



Breakaway

Deprivation of Liberty Safeguards (DoLS)

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Policy Summary:

Regulations 20 (3) of The Children's Homes Regulations 2015 & Quality Standards

To identify areas in the home whereby deprivation of liberty restrictions are present

Deprivation of Liberty Safeguards (DoLS)

The Deprivation of Liberty Safeguards (DoLS) form part of the Mental Capacity Act (MCA) 2005.

Breakaway management and staff are clear that there are a number of measures in place within the home which do deprive or restrict the liberty of the children and young people we care for and we are confident that all measures currently used are the least restrictive ones and are also in place to safeguard our children from risk and harm.

The Guide to the Children's Homes Regulations (April 2015) states that:

'Some requirements of the Quality and Purpose of Care Standard must be applied in such a way that homes are able to protect and meet the needs of all children accommodated in them (particularly in relation to children's complex special educational needs and disabilities).'

Children should have the appropriate level of freedom and choice granted to them, however, for some children, ensuring their safety and welfare means that this may be limited compared with other settings.

Equally, though in the Positive Relationships standard it states that:

'Restraint also includes restricting a child's liberty of movement. This includes, for example changes to the physical environment of the home (such as locks on the COSHH cupboards)

The matter of safety or a duty of care versus the restriction of liberty / restraint therefore can be seen to be a matter of balance.

The Children Act 1989 Guidance and Regulations Volume 5 offered the following advice, which was used when decisions were taken regarding the existing measures within the home:

'The use of double or high door handles or the locking of outside doors, or doors to hazardous areas, may be acceptable as a safety measure and/ or as a security precaution. Where it is necessary to adjust the environment of the home so that it is safe and secure, then decisions about the use of locks should be based on a careful risk assessment that allows children as much freedom as possible, consistent with the need to keep them safe.'

We believe that independence and freedom for the young people should be maximised and risks where the consequence is within the normal range of childhood learning should not only be managed but encouraged. Breakaway provides a service to children who have disabilities, many of whom (as stated in their individual support plans and risk assessments) lack danger awareness in a variety of areas. This means that some areas of Breakaway or the consequences of leaving Breakaway unaccompanied, present a much higher level of risk. In order to fulfil our duty of care and to prevent significant harm coming to the young people the following high-risk areas have been identified:

- Leaving Breakaway unaccompanied
- Offices
- Kitchen and Laundry Rooms
- Cupboards
- Seating and use of the Breakaway Minibus

Leaving Breakaway unaccompanied

Hazards: Car park, fast moving traffic, stranger danger.

Control Measures: Key operated external doors (automatic in case of fire), Keypad on external garden gates.

Exceptions:

Exceptions can be applied where it is appropriate to develop independence skills for young people i.e. going to the shop on their own. Whilst they would still need to be let out of Breakaway by a staff member (to prevent any other children coming to harm) there is scope for such an activity to take place, provided it has been separately risk assessed and the child has capacity / agreement of the child's parents.

Additional considerations: On the basis that children should not leave the home without consent, owing to the dangers highlighted above, should this occur, the missing persons protocol should be immediately followed.

Offices

Hazards: Range of health and safety issues associated with the equipment.

Control Measures: When young people are at Breakaway and the office/s is vacant, the door should be locked to prevent unsupervised access.

Exceptions: When staff are available to support the child in a specific activity that requires the use of the office i.e. collecting printing, taking the iPad, medication, etc.; this is permissible and a dynamic risk assessment of the environment and the child's behaviour should be conducted by staff working with them to ensure safety.

Kitchen and Laundry Rooms

Hazards: Both rooms have equipment and activities undertaken in them which could be dangerous and both store harmful chemicals (such as dishwasher tablets).

Control Measures: When staff are not in the laundry room it should remain locked. When staff are not in the kitchen it can remain open and children can access this area as they wish and may require some staff supervision. If the kitchen has been identified as a specific risk to an individual then this area can be locked when not in use.

Exceptions: Where children need to use these areas to develop life skills, they should be accompanied by staff who will refer to the care plan and conduct a dynamic risk assessment of the environment and child's behaviour to ensure safety.

Cupboards

COSHH cupboards, Stationary, files, toy cupboard, art cupboard, electrical cupboard, sharps cupboard in kitchen and linen cupboard

Hazards: COSHH controlled substances, health and safety risks i.e. things falling from shelves, ingestion of small pieces and confidentiality considerations.

Control Measures: Cupboard doors to be locked when not in use and children present.

Exceptions: Where appropriate, children may accompany a staff member to the door of these cupboards to make choices. The door should then be re locked to ensure the safety of all.

Using the bus seats and Breakaway Minibus

Hazards: Child getting out of the seatbelt and standing / walking around.

Control Measures: Each child will have a transport section in their risk assessments if this a particular risk to them highlighting the measures required. This may include the use of seatbelt clip covers, detachable seat clip or a harness. These amendments will be identified in the child's risk assessment and subsequently their care plan, which is signed off by parents, Breakaway management and the key worker. The risk assessment for outings also includes the seating arrangement.

Exceptions: There may be times when the group dynamic and individual behaviours might result in the dynamic risk assessment highlighting the need to use some of these measures to ensure immediate safety. Subsequent review of a support plan and risk assessment will take place after this, to explore whether the interventions should be part of an agreed plan.

Bedrooms

Hazards: Each child sleeps in an individual single bedroom personalised for them. They are given privacy overnight and their dignity is respected as much as possible. Doors are closed where risk assessments allow. This means that children may wake at night, smear at night, or have a seizure at night and the waking night staff are not in the same room at the time. The door alarms are used as per child's individual needs. Bed sides

are raised for the children who are at risk of falling. This also includes inflatable bed top used by a child who is known to fall over the cot sides. Parents have given us permission for this.

Control Measures: Baby monitors, door alarms

Exceptions: Monitors are not used for children and young people who do not require a higher level of observation overnight. The use of monitors is reviewed annually or before if needed via child's individual risk assessment. All children and young people are routinely and regularly checked by the waking night staff.

This document should be read in conjunction with Breakaway's generic risk assessments, Surveillance policy, security of home, 'This is me' and the integrated risk assessments of the young people.