

## **Child unnecessarily restrained after Trust failed to properly monitor use of specialist seating**

The complainant's son had Global Development Delay (GDD), autism, was nonverbal but was fully ambulant. He attended a school for children with special educational needs. The Western Health and Social Care Trust provided an occupational therapy service 3 hours per week to cover the school's 142 pupils.

The complainant became concerned that her son was being restrained in two specialist chairs while in school and raised concerns about the role of the Trust's Occupational Therapy service in authorising and overseeing the use of the chairs. The complainant was aware of the use of the chairs and authorised their use for mealtimes only.

She said that the Trust had failed to prevent the restraint and was concerned that when she became aware of the issues and made a complaint, the Trust did not undertake a proper investigation. She was particularly concerned that the investigation was not independent, failed to address all the issues raised, and showed a lack of understanding.

The child initially used a Heathfield chair, which is suitable for use for a child or adult who needs minimal postural support. However, the Trust's Occupational Therapy team added a wheeled base to the chair because school staff said the boy was frequently dropping to the floor and that it was needed to get him to the school dining room.

His mother said this was an unnecessary restraint of her son, as he was capable of walking and just needed time and encouragement to do so. She considered that the approach taken was staff led and not child centred.

In our investigation we found no evidence that the Trust carried out any kind of clinical risk assessment or provided documented reasoning prior to ordering and fitting the wheeled base to the chair. We also found no evidence that it tried to get the consent of the boy's parents.

While the Trust stated that they had trialled alternatives to the wheeled base on the chair, including a sling, we found no evidence that these had been trialled for any period of time nor any record of their efficacy.

Further, we found that the Trust failed to provide school staff with clearly documented instructions for the use of the chair including a photographic seating plan. This was in contravention of NICE Guidelines which state that a designated

team should *'work together to design care pathways... which provide the least restrictive alternatives for people with behaviour that challenges'*.

In the absence of a rationale, we concluded the decision to fit the wheeled base was not in accordance with this guidance.

We also said that when the Trust were made aware of the issue regarding the child dropping to the floor this should have triggered a multidisciplinary assessment.

Given the failings identified we considered that in fitting the wheeled base to the chair the Trust did not give full consideration to the child's human rights and did not adhere to the FREDA principles of freedom, dignity, and autonomy.

The boy's mother said she found him in the Heathfield chair restrained by the lap belt which she considered was much too tight. She raised this with the Trust who indicated that the chair was being used by others in addition to the child.

When she spoke to the occupational therapist about this, another chair, known as a Jenx chair, was suggested which the child apparently preferred.

This a highly specialist chair for a child with high postural needs. It has both footstraps and a lap strap as well as a wheeled base as it is for a child who has difficulty walking at all or for any distance.

However, the Trust did not provide the parents with enough information to allow them to make an informed decision regarding any alternatives. We found that the lack of information provided by the Trust meant the parents could not make an informed choice on changing the chair from the Heathfield chair to the Jenx chair.

We found that the Jenx chair was an over-prescription, and there was no clinical reasoning for switching from the Heathfield chair to the Jenx chair. There was no assessment of the child's needs prior to recommending the Jenx chair and no assessment of his engagement with school tasks with or without the chair. We found that the over-prescription could have prevented the child developing and improving his engagement with people and the environment.

While there was no clinical reason for the change to the Jenx chair, having recommended it the Trust should have;

- provided a proper explanation to school staff on how to use the chair, including a photographic seating plan,
- removed the foot sandals,
- obtained informed consent from the child's parents, and;
- provided clarity on the use of the lap belt to minimise the likelihood of it being used incorrectly.

We found this was a failure in the child's care and treatment and this caused him to experience unnecessary restraint. We upheld this part of the complaint.

We also looked at how the Trust handled the mother's complaint, and concluded that it did not carry out a proper investigation into her concerns.

We found that it failed to ensure the appointed investigator was independent, failed to provide the mother with clear and complete information in answer to her questions, and failed to explain why there was a significant delay in its investigation.

We also believed it was not clear what the Trust was saying sorry for. As such, we concluded it did not show the child and his family that it took their complaint seriously.

In our report we welcomed the learning and service improvements the Trust has implemented in response to the complaint. These include holding regular multidisciplinary meetings to discuss any issues with restrictive practice or seating use, and the development of a specialist seating handover form and restrictive practice approval form.

Finally, we recognised how involved the child's mother was in her son's care and how she strived to speak for him when he was unable to do so himself. We especially recognised how distressing it must have been for her on learning how he was restrained without her knowledge or consent.