

PROPOSED PROTOCOL – NON CRIMINALISATION OF CHILDREN AND YOUNG PEOPLE WHO PRESENT WITH CHALLENGING BEHAVIOURS(S)

FOR DEBATE

Young people accommodated in our residential homes, are among the most vulnerable looked after population. The behaviours associated with such vulnerabilities will include failure to develop secure attachments with carers, from which we learn how to develop trust, compassion and empathy, and acquire social skills which enable us to form relationships, discover our personal strengths, build our self-esteem, understand our feelings and those of other people, and understand the consequences of our behaviour – both positive and negative. Many of the young people we look after will not have formed secure attachments, and can present with non-compliant behaviour, an inability to take responsibility for their actions, poor peer relationships, reluctance to talk about how they feel and an inability to see how others may feel, and displays of disruptive, demanding, destructive behaviours – the latter often with aggressive and sometimes violent outbursts.

The development of an ethos which embraces the understanding of the complex needs of such young people is critical, and the staff team will need to develop and work within a clear framework that will support the philosophical principle of a therapeutic alliance between staff and young people. This involves an understanding of psychodynamic theories with an emphasis on the relationship between staff and young people, with a mutual responsibility on staff as well as the young people to be aware of their actions. The development of this model necessitates a staff training and educative programme which includes:-

- The understanding that behaviours need to be looked at as learning opportunities for both staff and young people
- an understanding of the need to contain individual and group anxieties, with an awareness of staffs own emotional input and responses to situations and
- an awareness of the need to move away from a punitive or consequential environment

The development of an ethos which minimises formal police involvement in response to aggressive and abusive behaviours requires a greater understanding for staff and managers of the need to identify alternative, creative responses to manage such behaviour. This must also promote the appropriate involvement of the young person, to enable them to reflect on and learn from their behaviours.

The proposals for these discussions are put forward with the recognition that some may be in conflict with other departmental policies and procedures.

The Violence to Staff Corporate policy and guidance gives guidelines to managers about their responsibility to ensure that appropriate risk assessments are done to minimise incidents of violence to staff. Within young people's home's each young person has their own individual risk assessment, which addresses the management of specific behaviour(s).

The department's police protocol also gives a framework for responding to incidences of violence, and whilst some staff use the police protocol to reflect on the incident, other staff may routinely involve the police as a means of responding to the incident. For some staff, this can be seen as the only option and the police are sometimes contacted "in the heat of the moment". Subsequent de-briefing sessions with staff, which include a reflective discussion about the antecedents leading up to the incident, sometimes results in staff identifying other strategies which they feel create a different learning experience for young people which does not involve criminalisation of their behaviour(s).

Managers will also need to develop and implement a comprehensive support system which responds to incidents of violence whereby staff are given access to support immediately following an incident of violence and/or aggression. Research has shown that if support is immediately available – (this can be the shift leader, manager or another colleague "simply" checking they are OK and offering time away from the situation to be able to reflect on the incident until more formal reflective support can be offered) – staff are less likely to be absent from work.

It is difficult to have a full or prescriptive list of incidents where the response should include formal police involvement but the following incidents are suggested as ones which are likely to invoke police involvement:

- 1) Serious physical assault, such as being beaten, or hit with an implement
- 2) Aggravated racial assault
- 3) Sexual assault
- 4) Being threatened with a knife or other implement.

The rationale for proposing a slightly different response to such behaviours is done so with the recognition that the young people who will be accommodated will present with the most challenging behaviours, and to respond to these by lone police involvement, will leave little opportunities for the young people involved to learn other ways of behaving, and will be in conflict with programmes of specialist intervention.

We will need to further develop the police protocol to take account of the impact of looking after young people who present with challenging behaviours which push limits and test boundaries to the extreme. Most of the young people accommodated will have had numerous carers and placements, and therefore have experienced many rejections from the adults in their lives.

This development should consult with and include members from residential social worker teams, managers, health and safety section, unions, CAMHS, and a partnership with Derbyshire police. (The existing protocol is only with Nottinghamshire Police)