

A Pan Dorset Protocol to Reduce Criminalisation of Children and Young People in Care



**DORSET
POLICE**



**HM Courts
& Tribunals
Service**



DCYJS

Dorset Combined
Youth Justice Service

Version 4.0

Final 01.08.22

Review 01.08.24

Contents

Our Challenge	3
Introduction.....	4
Scope	5
Key Principles.....	6
Response to Specific Incidents.....	7
Different levels of Incident/Crime	8
Level 1 – (Internal resolution).....	8
Level 2 – (Either way dependent on circumstances).....	9
Level 3 – (Always report)	9
Police Roles and Responsibilities.....	10
Recording of Incidents by Police.....	11
Information Sharing	11
Prosecution of Incidents by Crown Prosecution Service (CPS) Offending Behaviour in Children’s Homes	11
Illegal Substances	12
Recording of Incidents.....	13
By Residential Staff.....	13
By Foster Carers.....	13
Placements Out of Area.....	13
Restorative Justice and the Restorative Approach	14
Governance and Monitoring	14
Review.....	14
Signatories.....	15
Appendix A: Children’s homes’ decision to involve Police	16
Appendix B: Foster Carers’ decision to involve Police	17
Appendix C: CPS 10-Point Plan.....	18

1. Our Challenge

- 1.1 Children and young people in care are more than twice as likely to be cautioned or convicted of an offence as their peers (Looked After Children and Youth Justice, Department for Education, 2014).
- 1.2 Amongst children and young people in care, those living in children's homes are much more likely to be criminalised (19.2% of 13-15 year olds in children's homes, compared to 3.2% of those in other care settings - Howard League, 2016).
- 1.3 The Lammy Review (2017) showed the importance of being aware of and responding to the needs of Black Asian and Minority Ethnic children in care who are over-represented in the youth justice system.
- 1.4 The vast majority of looked after children enter care due to abuse and neglect. We recognise the impact of trauma and abuse or additional vulnerabilities on emotional and behavioural development. This can result in behaviour perceived as challenging and should inform responses to such behaviours. We must ensure our response to incidents does not initiate or exacerbate negative behaviour and contribute to unnecessary police involvement or criminalisation.
- 1.5 Local authorities seek the best life outcomes for the children in their care. It is recognised that criminalisation can be a barrier to successful transition into adulthood and to future life prospects.
- 1.6 Our challenges are to:
 - recognise and minimise the pre-existing risk factors that place children and young people in care at greater risk of offending
 - protect children and young people in care from entering the criminal justice system as a response to their vulnerability by providing them with additional support and protection
 - develop a set of principles that ensure that, where a criminal justice outcome is warranted, the strategy allows the use of professional discretion to ensure the outcome is not disproportionate to the circumstances.
- 1.7 Research shows that offending by children and young people in care is associated with some common factors: offences committed in residential settings; offences against perceived 'authority' figures; multiple care placements; poor compliance with court orders; and a significantly higher rate of offending by females in care, compared to females in the wider population.
- 1.8 A reduction in offending by children and young people in care will only be achieved through improved joint working between all agencies and all local authorities across Dorset, to understand and respond to pre-existing risk factors.
- 1.9 The national protocol on reducing unnecessary criminalisation of looked-after children and care leavers (Nov 2018) emphasises the need for local authority and other children's services to implement a protocol between care providers (fostering services, children's homes and all other arrangements), police forces, youth offending services, the Crown Prosecution Service and HM Courts and Tribunal service, local youth magistrates, health services and other authorities, where they place children, so they can respond consistently and share information when incidents occur.

- 1.10 Police Forces have a requirement to review their practices and procedures in relation to how they respond to crimes committed by children and young people in care, as part of the National Police Chief Council's (NPCC) Children and Young Person's strategy.
- 1.11 The Children's Homes (England) Regulations 2015 set out the requirement for Homes to agree procedures and guidance with local police, to reduce police involvement and criminal responses to behaviour in children's homes. Children should not be charged with offences resulting from behaviour that would not lead to police involvement if it occurred in a family home.

2. Introduction

- 2.1 This protocol represents a pan-Dorset multi-agency approach to prevent and reduce offending by looked after children in all types of placement. It was implemented in January 2017 to provide an overarching set of principles to inform our collective response to behaviour by children in care at their place of residence. The protocol applies to all placement settings and should include all children and young people in care who are in friends and family care and those living independently, as well as those in residential, foster care or supported housing. The main aim is to ensure that children and young people in care are kept out of the criminal justice system wherever possible and that those who do enter it are provided with services that reduce the likelihood of them reoffending. Since launching the Dorset protocol a national protocol has been developed, drawing in part on our document, and published in November 2018.
- 2.2 This protocol aims to reduce the criminalisation of children and young people in care by encouraging the use of alternative resolution approaches wherever possible within the care setting, in response to low level incidents. Restorative Justice is a process wherein a victim can meet with and/or inform an offender of the impact of their behaviour and an offender is given an opportunity to take responsibility for his or her actions and, where/if possible, make amends. Restorative Justice activities are shown to be more successful when they form part of a wider restorative approach.
- 2.3 This document builds upon the existing good practice within children's homes and foster placements across Dorset and sets out the roles and responsibilities of agencies in managing and reducing the offending of children and young people in care. This document provides particular guidance to carers about when to involve the police.
- 2.4 The principles contained within this document will help to ensure a consistent response, aiming to strike a balance between the rights and needs of victims, the rights and needs of children and young people in care, the rights of staff and foster carers and the decision to involve the police and/or Crown Prosecution Service.
- 2.5 This protocol underlines the importance of regular and effective liaison between children's homes' staff and managers, foster carers, children's social care, youth justice service and police, in fostering good relationships and working together to reduce the criminalisation of children and young people in care.
- 2.6 The primary objective is for agencies to work together to reduce the criminalisation of children and young people in care, prioritising the welfare, safety and well-being of children.

3. Scope

3.1 This protocol covers the two unitary local authorities within Dorset (Bournemouth, Christchurch and Poole Council and Dorset Council) and encompasses the following:

- Children's homes (Local Authority and Independent)
- Foster carers (LA, Independent & Friends and Family)
- Other placements commissioned by the local authority for a child in care
- Children's Social Care
- Police Decision Makers
- Dorset Combined Youth Justice Service
- Crown Prosecution Service
- Her Majesty's Courts & Tribunals Service

3.2 It covers incidents that occur:

- in the child's place of residence committed by children and young people who reside within that care setting
- against the care setting and/or the carers and/or the workers within it and/or any other young person who resides there.

3.3 This protocol supports the Department for Education Quality Standards for Children's Homes and Children's Homes Regulations, which recognise that each children's home has a responsibility of care for a young person with their welfare interests being paramount. Both documents support that each children's home must have a clear written behaviour policy that all staff understand and apply at all times, which includes supporting positive behaviours, de-escalation of conflicts, discipline, control and restraint. Consequences of unacceptable behaviour should be made clear to staff and children and must be appropriate to the age, understanding and individual needs of the child. Regulation 5 of the Children's Home Regulations requires that the registered person should agree with their local police force procedures and guidance to reduce unnecessary police involvement in managing behaviour and criminalisation of behaviours.

3.4 Independent children's homes may receive children from anywhere across the country and whilst the receiving local authority area should be informed of these young people they will not necessarily have detailed information on each child. The placing authority remains the responsible corporate parent for the child, not the 'host' authority.

3.5 Guidance should also be provided to foster carers with regard to management of behaviour and the resolution of incidents in agreement with the allocated social worker, consistent with this protocol.

3.6 Children in care and care leavers can also be placed in other types of accommodation, such as supported housing. Work will be undertaken with local providers to encourage them to apply the principles of this Protocol in their response to behaviour by their residents, including children in care and care leavers.

4. Key Principles

- 4.1 Every effort should be made to avoid the unnecessary criminalisation of children and young people in care.
- 4.2 It is every professional's responsibility, when working with children and young people in care, to strive to understand the underlying causes of a young person's behaviour.
- 4.3 Whilst the aim of the protocol is to reduce the criminalisation of children and young people in care, it should also be remembered that victims have a right to be protected from all types of offending. Therefore, it is important that the rights and needs of victims are given due consideration in any decision-making process relating to the offending of a child or young person in care.
- 4.4 Restorative approaches should underpin any response and the views of the victim or communities affected should be taken into account. More information about restorative approaches can be found at the Restorative Justice Council website (<https://restorativejustice.org.uk/>).
- 4.5 All professionals should pursue an integrated multi-agency approach to reduce the offending and criminalisation of children and young people in care.
- 4.6 Those children and young people in care already within the criminal justice system also need protection from escalation and these principles apply to them equally.
- 4.7 All professionals have a duty to ensure that any special needs presented by children and young people in care, such as those with mental illness, learning difficulties or speech and language difficulties, receive an appropriate response to their behaviour.
- 4.8 Corporate parenting boards have the key responsibility for ensuring their children are protected from offending and criminalisation and should ensure that work is effective across social care and with criminal justice partners to achieve this.
- 4.9 Corporate parenting boards together with the Pan-Dorset Safeguarding Children's Partnership must be confident that they have an accurate picture of offending by children in their care and should ensure systems are in place to identify all those who are offending, whether placed within the home authority or outside.
- 4.10 It will be an expectation of all local authorities that staff and carers of children and young people in care, including foster carers (LA, Independent or Friends and Family), will strive to manage challenging behaviour at the placement, by way of internal resolution without the involvement of police wherever possible.
- 4.11 When this policy has been applied and police have attended, for instance where there was concern about immediate safety, then the police are able to use their discretionary powers allowing the care setting to deal internally using restorative principles where appropriate.
- 4.12 In cases of more serious offending, police decision-making processes will apply. The good practice principle here is for procedures to allow for a cooling off period, for decisions to be reached in 'slow time' and informed by key workers/officers having taken into account all factors and information.
- 4.13 In cases investigated by the police, the preference is for interviews to be conducted on a voluntary attendance basis, with an appropriate adult arranged by the home or relevant professional. Care providers should have plans in place to allow the child to be managed within the home. The police will only arrest when there is a need to secure evidence that would otherwise be lost, or where the offence is so serious that an arrest is justified. The decision to arrest is based on criminal justice reasons, not as a response to accommodation problems.
- 4.14 Where there is a named police link officer for the residential setting, that officer should be involved in the decision-making process. The link officer will maintain regular contact with

the care setting and can provide ongoing advice, but crimes should not be reported directly to them.

5. Response to Specific Incidents

Deciding whether or not to involve the Police

- 5.1 Staff and carers need to consider the nature and seriousness of the incident before deciding whether to involve the police immediately, at a later stage, or whether to involve them at all. See [appendix A and B](#).
- 5.2 Any incident reported to the Police which amounts to a crime will be recorded against an identified victim. Understanding this should allow managers, both in the care setting and within children's social care, to make informed judgements as to which incidents they wish to report to police. The following principles will underpin this decision-making:
- nature and seriousness of the allegation
 - severity of the injury sustained/nature of threat received by the victim
 - wishes and best interest of the victim
 - previous incidents of a similar nature by the same child or young person
 - previous relationship between victim and offender
 - previous behaviour or offending, bullying/peer pressure/duress
 - probability of a repeat incident
 - availability of alternative courses of action, e.g. restorative approaches with the consent of the victim, referral to the Youth Justice Service
 - level/value of damage caused.
- 5.3 Any offences reported or referred to Police will be recorded by the Police in accordance with the National Crime Recording Standard (NCRS).

National Crime Recording Standard

This governs the way in which the police record crime. Under this standard, the police will record an incident as a crime (notifiable offence) against an identified victim if, on the balance of probability:

- a) the circumstances as reported amount to a crime defined by law (the police will determine this, based on their knowledge of the law and counting rules)

AND

- b) there is no credible evidence to the contrary.

6. Different Levels of Incident/Crime

6.1 This protocol identifies three levels of incident and outlines the expectation of how each level should be dealt with:

- Level 1 – (Internal resolution)
- Level 2 – (Either way dependent on circumstances)
- Level 3 – (Always report to Police)

6.2 Factors to be considered:-

- Nature and seriousness of the allegation
- Severity of any injury sustained/nature of threat received by the victim
- Wishes and best interest of the victim
- How much the incident was intentional or accidental
- Previous incidents of a similar nature by the same child or young person
- Previous relationship between victim and offender
- Previous behaviour or offending, bullying/peer pressure/duress
- Probability of a repeat incident
- Appropriateness of police action/court proceedings
- Future best interests of all parties concerned
- Message sent to other young people/confidence in being able to report crimes and in knowing they may not result in court proceedings
- Availability of alternative course of action e.g. restorative approaches, advice from the Youth Justice Service
- Level/value of damage caused
- Requirement for formal investigation e.g. insurance claim requires a crime reference.

6.3 The over-arching principle is that immediate police attendance should only be used in situations when the level of risk cannot be safely managed by staff/carers.

6.4 ***Level 1 – (Internal resolution)***

6.5 It is anticipated that level 1 incidents are dealt with internally via the use of the setting's policies and procedures.

6.6 The use of restorative approaches is strongly recommended, as research has shown Restorative Justice to be effective in reducing repeat behaviours, enabling the victim to move on from the incident and increasing the perpetrator's understanding of harm caused.

6.7 However, there may be circumstances where a Level 1 incident warrants police involvement, for example a prolonged incident or where a child in care has committed the same behaviour many times and the setting has advised that any further repeats would

result in police involvement. Contact should be made at www.dorset.police.uk/do-it-online/. Alternatively there is the option to call 101.

6.8 The setting, in liaison with the child's social worker, should consider a referral to the Youth Justice Service or local Early Help services, for advice, guidance and support.

6.9 Examples of Level 1 incidents include, subject to the specific circumstances:

- Minor criminal damage (broken crockery)
- Assaults resulting in minor injury (grazes, scratches, minor marking of skin, minor bruising)
- First occasion of possession of Class B or C drugs.

6.10 **Level 2 – (Either way dependent on circumstances)**

6.11 An incident where no immediate response is required, for example where assault or damage has occurred and there is no risk of reoccurrence/significant harm to people, or incidents of theft.

6.12 These incidents should be reported to the Registered Manager, who has the responsibility for identifying the appropriate course of action.

6.13 Staff within the home should also notify the child/young person's social worker at the earliest opportunity.

6.14 Where level 2 incidents occur within a foster placement, the foster carer should contact the social worker or the out of hours duty officer for advice on the appropriate course of action. The foster carer and/or his/her family members may be the victim and it is important that their views are taken into consideration when deciding whether to involve police.

6.15 For both settings it is important to avoid any unnecessary reporting of incidents to the police. Where a victim wishes for formal police involvement or the Registered Manager or social worker has considered it appropriate. Contact should be made at www.dorset.police.uk/do-it-online/. Alternatively there is the option to call 101.

6.16 In certain circumstances preservation of evidence may be an issue and staff/carers will need to ensure that reasonable steps are taken to retain articles relevant to any criminal allegation or police investigation. Settings should have clear guidance in their policies to manage this.

6.17 The setting should consider contacting the Youth Justice Service for advice, guidance and support.

6.18 Examples of level 2 include, subject to the specific circumstances:

- Second occasion of possession of Class B or C drugs
- Persistent level 1 type behaviours
- Possession of Class A drugs
- Series of minor thefts and/or of substantive value
- Minor, but not superficial, cuts of a sort likely to require medical treatment (e.g. stitches)
- Minor fractures
- Loss or breaking of teeth.

6.19 **Level 3 – (Always report)**

- 6.20 A 999 response is always required where children/young people and/or staff and/or property are at risk of any of the following:-
- Immediate serious physical harm
 - Substantial damage to property, or
 - Significant disorder within the home or placement
 - An incident has occurred that is serious in nature i.e. allegation of sexual assault or sexual exploitation (NB disclosure of past sexual abuse or exploitation does not require a 999 response).
- 6.21 A member of staff within the residential home should contact the police using 999. Foster carers should also call 999 as well as contacting the Out of Hours Service for further support.
- 6.22 Level 3 offences which do not require an immediate response should be reported at www.dorset.police.uk/do-it-online/. Alternatively there is the option to call 101.
- 6.23 Example of such incidents may include:
- Repeated possession of Class B or C drugs
 - Second occasion of possession of Class A drugs
 - Possession of weapons (no aggravating features, e.g. weapon surrendered to staff)
 - Criminal damage (high level)
 - Supply or possession with intent to supply drugs.

7. Police Roles and Responsibilities

- 7.1 Any offences reported or referred to Police will be recorded in accordance with the National Crime Recording Standard (NCRS) as set out in section 5.3.
- 7.2 Where this policy has been applied and police have attended, for instance where there was concern about immediate safety, then the police are able to use their discretionary powers allowing the care setting to deal internally using restorative principles where appropriate.
- 7.3 Neighbourhood Policing, Child Exploitation and missing person's teams have a key role to play with Children's Homes and Foster Carers and good working relationships should be established to ensure the best outcomes for children and young people in care. The Neighbourhood Inspector should establish regular liaison meetings with both local authority and private children's homes in order to implement the principles of this protocol.
- 7.4 When Police complete an investigation into a youth, the outcome of the case will be subject to an evidential review by a suitably trained officer. Police use a national Gravity Factor system to assist in this process. Any case that is potentially suitable for an Out of Court Disposal should be submitted to the Police Youth Justice team via a Youth Referral Form for consultation and consideration of the appropriate outcome.
- 7.5 Following development of this protocol agreement has been reached to provide an enhanced decision-making process for children and young people in care. This process will now include advice from the allocated social worker for the child in care and the Police single point of contact as part of the decision-making process.
- 7.6 It is the responsibility of the investigating officer to ensure that a Public Protection Notice is completed for all incidents they deal with involving a child or young person in care, whether they are a victim or an offender. This will ensure that other agencies involved in children's safeguarding are informed.

- 7.7 In cases where a child or young person in care declines to make an admission to an offence but does not deny it, the investigating officer should also refer to the Police Youth Justice Team for advice.
- 7.8 Where a child or young person in care denies the offence, or in some cases where they decline to make an admission, or where the offence is serious enough to merit consideration of prosecution, then Crown Prosecution Service guidance on decisions to prosecute looked after children: “Offending Behaviour in Children’s homes – Crown Prosecution Service guidance” should be actively applied. Section 9 of this protocol outlines the steps to be followed by the CPS for offences in children’s homes. Appendix C shows the 10-Point Plan checklist that supports this process.
- 7.9 It is the responsibility of the local authority and the police to proactively assist the Crown Prosecution Service in reaching informed decisions in consideration of children and young people in care cases.

Recording of Incidents by Police

- 7.10 Offences that come to police notice through involvement in children’s home must be recorded in line with NCRS criteria (see 5.1).

8. Information Sharing

- 8.1 The Crime and Disorder Act 1998, Section 115 ensures that all agencies involved in preventing offending have the power to disclose information for the purpose of preventing crime and disorder. This protocol sets out the principle that effective joint working and an integrated approach between services is vital in the prevention of offending and protection of vulnerable young people. It is therefore necessary that agencies develop an environment of information sharing that demonstrates to young people agencies working together and keeping each other informed.

9. Prosecution of Incidents by Crown Prosecution Service (CPS) Offending Behaviour in Children’s Homes

- 9.1 The decision to prosecute looked after children for low level offences committed within a children’s home is a major decision and should be taken by a youth specialist who has attended the CPS Youth Specialist Course and is at least a Senior Crown Prosecutor.
- 9.2 The youth specialist should apply the CPS guidance on Offending Behaviour in Children’s Homes in conjunction with the Code for Crown Prosecutors, CPS Policy Statements and legal guidance.
- 9.3 The police are more likely to be called to a children’s home than a domestic setting to deal with an incident of offending behaviour by an adolescent. The Crown Prosecution Service should bear this in mind when dealing with such reports.
- 9.4 It is important that everyone is able to feel safe in the place where they live, whether that is in a family or children’s home, and to have confidence in the Criminal Justice System to intervene and protect them where necessary.
- 9.5 A criminal justice disposal, whether a prosecution, or non charge disposal should not be regarded as an automatic response to offending behaviour by a Child in Care, irrespective of their criminal history. This applies equally to a persistent offender and adolescents of good character. A criminal justice disposal will only be appropriate where it is clearly required in the public interest.

- 9.6 Each home must have a written Behaviour Management Policy which sets out the measures of control, restraint and discipline which may be used in the home and the means whereby positive behaviour is to be promoted in the home. The home should develop an individualised plan for each young person, in line with the home's Behaviour Management Policy. A copy of this policy and a statement from the home setting out how the policy has been applied to the particular incident should accompany any request for advice on charging.
- 9.7 Youth Specialists should consider all the circumstances surrounding the offence and the child/young person before reaching a decision to prosecute and should apply the Code for Crown Prosecutors and all relevant CPS Youth Policies.
- 9.8 Factors that should be considered include:
- Behaviour Management policy of the home
 - An explanation from the home regarding their decision to involve the police
 - Information from the home about the recent behaviour of the child or young person including similar behaviour, any incidents in the child or young person's life which could have affected their behaviour, any history between the child/young person and the victim, any apology or reparation, history of the incident and any action taken under the disciplinary policy of the home
 - Views of the victim, including their willingness to attend court to give evidence and/or participate in a restorative justice or other diversionary programme
 - Views of the key worker, social worker, counsellor and CAMHS worker on the effect of a criminal justice intervention on the child or young person, particularly where the child or young person suffers from an illness or disorder
 - Any explanation of information about the offence from the child or young person
 - Provided the child or young person wishes it be considered, information about the local authority's assessment of his/her needs, the associated care plan for the child and how the placement provided by the home is intended to address these issues.

10. Illegal Substances

- 10.1 The use of illegal or psychoactive substances by young people, as defined under the Misuse of Drugs Act 1971 and The Psychoactive Substances Act 2016, is of serious concern for their emotional, mental and physical well-being, and in terms of criminal offences and intelligence.
- 10.2 Each children's home and fostering service will have its own drugs policy, with the key focus on being to ensure appropriate education and treatment services are in place to support the young person
- 10.3 Information regarding repeated drug use within the home or concerns about drug dealing should always be shared with the police. It is important that this is shared in a timely manner. This can be reported at www.dorset.police.uk/do-it-online/. Alternatively there is the option to call 101 or 999, dependent on circumstances. Staff should also consider using

the local Child Exploitation screening and assessment tools to consider the possibility that the child is being exploited and to indicate actions to be taken.

- 10.4 Staff should always consider the nature and seriousness of any incident before deciding which route to take and should consult with a senior manager before proceeding with a formal police complaint, unless there is an immediate significant risk of harm
- 10.5 Staff in children's homes or other settings are lawfully allowed to confiscate drugs or unknown substances from children in their care. If having followed the protocol the police are to be called to deal with the child in care, then the home should store the substances securely and contact police to attend as soon as possible to collect the item. An entry should be made in the home's log, where applicable, and a signature obtained from the attending officer.
- 10.6 If the home or carer deals with the child without involving the police, then a recognised procedure should be in place to allow for the destruction of the drug as soon as possible. A log of seized items should be kept and disposal should be witnessed by another member of staff or suitable person, and the log should be signed by both people. The log should contain a description of the drugs. Best practice will be for a photograph of the seized item to be taken.

11. Recording of Incidents

By Residential Staff

- 11.1 All incidents require accurate recording within an incident log for residential children's homes, so as to provide informed histories on the children and young persons looked after, assisting with assessments and liaison meetings.
- 11.2 All incidents must be recorded in the personal file of each young person and entered in the home's day book/incident log. Risk assessments should be reviewed. This provision also applies to incidents discussed through regular liaison with local Neighbourhood Policing Teams.

By Foster Carers

- 11.3 It is expected that incidents within foster care placements will be accurately recorded, so as to provide informed histories on the children and young persons looked after, assisting with assessments and liaison meetings.
- 11.4 All incidents must be recorded in the personal file of each young person and reported to the family placement social worker and the child's social worker. Risk assessments should be reviewed.

12. Placements out of area

- 12.1 Some of our children and young people in care reside in out of area placements. The equivalent local protocols will apply in respect of police involvement and decision-making for behaviour in those care settings. The national protocol should ensure more consistent application of the principles in other areas. When commissioning an out of area placement, our home local authorities will seek confirmation that the setting is committed to using non-criminal responses to behaviour in the care setting. This commitment will form part of the placement contract.

- 12.2 Some children and young people in care from other areas are placed at settings in the Bournemouth, Christchurch and Poole Council or Dorset Council areas. This protocol applies to those settings in respect of all the young people that they accommodate.

13. Restorative Justice and the Restorative Approach

- 13.1 Restorative Justice has been shown to be a constructive way to repair harm and to enable the victim and the offender to move forward. Best practice suggests that RJ responses to specific incidents are more effective when they occur in the context of a more widespread restorative approach, and where both parties perceive the facilitator to be a neutral party. Restorative practices include opportunities for the young person to repair harm that they have caused.
- 13.2 For low level incidents it may be suitable for another staff member to facilitate the RJ meeting, provided the young person has confidence in the worker's impartiality. For more serious incidents an external facilitator, such as one of the RJ specialists in the Youth Justice Service, is likely to be more suitable.

14. Governance and Monitoring

- 14.1 Representatives from Dorset Police, independent children's homes, local authority social care, Dorset HealthCare CiC health team and Dorset Combined Youth Justice Service will meet 3 times a year to review the application of this Protocol. The Youth Justice Service Manager will chair this group and will report on its work to the Dorset Combined Youth Justice Service Partnership Board. This Board has a responsibility to ensure that effective local arrangements are in place to prevent and reduce offending by young people. As such, that Board will provide oversight of the effectiveness of this protocol.
- 14.2 Corporate Parenting Boards, the Pan-Dorset Safeguarding Children's Partnership and the Dorset Criminal Justice Board should monitor the rate, frequency and level of offending by children and young people in care to be satisfied that whenever possible a non-criminal response is being used for behaviour in the residential setting.
- 14.3 The different agencies that work under this protocol will collect their own data to monitor the effectiveness of their work to prevent offending by children and young people in care.
- 14.4 The group which monitors this Protocol will develop a performance monitoring framework to assess the effectiveness of the protocol and identify any gaps or barriers.

15. Review

- 15.1 This protocol will be jointly owned and reviewed. Next review date is 01/08/24.

Signatories

Date

Dorset Police - ACC Rachel Farrell

9th November 2022



Police and Crime Commissioner for Dorset

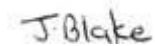
7th December 2022



Crown Prosecution Service

Dorset Council

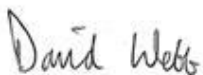
Bournemouth, Christchurch and Poole Council



Juliette Blake, Director of Safeguarding & Early Help

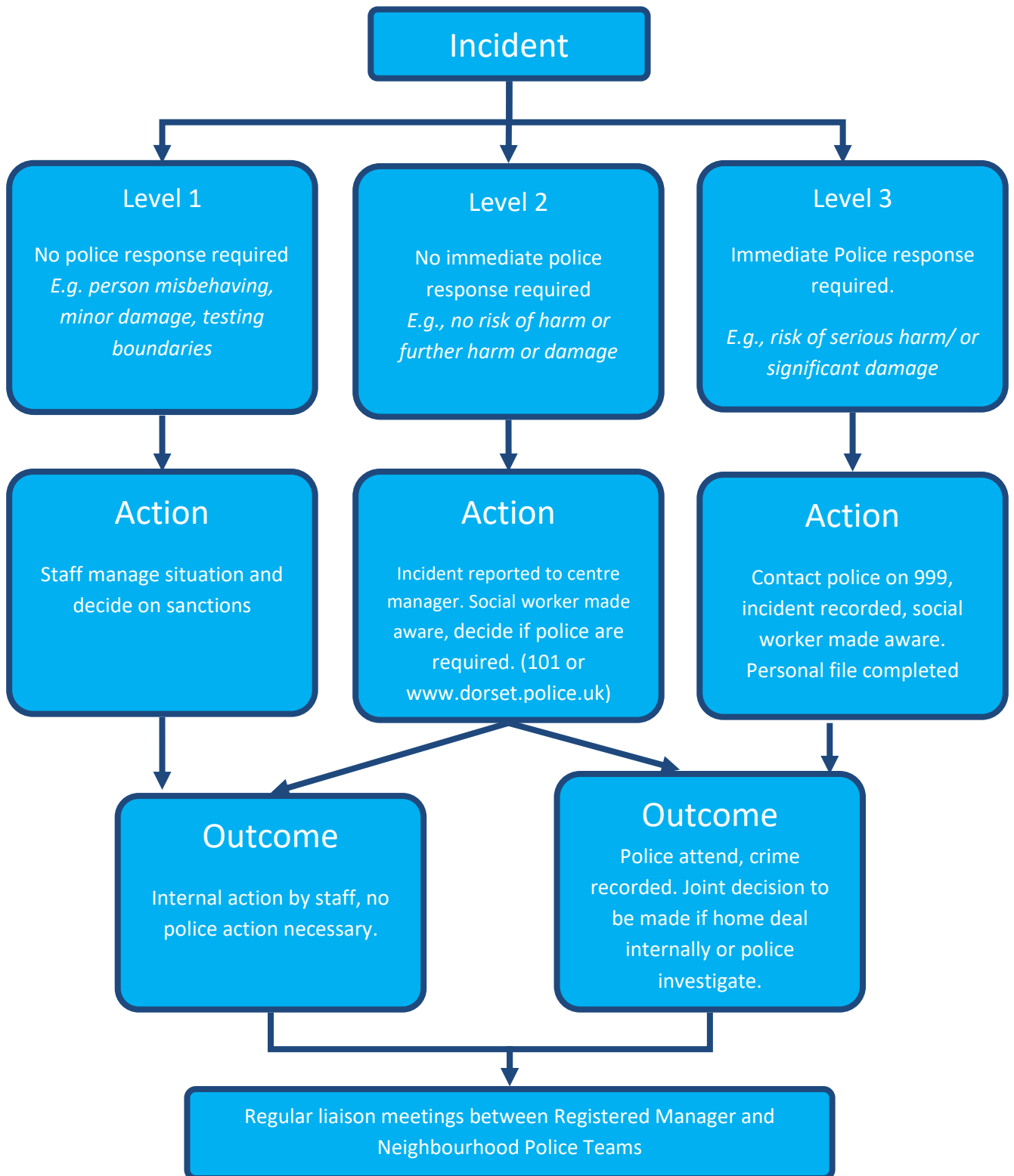
Dorset Combined Youth Justice Service

1st August 2022



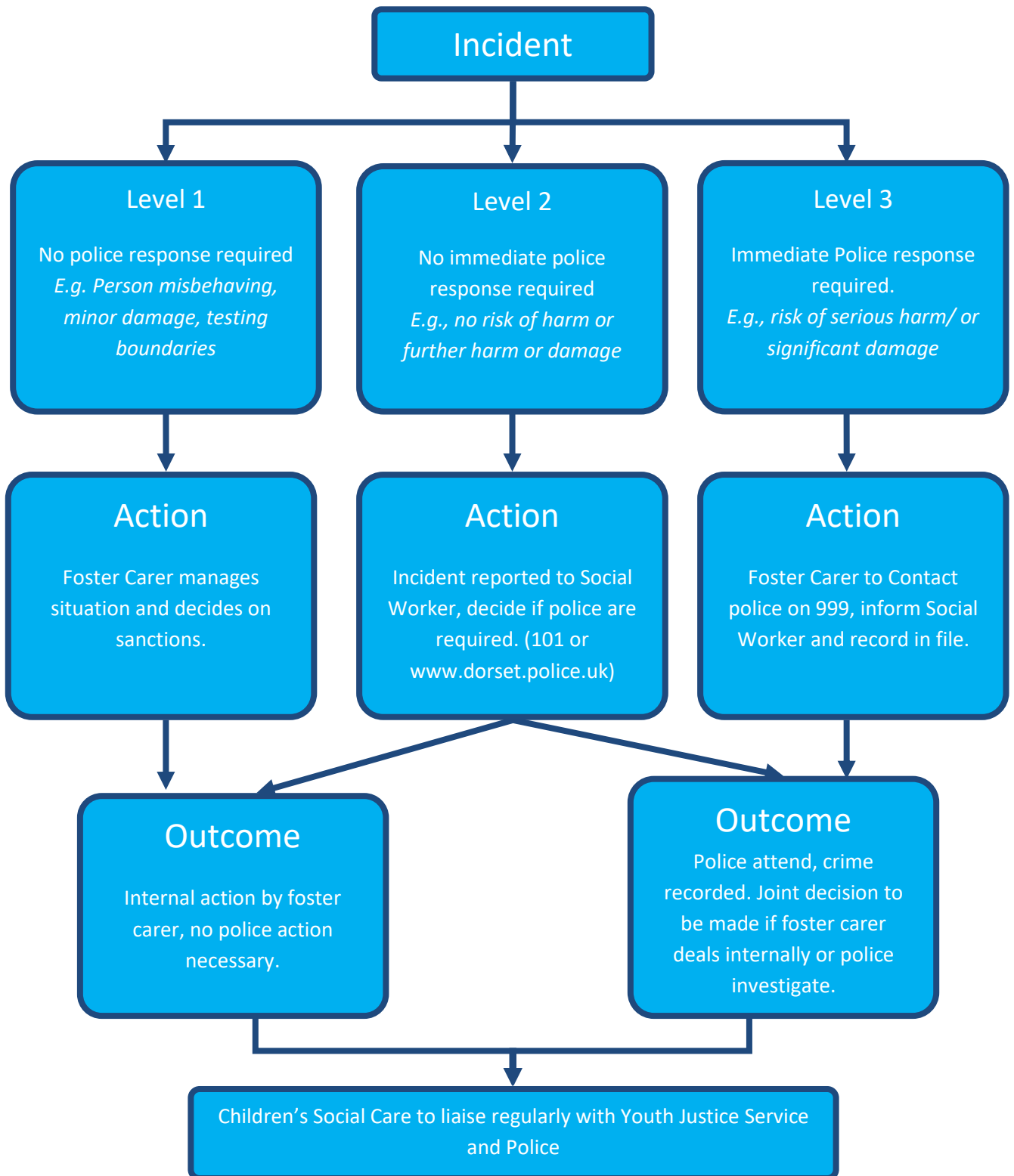
APPENDIX A: CHILDREN'S HOMES' DECISION TO INVOLVE POLICE

This policy must be followed when any member of staff is considering contacting the Police.



APPENDIX B: FOSTER CARERS' DECISION TO INVOLVE POLICE

This policy must be followed when a Foster Carer is considering contacting the Police.



10-point check list for Offences in Children's homes

- 1 BEHAVIOURAL POLICY OF CHILDRENS HOME**
Consider the Policies in place at the Children's home in relation to behavioural measures for challenging behaviour and policies in relation to prosecuting children for offences committed within the individual Children's homes.
- 2 WHY HAVE THE POLICE BEEN INVOLVED AND IS IT AS AGREED IN THE POLICY?**
Evidence why the police have been called in relation to the incident and is this within the guidelines of the Children's home policy and the Pan Dorset Protocol to Reduce Criminalisation of Children and Young people in care? What action do carers or the local authority wish the police to take?
- 3 ANY INFORMAL ACTION ALREADY TAKEN?**
What behaviour management action has been taken to address the child's behaviour or to deal with the incident at the Children's Home.
- 4 ANY APOLOGY/ REPARATION?**
Has the child made any apology or tried to repair the harm done? Have they been given an opportunity to do this?
- 5 VICTIMS VIEWS?**
What are the views of the victim? Establish what the victim's views are after a period of time and the situation has de-escalated. Is this a repeat victim? Are there any vulnerabilities or safeguarding risks that need to be considered in relation to the victim?
- 10 AGGRAVATING AND MITIGATING FEATURES?**
Are there any factors that have contributed to the offence being committed that would aggravate or mitigate the offence that should be considered in this case?
- 9 INFORMATION ABOUT INCIDENT FROM LOOKED AFTER CHILD (INTERVIEW OR OTHER)?**
What has the Child in Care/Care Leaver said in relation to the incident, what are the contributing factors?
- 8 RECENT BEHAVIOUR/ INCIDENTS RE LOOKED AFTER CHILD?**
Have there been recent, previous incidents whilst the child has been in care, that effect the decision making, or that have been managed by carers without police involvement.
- 7 CARE PLAN FOR CHILD IN CARE/ CARE LEAVER?**
What Care Plan is in place, does it identify responses to particular behaviours or risks?
- 6 SOCIAL WORKER'S VIEWS?**
Has the social worker been contacted, what are their views in relation to the incident, are there any current issues that may be affecting the child's behaviour? Can children's services assist with a safeguarding plan to deal with the concerns?



**DORSET
POLICE**

