(Please provide clear rationale):*

Physical intervention risk assessment *(Please provide information related to the use or potential use of physical interventions. What are the risks associated with using the techniques? Are there any possible contra-indications i.e. health conditions, disability-related conditions that might increase the risk of applying the techniques?):*

Mental Capacity (*In a care setting, the use of restraint/RPI is only legally permissible if the person consents to the procedure OR if it is established that the person lacks capacity at the time concerned and only then, if there is evidence to show that procedure is in the their best interest.*)

Has a **mental capacity assessment** been completed in accordance with the Mental Capacity Act (2005) Code of Practice?

Yes / No / Not Applicable (Please circle your response)

Please give details:

Has the use of restraint been referred to your local supervisory body in respect of the **Deprivation of Liberty Safeguards**?

Yes / No / Not Applicable (Please circle your response)

Please give details:

Preferred Training Dates:

Signed: _____

Date: _____

Please attach any additional sheets and supporting documentation – please specify attachments below:

Do not write below this line – Sherwood Training Use ONLY

Date Received: _____

Discussed with Commissioning Manager on: _____ (Date)

Notes:

Training request **APPROVED / DENIED** (Delete as applicable).

If APPROVED, written rationale regarding the course content sent to the commissioning manager on: _____ (Date)

Signed: _____ Date: _____

Name: _____ Principle Trainer