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Guidance on the use of seclusion

Introduction

BILD continues to receive a consistently high number of requests for information and advice about the use of seclusion.

The aim of the following guidance is to identify the basic issues that must be thought through and addressed in considering its use. It provides a framework for staff who are considering the use of seclusion as an emergency measure to maintain the safety of the adults, children and young people that they support.

Definition

The Joint Guidance issued by the Department of Health and the Department for Education and Skills (July 2002) determines that

“seclusion involves separating an adult or child against their will, restricting their freedom of movement and forcing them to spend time alone”.

Legal Considerations

The use of seclusion must be seen as a restrictive physical intervention.

It should only be used as part of a holistic broad approach to the management of challenging behaviour.

The inappropriate use of seclusion may be unlawful, as will any unreasonable use of force where there is no legal justification.

The use of seclusion for people who are detained under Mental Health legislation is governed by the relevant Code of Practice.

Therefore, seclusion should only be used when:

- It can be shown to be in the best interests of the person being secluded – and not for ease of management.
- It is normally an emergency rather than a planned response.
- It is the least restrictive response and its use is proportional to the level of risk presented.
- It is used for the minimum period of time to restore safety.
- Other strategies such as de-escalation have been used or are considered to be inappropriate in the circumstances.

Seclusion must not be used with any intent to punish or teach the person any new behaviours – its use must be as a responsive strategy aimed at managing the presenting behaviour at that time.

Planning the use of Seclusion

If seclusion is considered to be appropriate, the following issues must be addressed before it is used.

- Consideration of any use of seclusion must be in the context of the appropriate local policy and all those involved should have a thorough understanding of this policy.
- The agreement to the use of seclusion for an individual should be part of an appropriate care/support plan. This should identify and address the reasons for an individual's behaviour and provide a systematic series of graded responses to minimise the risks associated with challenging behaviour.
- All those involved in developing the care/support plan (including the relevant external professionals/specialists) should be involved

in considering the appropriateness of seclusion as an emergency response.

- Good practice emphasises the involvement of the individual and their family in the planning of the use of seclusion.
- All staff will need the opportunity to participate in the planning processes and will need to be trained in the specific use of seclusion for the individual concerned in the wider context of a holistic approach to behaviour management.
- Monitoring, recording and reviewing processes will need to be developed and staff trained in their use.
- When an incident arises, staff will need to consider the balance of risks between managing the situation where it is happening compared with moving someone into the seclusion room and then withdrawing.

Recording and reporting

Seclusion should be considered as a restrictive, physical intervention, and therefore its use should be recorded on every occasion.

A record of its use should be maintained which details the following:

- The date and place
- The name of staff and secluded person
- The background to the incident
- The reasons for using seclusion at that time
- Description of how the secluded person was moved
- Duration of seclusion
- Description of how the incident ended
- Any accidents/injuries to the secluded person or others
- Post incident support offered or provided

It is essential that the parents/family carers/carers of the secluded person are informed of the incident as soon as is practicable.

Reviewing the use of Seclusion

There needs to be an appropriate review mechanism that assesses each use of seclusion and records whether:

- The use of seclusion is an effective response and how this compares with other possible responses or strategies
- It offers improved security of the secluded person and those around him/her
- It offers a lower level of intrusion than other possible responses
- It helps the person to calm and return to normal behaviour as or more effectively than other responses or strategies
- It decreases the probability of the same behaviour occurring in the future when taken in the context of the person's care plan.