
WELSH STATUTORY INSTRUMENTS

2010 No. 2574

The Child Minding and Day Care (Wales) Regulations 2010

PART 5

ACTIVITIES OF PERSONS REGISTERED UNDER PART 2 OF THE MEASURE

Behaviour management, discipline and restraint

23.—(1) No measure of control, restraint or discipline which is excessive, unreasonable or contrary to paragraph (5) may be used at any time on relevant children.

(2) The registered person must, in accordance with this regulation, draw up and implement a written behaviour management policy setting out—

- (a) the measures of control, restraint and discipline which may be used on the relevant premises; and
- (b) the means whereby appropriate behaviour is to be promoted on those premises.

(3) Subject to paragraphs (5) and (6), only such measures of control, restraint and discipline as are provided for in the said behaviour management policy may be used on relevant children.

(4) The registered person must keep under review and where appropriate revise the behaviour management policy and notify the appropriate office of any such revision within 28 days of the revision having been made.

(5) Subject to paragraph (6), neither the following measures nor a threat to use one or more of them may be used on relevant children—

- (a) any form of corporal punishment;
- (b) subject to the provision of any court order relating to contact between the child and any person, any restriction on a child's contact or communication with his or her parents;
- (c) any punishment relating to the consumption or deprivation of food or drink;
- (d) any requirement that a child wear distinctive or inappropriate clothes;
- (e) the use or withholding of medication or medical or dental treatment as a disciplinary measure;
- (f) the intentional deprivation of sleep;
- (g) any intimate physical examination of a child;
- (h) the withholding of any aids or equipment needed by a disabled child;
- (i) any measure which involves—
 - (i) any child in the imposition of any measure against any other child; or
 - (ii) the punishment of a group of children for the behaviour of an individual child.

(6) Nothing in this regulation prohibits—

- (a) the taking of any action by, or in accordance with the instructions of, a registered medical or dental practitioner which is necessary to protect the health of a child;

- (b) the taking of any action immediately necessary to prevent injury to any person or serious damage to property.