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STATUTORY INSTRUMENTS

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**2015 No. 541**

**The Children's Homes (England) Regulations 2015**

**PART 5**

**Policies, records, complaints and notifications**

**Behaviour management policies and records**

**35.**—(1) The registered person must prepare and implement a policy (“the behaviour management policy”) which sets out—

- (a) how appropriate behaviour is to be promoted in the children's home; and
- (b) the measures of control, discipline and restraint which may be used in relation to children in the home.

(2) The registered person must keep the behaviour management policy under review and, where appropriate, revise it.

(3) The registered person must ensure that—

- (a) within 24 hours of the use of a measure of control, discipline or restraint in relation to a child in the home, a record is made which includes—
  - (i) the name of the child;
  - (ii) details of the child's behaviour leading to the use of the measure;
  - (iii) the date, time and location of the use of the measure;
  - (iv) a description of the measure and its duration;
  - (v) details of any methods used or steps taken to avoid the need to use the measure;
  - (vi) the name of the person who used the measure (“the user”), and of any other person present when the measure was used;
  - (vii) the effectiveness and any consequences of the use of the measure; and
  - (viii) a description of any injury to the child or any other person, and any medical treatment administered, as a result of the measure;
- (b) within 48 hours of the use of the measure, the registered person, or a person who is authorised by the registered person to do so (“the authorised person”)—
  - (i) has spoken to the user about the measure; and
  - (ii) has signed the record to confirm it is accurate; and
- (c) within 5 days of the use of the measure, the registered person or the authorised person adds to the record confirmation that they have spoken to the child about the measure.

(4) Paragraph (3) does not apply in relation to restraint that is planned or provided for as a matter of routine in the child's EHC plan or statement of special educational needs.