



Nottinghamshire
County Council



Nottingham
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NOTTINGHAMSHIRE
POLICE
PROUD TO SERVE

Reducing Offending Behaviour

**Joint Protocol Between;
Nottinghamshire Police,
Nottingham Children & Families,
Nottingham Youth Justice Service,
Nottinghamshire Youth, Families
and Social Work,
Nottinghamshire Youth Justice
Service,
the Crown Prosecution Service.**

A multi-agency approach to prevent unnecessary criminalisation of children in care and care leavers, by assisting in the determination of an effective, appropriate and proportionate response to offending and anti social behaviour in the home or community.

Reducing Offending Behaviour

With thanks to the young people from the Nottingham City Children in Care Council and Your Voice group, who contributed to the development of this Protocol.

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(do not use if immediate response required)

Crown Prosecution Service Youth Specialists (Nottingham City and Nottinghamshire)

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Safeguarding is everyone's responsibility. It is vital that information is shared in the interests of preventing offending and protecting vulnerable young people from harm or criminalisation. This information should be shared securely, and within the requirements of General Data Protection Regulations (GDPR) and associated legislation.

The protocol aims to strike a balance between the rights and needs of the children and young people who are looked after, the victim and the rights of carers to instigate Police action.

It is the purpose of this protocol to provide guidance on the options available and to emphasise the importance of flexibility, in deciding upon the most suitable option for dealing with some of our most vulnerable children and young people.

The review of this document in 2020, acknowledges the publication of the national protocol on reducing unnecessary criminalisation of looked after children and care leavers, November 2018 (For information specific to care leavers see Appendix 4.) This challenges us as Corporate Parents to ask "*would this be good enough for my child?*" Nottingham City and Nottinghamshire support these principles for care leavers and will ensure they inform local practice.

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Reducing Offending Behaviour

1. Background

It is recognised that the vast majority of young people who enter the care system do not exhibit criminal behaviours and never become subject of police investigation. However, children in care are disproportionately represented in the Justice System, yet are some of society's most vulnerable children and young people (*In Care Out of Trouble, Lord Laming, (2016)*).

This protocol provides guidance and support for decision making when a child in care commits an act deemed inappropriate or criminal. It provides a structure to aid the level of response to address behaviours.

The protocol and guidance takes the following into account:

- The Crown Prosecution Services guidance "The CPS: Youth Offenders"
- ACPO guidance on Out of Court Disposals and ACPO Children and Young People Strategy.
- Social care common inspection framework (SCCIF): children's homes Guidance about how children's homes are inspected
- The National Crime Recording Standards.
- National protocol on reducing unnecessary criminalisation of looked after children and care leavers, November 2018
- The City's commitment to Trauma Informed Practice (TIP)

1a. Introduction

The standardised guidance and tools contained within this protocol provide a framework for embedding good practice and communicating this to young people in care and their carers. When carers report an incident to the police, it does not necessarily result in a police investigation. Incidents are dealt with on a case by case basis, ensuring an appropriate, proportionate and necessary investigation is conducted.

Wherever possible, as defined in this protocol, the action to be taken will be determined following discussions with all concerned, including, wherever possible, the young person, and any victim.

Carers will need to use professional judgement when deciding on the most appropriate course of action and whether a police response is required. Guides have been produced to assist in this decision making process –see appendix 1 (Traffic light documents).

Wherever possible regular liaison between local police and carers will provide an opportunity to share information, develop better understanding of each agency's responsibilities and practices and build positive relationships. It is recommended police will provide a contact or local champion for carers as part of local policing arrangements.

2. Requirement for Police Involvement.

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The **nature** and **seriousness** of any incident should be considered before deciding whether to involve the Police immediately, at a later stage, or whether to involve them at all.

Any communication between carers and the Police regarding the incident must be clear and factual.

3. Categories of Response

It is recognised that caring for and managing children in care, who may have experienced a range of traumas, can result in difficult or challenging behaviours. Carers will generally manage problematic situations within the home, except where they are so severe that immediate Police involvement is essential to prevent harm to young people, carers or others.

The protocol identifies three categories of risk and response:

- **Internal** - No police involvement
- **Non-immediate** - Appropriate and proportionate non-immediate response/discussion that may or may not involve the Police.
- **Immediate** - Requires immediate police response to manage risk.

If the situation changes you must inform the police control room immediately to ensure the appropriate and proportionate response.

3a. Internal incidents

Minor incidents (such as behaviour that would generally be dealt with by a parent or carer in a home situation,) will be addressed using a range of informal approaches, including: sanctions, restorative approaches and behavioural contracts. These may be dealt with within regular house meetings and addressed with all residents or family members of the home. Police will be informed only if deemed appropriate, in relation to the incident and wider safeguarding concerns.

3b. Non-immediate incidents

An incident where anti-social behaviour/a crime has been committed and no immediate Police response is required. For example, an incident of theft, assault or damage where there is no significant threat, risk or harm identified. The incident should be reported to the Registered Manager and Social Worker. A record should be made of the discussion and any action as appropriate.

Foster carers should inform the child/young person's social worker to discuss.

The victim's voice should always be considered.

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Where it is decided police advice and support is needed, the carer should contact the Police control room to discuss the incident.

Carers must be clear about their expectations of the police when reporting a 'non-immediate' incident. E.g. do they want support in a matter that has already been resolved by the carers, or do they want to report a crime to the police for investigation. **(See crime recording below)** This is vital regarding how the police grade and record the incident.

Note.

Police taking a call for service must establish the reason for the call to ensure the appropriate and proportionate response to the reported incident, preventing any unnecessary police investigation or the criminalisation of young people.

3c. Immediate incidents

This protocol looks to prevent police involvement or prosecution where this is not appropriate or proportionate. Where there is an incident of violence or behaviour requiring an immediate Police response, where children/young people or carers are at risk of imminent serious physical harm, it is expected that carers should ring 101/999 for assistance.

Carers will need to ensure reasonable steps are taken to retain articles/evidence or preserve the scene of a crime relevant to any criminal allegations or potential Police investigations.

4. Recording

4a. Recording incidents by carers

It is necessary for incidents to be accurately recorded to inform assessment planning and intervention. All incidents must be recorded in the personal file for each young person and cross-referenced in the relevant log book.

Carers should report and record all significant or notifiable incidents as per Integrated Children and Families/Youth Families and Social Work guidelines and inform the team around the child .i.e. Youth Justice Service worker, any Preventative worker and Social Worker.

4b. Recording of incidents reported to the Police.

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National Crime Recording Standards.

All incidents reported to the police as a crime will be given a crime number/ occurrence number in accordance with Home Office guidelines.

****This does not always mean a criminal prosecution will take place****

The Police can record an outcome disposal of:

Outcome 20 (Police acknowledge the behaviour has already been dealt with in an alternative way by another agency)

Or

Outcome 21 (Not in the public interest to prosecute)

Or

Outcome 22 (When it is decided, following an Out of Court Disposal assessment completed by the YJS, that a criminal disposal is not required, but interventions/diversionary activities have been identified which need to be completed)

****There is an expectation that all alternative measures (disposals) have been exhausted i.e. behaviour contracts, restorative justice sanctions before any criminal prosecution****

4c. Recording of non immediate incidents by the Police

Incidents discussed by the Police and carers, in relation to behavioural matters, should be recorded on the young persons care record and Police intelligence systems, if appropriate.

Non-immediate incidents reported by carers as a crime will be recorded by the Police and appropriately and proportionately investigated.

4d. Recording of immediate incidents by the Police

Any identified criminal offences will be recorded as crimes and appropriately and proportionately investigated.

5. Substance Misuse

The misuse of controlled drugs within a young persons' home, is a potentially serious issue and it is essential the response is prompt and effective.

Carers will need to balance their duty of care for the young people in the home, and their role in managing young people's behaviour, as well as their responsibilities to the wider community, when making a decision about how to respond to drug use within the home. In practice, Carers should share information with the Police if it is established that a young person is using illegal

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substances in the home, or if illegal substances are found on the premises. A referral/ consultation with relevant drugs and alcohol service for the area should be considered. The Social Worker should always be kept informed.

It is important that all action taken is recorded by carers.

If the quantity of substance and/or associated paraphernalia indicates a young person may be involved in distribution, this concern needs to be reported to the police immediately. The police investigation will be appropriate and proportionate to the reported incident.

5a. A record of the removal/seizure should be kept by carers and include the following:

- Time and date of the removal
- Name of the person removing the material
- Description of the material
- Circumstances of the removal
- Time and date the material is placed in secure storage
- Signature of the person putting the article in to the storage countersigned by a second member of staff
- Time and date the material was removed by the Police
- Name and signature of the Police Officer removing the material
- A photo of all items seized is advisable to protect staff against any future discrepancies.

To ensure controlled substances are not stored in homes any longer than necessary or transported unnecessarily by care staff, it is important every effort is made for Police and care staff to work together to ensure the earliest opportunity for secure disposal.

Carers can dispose of alcohol and canisters (aerosols) but it is important the disposal is witnessed and a record kept, see previous list above.

6. Weapons

If a knife or weapon is found in a young person's room, information needs to be recorded and shared with the young person's professional network and police, so a risk assessment can be completed. The team around the child should consider opportunities for the young person to receive education on this issue.

The police should be given an opportunity to decide if the weapon or knife needs retaining prior to any disposal. Please follow list (5a).

If carers become aware that a young person is carrying a weapon or an article with a blade or a point such as a knife, they should be encouraged to surrender the weapon to care staff, but at no point should care staff put themselves at risk. The Police must be informed immediately if a young person leaves the home with a weapon or a knife using 101 or 999.

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7. Sexual Offences

When considering incidents of sexting or potentially sexually harmful behaviour, the risks associated with the behaviour need to be balanced with the potential long term implications of criminalising young people and the information being disclosed.

The police should be contacted if there is an immediate risk of harm, a complaint has been made, there is an identified power imbalance, or indicators of Child Sexual Exploitation (CSE.) There needs to be consultation with the team around the child and a CSE tool kit completed in conjunction with the Social Worker.

Consideration should be given to both risk and vulnerability, and to specific education and discussion, through the City ASHA panel or County equivalent.

8. Child Criminal Exploitation (CCE) including County Lines

CCE can present in many different ways. This may include young people being recruited and exploited by adults in to drug dealing on their behalf, knife crime, organised shop theft, burglary of dwellings and County Lines.

CCE occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology. Many do not recognise that they are being exploited or that they are at risk. Nottingham City Council are committed to recognising the safeguarding needs of all children/young people being groomed into crime (Nottingham City Youth Justice guidance 2019) as are Nottinghamshire County Council. CCE has links to Modern Day Slavery and Human Trafficking offences.

Carers should have an awareness of this issue, risk factors, local policies and referral routes.

If carers believe a young person is at immediate risk of harm due to CCE, they should contact Police on 101/999. If carers suspect a young person is at risk of CCE, they should inform the Social Worker and agree who is best placed to complete the CCE tool. The Social Worker will then take appropriate action i.e. Strategy Meeting, referral to CCE Panel.

9. Channel

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Channel is a preventative, early intervention approach intended to stop people becoming terrorists or supporting terrorism. Channel is a multi-agency safeguarding programme which sits under the PREVENT umbrella and operates throughout England and Wales. It provides tailored support to people who have been identified as at risk of being drawn into terrorism/violent extremism.

If carers suspect a young person is at risk of involvement in this activity, they should contact the Prevent team at prevent@nottinghamshire.police.pnn.uk for consultation (Nottingham City Youth Justice guidance 2019)

10. Prosecution requirements: - 10 Point Checklist

Where incidents take place that involve Police attendance and where there is a likelihood that the young person may be charged with an offence, there is a responsibility on the Home and the Police to complete the CPS 10 Point Checklist which identifies important factors to help inform the CPS on the most appropriate course of action. The 10 point check list can be found at Appendix 1

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. The guidance can be found at Appendix 1

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11. Organisational Sign Off

To evaluate compliance with the protocol liaison should be held between the local Police Authority, placement providers, Placement Service Managers and YJS

Signed:



Dated: 18th October 2021

Name: Superintendent Ted Antill

For Nottinghamshire Police

Signed:



Dated: 26th October 2021

Name: Helen Watson

For Nottingham City Childrens Integrated Services

Signed:



Dated:

Name: Wilf Fearon

For Nottingham City Youth Justice Service

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Signed:

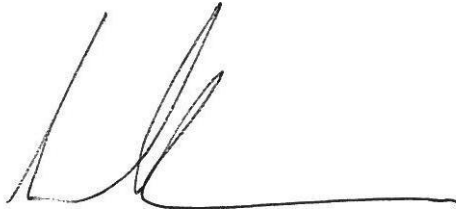


Dated: 18th October 2021

Name: Steve Edwards

For Nottinghamshire Youth, Families and Social Work Department

Signed:



Dated: 20.10.21

Name: Rachel Miller

For Nottinghamshire Youth Justice Service

Signed:



Dated: 18 October 2021

Name: Janine McKinney

For Crown Prosecution Service Nottingham

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12 Organisational Implementation Checklist;

Action	By Whom	When
All agencies sign off	As above	
Training/awareness carers, Social Workers, Leaving Care Services		
Training/awareness young people	Internal processes	Ongoing
Training/awareness Police Officers	Internal processes	Ongoing
Training/awareness Crown Prosecution service	Internal processes	
Regular Liaison	Police officers, care homes	Ongoing
Next Review	Creators, signatories	2023

Appendix 1: Crown Prosecution Service Policy: Offending Behaviour in Children's homes

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, wherever possible, will be a volunteer who has attended the CPS Youth Offender Specialist Course and is a Senior Crown Prosecutor.

A national protocol to reduce the criminalisation of looked after children and care leavers was published in December 2018. This provides a framework for criminal justice and local agencies to co-develop local arrangements in order that they can respond consistently, and share necessary information, to help achieve better outcomes for looked after children and care leavers.

This guidance is intended to assist youth specialists in determining where the public interest lies when it is alleged that a looked after child has committed an offence in the children's home where he or she lives. It is not intended to apply to all offences committed by looked after children; although some of the principles may be helpful when applying the public interest stage of the Full Code Test to offences committed outside the home.

Children and young people who live in children's homes are at a high risk of offending behaviour because:

- Many looked after children are between the ages of 14 and 17, which is regarded as the peak offending age range

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- In some children's homes they are likely to be living with young people who have been remanded to local authority accommodation, and may be susceptible to group offending behaviour
- They may be living in accommodation far from their home, so may lack support from friends and family
- Many looked after children display challenging behaviour, which may be a reaction to past experiences of abuse and neglect; and/ or have been diagnosed as experiencing Attention Deficit and Hyperactivity Disorder and Oppositional Defiant Disorder. Their offending behaviour may be caused by or otherwise linked with the disorder
- Their behaviour is likely to be more challenging and demanding because of their family experience, the breakdown of foster placements and frequent moves from other children's homes
- Living in a group with other challenging and demanding children of the same age gives rise to greater potential for conflict, bullying and peer group pressure

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. Specialists should bear this in mind when dealing with incidents that take place in a children's home. However, where offending behaviour occurs in a family context, the CPS Domestic Violence Policy would apply wherever a partner, sibling, parent or other family member experiences violence at the hands of a youth. It is important that all people feel safe in the place that they live, whether that is in a family home or children's home and that they have confidence in the criminal justice system to intervene and protect them where this is necessary.

A criminal justice disposal, whether a prosecution, youth caution or youth conditional caution, should not be regarded as an automatic response to offending behaviour by a looked after child, irrespective of their criminal history. This applies equally to persistent offenders and youths of good character. A criminal justice disposal will only be appropriate where it is clearly required.

Informal disposals such as restorative justice conferencing, reparation, acceptable behaviour contracts and disciplinary measures by the home may be sufficient to satisfy the public interest and to reduce the risk of future offending.

Behaviour Management policies

All children's homes, whether they are run privately or by the local authority or voluntary sector must comply with the Children's Home Regulations 2001, which are mandatory, and the National Minimum Standards, which are issued by the Secretary of State under section 23 Care Standards Act 2000. These are minimum standards, not examples of good practice, and Homes should aspire to exceed them. Copies of these documents are available at:

<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00030-2011>

<http://www.legislation.gov.uk/ukpga/2000/14/section/23>

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Each home must have a written behaviour management policy that sets out the measures of control, restraint and discipline which may be used in the children's home and the means whereby appropriate behaviour is to be promoted in the home. A copy of this policy and a statement from the home setting out how the policy has been applied to this incident should accompany any request for advice on charging.

Each home should have a clear written policy, procedures and guidance for staff based on a code of conduct that sets out control, discipline and restraint measures that are permitted and must reinforce positive messages to children for the achievement of acceptable behaviour. The consequences of unacceptable behaviour should be clear to staff and children and must be appropriate to the age, understanding and individual needs of the child. It must also be recognised that unacceptable or challenging behaviour may be the result of illness, bullying, disabilities such as autism, ADHD or communication difficulties.

Standard 22 National Minimum Standards for Children's Homes requires staff to respond positively to acceptable behaviour, and where the behaviour of children is regarded as unacceptable by staff, is responded to by constructive, acceptable and known disciplinary measures approved by the registered person. Control and disciplinary measures should encourage reparation and restitution. Corporal punishment, deprivation of food and drink and punishing a group for the behaviour of an individual may not be used as a disciplinary measure, and financial penalties are restricted to the imposition of a reasonable sum, which may be paid by instalments, by way of reparation (Rule 17 CHR 2001).

Unless the registered person can show it is inappropriate, the home should also have procedures and guidance on police involvement in the home, which has been agreed with the local police. Staff should know about the agreement with the police and should be clear when the police should be involved. (paragraph 22.15 National Minimum Standards for Children).

The Decision to Prosecute

Prosecutors are reminded of the need to consider all the circumstances surrounding the offence and the circumstances of the youth before reaching a decision and to apply all relevant CPS policies and documents. Failure to do so may result in proceedings for judicial review: *R v Chief Constable of Kent and Another ex parte L*, *R v DPP ex parte B* (1991) 93 Cr App R 416.

The 10 point checklist for offences in Children's homes sets out the required information before a proper decision can be taken on looked after children (this includes all voluntary arrangements, foster placements and secure training centres).

Factors that should be considered include;

- 1 Disciplinary/behaviour policy of the Children's home?

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- 2 Why have the Police been involved and is it as agreed in the behaviour policy?
An explanation from the Home regarding their decision to involve the police, which should refer to the procedures and guidance on police involvement.
- 3 Any informal / disciplinary action already taken by the home?
Information from the Home about the recent behaviour of the youth, including similar behaviour and any incidents in the youth's life that could have affected their behaviour, any history between the youth and the victim, any apology or reparation by the youth, history of the incident and any action under the disciplinary policy of the Home.
- 4 Any apology / reparation?
Information from the Home about the recent behaviour of the youth, including similar behaviour and any incidents in the youth's life that could have affected their behaviour, any history between the youth and the victim, any apology or reparation by the youth, history of the incident and any action under the disciplinary policy of the Home.
- 5 Victim's views?
The views of the victim, including their willingness to attend court to give evidence and/or participate in a restorative justice or other diversionary programme.
- 6 Social Workers Views?
The views of the key worker, social worker, counsellor or CAMHS worker on the effect of criminal justice intervention on the youth, particularly where the youth suffers from an illness or disorder.
- 7 Care Plan for Looked after Child?
If the looked after child wishes it to be considered, information about the local authority's assessment of his/her needs and how the placement provided by the Home is intended to address them. The local authority should be able to provide this information as it should be an integral part of the Care Plan for the looked after child.
- 8 Recent behaviour at the home / previous incidents
- 9 Information about the incident from the looked after child (eg informal interview at the home)
- 10 Any aggravating or mitigating factors?
Prosecutors should consider all of the aggravating and mitigating features when deciding on the appropriate outcome.

Prosecutors should consider all of the aggravating and mitigating features when deciding on the appropriate outcome.

Aggravating features include:

- The offence is violent or induces the genuine fear of violence in the victim
- The offence is sexual
- The offence is motivated by hostility based on the gender, sexuality, disability, race, religion or ethnicity of the victim
- The victim is vulnerable
- The damage or harm caused is deliberate and cannot be described as minor

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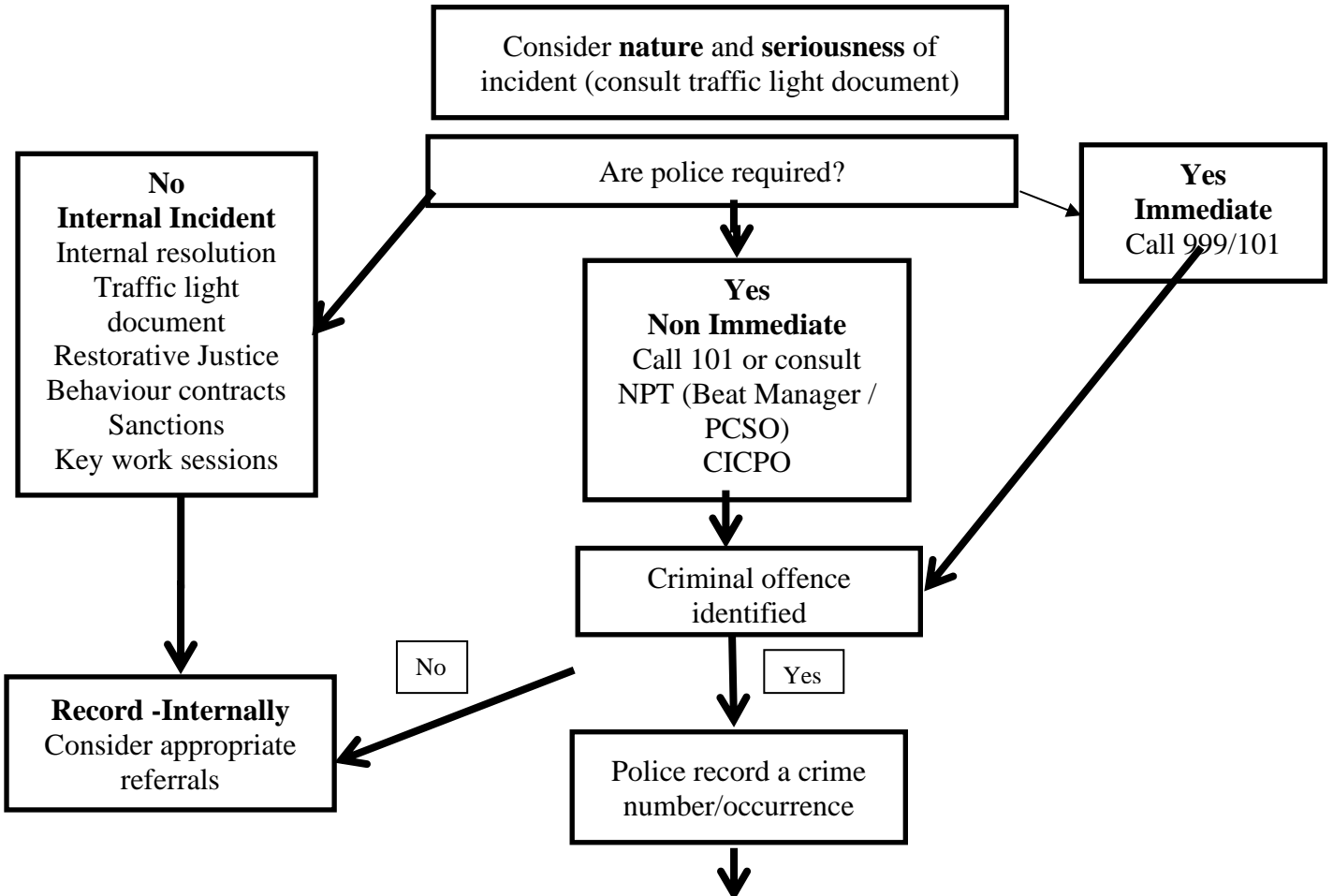
- The offence forms part of a series of offences
- Informal measures have been ineffective in preventing offending behaviour

Mitigating features include:

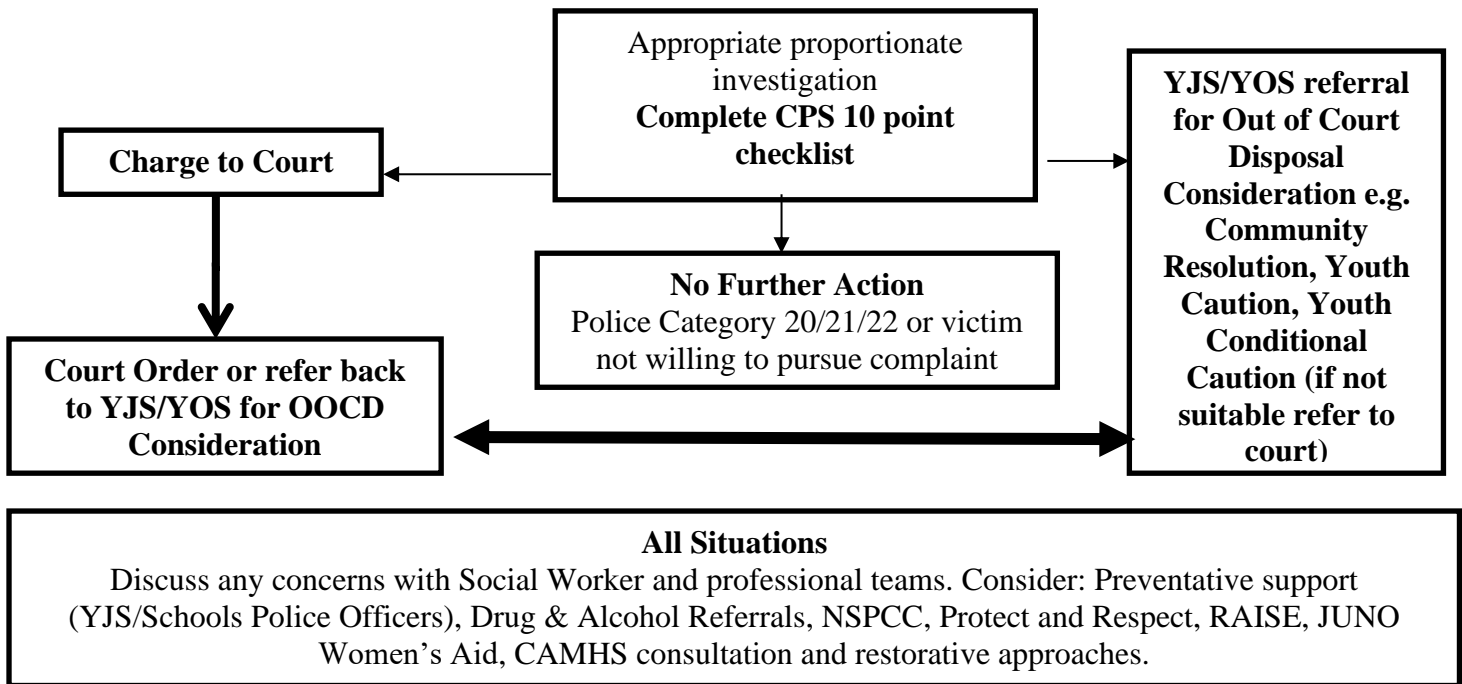
- The damage or harm caused is at the lower end of the scale and has been put right
- Appropriate action has already been taken under the disciplinary procedure or other informal disposal
- Genuine remorse and apology to the victim
- The behaviour is a symptom of a disorder or illness that cannot be controlled by medication or diet. Refer also to Mentally Disordered Offenders
- Care should be taken where it appears that the youth has deliberately refused medication or deliberately consumed a substance knowing that his or her behaviour will be affected.
- Isolated incident or out of character
- The young person is under extreme stress or appears to have been provoked and has overreacted

The reasons for the charging/diversion decision should be clearly recorded and show the factors that have been considered by a youth specialist to determine how the public interest is satisfied.

Appendix 2. Reducing Offending Behaviour Flow Chart



Reducing Offending Behaviour



Appendix 3 Traffic Light Documents

What we can expect of each other

**Internal
No police response required**

E.g. Testing boundaries, 'minor' damage

No immediate police response required

*E.g. No ongoing risk of harm.
Repeated / worsening behavior*

Immediate response required

E.g. Serious assault or damage where a person / people are at risk of harm

Action

- Carers manage situation, refer back to this agreement



- Informal restorative justice, agree sanctions/actions
- Record action
- Inform social worker / YOT worker if there is one
- Invitation to police to support internal actions, consider preventative support

Action

- Discuss behavior with Manager/Supervising Social Worker
- Record behaviour



- Discussion with the police (Beat manager PCSO, CiC Officer) and team around the young person
- Decision for police investigation, restorative justice or preventative work
- Record decision and outcome on young person's records

Action

- 999
- Once staff and young people are safe, record behavior and inform Social Worker/EDT and YOT worker if there is one



- **Police Investigation**
- Charge to court: restorative justice will be considered as part of any sentence
- No charge. Consider restorative justice or preventative work

Reducing Offending Behaviour

Regular contact and meetings between carers and Neighbourhood Policing Teams to build relationships and communication

This shows the process that your carers will go through when thinking about how to respond if there is behaviour that needs to be challenged in your home, so that everyone can feel safe and supported. This process will be used in Nottingham City, in foster care, Local Authority and private homes so that everyone is treated in the same way.

Rights: Young people and carers have the right to;

- Be respected
- Feel safe
- For their belongings to be their own
- To have a voice and speak out

You are able to contact:

The Advocacy Service for Children in Care in your area Crimestoppers: 0800 555 111
Nottinghamshire Police: 101 or 999 in an emergency (if you or someone else is in danger)

Things to consider... *The following factors should be considered when deciding what action to take when there has been unacceptable behaviour by a child or young person. The list is not exhaustive, and does not reflect any order of priority:*


- Nature and seriousness of the allegation
- Severity of any injury/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
- Does the response need escalating?
- Previous relationship between victim and offender
- Previous behaviour or offending, bullying/peer pressure/duress
- Probability of a repeat incident
- Potential impact of formal police involvement on the child / young person
- Views of carers, Social Worker and other professionals including health & YOT where appropriate
- View of Beat Manager or CiC Police Officer
- Appropriateness of police action / court proceedings
- Future best interest 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

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- Availability of alternative courses of action, e.g. restorative approaches with the consent of the victim, referral to the Youth Offending Service
- Level / Value of damage caused
- Requirement for formal investigation, e.g. insurance claim requires a crime reference report
- Potential impact on the young person, the placement or home including staff and residents if the behaviour escalates or is repeated or the young person has previously displayed this behaviour.
- The availability of any diversionary activity
- Reparation ideas (work best where come from young people and linked to offence)
- Could include: Tidying up mess caused, helping to fix damage, sit down meeting, letter of apology, chores etc.

How do you feel now?

Where would you score what happened using the Signs of Safety scale and why?



**Internal
No police response**

***Signs of Safety
score 7-10 (No risk)***

E.g. Testing boundaries, 'minor' damage
 Why?.....



No immediate police response

***Signs of Safety
score 4-6***

E.g. No ongoing risk of harm. Repeated / worsening behavior
 Why?.....



Immediate response

***Signs of Safety score
1-3 (Most risk)***

E.g. Serious assault or damage where a person / people are at risk of harm
 Why?.....

Action

- Carers manage situation, refer back to this agreement

- Informal restorative justice, agree sanctions,
- Record action
- Inform social worker/YOT/YOS worker if there is one.
- Invitation to police to support internal actions, consider preventative support

Action

- Discuss behaviour with Manager/Supervising Social Worker
- Record behaviour

- Discussion with the police (Beat manager PCSO, CiC Officer) and team around the young person
- Decision for police investigation, restorative justice or preventative work
- Record decision and outcome on young person's records

Action

- 999
- Once staff and young people are safe, record behavior and inform Social Worker/EDT and YOT/YOS worker if there is one

- **Police Investigation**

Charge to court: restorative justice will be considered as part of any sentence

No charge. Consider restorative justice or preventative work

Reducing Offending Behaviour

Regular contact and meetings between carers and Neighbourhood Policing Teams to build relationships and communication

To the person/s harmed (if present):

What happened?

What were you thinking? Then/now?

What has been the hardest thing for you?

What do you need to help repair the harm/
resolve this conflict?

To the person causing harm/conflict:

What happened?

What were you thinking? Then/now?

How were you feeling?

What do you need to do to repair harm
Resolve this conflict?

How do you think your community has been affected by your behaviour?

.....
.....
.....

Do you have any needs individual to you that we need to think about when we are making decisions about your behaviour?

.....
.....
.....

How can you/we prevent this from happening in the future?

.....
.....
.....

Do you need support from anyone else to do this?

.....
.....
.....

Both share an example of when you (the young person) has done something nice/behaved well

.....
.....
.....

Reducing Offending Behaviour

Actions

.....
.....
.....
.....

Signed _____
Date (Young Person)

Signed _____
Date (Worker)

Appendix 4 : Care Leavers

The National Protocol on Reducing Unnecessary Criminalisation of Looked-After Children and Care Leavers, November 2018 extends a consideration beyond children and young people to care leavers. View in full at <https://www.gov.uk/government/publications/national-protocol-on-reducing-criminalisation-of-looked-after-children>

Our Nottinghamshire-wide protocol is reflective of the spirit and many of the practices put forward in this national document for children and young people. Nottingham City and Nottinghamshire support these principles and will ensure they inform local practice. It is recommended that agencies strive to achieve best practice for care leavers as detailed below.

“Care leavers often remain vulnerable and all agencies should be aware that childhood trauma can continue to affect behaviour and emotional development into early adulthood, including poor emotional regulation and impulse control.”

The National Protocol emphasizes the importance of:

- A strong Corporate Parenting ethos and Local Offer
- Developing and maintaining constructive working relationships with local criminal justice agencies
- Care leavers being encouraged to make their status known to police/Probation to allow their Personal Advisor to be notified/contribute to decision making (currently there is no requirement for a CPS 10 point checklist to be completed)
- All agencies ensuring care leavers are aware of their rights to legal representation and advocacy

Reducing Offending Behaviour

- Personal Advisor's continuing to visit care leavers in custody, to maintain Pathway Plans to inform release plans

In addition, Nottingham City and Nottinghamshire will:

- Look to refer young adults to preventative or support services with their consent, including mentoring where they exist, in an effort to meet a young adult's needs and address concerns for their behaviour
- Recognise and promote Trauma Informed Practice (TIP), in recognition that, by nature of their care experience, care leavers are likely to have experienced trauma, which may be impacting on their behaviour
- Support and empower young adults to access appropriate mental health services

Timely Justice: Turning 18, analyses the inequities that arise for children who turn 18 between offence and prosecution and makes proposals for policy and practice reform.

Visit <https://justforkidslaw.org/what-we-do/fighting-change/campaigning/youth-justice/timely-justice-turning-18>

If there are concerns for the exploitation of an adult, a referral should be made through the Health and Social Care using 0300 131 0300 (Nottingham City), or the Adult Social Care Hub using 0300 500 80 80 (Nottinghamshire)