

---

## WELSH STATUTORY INSTRUMENTS

---

### 2018 No. 1339

#### The Local Authority Fostering Services (Wales) Regulations 2018

##### PART 5

##### Requirements on local authority providers - safeguarding

###### The appropriate use of control and restraint

**21.**—(1) The local authority provider must have a policy and procedures in place on the use of control or restraint.

(2) The policy and procedures must prohibit care and support being provided in a way which includes acts intended to control or restrain a child unless those acts—

- (a) are necessary to prevent a risk of harm posed to the child or other persons or likely serious damage to property, and
- (b) are a proportionate response to such a risk.

(3) The policy and procedures must require foster parents to be trained in any methods of control or restraint to be used.

(4) The policy and procedures must require foster parents to—

- (a) make a record of any incident in which control or restraint is used, and
- (b) notify the local authority provider of any such incident within 24 hours.

(5) The local authority provider must ensure that any control or restraint used by foster parents is carried out in accordance with these policies and procedures.

(6) For the purposes of this regulation, a person controls or restrains a child if that person—

- (a) uses, or threatens to use, force to secure the doing of an act which the child resists, or
- (b) restricts the child's liberty of movement, whether or not the child resists, including by the use of physical, mechanical or chemical means.

**Changes to legislation:**

There are currently no known outstanding effects for the The Local Authority Fostering Services (Wales) Regulations 2018, Section 21.