

# Specific guidance and legislation relating to delivering training in different settings

All legislation is available to download at [www.legislation.gov.uk](http://www.legislation.gov.uk)

## Populations being supported

### Services supporting people who have acquired brain injury

Department for Constitutional Affairs (2013) *Mental Capacity Act Code of Practice*. London: TSO

Department of Health (2015) *Mental Health Act Code of Practice*. London: TSO

Welsh Assembly Government (2016) *The Mental Health Act 1983 Code of Practice for Wales*. Cardiff: Welsh Assembly

#### *Legislation:*

Adults with Incapacity (Scotland) Act 2000

Human Rights Act 1998

Mental Capacity Act 2005

Mental Capacity Act (Northern Ireland) 2016. NB: The working date for full implementation of this Act is 2020, although the current absence of devolved government in Northern Ireland may affect this target (RCN 05/09/2018)

Mental Health Act 1983 (amended 2007)

Mental Health (Care and Treatment) (Scotland) Act 2003

### Services supporting autistic people

Department of Health (2014) *Positive and Proactive Care*. London: Department of Health

NICE (2012) *Recognition, Referral, Diagnosis and Management of Adults on the Autistic Spectrum (CG142)*. London: NICE

NICE (2013) *Autism: The Management and Support of Children and Young People on the Autistic Spectrum (CG170)*. London: NICE

NICE (2014) *Autism (QS51)*. London: NICE

NICE (2015) *Challenging Behaviour and Learning Disabilities: Prevention and Interventions for People with Learning Disabilities whose Behaviour Challenges (NG11)*. London: NICE

Royal College of Psychiatrists (2014) *Good Practice in the Management of Autism (Including Asperger Syndrome) in Adults (CR191)*. London: RCPsych

*Legislation:*

Autism Act 2009

**Services supporting children (including residential schools and children's homes)**

Association of Directors of Children's Services Health, Care and Additional Needs Policy Committee Task Group (2009) *A Protocol for Local Children's Services Authorities on Restrictive Physical Interventions in Schools, Residential and Other Care Settings for Children and Young People*. Manchester: ADCS

Children's Commissioner for England (2017) *Children's Voices: A Review of Evidence on the Subjective Wellbeing of Children in Detention*. London: CCfE

Children's Rights Director for England (2012) *Children's Views on Restraint: Reported by the Children's Rights Director for England*. London: OFSTED

Department for Education (2013) *Use of Reasonable Force: Advice for Head Teachers, Staff and Governing Bodies*. London: DfE

Department for Education (2015) *Children's Homes Regulations, Including Quality Standards: Guide*. London: DfE

Department for Education (2015) *Working Together to Safeguard Children*. London: DfE

Department of Health and Social Care and Department for Education (2017) *Reducing the need for restraint and restrictive intervention; children and young people with learning disabilities, autistic spectrum disorder, and mental health difficulties* (Consultation document). London: DoH/DfE

Hart, D (2008) *Restrictive Physical Intervention in Secure Children's Homes*. London: NCB

HM Inspectorate of Prisons (2015) *Behaviour Management and Restraint of Children in Custody*. London: HMIP

NICE (2015) *Violence and Aggression: Short Term Management in Mental Health (NG10)*. London: NICE

Royal College of Nursing (RCN) (2010) *Restrictive Physical Intervention and Therapeutic Holding for Children and Young People: Guidance for Nursing Staff*. London: RCN

Smallridge, P and Williamson, A (2011) *Report on Implementing the Independent Review of Restraint in Juvenile Secure Settings*. London: Ministry of Justice

United Nations Human Rights (1989) *Convention on the Rights of the Child*. [online] Available at: [www.ohchr.org/en/professionalinterest/pages/crc.aspx](http://www.ohchr.org/en/professionalinterest/pages/crc.aspx) (accessed 20 April 2018)

*Legislation:*

Care Standards Act 2000 (National Minimum Standards for Children's Homes)

Children and Social Work Act 2017

Children's Act 1989

Children's Act 2004

Children's Homes (England) Regulations 2015 (SI2015/541)

Education Act 1996

Education and Inspections Act 2006

Fostering Services (England) Regulations 2011 (SI2011/581)

**Services supporting people who are deaf and have mental health conditions**

Action on Hearing Loss (2018) *Facts and Figures*. Available at:

[www.actiononhearingloss.org.uk/about-us/media/facts-and-figures/](http://www.actiononhearingloss.org.uk/about-us/media/facts-and-figures/) (accessed 10 July 2018)

Association of Chief Police Officers and National Policing Improvement Agency (2010) *Guidance on Responding to People with Mental Ill Health or Learning Disabilities*. Available at:

<http://library.college.police.uk/docs/acpo/Guidance-mental-ill-health-2010.pdf> (accessed 21 July 2018)

Bevan, E R (2018) *Best Practice Guide for BSL/English Interpreters Working in Mental Health*.

Available at: [www.asli.org.uk/app/uploads/2018/03/BPMHI.FINAL\\_.pdf](http://www.asli.org.uk/app/uploads/2018/03/BPMHI.FINAL_.pdf) (accessed 10 July 2018)

Cabral, L, Muhr, K and Savageau, J (2013) Perspectives of people who are deaf and hard of hearing on mental health, recovery and peer support, *Community Mental Health Journal*, 49(6), 649–57

Care Quality Commission (2016) *Brief Guide: Restraint (Physical and Mechanical)*. Available at:

[www.cqc.org.uk/sites/default/files/20160422\\_briefguide-Restraint\\_physical\\_mechanical.pdf](http://www.cqc.org.uk/sites/default/files/20160422_briefguide-Restraint_physical_mechanical.pdf) (accessed 4 July 2018)

College of Policing (2017) *Memorandum of Understanding: The Police Use of Restraint in Mental Health and Learning Disability Settings*. Coventry: CoP

Cromwell, J (2005) Deafness and the Art of Psychometric Testing, *The Psychologist*, 18(12), 738–40

Department for Constitutional Affairs (2013) *Mental Capacity Act: Code of Practice*. London: TSO

Department of Health (2005) *Mental Health and Deafness – Towards Equity and Access: Best Practice Guidance*. London: DoH

Department of Health (2012) *Transforming Care: A National Response to Winterbourne View Hospital*. London: DoH

- Department of Health (2014) *Positive and Proactive Care*. London: DoH
- Department of Health (2015) *Mental Health Act Code of Practice*. London: TSO
- Department of Health, Concordat Signatories (2014) *Mental Health Crisis Care Concordat – Improving Outcomes for People Experiencing Mental Health Crisis*. London: DoH
- Department of Health (in development) *Towards Safer Services: National Minimum Standards for Restrictive Intervention Reduction Plans*. London: DoH
- Horne, N and Pennington, J (2010) The role of the nurse specialist in the highly specialized field of mental health and deafness, *Journal of Psychiatric and Mental Health Nursing*, 17, 335–8
- Joint Commissioning Panel for Mental Health (2017) *Guidance for Commissioners of Primary Care Mental Health Services for Deaf People*. Available at: [www.icpmh.info/](http://www.icpmh.info/) (accessed 10 July 2018)
- Mental Welfare Commission for Scotland (2013) *Good Practice Guide: Rights, Risks and Limits to Freedom*. Edinburgh: MWCS
- Mental Welfare Commission for Scotland (2013) *Good Practice Guide: Responding to Violence in a Mental Health or Learning Disability Care Setting*. Edinburgh: MWCS
- Mental Welfare Commission for Scotland (2013) *Good Practice Guide: Human Rights in Mental Health Services*. Edinburgh: MWCS
- NAPICU (2016) *Guidance for Commissioners of Psychiatric Intensive Care Units (PICUs)*. East Kilbride: NAPICU
- Napier, J and Cornes, A (2004) The Dynamic roles of interpreters and therapists. In S Austen and S Crocker (eds) *Deafness in Mind: Working Psychologically with Deaf People Across the Lifespan* (pp. 161–79). London: Whurr Publishers
- NICE (2005) *Violence: Short Term Management for over 16s in Psychiatric and Emergency Departments (CG25)*. London: NICE
- NICE (2015) *Violence and Aggression: Short Term Management in Mental Health (NG10)*. London: NICE
- NICE (2017) *Violent and Aggressive Behaviours in People with Mental Health Problems (QS154)*. London: NICE
- NHS England (2015) *Accessible Information Implementation Plan*. Leeds: NHS England
- NHS England (2016) *'All about me': Deafness Recovery Tool*. Leeds: NHS England
- O'Rourke, S, Gibbon, S and Hough, W (2011) *Forensic Quality Standards for Deaf People in Medium Secure Care*. London: Royal College of Psychiatrists Centre for Quality Improvement
- Royal College of Emergency Medicine (2016) *Guidelines for the Management of Excited Delirium/Acute Behavioural Disturbance*. London: RCEM
- Royal College of Psychiatrists (2015) *Quality Network for Forensic Mental Health Services: See, Think, Act*. London: RCPsych
- Royal College of Psychiatrists (2016) *Quality Network for Forensic Mental Health Services; Standards for Forensic Mental Health Services, Low and Medium Secure Care*. London: RCPsych

Safewards [www.safewards.net](http://www.safewards.net)

SignHealth (2017) *Sign Language*. Available at: [www.signhealth.org.uk/about-deafness/sign-language/](http://www.signhealth.org.uk/about-deafness/sign-language/) (accessed 10 July 2018)

Scott, S and McManus, S (2016) *Hidden Hurt: Violence, Abuse and Disadvantage in the Lives of Women* (DMSS research for Agenda). London: Agenda

Welsh Assembly Government (2013) *Safe and Effective Intervention: Use of Reasonable Force and Searching for Weapons*. Cardiff: Welsh Assembly

Welsh Assembly Government (2016) *The Mental Health Act 1983 Code of Practice for Wales*. Cardiff: Welsh Assembly

Welsh Government (2016) *Patient Safety Notice: The Importance of Vital Signs During and after Restrictive Interventions/Manual Restraint*. Cardiff: Welsh Assembly

#### *Legislation:*

Adults with Incapacity (Scotland) Act 2000

Criminal Justice Act 2003

Human Rights Act 1998

Mental Capacity Act 2005

Mental Capacity Act (Northern Ireland) 2016. NB: The working date for full implementation of this Act is 2020, although the current absence of devolved government in Northern Ireland may affect this target (RCN 05/09/2018)

Mental Health Act 1983 (amended 2007)

Mental Health (Care and Treatment) (Scotland) Act 2003

National Health Service Act (schedule 4) 2006

### **5 Services supporting people who have eating disorders**

NICE (2017) *Eating disorders: Recognition and Treatment (NG69)*. London: NICE

### **6 Services supporting people who have learning disabilities**

British Institute of Human Rights (2016) *BIHR Toolkits: Learning Disability and Human Rights*. London: BIHR

Department for Constitutional Affairs (2013) *Mental Capacity Act Code of Practice*. London: TSO

Department for Education (2000) *Care Standards Act (National Minimum Standards for Children's Homes)*. London: DfE

Department of Health and Social Care and Department for Education (2017) *Reducing the need for restraint and restrictive intervention: Children and young people with learning*

*disabilities, autistic spectrum disorder, and mental health difficulties* (Consultation document). London: DoH/DfE

Department of Health (2014) *Positive and Proactive Care*. London: DoH

Department of Health (2015) *Mental Health Act Code of Practice*. London: TSO

NHS Protect (2013) *Meeting Need and Reducing Distress*. London: NHS Protect

NICE (2015) *Challenging Behaviour and Learning Disabilities: Prevention and Interventions for People with Learning Disabilities Whose Behaviour Challenges (NG11)*. London: NICE

NICE (2015) *Violence and Aggression: Short Term Management in Mental Health (NG10)*. London: NICE

PBS Coalition (2015) Positive Behavioural Support Competence Framework [online]. Available at: <http://pbsacademy.org.uk/pbs-competence-framework/> (accessed 20 April 2018)

Skills for Care and Skills for Health (2014) *A Positive and Proactive Workforce: A Guide to Workforce Development for Commissioners and Employers Seeking to Minimise the Use of Restrictive Practices in Social Care and Health*. Leeds: SfC & SfH

Welsh Assembly Government (2016) *The Mental Health Act 1983 Code of Practice for Wales*. Cardiff: Welsh Assembly

#### *Legislation:*

Adults with Incapacity Act (Scotland) 2000

Children's Act 1989

Mental Capacity Act 2005

Mental Capacity Act (Northern Ireland) 2016. NB: The working date for full implementation of this Act is 2020, although the current absence of devolved government in Northern Ireland may affect this target (RCN 05/09/2018)

Mental Health Act 1983 (amended 2007)

Mental Health (Care and Treatment) (Scotland) Act 2003

## **7 Services supporting people who have mental health conditions**

Association of Chief Police Officers and National Policing Improvement Agency (2010) *Guidance on Responding to People with Mental Ill Health or Learning Disabilities*. Available at: <http://library.college.police.uk/docs/acpo/Guidance-mental-ill-health-2010.pdf> (accessed 21 July 2018)

Care Quality Commission (2016) *Brief Guide: Restraint (Physical and Mechanical)*. Available at: [www.cqc.org.uk/sites/default/files/20160422\\_briefguide-Restraint\\_physical\\_mechanical.pdf.pdf](http://www.cqc.org.uk/sites/default/files/20160422_briefguide-Restraint_physical_mechanical.pdf.pdf) (accessed 4 July 2018)

Department of Health (2012) *Transforming Care: A National Response to Winterbourne View Hospital*. London: DoH

Department of Health (2014) *Positive and Proactive Care: Reducing the Need for Restrictive Interventions*. London: DoH

Department of Health (2015) *Mental Health Act Code of Practice*. London: DoH

Department of Health, Concordat Signatories (2014) *The Mental Health Crisis Care Concordat: Improving Outcomes for People Experiencing Mental Health Crisis*. London: DoH

Mind (2013) *Mental Health Crisis Care: Physical Restraint in Crisis. A Report on Physical Restraint in Hospital Settings in England*. London: Mind

NHS Protect (2013) *Meeting Needs and Reducing Distress: Guidance on the Prevention and Management of Clinically Related Challenging Behaviour in NHS Settings*. London: NHS Protect

NICE (2015) *Violence and Aggression: Short-term Management in Mental Health, Health and Community Settings (NG10)*. London: NICE

Safewards [www.safewards.net](http://www.safewards.net)

Scott, S and McManus, S (2016) *Hidden Hurt: Violence, Abuse and Disadvantage in the Lives of Women* (DMSS Research for Agenda). London: Agenda

Welsh Assembly Government (2016) *The Mental Health Act 1983 Code of Practice for Wales*. Cardiff: Welsh Assembly

## **8 Services supporting older people and people living with dementia**

Department for Constitutional Affairs (2013) *Mental Capacity Act Code of Practice*. London: TSO

Department of Health (2014) *Positive and Proactive Care: Reducing the Need for Restrictive Interventions*. London: DoH

Department of Health (2015) *Mental Health Act Code of Practice*. London: DoH

Department of Health (in development) *Towards Safer Services: National Minimum Standards for Restrictive Intervention Reduction Plans*. London: DoH

NICE (2005) *Violence: Short-term Management for Over 16s in Psychiatric and Emergency Departments (CG25)*. London: NICE

NICE (2015) *Violence and Aggression: Short Term Management in Mental Health, Health and Community Settings (NG10)*. London: NICE

NICE (2017) *Violent and Aggressive Behaviours in People with Mental Health Problems (QS154)*. London: NICE

SCIE (2009) *Report 26: Restraint in Care Homes for Older People: A Review of Selected Literature (Due to be reviewed)*. London: SCIE

Welsh Assembly Government (2016) *The Mental Health Act 1983 Code of Practice for Wales*. Cardiff: Welsh Assembly

#### *Legislation:*

Mental Capacity Act 2005

Mental Capacity Act (Northern Ireland) 2016. NB: The working date for full implementation of this Act is 2020, although the current absence of devolved government in Northern Ireland may affect this target (RCN 05/09/2018)

Mental Health Act 1983 (amended 2007)

Mental Health (Care and Treatment) (Scotland) Act 2003

## **Settings in which the staff/carers provide support**

### **9 Adult acute psychiatric wards and psychiatric intensive care units (PICUs)**

College of Policing (2017) *Memorandum of Understanding: The Police Use of Restraint in Mental Health and Learning Disability Settings*. Coventry: CoP

Department for Constitutional Affairs (2013) *Mental Capacity Act Code of Practice*. London: TSO

Department of Health (2014) *Positive and Proactive Care*. London: DoH

Department of Health (2015) *Mental Health Act Code of Practice*. London: TSO

Department of Health (in development) *Towards Safer Services: National Minimum Standards for Restrictive Intervention Reduction Plans*. London: DoH

Department of Health, Concordat Signatories (2014) *Mental Health Crisis Care Concordat – Improving Outcomes for People Experiencing Mental Health Crisis*. London: DoH

Mental Welfare Commission for Scotland (2013) *Good Practice Guide; Rights, Risks and Limits to Freedom*. Edinburgh: MWCS



Mental Welfare Commission for Scotland (2013) *Good Practice Guide: Responding to Violence in a Mental Health or Learning Disability Care Setting*. Edinburgh: MWCS

Mental Welfare Commission for Scotland (2013) *Good Practice Guide: Human Rights in Mental Health Services*. Edinburgh: MWCS

NAPICU (2016) *Guidance for Commissioners of Psychiatric Intensive Care Units (PICUs)*. East Kilbride: NAPICU

NICE (2005) *Violence: Short Term Management for over 16s in Psychiatric and Emergency Departments (CG25)*. London: NICE

NICE (2015) *Violence and Aggression: Short Term Management in Mental Health, Health and Community Settings (NG10)*. London: NICE

NICE (2017) *Violent and Aggressive Behaviours in People with Mental Health Problems (QS154)*. London: NICE

Royal College of Emergency Medicine (2016) *Guidelines for the Management of Excited Delirium/Acute Behavioural Disturbance*. London: RCEM

Royal College of Psychiatrists (2015) *Quality Network for Forensic Mental Health Services: See, Think, Act*. London: RCPsych

Royal College of Psychiatrists (2016) *Quality Network for Forensic Mental Health Services; Standards for Forensic Mental Health Services, Low and Medium Secure Care*. London: RCPsych

Welsh Assembly Government (2013) *Safe and Effective Intervention: Use of Reasonable Force and Searching for Weapons*. Cardiff: Welsh Assembly

Welsh Assembly Government (2016) *The Mental Health Act 1983 Code of Practice for Wales*. Cardiff: Welsh Assembly

Welsh Government (2016) *Patient Safety Notice: The Importance of Vital Signs During and after Restrictive Interventions/Manual Restraint*. Cardiff: Welsh Assembly

#### *Legislation:*

Adults with Incapacity (Scotland) Act 2000

Criminal Justice Act 2003

Human Rights Act 1998

Mental Capacity Act 2005

Mental Capacity Act (Northern Ireland) 2016. NB: The working date for full implementation of this Act is 2020, although the current absence of devolved government in Northern Ireland may affect this target (RCN 05/09/2018)

Mental Health Act 1983 (amended 2007)

Mental Health (Care and Treatment) (Scotland) Act 2003

National Health Service Act (schedule 4) 2006

## **Forensic and high secure services**

College of Policing (2017) *Memorandum of Understanding: The Police Use of Restraint in Mental Health and Learning Disability Settings*. Coventry: CoP

Department for Constitutional Affairs (2013) *Mental Capacity Act Code of Practice*. London: TSO

Department of Health (2014) *Positive and Proactive Care*. London: DoH

Department of Health (2015) *Mental Health Act Code of Practice*. London: TSO

Department of Health (in development) *Towards Safer Services: National Minimum Standards for Restrictive Intervention Reduction Plans*. London: DoH

NICE (2005) *Violence: Short Term Management for over 16s in Psychiatric and Emergency Departments (CG25)*. London: NICE

NICE (2015) *Violence and Aggression: Short Term Management in Mental Health, Health and Community Settings (NG10)*. London: NICE

NICE (2017) *Violent and Aggressive Behaviours in People with Mental Health Problems (QS154)*. London: NICE

Royal College of Psychiatrists (2015) *Quality Network for Forensic Mental Health Services: See, Think, Act*. London: RCPsych

Royal College of Psychiatrists (2016) *Quality Network for Forensic Mental Health Services; Standards for Forensic Mental Health Services, Low and Medium Secure Care*. London: RCPsych

Welsh Assembly Government (2016) *The Mental Health Act 1983 Code of Practice for Wales*. Cardiff: Welsh Assembly

### *Legislation:*

Adults with Incapacity (Scotland) Act 2000

Criminal Justice Act 2003

Human Rights Act 1998

Mental Capacity Act 2005

Mental Capacity Act (Northern Ireland) 2016. NB: The working date for full implementation of this Act is 2020, although the current absence of devolved government in Northern Ireland may affect this target (RCN 05/09/2018)

Mental Health Act 1983 (amended 2007)

Mental Health (Care and Treatment) (Scotland) Act 2003

National Health Service Act (schedule 4) 2006

## **Foster carers**

Department for Education (2011) *Fostering Services: National Minimum Standards*. London: DfE

Department for Education (2015) *The Children's Act 1989: Guidance and Regulations Volume 4 – Fostering services*. London: DfE

Department of Health and Social Care and Department for Education (2017) *Reducing the need for restraint and restrictive intervention: Children and young people with learning disabilities, autistic spectrum disorder, and mental health difficulties* (Consultation document). London: DoH/DfE

Hart, D and Howell, S (2004) *National Children's Bureau: Report on the Use of Physical Intervention Across Children's Services*. London: NCB

United Nations Human Rights (1989) *Convention on the Rights of the Child*. [online] Available at: [www.ohchr.org/en/professionalinterest/pages/crc.aspx](http://www.ohchr.org/en/professionalinterest/pages/crc.aspx) (Accessed 20 April 2018)

### *Legislation:*

Care Standards Act 2000

Children and Social Work Act 2017

Children's Act 1989

Fostering Services (England) Regulations 2011 (SI2011/581)

Health and Safety at Work Act 1974

Management of Health and Safety at Work Regulations 1999 (SI1999/3242)

## **Lone workers**

Health and Safety Executive (2013) *Working Alone: Health and Safety Guidance on the Risks of Lone Working*. London: HSE

Royal College of Nursing (2016) *Personal Safety When Working Alone*. London: RCN

The Health, Safety and Wellbeing Group (2018) *Improving Safety for Lone Workers: A Guide for Managers*. Leeds: HSWG

The Health, Safety and Wellbeing Group (2018) *Improving Safety for Lone Workers: A Guide for Staff Who Work Alone*. Leeds: HSWG

### *Legislation:*

Health and Safety at Work Act 1974

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (SI2014/2936)

Management of Health and Safety at Work Regulations 1999 (SI1999/3242)

## **Schools**

BILD Centre for the Advancement of Positive Behaviour Support (2018) *Questions to Ask About the Use of Physical Restraint in Schools*. Available at: [www.bild.org.uk/capbs/pbsinformation/](http://www.bild.org.uk/capbs/pbsinformation/) (accessed 21 March 2018)

BILD Centre for the Advancement of Positive Behaviour Support (2018) *The Use of Tents or Other Confined Spaces in Schools*. Available at: [www.bild.org.uk/capbs/pbsinformation/](http://www.bild.org.uk/capbs/pbsinformation/) (accessed 21 March 2018)

Department for Education (2013) *Residential Special Schools: National Minimum Standards*. London: DfE

Department for Education (2013) *Use of Reasonable Force in Schools*. London: DfE

Department for Education (2016) *Behaviour and Discipline in Schools: Advice for Head Teachers and School Staff*. London: DfE

Department for Education and Skills and Department of Health (2002) *Guidance for Restrictive Physical Interventions: How to Provide Safe Services for People with Learning Disabilities and Autistic Spectrum Disorder*. London: DoH

Department of Health and Social Care and Department for Education (2017) *Reducing the need for restraint and restrictive intervention: Children and young people with learning disabilities, autistic spectrum disorder, and mental health difficulties* (Consultation document). London: DoH/DfE

Paterson, B, Martin, A, Nisbett, I and Leadbetter, D (2011) *The Use of Time-Out and Seclusion in Scottish Schools: A Matter for Concern?* Available at: [www.calmtraining.co.uk/uploadedfiles/file/The%20use%20of%20time%20out%20and%20seclusion%20in%20Scottish%20schools%20repo.pdf](http://www.calmtraining.co.uk/uploadedfiles/file/The%20use%20of%20time%20out%20and%20seclusion%20in%20Scottish%20schools%20repo.pdf) (accessed 18 March 2018)

### *Legislation:*

Children's Act 1989

Education Act 1996

Education and Inspections Act 2006

## **Tier 4 Child and Adolescent Mental Health Services (CAMHS)**

Department for Constitutional Affairs (2013) *Mental Capacity Act Code of Practice*. London: TSO

Department for Education and Skills and Department of Health (2002) *Guidance for Restrictive Physical Interventions: How to Provide Safe Services for People with Learning Disabilities and Autistic Spectrum Disorder*. London: DoH

Department of Health (2015) *Mental Health Act Code of Practice*. London: TSO

Department of Health (in development) *Towards Safer Services: National Minimum Standards for Restrictive Intervention Reduction Plans*. London: DoH

Department of Health and Social Care and Department for Education (2017) *Reducing the need for restraint and restrictive intervention: Children and young people with learning disabilities, autistic spectrum disorder, and mental health difficulties* (Consultation document). London: DoH/DfE

NICE (2004) *The Short-Term Physical And Psychological Management and Secondary Prevention of Selfharm In Primary and Secondary Care (CG16)*. London: NICE

NICE (2015) *Violence and Aggression: Short Term Management in Mental Health, Health and Community Settings (NG10)*. London: NICE

Royal College of Nursing (RCN) (2010) *Restrictive Physical Intervention and Therapeutic Holding for Children and Young People: Guidance for Nursing Staff*. London: RCN

United Nations Human Rights (1989) *Convention on the Rights of the Child*. [online] Available at: [www.ohchr.org/en/professionalinterest/pages/crc.aspx](http://www.ohchr.org/en/professionalinterest/pages/crc.aspx) (accessed 20 April 2018)

Welsh Assembly Government (2016) *The Mental Health Act 1983 Code of Practice for Wales*. Cardiff: Welsh Assembly

#### *Legislation:*

Children Act 1989

Children Act 2004

Deprivation of Liberty Act 2010

Protection of Children Act 1999

## **Country in which the service or setting is operating**

### **England**

Department for Constitutional Affairs (2013) *Mental Capacity Act Code of Practice*. London: TSO

Department for Education (2013) *Use of Reasonable Force in Schools*. London: DfE

Department of Health (2014) *Positive and Proactive Care*. London: DoH

Department of Health (2015) *Mental Health Act Code of Practice*. London: TSO

Department of Health (in development) *Towards Safer Services: National Minimum Standards for Restrictive Intervention Reduction Plans*. London: DoH

Department of Health and Social Care and Department for Education (2017) *Reducing the need for restraint and restrictive intervention: Children and young people with learning disabilities, autistic spectrum disorder, and mental health difficulties* (Consultation document). London: DoH/DfE

Department of Health, Concordat Signatories (2014) *Mental Health Crisis Care Concordat – Improving Outcomes for People Experiencing Mental Health Crisis*. London: DoH

Skills for Care and Skills for Health (2014) *A Positive and Proactive Workforce: A Guide to Workforce Development for Commissioners and Employers Seeking to Minimise the Use of Restrictive Practices in Social Care and Health*. Leeds: SfC & SfH

*Legislation:*

Children's Act 1989

Criminal Justice Act 2003

Education Act 1996

Education and Inspections Act 2006

Fostering Services (England) Regulations 2011 (SI2011/581)

Human Rights Act 1998

Mental Capacity Act 2005

Mental Health Act 1983 (amended 2007)

**Northern Ireland**

Department of Education Northern Ireland (1999) *Pastoral Care: Guidance on the Use of Reasonable Force to Restrain or Control Pupils (Circular, 1999/9)*. Bangor: DENI

Department of Education Northern Ireland (2004) *Regional Policy Framework on the Use of Reasonable Force/Safe Handling*. Bangor: DENI

Department of Education Northern Ireland (2017) *Safeguarding and Child Protection in Schools*. Bangor: DENI

Department of Health, Social Services and Public Safety (2005) *Human Rights Working Group on Restraint and Seclusion: Guidance on Restraint and Seclusion in Health and Personal Social Services*. Belfast: DHSSPS

Department of Health, Social Services and Public Safety (2012) *Day Care Settings: Minimum Standards*. Belfast: DHSSPS

Volunteer Now (2010) *Safeguarding Vulnerable Adults: A Shared Responsibility – Standards and Guidance for Good Practice in Safeguarding Vulnerable Adults*. Belfast: Volunteer Now

*Legislation:*

Children (Northern Ireland) Order 1995 (SI1995/755)

Children's Homes Regulations (Northern Ireland) 2005 (SI2005/176)

Criminal Law Act (Northern Ireland) 1967

Education (Northern Ireland) Order 1998 (SI1998/274)

Foster Placement (Children) Regulations (Northern Ireland) 1996 (SI1996/467)

Mental Capacity Act (Northern Ireland) 2016 NB: The working date for full implementation of this Act is 2020, although the current absence of devolved government in Northern Ireland may affect this target (RCN 05/09/2018)

Mental Health (Northern Ireland) Order 1986 (SI1986/595)

Nursing Homes Regulations (Northern Ireland) 2005 (SI2005/161)

Residential Care Homes Regulations (Northern Ireland) 2005 (SI2005/161)

## **Scotland**

Care Commission, Mental Welfare Commission for Scotland (2009) *Remember I'm Still Me*. Edinburgh: MWCS

Mental Welfare Commission for Scotland (2013) *Good Practice Guide: Rights, Risks and Limits to Freedom*. Edinburgh: MWCS

Mental Welfare Commission for Scotland (2013) *Good Practice Guide: Responding to Violence in a Mental Health or Learning Disability Care Setting*. Edinburgh: MWCS

Mental Welfare Commission for Scotland (2013) *Good Practice Guide: Human Rights in Mental Health Services*. Edinburgh: MWCS

Scottish Executive (2004) *Protecting Children and Young People: The Charter*. Edinburgh: Scottish Government

Scottish Executive (2005) *National Care Standards: Care Homes for Children and Young People*. Edinburgh: Scottish Government

Scottish Executive (2005) *National Care Standards: Care Homes for Older People*. Edinburgh: Scottish Government

Scottish Executive (2005) *National Care Standards: Care Homes for People with Learning Disabilities*. Edinburgh: Scottish Government

Scottish Executive (2013) *Physical Restraint in Residential Child Care – Leaflet for Young People*. Edinburgh: Scottish Government

Scottish Executive (2017) *Included, Engaged and Involved Part 2: A Positive Approach to Preventing and Managing School Exclusions*. Edinburgh: Scottish Government

The Scottish Institute for Residential Child Care (SIRCC) (2005) *Holding Safely: A Guide for Residential Child Care Practitioners and Managers about Physically Restraining Children and Young People*. Glasgow: SIRCC

### *Legislation:*

Adults with Incapacity Act (Scotland) 2000

Child Care (Scotland) Regulations 1995 (SI1995/3256)

Children Act (Scotland) 1995

Education (Scotland) Act 1980 (ch47)

Mental Health (Care and Treatment) (Scotland) Act 2003

Regulations of Care (Requirements as to Care Services) (Scotland) Regulations 2002 (SI2002/114)

Regulation of Care (Scotland) Act 2001

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