

MANAGING CONFLICT AND PROMOTING POSITIVE BEHAVIOUR

Policy & Guidance for Foster Carers

Introduction

Caring for Looked After Children is a complex and highly skilled task because many of the children have had life experiences that can cause them to challenge the adults around them. It is too easy to see this as a matter of control when in fact what Looked After Children need is to be understood, listened too and encouraged to learn other ways of dealing with their pain. Kent Social Services recognises how hard it can be to manage difficult behaviour, particularly in a home or at school where there are other children, and has developed comprehensive policy and guidance to help promote positive behaviour.

Factors that can make caring for Looked After Children different to caring for your own child, or other children you may have been responsible for, are the requirement to follow legal and agency guidance on control, restraint and discipline, and that there may be concerns about possible allegations. You may be worried about the effects of past physical and emotional abuse on the child, any disability that may affect communication, and a different cultural or religious background, from your own.

Further information can be sought from the main Policy and Guidance, "Managing Conflict and Promoting Positive Behaviour", as well as the Culturally Competent Care Guide. These are inevitably large documents because they address the needs of carers and practitioners in a range of settings. They are available in hard copy on request, or on the internet on the following link: [Fostering Service Policy & Procedures](#)

For convenience this edited version has been developed specifically for foster carers.

(Please note all the forms referred to which are the responsibility of the child's social worker are the 'Looking After Children' formats (Department of Health 1995) which were reinstated for use in Kent in 2009. These are shown in this font and colour in the text. This guidance will be updated as new formats become available on the Integrated Children's System)

(KCC formats are marked in the text in this font in the text)

1. KCC Policy

Many Looked After Children have experienced traumatic situations. Others may have disabilities or conditions which severely affect their opportunity to develop healthily. Such experiences will impact upon their ability to communicate and express their needs appropriately. It is likely that at times challenging behaviours will be presented which reflect their sense of frustration; anger; confusion; anxiety; loss and hurt.

Therefore, Looked After Children will need a greater level of care and one to one attention. Behaviour that may be viewed as 'naughty' is often an expression of past hurt and abuse, or may be due to factors such as physical or learning disability, cultural difference, or conditions such as autism.

Kent County Council does not permit smacking or any form of physical chastisement as a means of disciplining children. There may be a few occasions when, as a last resort, it might be necessary to restrain a child and where this is considered to be likely specific training will be provided to ensure that this is undertaken safely within the placement. Clear guidance and agreement will be made in the [Placement Plan part 1](#) where it is possible restraint may be needed with a particular child.

Therefore, all carers will be helped through training and guidance to develop ways of caring for hurt children which will prevent, avoid or defuse difficult behaviour.

2. Context

Looked After Children – most children who come into Foster care come with all sorts of issues and problems. They have not experienced a “normal” life and consequently are not likely to have developed “normal” skills. Your job as their foster carer is to give them as many “normal” experiences as you can as it helps appropriate development and catching up on the skills they may have missed learning. A key aspect in providing normal life skills is providing stability. Disruption makes it difficult for a child to progress and as you can imagine foster children with more difficult behaviours experience more placement breakdowns than those who don't. Using some of the techniques outline below will help to avoid disruption, build in stability, and provide an experience where children can have normal life experiences.

Children and young people with severe learning disabilities and/or conditions such as autism are likely to find significant difficulty in communicating their needs. Their attempts to do so may result in behaviour that is initially extremely difficult to understand and effectively respond to.

A child with a disability may use a particular form of communication; they may have limited verbal language and, their cognitive ability may pose additional challenges for you in attempting to positively and effectively engage with them. Some disabled children may have persistent behaviours that are associated with their particular condition. These may include self-injurious behaviours e.g. eye gouging; biting limbs; head slapping/banging etc.

Inability, fear, or lack of opportunity, to communicate a need is very frustrating and likely to provoke behaviours which reflect this e.g. crying; screaming; biting; kicking; pulling own/others hair, etc. There are some behaviours which are associated with particular conditions/syndromes, for example. a child with Asperger's Syndrome may react negatively to a change in their routine. Some children may be very sensitive to light and sound etc.

There may be external “triggers” which provoke inappropriate behaviours. These are often difficult to identify if the child/young person has little verbal communication. You will need therefore, to use your skills of observation in order to assess whether there are any environmental factors, e.g. noise; settings; light or changes in routine that appear to cause distress, fear or frustration. The child's known history should be given routinely to you by the placing social worker, so that experiences that may re-awaken memories of past trauma, can be avoided.

Children with learning disabilities tend to have conceptual abilities which rely on “concrete”, “here and now” events. Further it cannot be assumed that they will be able to transfer one learning experience to another, similar situation. Their ability to generalise may be severely restricted. It may be very difficult for you to “check out” if the child has understood, especially

if the event is to happen in the future. This is an abstract concept and involves being able to imagine/think ahead.

Diversity & Culture – where young people do not have English as their first language, and/or have a different racial, ethnic, religious or cultural base from the carer, they may easily misinterpret cues from body language as well as the spoken language. The carer's understanding of acceptable attitudes and behaviours may not coincide with that of the child or young person. One example of this is regarding gender roles, which may require sensitive understanding and explanation.

Asylum seeking children - who arrive in the UK and claim asylum without the care and protection of their parents', may have complex needs. Sensitivity needs to be shown to the enduring impact of experiences and events in the originating country, or during the journey, upon a young person. It is possible that a young person may have lost contact with relatives and may be anxious about events outside of the UK. Some may be suffering from post-traumatic stress.

3. Information and support that can be expected

You are entitled to support, advice and training to:

- ◆ protect children, themselves, and others
- ◆ help children appropriately express their feelings
- ◆ manage their behaviour

Your supervising social worker can give tell you about training opportunities, as well as available books and guidance to help you. They may be able to put you in touch with other carers who have experience with children with similar needs, and you can attend foster carer support groups in your area.

In addition, you can expect the following:

Pre-placement information – social workers are aware that it is **essential** that all relevant background information is shared with you at the earliest opportunity and ideally before the child arrives. In emergency situations this is not always possible but you should be given the information within days.

The full history of a child or young person is necessary as this will help in understanding what to expect in terms of "triggers" and other reasons underlying the behaviour as well as how the child expresses him or herself. You should be given access to background information about any conditions and any existing behaviour programme/strategy and training in how to implement these.

You should be briefed about how the child communicates (does he/she use Makaton/ facial gestures/computer aids etc.) and may need training and support to use specialised communication systems) and/or access to software, e.g. Widget. effectively

Documentation – the documents to be provided to the foster carer should include:

- ◆ [Essential Information \(Part 1 & 2\)](#)
- ◆ [Placement Plan Part 1](#) - should be completed by the social worker either prior to or immediately on placement. It includes the necessary [medical consents](#).

- ◆ *Placement Plan Part 2* – should be completed by the social worker within 14 days of the placement starting, and a copy given to the carer. It contains details of the day to day arrangements for the child.
- ◆ *Medication Administration Record (KCC format)*, which will detail any prescribed medicine the child needs to take, routines for administration, and any allergies. You should use it to record any problems in administration, due to refusal or other behaviour of the child.
- ◆ *Care Plan* – this should normally involve all key people involved in child's welfare (including the young person himself or herself wherever possible). Care plans may be very detailed, for example feeding, drinking regime, bathing routine, programmes to promote speech and/or language development

If you are concerned that there is information missing or, there is an issue or query then contact the child/young person's social worker or your fostering social worker for clarification OR raise at the Placement Planning Meeting. If not resolved you can contact the Independent Reviewing Officer between the child's reviews, as well as raising at the Review itself.

Where it is known that the child/young person has previously presented with behaviours that are challenging, and may require the use of permissible sanctions, the *Placement Plan Part 1* should include:-

- a) A **Behaviour Plan** which should be actively agreed with the foster carer. If you have any concerns they must be noted by the social worker and discussed with a view to resolving them. The Behaviour Plan will:
- ◆ be an integral part of the overall Care Plan but also easy to identify and access
 - ◆ specify any training needed so that the carer can communicate effectively with the child
 - ◆ set out what interventions will be used
 - ◆ who may use them, when and how
 - ◆ how they will be recorded, monitored and reviewed
 - ◆ specify how any sanctions employed, will be monitored, recorded and reviewed
 - ◆ identify who the foster carer needs to consult when a sanction has needed to be actioned.
 - ◆ agree who will co-ordinate and disseminate information
 - ◆ detail what behaviour management techniques are being used with the child in other settings.
 - ◆ clarify what level of support all involved can expect after an incident has occurred
 - ◆ Everyone involved with the child or young person's welfare, including educational and health staff where relevant, and the child themselves, needs to be clear about the action that will be taken.

As adults with parental responsibility for their child also need to be actively involved in agreeing the behaviour plan, their views must be sought. If there is any disagreement then the social worker should try to resolve. If still unresolved senior managers within the Fostering, and the Children and Families service will be alerted.

b) A **Risk Assessment** should always be completed but particularly where:

- ◆ the behaviour is likely to require physical intervention
- ◆ there are other children within the foster placement
- ◆ It is envisaged that the foster carer will be supporting the child/young person in the wider community.

A Risk Assessment involves a consideration of potential and actual risk. The child's social worker should, should consider with you:

- ◆ **A**ntecedent to the behaviour - it is essential for any person caring for and supporting a child to be made aware of identified history of patterns of behaviour, including what may have led up to the episode in the past.
- ◆ **B**ehaviour itself (which will include the seriousness) - it is important to gauge the type and severity of injury to the child, or to others, that might occur without physical intervention.
- ◆ **C**ontrol that can be effectively exercised - you need to know what might work and what hasn't worked in the past with a particular child.
- ◆ **C**ontext - that is attempt to predict when/where a risk is likely to occur, e.g. running into a road; being in a busy shopping centre, etc. What is the probability, given the knowledge/experience of the child; and the history of previous incidents

Foster carers need to be actively involved in this process. Concerns you may have should be clearly noted and agreement reached on how these may be addressed and resolved.

Whenever possible previous carers, and adults with parental responsibility should also be involved in assessment of risk. The child's social worker and your fostering social worker will be able to make contact with them if necessary, to gain information which may assist you. If you are unsure about anything ask your fostering social worker about who will do what, when, and how action will be taken.

The carer should find a calm and appropriate time to discuss with the child, in advance, what the consequences will be for a particular misbehaviour, in relation to the [Placement Plan Part 1](#).

4. Guidance

Encouraging Positive Behaviour

Many of the children placed with you have learned behaviours which put them at risk of more problems, managing their problem behaviours helps to keep them safe and gives them more appropriate behaviour.

Before a child is placed in your foster home it is a good idea to think about what you want your house rules to be. Making your expectations clear immediately a child arrives has several benefits. It is also important that your fostering social worker has an up to date *Foster Carer's Profile* available at all times, as this will be shared with the child before they arrive, and can be helpful in clarifying expectations particularly with older children.

If a child understands the basic rules from the very start there will be less confusion and less opportunity for the child to test limits. In addition clear expectations about behaviour can provide a sense of security and safety to a child.

A basic principle of encouraging positive behaviour in children is for carers to focus on what the child is doing well. Ignoring misbehaviour and praising the child when they are doing well can be a challenge for any adult caring for a child. It is all too easy to ignore the child who is playing quietly and then “reward” a child by attention if they start to misbehave. For some Looked After Children this may repeat previous patterns where attention was only given if they misbehaved.

Fairly harmless behaviours which can be safely ignored could be complaining, pulling faces, messy eating, nail-biting, whining, minor squabbles etc.

“Catching the child being good” is used alongside this as a technique for targeting positive behaviour. The child needs to experience the contrast between warm, positive attention, and being ignored at moments of poor behaviour. Praising the child when they are not misbehaving will go a long way towards building the child’s self esteem.

Reward charts can be used, and rewards agreed. They don’t have to be expensive!

See, for example, Pallet et al (BAAF 2008) –

House rules

Be clear and specific

Keep the list short (a list of 5 rules is recommended), and include the most important things.

Review the rules with your family and post them where everyone can see them.

Areas you may wish to include are :

Physical interaction

Examples:

No hurtful physical contact (hitting, kicking etc

No rough play (wrestling, play fighting etc

Privacy

Examples:

Bathrooms and bedrooms are private. Knock before entering

Other family member’s bedrooms are off limits

Wear bathrobes outside of their bedroom

Food

Examples:

- Ask before snacking
- Certain snacks (designate which ones) are available without asking permission

- You can have snacks whenever you want (be clear about what is a “snack food in your house!)

Household routines

Examples:

- Laundry must be put in a basket every day
- Showers are taken every day

Remember having a foster child is not like having a guest –they don’t leave after a couple of days and give you an opportunity to put things back to normal. You have to include them as a normal part of your routines right from the start.

Taking time to think about this before your child arrives will be time well spent. Your child will have a different set of values than you and your family has. You can help your child fit in with your values better if you plan ahead.

Noticing behaviours

It is helpful if you can notice how often and under what circumstances behaviours happen. It is a first step towards dealing with problem behaviours effectively and encouraging positive behaviours consistently.

When you are making notes in the Daily Diary, try to think about recording improvements as well as any difficulties - see section 1.10.3 [Foster Carers Manual](#)

It is really easy to get in a rut of only noticing the negative things children do and even easier to notice the REALLY negative things children do. It is very natural, since these negative things leave such a big impression.

One of your jobs as a foster care is to do all you can to encourage positive behaviours to encourage them you will need to notice them.

Thinking about behaviours

When is a problem really a problem?

The child may have many problems and some will be bigger challenges to you than others. No one can work on all of them all at once so how do you prioritise those which really need your attention and those which you can let go for a while?

Ask yourself these questions:

- Does it interfere with the child learning something new?
- Does it interfere with the child’s performance in an area that he or she is already competent?
- Does it interfere with living in your family?
- What is the problem?
- What do you see the child doing?
- What is that they do?
- What are the circumstances around the behaviour?
- Where does the problem behaviour occur?
- When does it occur?
- With whom does it occur?

- What triggered it and what happened before the problem behaviour?

If you are able to answer these questions you'll have a really good idea about the circumstances surrounding the problem and you'll be able to figure out what to do about it.

What can you change to discourage the problem behaviour?

Once you know more about the problem you can start to change things around the problem behaviour that maintain it.

- What do you want the child to do instead?
- How can you encourage this behaviour?
- What limits can you set on the problem behaviours?

You can discuss strategies with the child's social worker and your fostering social worker, as well as with the Independent Reviewing Officer. They can support you in liaising with the LAC designated teacher (for children of school age) and others to work together to encourage positive behaviour. See Section 4 of the [Foster Carers Manual](#) for information on education of Looked After Children.

Getting children to cooperate

Just as it is important to notice problem behaviour to get a better sense of exactly what and how big the problems are it is also important to notice cooperative behaviour. This keeps you from falling into the rut of thinking that your child only behaves in negative ways. It also gives you the opportunity to encourage and support the child.

Many children in foster care have not learnt how to cooperate and this again puts them at risk of further problems. Friends, teachers and other adults in the community generally better accept children, who know how to cooperate, Children and young people who are cooperative and accepted by others tend to:

- Feel better about themselves
- Have confidence to try new things
- Be better prepared to meet new demands

Cooperation is a skill and foster carers can help the child to learn it.

How do you ask a child to do something?

Most of the time we don't even think about how we tell our children to do something. Here are a few things that can be done to increase the chances that fostered children will cooperate:

- Get their attention. Make eye contact and or call their name before you ask them to do something. If you aren't sure you have their attention, you won't really know if they have heard you.
- Keep your voice calm
- Be specific and clear

- Limit the number of directions you give. They may forget some if you list too many things all at once
- Follow through.
- Pay attention to whether or not the child responds and act accordingly with either acknowledging a job well done or a consequence for not cooperating.

When possible, don't ask them to do something when they are deeply engaged in something. It isn't always an option to wait but when it really doesn't matter let them finish what they are doing.

Instead of this...

Why can't you clean up after yourself?
 Do you have to throw that there?
 Do you call that bed made?
 Clear up your room.
 Please don't talk with food in your mouth .
 Put your clothes away, please.

Try this.....

Please pick up your jacket.
 Put your book in your room.
 You forgot to make your bed.
 Put the tapes back in the tape box.

How often should you expect a child to do as you ask?

Most children who haven't had the kind of experiences Looked After Children have had, do as they are asked about 70 % of the time. That should give you an idea of what to expect and aim for.

Expecting a child to cooperate all of the time just isn't reasonable and will make everyone frustrated. Over-compliance may indicate a problem in itself.

If you start noticing how often your child cooperates you may be surprised to find that they are cooperating a lot more than you think.

How to encourage cooperation?

- Cooperation is a skill which you can teach. Encouragement is a powerful way you can teach cooperation and doing what they are asked to do.
- Sometimes it is so easy to get caught up with dealing with the problems that we can forget one of the most important part of being a foster carer. supporting your child and encouraging positive behaviour.
- It is recommended that you aim for a ratio of at least 4 to 1 positive comments to critical comments to your child.
- If you can go higher than that even better.
- Aim for 8 to 1...

How to build this into your daily routine?

See it

You won't be able to encourage it if you don't see it. It is understandably possible to get so wrapped up in watching for problems that getting something right is overlooked.

Most children are behaving appropriately 70-80 % of the time. For some children in foster care this may well be less but is still well over 50% of the time. Your main job is to catch them being good.

Notice it and reinforce it

If you see them doing something good, let them know.

Let them know when you notice them going out of their way to comply, or be nice or be helpful etc. then use words which ring true for your family and which are specific to the action, for example:

- I really appreciate the way you ate your breakfast so nicely.
- I am so proud of the polite way you spoke to your teacher.
- Well done for listening.
- You may wish to use non verbal clues thumbs up sign or a big smile, or other positive gestures.

Don't give up if the child looks like they don't care - they will notice you reinforcing positive behaviour and increase the chance of them behaving that way again.

Model it

Show the child the way you want them to behave by behaving that way yourself. If you want to increase the amount of times your child says please and thank you, be sure you always say please and thank you. Try to be conscious of your own behaviour to see if you are acting a role model for your child

Be interested

Try and find some common interests with the child. Look for things you might have in common or things you can do together and enjoy. Learn what they like and don't like. Find out what their strengths are and grow them. You being interested tells them they are important.

Move on

Don't get bogged down in a child's mistakes. Deal with them acknowledge them and MOVE on.

Let your child know that you are there to help them not make the same mistakes again.

Practice catching them being good,

At first it can feel really unnatural watching for opportunities to "catch them being good". It does get easier and more natural the more you do it.

Sometimes foster carers say that a child doesn't seem to like verbal reinforcement that when you will need to use more tangible rewards to reinforce cooperative behaviour.

What is it the child really would like to get? What would motivate them to cooperate with your requests?

They may have a hobby or a collection. They may enjoy the cinema or swimming or sports or Chinese takeaways, or comics or books or computer games....whatever it takes to motivate them to positive behaviour it will be worth it in the long run. Once they begin practicing cooperating the more likely it is to become a habit a bit like it will be for you noticing them being good.

Once you begin to see the cooperative behaviour also use the verbal and non verbal cues so that your child can be weaned off rewards with a monetary value to earning your positive regard.

You already have some tools in your tool bag

- Interest
- Life experiences
- Compassion
- Curiosity

If you also use:

- House rules
- Noticing behaviours
- Encouraging cooperative behaviour
- Reinforcing and rewarding positive behaviours.

You will be a foster carer whose children are in a good environment to make those changes in behaviour which will make a difference to how they feel about themselves and about how other feel being with them.

Setting limits

Clearly there will be situations where the carer has to set limits. This will always apply if there is any risk of the child hurting themselves, or anyone else or damaging property. Some Looked After Children may lack self control due to needs not being met, or through lack of, or inconsistent, boundary setting in the past.

Children should be told in advance what will happen if they overstep the limit. The carer should discuss with the child's social worker and note this in their records. Families have different rules and boundaries, as do different people within families, and Looked After Children in particular will need help to understand what is acceptable. A good way of ensuring clarity and consistency is for the family to discuss, agree and write up fundamental rules of the household.

Managing Conflict

In unplanned and emergency situations the carer has both a duty to care and to manage the situation. The overall aim is to establish calm.

Stage 1 – defusing the situation

The following techniques are intended to defuse the situation in order to avoid conflict and promote calm.

Watch your own behaviour - all behaviour communicates - this is true of the adult carer's behaviour, as well as the child's. It is important to: -

Here are some examples of behaviours that could help to avoid situations escalating:

- Ignore the behaviour and keep calm
- Remember that the child or young person's comments are not to be taken personally - but are a measure of their frustration and anger
- Try to distract the child's attention by focusing on something else
- Ask what is wrong
- Offer a choice or a compromise (but ensure that these can be given)
- Explain the consequences (ensure that these can be followed through)
- Provide assertive messages. Be clear about what you want the child to do (try to avoid saying what not to do)
- Ask the child or young person for a solution (depending on age and level of understanding)
- Offer an explanation
- Use of humour (not teasing)
- Apologise
- Make a clear request
- Use your relationship with the child or young person using body language in a non threatening way
- Whisper
- Direct
- Do something unusual - but not frightening!
- Express empathy for the child or young person's position

You may be required to repeat an instruction/explanation, several times. It is important to use simple sentences and clear, unambiguous language. Some of the preventative strategies outlined above may not be appropriate for use with a child who has a severe learning disability, e.g. offering options, for example, requires a level of cognitive development that the child/young person may not have yet reached.

Where English is not the first language the young person may be unable to respond at their usual level of ability. It may then, be appropriate to intervene, at an early stage, using direct, physical means e.g. physically remove an item which has been/about to

be thrown rather than expecting the child/young person to positively respond to verbal requests alone.

Other things that can help

- Plan for situations prior to an event
- Remove any objects that may be used or damaged, if possible
- Remove any audience
- Go somewhere less public and quieter with the child or young person
- Reduce or remove background noise or activity
- Give personal and physical space
- Remove yourself
- Involve another trusted person

Stage 2 - Managing escalating behaviour

The effectiveness of the strategies suggested below will depend upon:

- how much background knowledge of the child or young person you have:
 - your relationship with each other
 - the physical setting and circumstances you are in
 - the behaviour that is being presented
 - age and level of understanding of the child or young person
 - confidence and competence you have in applying them.
- a) Remember the voice is still likely to be the most effective way of calming the situation
 - b) Use “time out” or “calm down” time
 - c) Retain own self control by walking away if appropriate, and safe to do so, and get help if necessary
 - d) Give personal space if necessary
 - e) Make it clear to the child/young person that there is a choice and a way out of a difficult situation
 - f) Remind the child of the consequence of continuing
 - g) Explain to the child how the behaviour is making you feel
 - h) Use the voice and choose language that will reduce the level of emotional tension and relate to the child or young person
 - i) Show empathy - listening skills and non threatening body language to establish rapport
 - j) Emphasise the gain to be had by reaching peace
 - k) Enable the child or young person to express how they feel in an acceptable way
 - l) Re-establish - together - control and peace

Approved Sanctions and measures of control - foster carers may use the following sanctions if they have been written into the Care Plan following discussion with all parties. Any sanctions or strategies should be appropriate to the age, reasoning and circumstances of the child:

- a) Withholding pocket money. The amount and period must be agreed by all parties including the child or young person. Carers should ensure that anything withheld from the child is kept in safe keeping.
- b) Reparation (e.g. chores relevant to the situation and appropriate to the young person)
- c) Restitution (e.g. contribution to cost of repairing damage, returning something that was stolen with an apology)
- d) Increase supervision and restrictions
- e) The curtailment of leisure activities
- f) Early bed times
- g) Time out (e.g. child or young person using part of same room, or their own room to cool down for a short period)

Prohibited Measures – the following sanctions are prohibited in all circumstances:

- ◆ Corporal punishment - hitting or smacking Looked After Children is not permitted
- ◆ Withholding of food and drink - meal times are an important social occasion in the life of a child and it would be quite inappropriate for a child to be refused a meal. Withholding of food and drink should be taken to include the denial of access to the amount and range of foods and drink normally available to children in the home, but would not include instances where specific food or drinks have to be withheld for a child on medical advice. Equally, it would be inappropriate to force a child to eat foods which were disliked, although it is acceptable to encourage a child to try a wide range of foods
- ◆ Restriction or refusal of contact as a punishment is not permitted
- ◆ Requiring a child to wear distinctive or inappropriate clothing.
- ◆ The use of withholding of medication or medical or dental treatment
- ◆ Physically restricting the liberty of any child (e.g. through locking them in a room)
- ◆ Intentional deprivation of sleep
- ◆ Imposition of fines
- ◆ Intimate physical searches of children

Stage 3 - safety of the child or young person, or others

On occasions the child or young person, you, and others, may be at risk of harm or injury. Supporting a child or young person, who has challenging, perhaps unpredictable behaviour, can be extremely frightening and stressful. Decisions often have to be made, in difficult circumstances, in the space of a few seconds.

If the situation is not responding to any measures of control, it is appropriate for the foster carer to seek external help, e.g. police or any named individual specified for this purpose. The foster carer needs to withdraw to a safe distance, taking any other child in their carer with them.

5. The use of restraint

Carers are only permitted to restrain a child in exceptional circumstances. It must be emphasised that the application of physical force should not be implemented without individuals having received appropriate training. Training will be made available to those carers who may need to use restraint. Detailed written guidance will be provided to those who successfully complete the training..

The fact that restraint is an option should be included in the child's care plan and notified to the child, or anyone with parental responsibility, in advance. The Care Plan/Behaviour Plan should specify when and to whom such incidents will be reported.

It is essential to involve whenever possible, the child or young person, their family and independent advocates in planning, monitoring and reviewing how and when restraints are used.

Only in an emergency situation and where there is a high risk to the safety of the child or young person, or others can and if there is no alternative option can a child be restrained.

When to physically intervene:

- ◆ The child is about to or in the process of harming themselves and or others
- ◆ The child or young person may injure themselves or others through smashing furniture or windows etc.
- ◆ Young person about to commit a criminal offence i.e. cause criminal damage/steal a car etc.
- ◆ The child or young person is displaying highly excitable behaviour that appears out of control i.e. hurling objects; trying to get out of a moving vehicle; running towards a river or road; about to climb on to a high wall or stack of chairs etc.
- ◆ In self defence

Restraint is defined as the containment of a young person's behaviour, which might include non-physical means e.g. the foster carer using tone, pitch, and language to control their voice in order to ease the level of tension. Alternatively restraint may involve physical contact, for example holding the child's arm and diverting their attention. However, there may be situations which demand an immediate direct physical and positive response; as "use of physical force" to overpower a young person in order to protect him/her from harming him/herself or others.

It is not unlawful for foster carers to use "reasonable force" e.g. in self-defence or, to protect a child or young person from injury. "Reasonable force" is clarified in the Education Act 1996 as follows:

"The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore, physical force could not be justified in a situation that clearly could be resolved without force". The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should "always be the minimum needed to achieve the desired result".

It is essential that anyone using physical intervention is aware that this could be classed as "false imprisonment" or "assault" if applied without reasonable cause. A foster carer, therefore, would need to be able to justify their actions in terms of what is reasonable cause and force.

6. Recording and Sharing Information

Following an incident in which restrictive physical interventions have been used, foster carers and the child or young person should be given separate opportunities to talk about what has occurred in a supporting environment. For the foster carer this will be with their supervising social worker in the first instance, and for the child, the child's social worker will discuss it with them, and access further support on their behalf if required.

The Care/Behaviour Plan must specify who else will be notified of the use of a restraint.

All interventions and sanctions should be recorded. If an incident has occurred which was both unpredicted and involved the need for physical restraint the Out of Hours service must be informed (if outside normal working hours) and the child's social worker and your fostering social worker within office hours. A detailed record of the circumstance leading to this, action taken and outcomes, needs to be completed by the foster carer.

It is acknowledged that certain behaviours, i.e. poor sleep pattern; head banging; stripping off clothing, etc., may be associated with a particular disability/condition, e.g. Autism, Smith Megenis Syndrome.

Frequency with which inappropriate behaviours are presented will be variable but, it might not be "unusual" for an individual to display a behaviour, several times a day.

Recording of such behaviour, is important, particularly where patterns, triggers are being looked for. However, it is also recognised that it may be impractical and inappropriate to record each event.

The Care Plan/Behaviour Plan will need to specify:-

- when detailed recordings are necessary
- when a brief summary would be appropriate
- when a chart might suffice

- when and to whom, an incident should be reported.

7. Allegations

If an allegation is made against a foster carer following the use of restraint, or discipline, the processes set out in the “Allegations Booklet” and the Allegations against substitute carers in the [Kent & Medway Safeguarding Children Procedures](#)

References

Kent & Medway Safeguarding Children Procedures, 2007

Clare Pallet et al Can't Behave, Won't Behave from BAAF 'Fostering Changes' training course

Clare Pallet et al Managing Difficult Behaviour BAAF 2008

P & P/fost/ML July 2009