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| Emergency use of physical restraint in out-of-home care |
| Factsheet for carers |

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# What’s new?

The Department of Health and Human Services (the department) has released a new policy for carers and workers on the use of emergency physical restraint on children and young people in out-of-home care. This includes children and young people in kinship care, foster care, lead tenant and residential care. The policy helps carers understand the emergency circumstances when they may need to use a reasonable level of physical force to manage a child's behaviour in order to keep the child/young person or others safe.

# Managing behaviour and physical restraint

Managing the behaviour of children and young people in out of home care can be difficult and demanding on carers. All children in out-of-home care have experienced some level of trauma in their lives, which can have a significant impact on their behaviour. Examples of trauma include experiences of physical or emotional abuse, sexual abuse, neglect, witnessing family violence or experiencing the loss of a caregiver.

The use of reasonable physical force by carers in emergency circumstances is set out in law. Knowing when and how reasonable force can be used is important for you and the children you care for. Inappropriate use of physical force can impact on the child's wellbeing, be a breach of the child’s rights and may lead to police involvement.

## What do carers need to know?

All carers have a **duty of care**for children in their care. This means taking action when reasonably required to prevent or reduce foreseeable harm from occurring to the child or young person. For example, holding a child’s arm to prevent them from placing their hand on a hot stove.

**Physical restraint** means using force to stop or reduce the movement of a person to control their behaviour. It is not the same as physically guiding or assisting a child by providing help, such as when you hold a child’s hand before crossing a road.

Your duty of care means that you may need to use a reasonable level of physical force to manage a child's behaviour where:

* it is an emergency circumstance
* there is no reasonable alternative
* the least amount of force is used for the least amount of time necessary.

## Tips for managing behaviour

As a carer, you may need help to understand a child's behaviour and how best to respond to their behaviour in a positive way, suitable for the child or young person in your care.

 For more serious or challenging behaviour, a plan can be developed to help understand the reasons for the child’s behaviour, how you can respond to the behaviour and how to support children to learn new skills that reduces their need to use the behaviour.

There are a range of resources available to you including:

* statewide training through [Carer KaFE](https://www.carerkafe.org.au/) <https://www.carerkafe.org.au/>
* a [best practice guide on behaviour planning](http://providers.dhhs.vic.gov.au/program-requirements-out-home-care-services) <http://providers.dhhs.vic.gov.au/program-requirements-out-home-care-services>
* an online resource that provides more information on the impact of physical restraint and ways to manage behaviour.

## Who to speak to?

For help managing behaviour, speak to your agency case manager or child protection practitioner. If you have used physical restraint on a child or young person in your care, you need to let your case manager know. Your case manager can also help ensure you have the supports you need to manage the child or young person’s behaviour.

A copy of the policy is available at the department’s [out of home care webpage](http://providers.dhhs.vic.gov.au/program-requirements-out-home-care-services) <http://providers.dhhs.vic.gov.au/program-requirements-out-home-care-services>.

The policy contains further information about the impacts of physical restraint for children and carers, and the legal requirements regarding the use of reasonable physical force.

More information about the rights of children in care is available at the department’s [charter for children in out of home care webpage](https://services.dhhs.vic.gov.au/charter-children-out-home-care) <https://services.dhhs.vic.gov.au/charter-children-out-home-care>.

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