

Use of Force

An information leaflet
for service users, family and friends



We care
We respect
We are inclusive

Use of Force

The hospital ward is intended to be a safe and caring space to support you. Staff on our wards are trained to help your recovery and look after your mental health as well as physical health, whilst also ensuring your human rights are protected.

This leaflet provides you, your family, carers or other important people in your life, with information about when the use of force can be legally used by staff on mental health wards. It explains what we are doing as an organisation to avoid and reduce the use of force in all our services, and apply The Mental Health Units (Use of Force) Act 2018.

This leaflet has been co-produced by ELFT staff and service users to ensure that force is never used inappropriately, and to ensure accountability and transparency on the rare occasions that it is necessary.

What does Use of Force Mean?

The term 'Use of Force' refers to when staff need to restrict someone's freedom of movement by applying physical, mechanical, or chemical restraint (medication). It can also refer to when a service user is separated from others on the ward or looked after on their own for a while. It is a short-term measure to stop people from hurting themselves or other people.

'Mental health units' are defined as any place where people stay for care and treatment for help with a mental health problem. Only specially trained staff are allowed to carry out the use of force and they are also trained to do everything to AVOID the use of force. Staff are legally obliged to respect your human rights under the Human Rights Act 1998, Mental Health Act 1983, Mental Capacity Act 2005, and the Equality Act 2010. If you have any form of disability, such as a learning disability, for example, staff are also legally obliged to make reasonable adjustment in how they speak and behave towards you.

Why might Use of Force be needed?

People are admitted to our mental health units with a range of mental health issues which can affect how they think, feel and act.

They can be scared, anxious, upset or angry and feel a loss of control. These inner feelings and emotions can cause distress, be overwhelming and lead to someone lashing out, trying to hurt themselves or others. In these situations, staff will talk to the person to try to calm them down and support them with whatever is upsetting them. If this does not work, they will need to intervene for their safety.

What is involved?

Physical: Holding someone to limit their movement

Mechanical: When a device is used such as handcuffs to limit free movement (Sometimes used in our secure services when transferring a high-risk patient)

Chemical: Administering emergency medication to reduce distress and help someone feel more calm

Seclusion: Looking after someone away from others on their own for a while, supervised by staff

Segregation: When someone is kept on their own in an area of the ward for a fixed period of time

When would 'Use of Force be needed?

Our intention is not to use any force at all unless there is no other option to keep everyone safe. Staff have specialist training on how to calm situations down, use de-escalation to hold people appropriately if this is needed, make sure service users are reassured and kept safe at every stage. They will also follow up with the person afterwards when things are calmer. Staff will record what happened before, during and after in the service user's medical records. Any use of force should not aim to cause pain or injury or be used as a means of punishment or to enforce rules. Everybody should be treated fairly regardless of background and beliefs.

What happens afterwards?

The use of force can only be used to maintain safety and needs to be applied for the shortest time possible. Afterwards, once the service user feels able to talk about it, a staff member will speak with them to go over what happened. Talking helps to think about what led to the situation and ways to identify issues early to avoid the need for such restraint in the future. Despite the difficulty of such events, staff will treat service users with respect, dignity and kindness. The service user can ask for a friend or a family member, or an Independent Advocate, to be part of this meeting

What is ELFT doing to reduce the use of force?

All mental health staff have to undertake mandatory training on how to avoid the use of force and promote the use of de-escalation and engagement techniques.

Service users are involved in delivering training and designing this training so that we get it right and can get feedback.

The training involves human rights law and managing trauma. We are also conducting Quality Improvement projects to understand and reduce the use of force.



Making a complaint

The service user, and their family or carer has the right to challenge and complain if they feel the Use of Force Act has been applied inappropriately.

The Complaints team can be contacted on:

0800 085 8354 or by email: elft.complaints@nhs.net

Or speak to a staff member about how to seek additional help from an Independent Mental Health Advocate.

Advocates are not part of the ward team, they are independent. Their job is to help the service user express their views and wishes.

The Trust will investigate any complaint as quickly as possible. Any allegation of abuse must be reported to Social Care under Safeguarding procedures.

Want to get involved?

Speak to a member of staff or ask to speak to the People Participation Team to be involved in our approach to this area of patient care.

You can email: elft.peopleparticipation@nhs.net.

This leaflet is available in electronic or printed formats. The Government requires all trusts to provide a leaflet explaining the law about the use of force in mental health units. If you want further information or have any concerns, please speak to a member of staff.

The Equality and Human Rights Commission have produced information for patients, their families and carers about their rights under the Mental Health Act 1983, Human Rights Act 1998 and Equality Act 2010: <https://www.equalityhumanrights.com/en/publication-download/your-rights-when-detained-under-mental-health-act-england>