

BEHAVIOUR MANAGEMENT

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Absent Children Policy Statement

Children who are absent without authority will be protected in accordance with our written guidance and responded to positively on return.

Contents

- Definitions
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- Risk Assessments and Notifications
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For the purpose of this manual, the generic term “Absent Child” will mean:

Missing Child: A child will be considered missing when he or she is absent from their placement (without authority) and to a degree where the circumstances of such absence is the cause for concern regarding that child’s safety and wellbeing.

Child Absent without Authority: Some children may absent themselves for a short period of time and then return, often their whereabouts is known. They may also stay out longer than had been previously agreed either on purpose or

because plans have gone wrong. These children are not missing within the definition of a “missing child”. Their absence is deemed to be “unauthorised” but can be seen as within the bounds of normal teenage behaviours.

Absconded Child: refers to a child/young person who is Remanded or otherwise lawfully detained in Local Authority Accommodation and is absent from the placement without authority. This includes children who are being escorted to or from secure accommodation.

Staff note: as we are not a secure environment, it is doubtful that the term absconded child would apply to any young person placed at Donyland Lodge.

Planning and Prevention

All children and young people have a Care Program which should incorporate an assessment of the risk of the child becoming “absent” and the strategies for managing such behaviour.

Staff are responsible for taking all reasonable precautions, including formal risk assessing, to prevent and discourage children from becoming “absent” and placing themselves or others at risk.

Immediate Actions when a child is absent

The responsibility for recovering and returning the child/young person lies with the staff team. However, no action should be taken to recover a child if such action might place the child or others at risk of injury, or if the action would result in an offence being committed. If such risks did exist, the Manager, or in exceptional circumstances The Police should be notified.

If it is safe to do so staff may follow a child who absents themselves, they may also make local enquiries and consult with the other young people as to the whereabouts of the absent child to establish that the child is actually missing. This may include a thorough check of the grounds, house and the local vicinity. It may also include contacting the child by mobile phone, contacting others who know the child, and going out to look for the child.

If the child has become absent during an activity/outing away from the home, some staff should stay at the designated meetings point, whilst others, if it is safe to do so, may search the vicinity.

Searches beyond that considered to be “local” should only be undertaken with the approval of the Manager.

Risk Assessments and Notifications

Assessing the risks

If staff have taken all reasonable steps to recover the child (see above) the Manager or Team Leader needs to determine which category the child’s absence falls into, are they:

- Missing
- Absent without authority
- Absconded (see staff note)
- The level of any risk posed to the child or others as a result of such absence, High Risk, Medium Risk, Low Risk

Any assessment of the risk posed must take into consideration the following factors:

- The legal Status of the young person
- Any child known to be suffering from a debilitating condition, such as epilepsy, diabetes or amnesia
- Any child known or suspected to have suicidal tendencies, or a mental health issue such as self harming
- Any child who was known to be upset for a specific reason, e.g. bereavement
- Any other cause for concern, having taken into account all the circumstances and background of the child.
- Other factors to consider which may have a bearing on the assessed level of risk includes:
 - Level of vulnerability
 - Age
 - Time of day or night
 - Physical or learning difficulties

- Previous behaviour patterns
- Drug and alcohol issues
- Likely location of the child and who they may be associating with
- State of mind
- At risk of exploitation
- Group behaviour

Note if it is suspected that a child or young person has been abducted none of the above procedures will apply, the Police must be contacted and will deal with the matter as a criminal enquiry.

Defining the level of risk

Having determined whether the child or young person is Missing, Absent without Authority or Absconded (as defined) the level of risk will need to be assessed in context of the following staff guidance.

HIGH RISK

Any young person who is deemed to have “Absconded” is automatically High Risk.

In all cases if the risk is assessed as “High”, the following people must be notified:

- The Police in the area where the young person has become absent/missing.
- The young persons social worker or out of hours duty team.
- If appropriate the young persons parents or those with PR

It will also be necessary to notify the **Regulatory Authority** if it is suspected that the young person is involved in prostitution or sexual exploitation. (See Notifiable Events)

MEDIUM & LOW RISK

Where it is assessed that there is a Medium or Low Risk, the Manager or Team Leader must review the risk every two hours or as circumstances change.

It is not necessary to contact the Police and others if a young person’s absence is assessed as Medium or Low Risk, but the

Manager or Team Leader may take the decision to do so for “information only” or to seek advice.

If the young person is absent for 12 hours they are automatically deemed to be High Risk and must be notified to the Police and appropriate others (**see High Risk**)

Longer Absences

If a child is absent for more than 24 hours, the Director and Services Director must be informed and consulted as to what additional measures may be taken to recover the child. The Directors must be updated each day until the child returns safely.

If a child is absent for 7 days then the Directors will notify the **Responsible Individual**, the young person’s social worker will be consulted with a view to convening a **Strategy Discussion**.

Whether or not a strategy discussion is convened, consideration must be given to the following:

- Use by the Police of their powers of recovery, for example placing a child under Police Protection.
- Notifications by the Police to the National Missing Persons Bureau
- An application for a Recovery Order
- An application for a Secure Accommodation Order
- Use of publicity

Returning Children

When the young person’s whereabouts become known, the Manager or Team leader must make arrangements for the young person to be collected and returned as soon as is practicably possible, consultation with the social worker may be necessary.

Under normal circumstances staff would collect the young person, but the Police may provide assistance, especially if serious risks are posed to the young person or to others. The Manager or Team Leader will need to come to a decision about the level of risk posed and authorise any special strategies that the staff team should employ when either collecting the young person themselves or requesting police assistance. (see Activities &

Transporting Children) for further procedures and guidance on transporting children who may be disruptive.

When the Child returns

All those who were notified of the child's absence must be informed when the child returns.

The child must be welcomed back and given the opportunity to talk about their reasons for leaving.

If the child's absence was reported to the Police, the child should be seen within 72 hours by the Manager, and if deemed necessary by their social worker. In certain circumstances the Police may also wish to meet with the child.

The purpose of any such meeting is to give the child the opportunity to talk about the reasons for their absence and follow up any concerns or possible complaints stemming from such. (See Representations and Complaints) appropriate action must be taken to pass on information to the Designated Child Protection Officer (Gillian Miele) or in her absence The Director (Lesley Woodhouse) or the Homes Manager Gordon Beattie any information or disclosure deemed to be a Child Protection concern. **(See Child Protection Referrals in Safeguarding)** if staff are in doubt they must seek advice.

Outcomes of meetings with children should be used to help discuss and formulate strategies for trying to prevent further absences. When appropriate other professionals and the Police may be asked to contribute to these discussions. In extreme circumstances it may be necessary to assess whether the placement is still able to meet the needs of the young person. **(See Planning and Disruption Meetings)**

SANCTIONS

Outcome Statement

Children are assisted to develop socially acceptable behaviour through encouragement, positive reinforcement and constructive staff response to inappropriate behaviour.

- Non Approved Sanctions
- Approved Sanctions
- Informing Children
- When Sanctions may be Imposed
- Consultation and Authorisation
- Monitoring and Recording

Non Approved Sanctions

There are certain sanctions that cannot be imposed upon children, these sanctions are listed below:

- Any form of corporal punishment
- Any punishment relating to the consumption or deprivation of food or drink
- Any restriction, other than one imposed by a Court or in accordance with regulation (15) NMS on:
 - A child's contact with their parents, relatives or friends
 - Visits to the child by any of the above
 - A child's communication with any of the persons listed in regulation(15)(2) or their access to any telephone helpline providing counselling for children
 - Any requirement for a child to wear distinctive or inappropriate clothing
 - The use of or the withholding of medication, medical or dental treatment
 - Intentional deprivation of sleep
 - The imposition of any financial penalty, other than a requirement for the payment of a reasonable sum (which may be by instalments) by way of reparation
 - Any intimate physical examination of a child

- The withholding of any kind of aid or equipment needed by a disabled child
- Any measure which involves a child imposing a measure upon another child, or the punishment of a group of children for the behaviour of an individual

Note to staff: none of the above shall prohibit the taking of any action by, or in accordance with the instructions of a registered medical practitioner, registered dental practitioner which is necessary to protect the health of a child.

The taking of any action immediately necessary to prevent injury to any person or serious damage to property, or the need for a child to wear distinctive clothing in connection with sport, or for the purpose of education, any affiliation to a club or other organisation that would normally wear a uniform in connection with its activities. Any items of clothing necessary for the purpose of compliance with health, safety and hygiene.

Approved Sanctions

Below are listed those sanctions which are approved for use at Donyland Lodge. Any sanction imposed should be appropriate and proportionate, and take into consideration the age of the child and the circumstances relating to the incident.

- **Verbal reprimand** – this should condemn the behaviour and not the person. The severity of any reprimand should reflect
 - The seriousness of the incident
 - The relationship between the member of staff and the child
 - The eventual outcome of the exchange
- **Severe verbal reprimand** – this sanction should only be used for serious incidents or when other sanctions have not proven effective and incidents are ongoing, for example persistent bullying, racism, sexualised behaviours. Any severe verbal reprimand would normally be undertaken at Senior Management or Director Level.
- **Restitution/reparation** – young people can be expected to pay for damages they cause to property, on occasion it may be applicable for the young person to pay with their time as well as deductions from their pocket money. In any event no more than two thirds of a child's pocket money may be

deducted and it must also be agreed over what timescale. When young people are paying for damages and court fines it is company policy that discussion will take place between the Manager and Directors if the sum owed exceeds £100

- **Additional Chores** – involves a child undertaking additional chores over and above those they would normally be expected to do
- **Vehicle bans** – this sanction effectively prohibits the young person from being transported, however, no vehicle ban should prevent a young person from being transported to and from essential appointments/visits etc, nor can it interfere with the child's education/schooling.
- **Supervised spending** – this sanction is normally implemented when staff has reason to believe that it would prevent the young person from using their allowances to purchase items that they are not permitted to have or items that may be detrimental to their wellbeing. The reason for and the level of supervision, including the duration should be agreed and discussed with the young person.
- **Increased levels of supervision** – this form of control can be effective if a young person has difficulty at certain times of day, for example, bedtimes.
- **Curtailing activities and leisure** – it is permissible for a child to lose the opportunity to participate in an activity, however, the group as a whole cannot be sanctioned for the behaviour of one young person.
- **Loss of free time** – this form of control is designed to temporarily amend the level of supervision a young person may have attained. It is not to be confused with the loss of an activity.
- **Loss of weekend electricity** – this form of control applies to the power to the child's bedroom sockets, and does not constitute a loss of heating or lighting. Loss of electricity is designed to prevent the child from watching television, playing their stereo or playing on the computer, games

consol etc. It is suggested that power is lost in increments of half an hour.

- **Suspension of the smoking program-** all young people who arrive at Donyland with an entrenched smoking habit are entered onto the smoking program. For smoking related negative behaviours, it is permissible to sanction the young person by means of the following:
 - Missing the next allocated cigarette
 - Removal from the smoking program for a set period of time, e.g. 24 hrs. When this sanction is imposed there is an expectation that the child will complete an LSI before they return to the program.
 - **Confiscation or withdrawal of an item** – confiscation or withdrawal of a telephone or mobile device in order to protect a young person from harm, injury, exploitation, or to protect property from being damaged. Restrictions may also be imposed on the sending and receiving of letters and other correspondence in order to protect a child or others from harm. The term “correspondence” may also be extended to cover the use of the internet/chat room access etc (**see Correspondence and Communication**) (**see Safe Computers**)
 - Note: any confiscated or withdrawn items must be
 - Held in a safe place
 - The young person must be told the time limit placed on the item and the date the item will be returned
 - Confiscated items deemed to be unsafe, for example weapons, will not be returned to the young person

Informing Children

Children should be informed about the range of sanctions that may be imposed on them and the possible circumstances that may result in a sanction being imposed. This information will be

provided by way of the “Children’s Guide” and can also be outlined in the Care Programme of individual children.

When Sanctions can be imposed

Only those sanctions listed previously may be imposed as a consequence for unacceptable behaviour.

Sanctions must not be imposed simply as a consequence of unacceptable behaviour; they should be seen as a last resort, and the intention of imposing the sanction should be to encourage acceptable behaviour and act as a disincentive for continuing unacceptable behaviour. Remember it is the behaviour we do not support, not the child that displays it.

Caution should be exercised to ensure that sanctions are not over imposed and become ineffective. To aid this process staff may wish to ask the following questions before deciding to impose a sanction:

- Was the child or young person capable of behaving acceptably
- Does the child or young person understand what is expected of them
- That other strategies have been tried and have not worked
- The sanction being considered is relevant, fair and proportionate
- When the sanction involves a time limit is it realistic
- Sanctions cannot be open ended
- That staff take the view that the imposition of the sanction may be effective in encouraging acceptable behaviour and will act as a deterrent
- That the child or young person will understand the sanction and why it has been imposed
- Good practice dictates that children and young people should play an active part in the above process and decision making whenever possible.

Consultation and Authorisation before imposing Sanctions

All staff on duty or who may be involved in the imposition of sanctions should be consulted before a sanction is agreed and imposed. Note: those sanctions listed below may only be imposed after consulting the Manager/Services Director/Director.

Children and young people should whenever possible be included in the process.

Children and young people should whenever possible agree the sanction being imposed and where they do not agree this must be documented and include an explanation as to why the child's objection is to be overruled.

- Non urgent confiscation or withdrawal of a telephone or mobile phone
- Restriction on sending/receiving letters or other correspondence
- Increased levels of supervision which will last for more than 24hrs
- Supervised spending
- The imposition of any sanction for the 3rd or subsequent time in a 7 day period.

The use of sanctions must be reviewed by the Manager and revised if appropriate. Sanctions must be recorded in the Sanctions Log

BARRICADING

Outcome statement

Children are assisted to develop socially acceptable behaviours through encouragement, constructive staff response and positive reinforcement.

- **Planning and Prevention**
- **General principles**
- **Notifications and review**

Planning and Prevention (see also Children's Bedrooms)

As part of the initial risk assessment process consideration should be given as to whether the child or young person may use "barricading". If so the Care Programme should reflect this and

include suitable agreed strategies for dealing with this. In the absence of any such strategies, the following will apply.

General Principles

If a child or young person has locked or barricaded themselves into a room in order to prevent access by staff, the actions that are necessary will depend on and must be proportionate to the assessed risks posed.

Factors to be considered will include the following:

- Is the child suffering from a disability, debilitating condition such as epilepsy, diabetes etc or do they have any immediate essential medical needs
- Is the child known or suspected of having suicidal tendencies, a mental health issue such as self harming
- Any other concerns related to the child's state of mind, is it suspected that the young person is being bullied, have they received bad news, as they suspected of having taken drugs, consumed alcohol or have a history of misusing solvents. Is the child or young person causing serious damage to property
- Is there anyone else in the room with the young person, does this increase the risk of significant harm

Note: if there is any suspicion that a child is at risk of significant harm, either from themselves or another, then consideration must be given to taking immediate action to protect the child/ren.

LOW RISK

The risk is classed as low when there is no perceived risk of injury, damage to property or of any offence being committed. The situation should be monitored and the efforts made to obtain the young persons cooperation to resolve the situation.

Any strategies adopted will depend on the age, level of understanding of the child/ren and any other circumstances at the time. Staff should take no action that would heighten the level of risk, and should do all they can to maintain the situation at a low risk level.

INCREASED RISK

If at all possible the Manager (or Police in an emergency) should be consulted before any action is taken. The Manager may decide to report/consult with the Police. However, it is for those staff present at the time to decide what actions are necessary, having taken into consideration all the risks posed and the strategies available to them.

NOTIFICATIONS and MANAGEMENT REVIEW

There are different notification procedures to be followed depending on whether matters are concluded with or without the child's cooperation.

With cooperation and no serious concern

If the matter is concluded with the cooperation of the child and there is no serious concern, by this we mean, no injury or damage to property, the Manager should be notified at the first possible opportunity, the Manager will then make the decision as to whether to notify the relevant social worker.

Without cooperation/serious concern

If the child or young person did not cooperate (or did but there was still injury/damages etc) the Manager and child's social worker must be notified without delay. The social worker will make the decision as to whether the child's parents will be notified, and by whom.

If any incident also constitutes a **Notifiable Event**, the Manager must ensure that all the necessary agencies are notified.

On occasion it may be necessary for the Manager to conduct a review as set out in **Incidents and Crisis Management**.

Recording

If the matter is resolved with the cooperation of the child and there have been no serious concerns, staff should record the detail in the homes daily record.

If there has been no cooperation or a serious incident is deemed to have occurred then staff should complete a detailed record and

incident report. It may also be necessary to complete an accident record.

If incidents are serious or persistent, it may be necessary to review and update the child's risk assessments and care programme.

THE POLICE

Outcome statement

Children are assisted to develop socially acceptable behaviours through encouragement, constructive staff response and positive reinforcement.

- **Relationships with the Police (our protocol)**
- **Planning for change and planning ahead**
- **Liaison with the Police**
- **Managing serious Disruption**
- **Theft or damage to property**
- **Violence, aggression and abduction**
- **Offences committed outside the home**
- **Notifications and recording**

Relationships with the Police/planning for change/planning ahead

All staff have a responsibility for developing cooperative relationships with the Police and should seek their advice on matters of concern, security and crime prevention.

Illegal behaviour cannot be condoned, but it is important to be mindful of our duty to consider the overall welfare of the children in our care; this may mean recognising that illegal activity is taking place and working to minimise the risks and consequences of such. Any response should balance the needs of the individual and aim to give the young person the opportunity to learn from their mistakes.

Unless otherwise set out in writing, for example in a child's care programme, any suspicion that a child has or is likely to commit an offence must be discussed with the Manager and social worker and a decision taken as to what actions/strategies will be taken.

Any decision to report a matter to the Police or consult them should normally only be taken by the Manager or as set out in the child's care programme.

Where there are concerns that a child is engaged or is likely to be engaged in offending behaviour, measures must be adopted to reduce or prevent it. Where the behaviour is persistent or serious, the young person's care programme or behaviour management programme must include a summary of the concerns and the strategies being adopted to change the behaviour. In this respect other relevant agencies may be consulted and included in any such strategies.

If necessary, the care programme should also indicate whether and under what circumstances the police should be contacted should suspicions arise about offending behaviour.

Liaison with the Police

Regular liaison meetings or contact should take place between the local Police and staff even if there has been relatively few incidents necessitating Police involvement.

We believe that it is good practice for our designated Police Liaison Officer to visit Donyland and to be seen as a regular informal visitor on site by staff and young people.

Managing Serious Disruption/Disorder

Staff are expected to do all that is reasonable to manage young people, which includes the management of confrontational and disruptive behaviour, so long as it is safe to do so.

Only as a **last resort** will staff use physical intervention to prevent children or others being or to prevent damage to property. However, if control is likely to be lost or a criminal offence committed, staff should seek advice and support from the Manager or on-call, who may in exceptional circumstances, decide to call the Police for support. If it is not possible to consult with either the Manager or on-call first, staff may call the Police for assistance, but only in exceptional circumstances. The Manager/on-call must then be notified as soon as practicable thereafter.

In all instances where a young person is arrested, this is to be viewed as a serious incident and a Notification will be made to the Regulatory Authority (Ofsted) under Regulation 30 – Schedule 5 – Notifiable Events.

Theft or Damage to Property

Should it become suspected that a child or young person may be engaged or is likely to be engaged in any criminal activity including theft or malicious damage; staff must act to reduce or prevent the behaviour.

This may include taking steps to recover, repair or restore the property rather than contacting the Police straight away.

If the offending behaviour is persistent or serious, the Police may be contacted.

Factors for consideration should include:

- The nature and seriousness of the allegation/damage
- Wishes and best interests of any victim
- The requirement for formal investigation
- Alternative courses of action
- Previous incidents of a similar nature by the same child/young person
- Suitability and effectiveness of any Police involvement
- Impact of any police involvement on the child's overall care programme
- The message being sent to other children

Unless there are immediate risks that a serious offence may be committed or evidence destroyed, the manager, on-call and possibly social worker should be consulted before a decision is taken.

Violence, Aggression or Abduction

If a child/young person is abducted, the manager and Police must be notified immediately.

Where it is known that a child/young person is violent, the concerns and strategies designed to deal with and reduce them must be set out in his or her Care Plan.

Where a child/young person or member of staff is the victim of an offence and may be considering making a complaint to the Police, the manager should discuss this with them to establish whether such a complaint would be in the victims and perpetrators best interests. (See guidance below) Whenever possible such decisions should be made when there has been time for a “cooling off” period. If the victim is satisfied that they wish to contact the Police, the manager will provide support, assistance and advice.

In all instances where a young person is arrested, this is to be viewed as a serious incident and a Notification will be made to the Regulatory Authority (Ofsted) under Regulation 30 – Schedule 5 – Notifiable Events.

Factors to be considered

- Severity of injury sustained/nature of threat received by the victim
- Child Protection Issues
- Probability of a repeat incident
- Previous relationship between victim and offender
- Potential impact on the child/young person following Police involvement
- Potential effectiveness of police action/court proceedings
- The best interests of both parties
- Wishes of the victim
- Message it sends to the other residents
- Consideration of alternative courses of action

Offences committed outside the Home

Examples of this may be where a child/young person alleges that they have been the victim of an offence outside the home, or where staff has reason to believe that a resident of the home has committed a serious offence.

In such circumstances staff must notify the manager who should consult the social worker and consider and agree what actions are necessary, in all circumstances account must be taken of the following:

Child Protection Issues
Notifications to Ofsted under Reg30- (Schedule 5 of the NMS)
Confidential Reporting (Whistle Blowing)

COUNTERING BULLYING

Outcome Statement

All members of the Community are protected from bullying and harassment
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- **Definition of Bullying**
- **General**
- **Risk assessment and Planning**
- **Countering Bullying day-to-day**
- **Notifications and Review**
- **Guidance notes**
- **Equality and Diversity Policy Statement**
- **Personal Harassment Policy**

Definition of Bullying

Bullying is defined as any behaviour or actions of a child, young person, member of staff, teacher or other adult, group of people or a whole organisation, designed to cause distress or to hurt a person or group of people.

Precise definitions are difficult, but the key factor is that the action, whatever it is, causes distress to the recipient. Research suggests that the most distressing aspect of living away from your own family is the impact of the behaviours and actions of others.

General

The young people cared for by ourselves are particularly vulnerable to both being bullies and to being bullied. This will be for a variety of reasons including being new comers to the existing group, and having been exposed to poor role models in the past.

Everyone involved in the care of children shares responsibility for safeguarding them and countering bullying. We must strive to create a culture which positively encourages acceptable behaviour and reduces the likelihood of bullying. Donyland Lodge must make

every effort to create an atmosphere where bullying in any form is known to be unacceptable to both the young people and the staff.

In order to promote this ethos all staff must understand what bullying means and what measures should be taken within the home and by individuals to counter it. Staff must be alert to the fact that bullying may also be a potential Child Protection matter and must always be considered in that context and, as such, may need to be reported under Safeguarding Procedures.

Risk Assessment and Planning

The manager will regularly carry out and record risk assessments of the times and circumstances at which the risk of bullying is greatest.

The manager should record the action taken where feasible to reduce or counteract the risk of bullying.

As part of the assessment and planning process, the manager must ensure that the risk of bullying either as a victim or a perpetrator is considered and covered as part of the child's Care Programme, and where necessary have clear strategies for reduction and prevention.

Countering Bullying Day-to Day

If staff have concerns, they must discuss them as a staff team and with their manager, who will agree what action will be taken.

If the bullying is serious or persistent, the social workers should be consulted and it may be necessary to hold a strategy discussion in line with Child Protection Procedures.

Notifications and Management Review

There are different notification procedures depending on the persistence and seriousness of the bullying.

Where bullying is not persistent or serious it should be notified in the first instance to the manager; who will then liaise with the social worker and agree what actions to take.

If the bullying is persistent or serious, it is to be deemed to be an incident which must be notified to the manager without delay. The

manager and social worker will then decide who else needs to be informed and by whom.

The manager and social worker will also consider whether the incident may constitute potential referral under Child Protection Procedures.

Consideration should also be given as to whether the incidents warrants notification to the regulatory authority (Schedule 5) Notifiable Events

GUIDANCE

Introduction

Bullying can be a major management problem in residential settings where a range of children and young people with different problems are accommodated. Other young people from outside the home may also be involved, and there may be allegations of bullying by teachers, care staff or support staff working in the home. All reports and situations that arise will need to be looked into and managed sensitively.

Staff may come across children who seem to invite bullying, who will set themselves up in the role of victim. They may become very attention seeking of staff and can be a complex problem to address, as staff will want to protect the child, but at the same time will need to address the young person's need to create situations in which they make themselves deliberately vulnerable.

In some circumstances it may be necessary to seek guidance from an expert or specialist.

Bullying is best dealt with in its early stages before it has the chance to become established, it will need a consistent and concerted effort from the staff team to bring it under control and to re-establish healthy peer group functioning. If not addressed quickly the danger is that such behaviour may self-perpetuate, since new arrivals will be encouraged to join with it or become subject to it themselves.

Underlying Principals

Bullying can be defined as the behaviour of one person or group, which causes distress to another person or group as a result of physical menace, assault, verbal abuse or threats. Bullying activities may include teasing, horseplay, humiliation, isolation, extortion, damage or theft of property. Precise definitions are difficult, but the key factor is that the action is causing distress to the recipient, rather than the motivation of the perpetrator(s).

Examples to consider

VERBAL Name calling or making personal comments

SOCIAL Not being spoken to or being left out

MATERIAL Possessions are stolen, damaged or extorted

MENTAL As in pressure to conform

PHYSICAL Harassment or aggression, physical assaults

SEXUAL Harassment or aggression, unwanted advances or comments, discrimination, exclusion.

RACIAL Harassment or aggression, taunts, exclusion, discrimination.

Other factors to consider in terms of seriousness will include:

- How long has the bullying been going on?
- How is it personally affecting the bullied child?
- The number of children involved
- The degree of pre planning and provocation

Any child may be subject to bullying, but bullying often occurs when a child is seen as vulnerable because they are different, or inclined to be a loner. This can apply to many children in residential care.

Staff must be very clear of their role in supporting young people to report incidents of bullying.

It has been shown through research that children who bully have often been bullied themselves, but bullying may also occur because a child is unhappy, jealous or lacking in confidence.

Staff must also recognise that bullying can bring young people perceived or actual rewards, including:

- The demonstration of superior power
- A closer group identity
- Gaining attention or material gain
- Venting anger, frustration
- Compensating for a lack of something
- Excitement from the fear of others

Such rewards are the “encouragement” required to continue the behaviour and may lead to its development into a sophisticated mechanism for control, which can be difficult to detect and challenge if it becomes the “culture” of the home.

Dealing with Allegations and Suspicions

In order to maintain an effective strategy for dealing with bullying staff need to challenge the traditional misconceptions about bullying e.g.

- It’s only a bit of harmless fun
- It’s all part of growing up
- He sees the funny side of it
- Adults getting involved just make it worse
- Leave them to sort it out for themselves

Establishing a climate of openness will help children and young people to feel able to speak out about issues and incidents of bullying.

Under no circumstances should staff use children to control other children.

Helpful Techniques

The Listener Listen patiently with full attention, encouraging, clarifying, restating, reflecting, validating and summarising.

The Detective Establishes clear details of the allegation/suspicion.

The Supporter Seeing their side, acknowledging and allowing expression of their feelings.

The Coach Checking out what help is being asked for and offering practical realistic options.

Resolving/Reducing Incidents of Bullying

- Create an anti-bullying climate within the home
- Adopt a zero tolerance of minor incidents “nipping in the bud”
- Never ignore victims of bullying, always show concern
- Publicly acknowledge the bullied child’s distress
- Openly discuss issues in Community Meetings
- Encourage mutual respect, compassion, empathy and assertiveness
- Avoid being accusatory or threatening in your responses to bullying behaviours
- Focus on the behaviours as opposed to the child, explore and where possible deal with the reason for the bullying
- Assess what they get out of the behaviour, could they achieve this in a positive way
- Keep the situation closely monitored

NOTIFIABLE EVENTS

Outcome Statement

Prompt and accurate notifications are made in order that other agencies involved in the welfare of children and young people are given information designed to determine whether their welfare continues to be safeguarded and promoted.

Contents

- Definitions of Notifiable Events
- Recording of Notifiable Events
- Post Notification Meetings

Definition of Notifiable Events

Any incident, for example serious or persistent bullying, must be reported to the manager and social worker without delay as set out in our relevant procedures.

Some incidents are also defined as “**Notifiable Events**” and these must be notified to senior managers and outside agencies.

NOTIFIABLE EVENTS SCHEDULE 5 (NMS) can be found at Appendix 2 of this document.

In each event it is assumed that the Manager, Directors, Placing Authority or social worker is notified.

The manager will take responsibility for notifying the regulatory authority and when necessary the responsible individual.

The first priority is to make safe the situation and ensure the safety of the young people; notifications should then be made without delay.

Notifications can be made verbally in the first instance, but must be followed up in writing.

Post Notification Review

All notifications of serious incidents will be subject to a management review at the earliest opportunity. (See Incidents and Crisis Management)

INCIDENTS and CRISIS MANAGEMENT

Outcome Statement

All serious incidents are recorded accurately; incidents are reviewed and regularly monitored in line with policy. Patterns are looked for and identified promptly, particularly those leading to physical restraint becoming necessary. The monitoring also looks at the implications for the care of individual children and current care practice.

Contents

- **Introduction**
- **Reporting Incidents**
- **Records and Forms**
- **Management Responsibility**

Introduction

This guidance is designed to assist staff with reporting incidents and the completion of Incident Reports.

Staff members may find it helpful to read this chapter in conjunction with **Countering Bullying** and **Notifiable Events**.

Reporting Incidents

Unless otherwise stated in relevant procedures, incidents must be reported without delay to the Manager and the relevant social worker.

Without delay means as soon as possible, but within 1 working day. Outside of normal working hours, for example weekends, bank holidays, other agencies should be notified on the next

working day or via Out of Hours- Emergency Duty Teams (EDT). In any case, social workers must be updated by care staff as soon as they are available, staff should not rely on (EDT) to pass on information. Verbal notifications must be followed up in writing.

Incidents constituting Notifiable Events will be dealt with by the manager or other senior staff member.

Records and Forms

When and what to complete

Incident reports must be completed as soon as practicable after the event, but within 24 hours, which means 1 working day.

It is advisable that staff do not complete records in the aftermath of an incident, but wait until the situation is safe and calm, so they can best recollect what happened. If unable to do so (due to injury or trauma) staff may seek permission from the manager to extend the timescale. However, it is recommended that rough notes are made as soon as possible to ensure information is not lost or lacking clarity.

In the event of a child protection concern it is important that any rough notes are retained in a safe place, even when a final record is completed.

Before completing records, it may be helpful for staff to consult with others that were involved, to help recollect events, but staff should avoid having suggestions put to them that they feel are inaccurate or not consistent with their own view of the event. In the case of significant disagreements or differing perceptions all must be included and recorded to reflect that differences are apparent, and identified as such.

Who should complete the records/reports

The staff member most significantly involved should complete the record, after consulting other staff concerned.

The exception would be in any circumstances where it is possible that a Complaint, Child Protection Enquiry or Criminal Investigation is likely. In which case each person involved must complete his or her own record. Separate

records must also be completed when there is any significant difference or dispute between staff as to what occurred.

Good Practice regarding completion of records

- **State the day as well as the date and time of the incident. State your own name preferably in capitals, state your job title.**
- **When asked for locations, be as clear as possible, don't just say "on the stairs" say where e.g. at the top or bottom.**
- **Try to write down what happened in chronological order, preferably stating the time, or approximate time each event occurred.**
- **Be consistent use the 24 or 12 hour clock throughout the report.**
- **Do not express opinion and do not make assumptions.**
- **If you are writing a report on behalf of others you must check with them and report their versions, it is not what you think they said or did.**
- **Differences of opinion, recollection etc must be accurately recorded; if the differences or disagreements are significant, each person concerned must write their own account of events separately.**
- **Always use full names, if it is common for a person to be referred to by a nickname, always put the person's full name in brackets the first time you use it e.g. Dave (David) Smith.**
- **Always indicate the status of the person e.g. foster carer**
- **Avoid using jargon or other terms unless you are sure that readers of the report will understand them.**
- **Don't use generalisations such as "aggressive" "verbal" or "offensive" use plain English, write down exactly what was said or done and by whom.**
- **State clearly what diversionary tactics or strategies were used and how effective they were.**
- **If physical intervention was used, provide the justification, e.g. that it was necessary to intervene to prevent the child or others from being injured. If you are stating that injury was likely, state the potential or actual severity.**

- Provide a full description of the intervention used and state who used the intervention, the duration and what was done during the intervention, until the child was safe to release.
- If more than one intervention was used, state the sequence they were used in and why it was necessary to escalate or reduce the intervention.
- Whenever possible the child should be asked to contribute to the report as part of the process, the child should also be offered support or counselling. If requested, if there is a significant difference between staff and the child's versions or a complaint is made, a person independent to the incident must offer support to the child and obtain his or her views/comments.
- If restraint or other physical intervention were used, state whether the child was offered support, if so by whom and summarise the outcome. Also state whether the child or others were offered medical attention and whether it was accepted and the outcome of this.
- When completing records do not leave sections blank. If you have nothing to report either draw a line through it, put N/A or No Injuries etc.
- Always sign and date the record and make sure other staff do the same before passing it to your Manager.
- If you have concerns about your own or another person's actions or decisions you must discuss them with your Manager as soon after the incident as possible.
- If you feel uncomfortable or uneasy about returning to work post incident speak with your manager.

Management Responsibilities

Immediate Post Incident Responsibilities

This summarises the manager's responsibilities post incident:

The manager should conduct an Incident Review (which could also be linked to a Physical Interventions de-brief) .

When the manager is informed that an incident has occurred, the following tasks should be undertaken without delay:

- Check if anyone has been injured, ensure first aid or medical attention is offered/facilitated.
- Check for damage and make safe/repair.
- Facilitate a process of reflective practice.
- Consider if the Police or Emergency Services need to be contacted.
- If physical intervention has been used, does the child need medical attention, has it been offered, what is the outcome and has it been recorded.
- Everyone involved needs the opportunity to be heard, provide support and advice if necessary, but do not make judgements or take sides.
- Ensure that the child has a voice; consider whether an Independent Advocate is appropriate.
- Conduct the LSI (Life Space Interview) with the young person.
- Provide support for the children and staff involved.
- Establish whether any parties need to be separated, for example if there are Complaints or Child Protection issues, and what action is necessary.
- Ensure those involved in recording the incident do so in detail. If there are disagreements between those involved, each person should record the event individually. These records should then be passed to the manager within 1 working day.
- Decide who else needs to be notified, by whom and how.

Incident Reviews

The purpose of a review is to unpick the circumstances leading to the incident, the manner in which it was managed and the actions and decision making of those concerned – the emphasis is not to apportion blame, but to see if the incident could have been avoided, managed differently and used to assist with preventing similar repeats in the future.

As a last resort it may be necessary to reprimand, sanction or take disciplinary action, but post incident reviews should never be conducted in the context of apportioning blame.

Following any serious incident everyone involved, children and staff alike will have been affected in some way, most probably negatively, some may have been traumatised.

The manager is not there to catch people out, but to seek to help those involved learn from their experience, they should look for positives, and take a developmental stance, even if mistakes have been made and things could have been done differently.

Who should undertake management reviews?

The manager normally would undertake post incident reviews; however, this may not be appropriate if the manager has been heavily involved in the incident. In such circumstances it may be more appropriate to have another member of the senior management team undertake the review.

Gathering information for the management review

When conducting management reviews account should be taken of the following:

- Do not make early judgements or assumptions
- Do not take sides
- Seek to learn from what happened
- Include everyone, at all stages, inform them of timescales
- Listen, note, explore, and look for triggers. Analyse the extent to which everyone adhered to procedures, policy and good practice, if they did not why not.
- Are teams working effectively together, are they planning ahead, sharing information, being pro active or reactive.
- Read the write ups of the incident, clarify and challenge if necessary, unpick jargon and simplify.
- If restraint was used, ensure staff are able to demonstrate they applied it in keeping with procedures, training and guidance.
- Did everyone appear to have behaved in a reasonable and professional manner, to what extent was the child or staff set

up by the actions of others, did anyone provoke or increase the likelihood that a situation would arise.

- Look beyond that which has been stated, what has not been included that should have been
- Obtain views from all concerned
- Consult with the Directors, especially if the review is complex or potentially controversial or if you need support.

Reviewing the Information

Having gathered the information the manager should review what occurred in the following context.

- Remain objective, stay positive and look for developmental outcomes. Only consider sanctions and disciplinary measures as a last resort.
- Balance what actually happened against what was required by procedure and recognised good practice.
- Consider staff in terms of experience, skill mix etc.
- Consider how the child acted in context of their known behaviours, background etc.
- Consider your own interests and needs, could you have done anything different, be open to criticism.
- Get help from your line manager if needed, especially if policy decisions are affecting your brief.
- Consider training shortfalls and implications
- Consult the child's social worker to agree strategies.
- Come to decisions which can be sustained and put into practice.
- Consider changes to a child's care programme and risk assessments.
- De-brief and support
- Make sure everyone is aware of the outcome of the review and has the opportunity to comment.

Following the review the manager must ensure that those concerned do not have unresolved feelings, guilt or other concerns regarding either their own or others behaviours.

Emphasis must focus on learning for the future and reduction or prevention of similar events.

SEARCHING AND CONFISCATING

OUTCOME STATEMENT

Children's privacy is respected and information is confidently handled
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Contents

- **Searching**
- **Confiscating items/belongings**
- **Notifications and Management review**
- **Recording**

Searching

Personal or Body Searches

Staff are not permitted to conduct body searches, pat down searches, or searches of clothing worn by children. Should staff suspect that a child or young person is carrying or has concealed an item which may place them or others at risk of harm, staff should try by negotiation and co-operation to obtain the item. If the child does not co-operate, staff should consult their manager or in an emergency contact the Police.

Searches of bedrooms/belongings

On occasion it may be appropriate to conduct a search of a young person's bedroom or belongings if there is reasonable cause to believe that the child has concealed items that may be deemed inappropriate or place the child or others at risk of injury. If such circumstances arise, staff should attempt to resolve the matter with the child's co-operation. If this is not possible staff should consult with the manager or other senior person who may authorise the searching of the room. Only in an emergency staff should contact the Police.

When a decision is taken to conduct a search of a bedroom or personal belongings staff must take account of the following:

- The child should be present if at all possible
- Two staff must be present, one of whom must be the same gender as the child.
- Reasonable precautions must be taken to protect against injury caused by sharp or dangerous objects that may be concealed. (see needle stick injury in Health & Wellbeing)
- Staff should take care to replace all items as they found them
- If any suspected illegal, dangerous or offensive items are found, they must be confiscated and passed to the manager.

Confiscating belongings or items

Confiscation is taking away something that the child has; confiscation may be temporary or permanent.

If suspected drugs or solvents are confiscated, staff should refer to our **Drugs and Substance Misuse Policy**, which contain procedures on the safe disposal of drugs and solvents.

Temporary Confiscation

Items may be temporarily confiscated/removed from the possession of the young person if:

- They are being , or it is believed that they are about to be misused
- Are causing disruption to the resource
- Where ownership of the item is in doubt

Examples of this could be if a young person uses stereo equipment too loudly, too late at night, or when glass/mirrors/sharp items are removed to mitigate the risk of self harm.

In all cases the child must be informed as to when the possession will be returned.

Return of an item may be after a specified time has elapsed or when behaviour has ceased or when, in the case of ownership disputes the item has been verified.

Permanent Confiscation

The permanent confiscation of an item deemed to be *dangerous or *unsafe, illegal or unacceptable, for example alcohol, pornographic material, weapons etc

Such items must either:

1. If appropriate, be returned to the owner, if stolen passed to the Police.
2. Destroyed
3. Returned to the young person on leaving
4. Given to the child's social worker or other responsible adult.

***Dangerous or Unsafe**

Dangerous or unsafe items could include penknives, Stanley knives, cigarette lighters or substances which could be abused if not used appropriately, for example nail varnish and solvents/aerosols.

The manager must approve any disposals and ensure they are appropriately recorded.

Notifications, Management Review and Recording

Staff should notify the child's social worker, and if agreed appropriate the child's parents that a search has taken place, the reasons for the search and of any items found or confiscated at the earliest opportunity.

Items confiscated either on a temporary or permanent basis must be recorded.

The child must be informed when items confiscated temporarily will be returned to them.

The manager in consultation with the Directors will decide which other parties or agencies need to be informed, depending on the nature of the incident and circumstances.

RESTRICTIVE PHYSICAL INTERVENTIONS

DEFINITION

Physical intervention, restraint, removals, positive handling are all terms used to describe holding techniques, strategies or actions which directly limit, restrict or control a young person's bodily or physical movements.

Donyland Lodge will endeavour to ensure that any Restrictive Physical Intervention is:

- Used as infrequently as possible by adopting, implementing and reviewing individual risk assessments, crisis management plans, behaviour management plans and other prevention strategies.
- Only used in the best interests of the young person and that it is a last resort, when all other options have failed.
- Carried out appropriately by trained staff members who are mindful to preserve the young person's sense of dignity.
- Carried out with the minimum force possible to keep the young person safe.
- Carried out only when the risk of not employing a physical intervention is outweighed by the intervention itself.

Necessary Requirements Prior to Use

Training

Staff who may be required to employ physical interventions receive both induction on behaviour management and standards, as well as training in Donyland's approved method which is **Team Teach**.

All staff should sign a copy of the Donyland Lodge Restrictive Physical Intervention Procedures which is then placed on their personal file to demonstrate they have read, understood and agreed this sensitive area of practice.

It is the senior management's responsibility to ensure that a training strategy is in place that ensures the delivery, updating and refreshing of staff training in this area.

The home manager should ensure that staffing and duty rotas are organised in such a way as to ensure those staff that are trained in physical intervention are available to work with both the young people and new (yet to be trained) members of staff.

Staff will only use those methods of physical intervention which are approved and for which they have received training. The only exception is in an emergency situation when it is judged that intervention will be less severe than the perceived consequences of not intervening. If staff are unsure they must seek clarification from their line manager before signing this policy.

Standards for Use

That a child, young person, staff member or other is at imminent risk of physical harm. Or there is a likelihood of significant/serious damage to property.

The inappropriate use of physical intervention may give rise to criminal charges, action via civil law, prosecution under Health and Safety legislation and internal disciplinary action.

Use

Physical intervention should only be deployed after other less intrusive approaches (such as behaviour management techniques, or verbal interventions) have been exhausted, or when there is no time to try such alternatives.

Physical intervention must only be applied for the minimum time necessary. Intervention must cease when the child is judged to be calm, safe and no longer posing a risk of harm to themselves, others or to property.

Two or more staff members should be involved whenever possible in a physical intervention to help ensure safety and accountability.

Young people are not permitted to restrain or to assist in the restraint of others.

Risk and Safety Issues

Pre-admission discussion meetings and risk assessments should ensure that all known associated risks and behaviours relating to a young person are explored, including the use of physical intervention.

As any physical intervention involves some degree of risk of injury to the young person or staff, staff must weigh this risk against the risks involved in failing to physically intervene when it may be necessary.

Physical interventions should never be used as a punishment, as a consequence, to demonstrate authority or to make a young person comply. Physical intervention cannot be used to stop a young person from leaving the premises, placing authorities, parents or even young people themselves cannot give their own consents for a child to have their liberty restricted. Therapy and behaviour management do not provide a reasonable excuse for restricting the liberty of a child in a children's home which is not approved as secure accommodation.

Risks arising from the use of physical intervention

- Be used when unnecessary, when other less intrusive methods could achieve the desired outcome.
- Cause injury
- Cause pain, distress or psychological trauma
- Become routine, rather than the exception
- Increase the risk of abuse
- Undermine dignity, humiliate or degrade those involved
- Create distrust and undermine personal relationships
- Create and unsafe culture

Risks to staff arising from the use of physical intervention

- Causing or sustaining injury
- Causing or experiencing distress or psychological trauma
- Undermining the dignity, or otherwise of those involved

- The legal justification for the use of physical intervention is challenged in the courts
- Disciplinary action is taken if the proper standards are not applied

The main risks of not intervening

- Staff may be in breach of their duty of care
- Children, young people, staff and others may be injured or abused
- Serious damage to property may occur
- The possibility of litigation in respect of these matters

Recording and Monitoring

It is vital to ensure that there is a written record of all physical intervention which is recorded as soon as possible (within 24 hours) by the person(s) involved in the incident. **Such recording should be made in a dedicated, bound and numbered book.**

Records should contain:

- The name of the child
- The date
- The time and location
- The incident number
- Details of the behaviour that led to the restraint
- The nature of the restraint used
- The duration of the restraint used
- The names of the staff members carrying out the restraint
- The names of any staff or other persons who were present
- The name of the staff member recording and their signature
- The effectiveness and any consequences of the restraint
- Any injuries caused or reported by the child or any other person, and the signature of the person making the record
- Details of the child or young person's comments/views alongside their signature
- The signature of the manager

The registered manager should monitor the content of the restraint book on at least a monthly basis in accordance with Schedule 6 NMS.

Areas to be Monitored

- Compliancy with Donyland Policy and Procedure
- Any patterns that are emerging
- The implications for the care of the children and the need (if necessary) to review practice.

Post Incident Management

If there is any reason to suspect that a child, young person or staff member has experienced injury or distress following the use of physical intervention, prompt medical attention should be arranged. (Where physical intervention has been used a child or young person has the right to be examined by a medical practitioner within 24 hours) The outcome of such should be recorded in detail.

Following any incident involving physical intervention, it is essential that debriefing and support is offered to the child, young person, the staff members and any other persons involved as witnesses to the event. Staff members should provide the young person with an explanation as to why the intervention was used and offer them the opportunity to express their views in relation to what happened.

Post incident reviews/debriefs should not be used to apportion blame or to punish those involved.

All young people and their families should have a clear understanding of the homes complaints procedure.

The use of any physical intervention should be reported to the manager at the first available opportunity. The manager or his delegate will then ensure that all other relevant parties are informed, ideally within 24 hours.

Supervision sessions can also be used as a forum to discuss issues arising from incidents of physical restraint. Sessions should be used as a forum for reflection and exploring practice.

Staff meetings can also be used to discuss issues of control and behaviour and the means of addressing these in light of the children's histories and that defined in their Care Programmes.

Steps for Staff teams to consider at times of review

- **Set a supportive climate**
- **Share the outcomes of LSI and incident reviews**
- **Gather additional information from each team**
- **Discuss contributing factors from both the environment and from the child's programme**
- **Review and revise the child's risk assessments and behaviour management plan.**
- **Problem solve together**

Management will respond by reviewing preventative strategies, techniques used any injuries, effectiveness, implementation of LSI and debriefing received by staff.