

# Preventative approaches targeting young people in local authority residential care

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# Preventative approaches targeting young people in local authority residential care

## Introduction and context

### Introduction

This publication summarises the practical findings of a short three-month study undertaken into preventative and behaviour management approaches for young people in local authority residential care. The study included a literature review, case studies in three local authority areas, and reviews of two projects whose target groups included young people in/leaving care. This document focuses on the approaches followed in the three case study local authorities. These featured interviews with social service, Youth Offending Team (YOT) and police representatives, and visits to children's homes for interviews with managers and staff.

These findings should be seen as a snap-shot of behaviour management in the residential care setting, rather than a representative assessment of the wider national picture. It provides a background to the 'evidence-base' on the management of residential care homes for young people.

### Study context

It is widely recognised that young people in local authority residential care face a range of specific challenges. A number of research studies have shown that the residential care setting often appears to expose residents to many of the risk factors associated with anti-social and offending behaviour, such as contact with a delinquent peer group, feelings of alienation and exclusion, disruption (through high placement turnover), and lack of neighbourhood attachment. These may combine with other elements of the residential environment to hinder the development of personal resilience amongst residents.

At the same time, residential care seems to lack many of the emotional, social, educational and economic protective factors that serve to keep young people away from crime. These include the traditionally parental roles of enhancing children's self-esteem, help in tackling sources of stress,

and the reinforcement of feelings of security through warm and accepting relationships – as well as praise and recognition.

In addition, the extent to which incidents committed in children's homes are over-reported to police, with perpetrators being unnecessarily criminalised as a result, is a further cause of concern. Given the suggestion that police are sometimes called in as a punitive or control measure, the study also sought to explore reporting procedures in a sample of children's homes, and the ways in which local authorities are addressing the over-reporting issue.

Finally, the *quality of residential care* is a crucial developmental factor, with key elements of successful homes including:

- providing an environment which is pleasant and allows for privacy
- friendly staff who are prepared to listen
- interesting activities
- residents who are friendly and do not bully or lead astray other children in the residential home.

The recognition of these factors has led to a range of responses. Nationally and locally, the Quality Protects programme<sup>1</sup> examined the links between the factors affecting looked-after children's 'life chances'; YOTs are beginning to record offending by looked-after children with greater accuracy; and local authorities are re-examining their responsibilities as corporate parents. However, these responses can vary both between, and within, local authority areas.

1. The Quality Protects Programme, Department of Health, works with disadvantaged and vulnerable children as part of the Government's strategy for tackling social exclusion.

*Home Office Development and Practice Reports draw out from research the messages for practice development, implementation and operation. They are intended as guidance for practitioners in specific fields. The recommendations explain how and why changes could be made, based on the findings from research, which would lead to better practice.*

## Key findings

The key findings of the study included:

- **Residents' characteristics and needs**
  - Contraction of the residential care sector was leading to a concentration of young people with more challenging behaviours in the sector.
- **Behaviour management**
  - A move away from primarily punitive to increasingly tailored preventative and restorative approaches to individual incidents was identified.
  - Potentially valuable approaches to behaviour management and the reduction of offending by young people in local authority care include: reward schemes; protocols for the reporting of offending to police; and collaborative approaches with local partners.
  - Partnership working requires communication, the exchange of knowledge and the development of shared understandings of young people in care and the issues they face. Partner agencies must visit and work inside the homes in order to meet young people, understand the issues they face and gain insights into the reasons for their challenging behaviour.
  - Key success factors for establishing an effective residential home staff team include: investing in the recruitment process; allowing staff to train,

qualify and develop once in post; the need for staff to see that support is available to them, and that they and their roles are valued; and a good management team.

- **Offending behaviour**

- There was evidence of over-reporting by staff to the police in the homes (where the majority of reported incidents took place). The threat or actual involvement of the police was often relied on as a means of control.
- Effective formal and informal protocols for reporting offending have a considerable influence on the frequency of reporting and relationships between homes and the police.

## Document structure

The document is structured as follows:

- Section 2 – local authority case studies, summarising their characteristics and the residents of the care homes visited.
- Section 3 – behaviour management and preventing offending.
- Section 4 – reporting offending – approaches and protocols.
- Section 5 – conclusions and recommendations.

## Local authority case studies

This section sets the context for the case study work in the three local authorities and residential care homes visited, examines the characteristics and needs of their residents, and reviews issues surrounding their offending and anti-social behaviour.

### The local authority areas

The key characteristics of the areas, and the care homes visited as part of the study, are summarised in Box 1 below.

#### Box 1: Key characteristics of the local authority areas

**Local authority 1** – has responsibility for 500 looked-after children, a quarter of whom are placed outside the area. The area has 11 'mainstream' residential care homes; four public and seven private sector. The four authority homes have a combined capacity of 16 places, and operate at full capacity with significant waiting lists. The home visited is described below:

- Home 1 is a six bed home, with a staff of nine full time residential social workers, a management team of four, plus a cook, domestic workers and gardener/maintenance worker. The staff work on a 24 hour rotational shift basis, with relief and agency staff being called in as necessary. In addition to the home visited, discussions also took place with the manager and staff of a second home (Home 2)

**Local authority 2** – has 340 looked-after children, mostly placed with foster families. The area has four residential units, and a specialist home for children with disabilities. The two homes visited are summarised below:

- Home 3 is a four bed unit designated as a long-term home for boys between 11 and 16, who are usually admitted due to family or foster placement break-down. Duration of stay varies between one day and two years, with most staying for several months. The unit has ten residential social workers, two managers, two night staff and two ancillary workers.
- Home 4 now only houses three children under the age of ten and one 13 year old, following a spate of serious offending by its former teenage residents linked to its location in a high crime/high opportunity area. Staff included ten full time workers, a senior social worker and a unit manager.

**Local authority 3** – has two local authority owned children's homes and a number of small privately run homes offering out of county and specialised placements. Both authority homes cater for 12-16 year olds, mostly emergency admissions resulting from family breakdown, a child beyond parental control, or exclusion from the family home. Both homes were visited:

- Home 5 has been a children's home for 50 years, with a reduction in capacity from 12 to eight residents over recent years. The home is an old, rambling building in an affluent area, but is not well designed as a children's home and is in a declining state of repair. It has a staff resident ratio of 15:5.
- Home 6 is a modern, specially designed home, built less than two years ago on a housing estate, and in an environment better suited to the management of residents' behaviour. It has a capacity of eight places, although usually admits up to seven young people at a time. The home has a staff resident ratio of 14:5.

Both homes have a similar staffing structure with a manager, deputy manager, four senior staff, and 'benchmark' and 'pre benchmark' (not qualified) staff.

### Resident characteristics and needs

The fieldwork with local authorities and individual care homes allowed the characteristics of the young people in their care to be examined, in particular the issues surrounding the nature, scale and onset of offending behaviour.

Young people most commonly entered residential care as the *result of breakdown in the family or foster home* – usually when (foster) parents can no longer cope with a

child's behaviour, and often lacking the skills and protective factors needed to cope with the difficulties of adolescence. They often face multiple disadvantages and challenges in their lives, with a range of unmet needs including:

- **Health:** multiple placement changes can result in children's health needs not being tracked effectively.
- **Education:** tensions exist around the provision of education to looked-after children, with both attendance and attainment levels for young people in

residential care being below those for the wider youth population.

- **Limited diversionary opportunities:** if not attending school, daytime activity can often be uncontrolled and unstructured, with few opportunities for constructive activities.

Many care staff felt the contraction of the residential care sector and emphasis on adoption and foster placements meant that the *resident population now tends to represent the more challenging end of the looked-after spectrum*. This poses additional challenges to the management of their behaviour and overall development.

### Offending and anti-social behaviour

While direct comparisons between the case study areas were impossible, all three described *considerably heightened levels of offending amongst looked-after children in comparison with the wider youth group*. In one area 21 per cent of children looked after for a year or more offended in the previous year, against just 2.6 per cent of the local youth population.

Residents were commonly described by care home staff as exhibiting a range of anti-social and offending behaviours, including:

- verbal abuse, often personalised and targeted
- physical abuse (actual or the threat of)
- damage to property – including vandalism and graffiti
- theft of property (including staff/residents), vehicle crime and shop theft
- bullying
- substance abuse – including alcohol, solvents and prohibited substances
- general incidents based around the group dynamic (daring, showing off).

Importantly, in each area *offending behaviour tends to be concentrated amongst a small number of residents*. For example, in one care home just three residents were

responsible for over half the 84 offences committed by residents in one year. These persistent offenders were motivated by drug use and personal gain, and categorised by one interviewee as “*care career kids*” – long term residents with experience of multiple placements, thorough knowledge of the care and legal systems, and who continue to flout both. It was also considered that such young people are ‘immune’ to most behaviour management strategies.

Differences in offending patterns were identified by *gender*. Staff in one local authority care home described how male residents’ offending was more likely to include vandalism (mainly graffiti), shop theft, substance misuse (primarily cannabis, solvents and alcohol), burglary, and vehicle crime. Female offending was more likely to feature street robbery, prostitution and substance abuse.

In all cases, the *majority of reported offences involving young people in residential care were concentrated in the homes themselves* – and accounted for between 35 per cent and 57 per cent of all offending by residents. While other *locational factors* (such as proximity to high crime areas and retail centres) were felt to offer potential offending opportunities, the influence of local *stigmatisation* was also described. Alleged accusations of guilt were often made on the basis of a child being seen in the proximity of a crime scene.

The extent to which offending patterns are established *prior to entering residential care, or are formed as a result of it*, was a topic of considerable debate. Where incidents of offending and anti-social behaviour began on admission, these were sometimes seen as symptoms of the home environment – reflecting residents’ needs to test boundaries, establish a reputation with the other residents, react against their situation, or even their desire to have barriers imposed upon them.

A key contextual issue when examining offending behaviour is the availability of, nature of, and variation in, offending data held on young people in care. In some cases this makes the development of a national picture impossible, although an example of good and particularly interesting practice is described in Box 2 below.

#### Box 2: Local authority 1 – police youth justice data system

The police have developed an IT system to record data on offending by young people locally, which has been used to identify patterns of offending by young people in care. The system is believed to be the only one of its type in the country, and has proved to be a valuable tool in informing discussion of, and practical responses to, youth offending.

The system has a series of unique features, including the ability to identify young people by address, so automatically identifying those in residential or foster care. The system can also flag if a young person has been excluded from school, although difficulties have been experienced in collecting exclusion information from the education authority.

Examples of information produced, and opportunities for further analysis, include:

- **Quarterly reports to the local authorities and partners** – and to each care home – showing the nature, frequency and location of all incidents by residents.
- **Thematic analysis** – for example identifying links between the end of the school day and peaks in offending by young people. This has led to a response in the form of a heightened police presence at the appropriate times.
- **Research base** - other opportunities for further analysis include examining links between exclusion status and offending, and between entering care and offending.

Importantly, the database allows the police to discuss potential responses with their partners to issues such as the over-reporting of offending, which has led to changes in practice and the establishment of local protocols. There are plans to introduce a GIS/mapping component to the system, to allow offending patterns to be reported spatially, as well as analysing call-outs by incident, time spent and location.

## Behaviour management and preventing offending

Home staff and managers face a series of challenges in determining the extent to which children should be 'managed' within the home. A difficult balance must be struck between giving residents respect, space and freedoms (for example to make their own drinks, access equipment freely, watch a film even if it finishes 15 minutes after 'official' bedtimes, etc), and helping them understand the function and boundaries within the home. This section provides an overview of the behaviour management approaches identified in the local authority areas, and the mechanisms by which they are interpreted in the individual care homes.

### Central policies and local implementation

All local authorities have *policies and guidelines underpinning their approaches to the care and management of young people in residential care*, covering topics such as physical contact between staff and children, staff responsibilities for the safe and proper care of young people, and the permitted and prohibited use of sanctions.

However, central guidelines can only form the foundations of a home's procedures, with *individual homes being responsible for interpreting central behaviour management policies*. Different 'cultures' were identified between the homes both within and across the authorities, most commonly expressed by varying degrees of control set against individual and locational risk factors. In one area, where the homes visited operated within the same policy and guidance framework, 'rules' are interpreted and administered according to the ethos of the individual home. Consequently one home had a positive atmosphere, with good interactions between staff and children, ambition for its residents and a forward-looking perspective – while the other appeared more institutionalised and less flexible.

A wide range of behaviour management approaches were identified in the individual homes, with Box 3 below describing approaches identified in local authority 2.

### Box 3: Behaviour management – local authority 2 homes

A number of behaviour management approaches were described in the two homes visited in the authority, with staff's opinions on which approaches worked most effectively and for whom.

- **Reward schemes** – incentive schemes are central to the authority's approach to behaviour management, with good behaviour being rewarded by money for various activities and sanctions being incurred for incidents such as criminal damage in the home. With a focus on reinforcing positive behaviour, three areas are chosen to work on each week. Staff also emphasised the importance of linking any punishment to the offence – *"if they've broken something like a lamp, one of us will go to the shop with them, with their reward money in an envelope with their name written on it, and use the money to pay for a replacement ... it's very clear what the consequence of their action has been"*. The reward scheme was felt to work well with younger residents who don't have access to criminal peers, although the impact of the scheme may be reduced on older or more delinquent residents. As one manager described, *"it makes very little difference (with older residents). Once they'd got the reward they'd revert to their former behaviour ... we tried all sorts of different programmes and different types of rewards ... we never gave up, but it never really worked"*.
- **External training** – here outreach workers and external agencies provide training to residents on issues such as anger management and victim awareness. While, in the homes' experience, *"a lot won't buy into it...if they don't have to, they won't"*, the value of having external staff delivering training in the home was recognised and staff felt other local agencies could run more training in the home.
- **Counselling/therapy** – staff in both homes had experience of different approaches to addressing deeper emotional problems relating to offending behaviour. However, in their view they were rarely effective – *"they don't like talking about their feelings"* and *"very few respond to therapy ... it can take one or two years by which time they've been involved in too many offences"*.
- **Electronic tagging** – according to one home's staff, tagging works well in restraining persistent offenders, sometimes due to the fear of sanctions if their curfews were broken. Importantly, tagging also allowed residents to resist peer pressure – in one case *"it meant (a resident) could say to his friends, I can't come out, I'm tagged"*.



- **Diversionary/social activities** – a range of activities were organised, such as sport, swimming, and library visits, often linked to the reward programme. To maintain residents' interests the activities must be fun – as one member of staff described *"they're only interested if this is fun ... they'd rather be jumping trains and spraying paint"*.

All staff stressed the need for more preventative work with young people before they offend or a pattern of repeat offending becomes established. However, many felt that only those entering the youth justice system get the type of help required.

### Working with partners

While central policy frameworks and their interpretation are key to the behaviour management approaches followed in the case study homes, collaborative approaches with local partners were also identified as making vital contributions to the development of holistic behaviour management responses.

All three authorities described working with different partners in a number of different areas – ranging from the strategic to the operational. A series of partnership examples are described in Box 4 below.

### Box 4: Partnership work in practice

#### Local authority 1

Residential homes have established positive relationships with a range of key partners, including the YOT, police, schools, probation service and health professionals. They are now better equipped to track the progress of individuals for example, with schools and work closely with local health service providers to respond to mental health problems identified in their resident groups.

Close collaboration with the police has led to the development of a protocol for reporting offending, informed by frequent reports on offending by looked-after children produced by the police youth offending database.

A key emerging lesson is *that partnership working requires communication, the exchange of knowledge and the development of shared understandings of young people in care and the issues they face*. Importantly, partners must visit and work inside the homes in order to meet young people, understand the issues they face and gain insights into the reasons for their challenging behaviour.

#### Local authority 2

Here a series of inter-agency relationships exist at strategic and operational levels, including:

- **At senior/strategic level** – through the Area Child Protection Committee, which includes senior representatives of the police, social services, education and the voluntary sector. The Committee co-ordinates all child protection issues and has a series of sub-groups (on procedures, policies, communications etc). A Children and Families Board also has its own strategy, with a themed development group focusing on the needs of looked-after children. The groups are constituted by the local authority and feature a range of other agencies, including the police and the voluntary sector.
- **At operational level** – groupings include the Quality Protects Management Action Plan (MAP) group, a problem solving group (which may discuss offending issues on a case-by-case basis, and includes police, education, social service and YOT representation), and relations between home staff and other agencies. Links also exist between individual homes and the local police, and with other agencies associated with the general welfare of their residents. These include local drugs projects, a teenage sexual health project, and wider mental health services.

The homes described *positive working relationships with the police*, with a community beat officer (CBO) and divisional inspector participating in training events at the homes. An informal reporting offending 'protocol' had been developed, and one home described a particularly useful relationship with their CBO, who would visit the home on a regular basis. According to the home manager, *"He was very direct about what he would and would not tolerate ... he could speak to the children in their own language ... he wasn't really politically correct, but he was definitely a restraining influence on them"*. However, when the CBO moved on, their replacement visited less frequently, and the momentum developed was lost.



### Local authority 3

Here partnership working at the operational level has been enhanced by the introduction of a *joint working protocol between social services and the YOT* to enhance mutual effectiveness. The objectives of the protocol were to:

- establish transparent lines of communication between the Children and Family Services Division (Social Services) and the Youth Offending Team
- ensure minimum unnecessary duplication of effort and information
- foster good working relationships between partners
- ensure clarity of role and purpose in mutual responsibilities towards young offenders.

Work with young people who had offended, or were considered at risk of offending, included measures such as:

- Joint YOT and social service assessment, review and planning processes for 'looked-after' young offenders, with clear responsibilities and accountabilities. YOTs now attend all Final Warning meetings, which are jointly planned with social services.
- Information on all YOT interventions with looked after children is shared with social services departments.
- A joint duty of assessment and care between the YOT and social services for young people who have been bailed or remanded to the care of the local authority. Social services are responsible for the identification and provision of bail accommodation, completion of forms and transporting young people from court. The YOT provide support with assessing need and other practical tasks.

Partnership and multi-agency activities in the three local authority areas also focused on specific activities and objectives, for example the development of Quality Protects and Public Sector Agreement (PSA) targets and

approaches to ensure they are achieved. Local authority 3 provided a good example of joint work in this area, as described in Box 5.

### Box 5: Local authority 3 – achieving PSA targets in partnership

A local target has been set to reduce an offending baseline of offences committed by looked after children in 1999-2000. This will be achieved by three main initiatives developed and delivered in partnership with the local YOT:

#### 1 Remand bail fostering scheme

The YOT had been considering this approach for some time, and already had a bail supervision accommodation scheme that helped young people on bail maintain life and accommodation stability. The approach is already paying dividends by reducing offending rates among young offenders on bail, and ensuring more offenders return to court for sentencing after the bail period. Accommodation instability is a major risk factor for young offenders. With a local shortage of suitable accommodation, some young people leave court on bail with nowhere to live. Furthermore, if young offenders are bailed to children's homes (in the absence of any other options), the potential for influencing other residents and causing disruption is high.

The proposed approach includes the recruitment of a family placement officer, employed by social services and seconded to the YOT. They will be responsible for recruiting, training and supporting 'carers' who will house young offenders on bail, in a similar role to foster parents. Sessional staff will also offer additional support to the individual carers and young people.

#### 2 Restorative justice approach

The YOT already had a restorative justice programme, the philosophy of which was to 'repair' offences and break the offending cycle. A similar approach was planned for misdemeanours committed in children's homes, as an immediate alternative to police involvement and arrest. Under the present system, home staff, police and magistrates alike are dissatisfied with a system that criminalises children in residential homes for minor crimes. Police are too often used as an agent of control, called out too frequently for what they perceive to be 'care issues', and forced to arrest

young people for want of any alternative. The restorative justice scheme will provide trained staff who will be on call to respond to incidents in the homes. They will offer mediation between the perpetrators and home staff, and look at ways in which young people can 'pay' for their offence without recourse to arrest.

### 3 Mentoring scheme

Local qualitative research identified the high percentage of looked after children who do not have a close adult relationship. The YOT currently operates a mentoring scheme for young offenders on orders. Over the past 18 months, it had been associated with a reduction in offending among young people given volunteer mentors. The plan was to recruit and train volunteer adult mentors from the community to be matched with looked-after children.

These three elements were designed to underpin a set of proposed protocols for reporting incidents in children's homes, and offering an alternative to involving the police over relatively minor incidents. It is hoped that by addressing the issues surrounding care, accommodation and funding of looked-after children who offend, a source of friction between YOT and social services will be removed. It is seen as an opportunity to work positively with all the other local agencies involved. Given the YOT's lead role, they will also benefit from an expansion of current capacity, services and staff – and they had recently appointed a performance and development manager who will be responsible for evaluating the above measures.

The new protocol and measures are also welcomed by the local children's home managers, who are dissatisfied with the current system which does little to address offending behaviour, generates considerable paperwork and causes delays in repairing damage. One home manager did express reservations about the restorative justice component, fearing that it may be difficult to obtain young people's compliance as it is a voluntary scheme. The mentoring component was universally welcomed, and seen by one home manager as potentially compensating for the under-input by social workers (who he felt tended to 'de-prioritise' children in residential care).

Elsewhere, new understandings between different agencies (as well as different departments within a single authority) working in partnership can lead to the *wider needs of young people in residential care being addressed*. For example, in local authority 3 improved multi-agency collaboration is leading to the more rapid identification of looked-after children's *health needs*, following revised assessment procedures and more informed care staff.

One common factor affecting young people in residential care is disengagement from education, an important offending risk factor and a key barrier to social and financial success in later life. Despite this, considerable numbers of residents in some homes were found to lack adequate educational provision, with homes within the same authority experiencing different degrees of success in securing education for their residents. Two approaches considered effective in contributing to improving educational attainment are described in Box 6 below.

#### Box 6: Local authority 1 – approaches to supporting education for residents

In local authority 1, an interagency corporate parenting group and *corporate parenting consultant* are central to attempts to improve the educational attainment of looked-after children. The corporate parenting consultant focuses on looked-after children in years 4, 5, 8 and 9 to monitor and enhance their achievements, with award ceremonies being planned to celebrate their achievements.

Local authority 1 also employs a *senior educational psychologist* who meets monthly with each children's home manager. These meetings allow the LEA to keep track of each resident, and provide monthly reports on the educational status of each child. This service also provides an expert educational input, which has been extremely helpful in negotiations with schools and other agencies about residents' education placements, notably around issues of legal minimum provision and individual suitability of provision to need. These are essential inputs, only possible from an education expert who knows the language to speak and the levers to pull.

### Staff issues

A common theme emerging from the study was the *importance of residential care staff, and the influence of the personalities of home managers and senior staff, on the*

*culture and ethos of individual homes. A committed team of staff, who understand young people and their behaviour, is vital to the effective management of behaviour in, as well as the wider success of, individual care homes.*

However, and equally commonly, a series of *challenges was described in recruiting, training and retaining suitable staff*. While one local authority described a range of successful responses to these challenges, these were stimulated by the same pressures described in the other areas, including increasing staff turnover and absence (commonly for sickness and work related stress), reduced staff tolerance of stressful conditions, and a shrinking labour pool of suitable experienced staff.

Training for residential care staff also emerged as an issue, with a picture emerging of a *piecemeal approach to training, with variation in provision both between and within authorities*. Staff were commonly considered to be inadequately equipped to deal with their more

challenging residents, with those interviewed expressing the need for training in a variety of areas, including in approaches to preventing offending, behaviour management and anger management that have been shown to work.

One local authority provided an example of *good practice in the recruitment and retention of staff*, having identified all of the problems described above. Their overall approach is beginning to make a real difference to recruitment and retention rates, and, anecdotally at least, to the quality of care provided. Key elements of the approach followed in local authority 1 are summarised in Box 7 below.

### Box 7: Staff recruitment and retention in local authority 1

In this authority the social service department has established a *strong central training and development ethos*, with a comprehensive training approach (also informed by staff appraisals) to identify skill needs and develop training plans on an annual basis. According to senior management, there were no current issues of under-skilling, care home staff turnover is low, vacancies rarely remain unfilled, and the level and quality of staff is uniformly high.

This *positive position* has been reached through considerable efforts on the part of the authority. Absenteeism, for example, was a major problem. In 1998 absenteeism through sickness was running at around 14 per cent. It has been reduced to 5.8 per cent, with no suspensions or disciplinary issues outstanding.

The cultural change has been challenging, but is due at least in part to a *tough new recruitment policy*, which did not allow the gap filling of empty posts with weaker candidates. The recruitment approach was reviewed to find what prevented people applying for residential care posts, and identified that the person specifications for these posts were too high and off-putting to potential staff. The recruitment approach was changed, with initial requirements being reduced (now limited to experience of working with children and young people, and good timekeeping and sickness records), but the recruitment process made more challenging. This now includes two days of psychometric tests, with applicants being fully briefed on the stresses and challenges associated with work in the sector. In effect, filtering now takes place post-application submission, and the level of drop-out between application and appointment is high. However, better quality appointments have been found to result, and staff stay in their jobs longer. Most staff changes are now due to retirement and other personal factors, so allowing the authority to use temporary staff less and provide a more consistent staffing cadre.

Furthermore, the *training policy* now seeks to ensure that all residential care staff are qualified to at least NVQ Level 3. This policy has stimulated interest in training, and emphasised the message that staff should take responsibility for their own training and development. Recognising that foster carers can also benefit from training, especially in managing challenging behaviour, suitable provision is being put in place.

A series of *key success factors* for establishing an effective residential home staff team can be identified from the experiences of the three local authorities, including:

- Investing in the recruitment process – and being prepared for high drop-out rates between application and employment.
- Allowing staff to train, qualify and develop once in post – to reach standards, enhance quality and engender a culture of continuing learning. The role of other agencies can be particularly beneficial in providing training inputs.
- The need for staff to see that support is available to them, and that they and their roles are valued – through a range of messages ranging from available training to a proactive interest in staff safety.
- A good management team and team builders/influencers – given the challenges to team coherence, management skills are critical.
- Good, supportive social workers working as part of a wider team.

## Reporting offending – approaches and protocols

The extent to which incidents of offending and anti-social behaviour by residents are reported to the police, irrespective of their severity, provides an insight into potential over-reporting and the subsequent criminalisation of young people in residential care. In this area authorities and their staff must find a most suitable balance between responding to specific incidents in their individual contexts, and providing a stable, positive and safe environment for residents and staff. The study provided a series of insights into different practical approaches to establishing such a balance.

### Reporting offending – local practice

Not all incidents of offending or anti-social behaviour will lead to police involvement, although two homes described previous anecdotal incidents of residents being charged with criminal damage after ‘breaking a cup’ in a residential home. There is no doubt that discretion has long been an influence on decisions to report, with a test of ‘would this be reported in a family home?’ being applied in many cases. However, there was also clear *evidence of over-reporting*, with the threat or actual involvement of the police being used as a means of control.

A range of practices was identified, both formal and informal, for the reporting of offending behaviour in residential care homes:

- In **local authority 3**, the homes will report all significant acts of criminal damage, except those committed as a direct response to emotional trauma.
- In **local authority 2**, the homes described similar thresholds for reporting incidents of criminal damage, verbal and racist abuse and assault, with an ‘informal protocol’ for reporting existing between one home and the local police.
- In **local authority 1**, a formal protocol for reporting offending behaviour has been in operation for some time, which describes three ‘levels’ of offence and provides guidance on relevant responses to each.

Reporting protocols can help improve the consistency of responses to incidents involving young people in residential care, as well as having a range of additional benefits. While the risks of unnecessary criminalisation through (inappropriate) police involvement were recognised, police involvement was not seen as wholly negative by some staff. One staff member in local authority 3 described how reporting was important “so (residents) *learn not to do it in*

*future, so that they are taught the consequences of their actions*” - suggesting a reliance on the police as a means of controlling and punishing residents. A home manager supported this view, and described how the police provided the ‘police and punish’ element of their behaviour management approach allowing home staff to be seen as a source of care and support.

The extent to which procedures for the reporting of incidents involving young people in residential care had been developed and formalised varied among the three authorities, with local authority 1 providing an example of potentially effective practice. Importantly, interviewees in the area recognised that the protocol is “*more about a process than a final document or agreement, no matter how useful that final document may be*” (local authority representative) – with the wider benefits of development extending beyond the reporting of offending.

### The protocol in local authority 1

A formal protocol had been developed between the police and social service departments to establish a transparent and shared approach to the reporting of offending in local authority homes. The protocol is linked to, and supported by, other protocols such as an information sharing protocol (for sharing information from the police youth offenders database), and social service department substance misuse policies and practices.

The protocol aims to strike a balance between the needs of the young people in care, the rights of staff, and the local authority’s decision to instigate police action. While care staff have a duty to report known or suspected crimes, judgement must be applied and the nature and seriousness of the offence (as well as any unintended consequences that may result) considered before any police involvement. The protocol also recognises the rights of staff to report incidents of abuse and physical assault on their persons, and a separate reporting procedure exists for such incidents.

### Rationale and criteria for reporting

The protocol was developed as a response to a series of concerns:

- The *levels of offending* by looked-after young people, and particularly those in residential care.
- Estimates of the *costs and diversionary impacts* of police time spent on often inappropriate incidents – which provided evidence of over-reporting.

- The view of both police and home managers that *some care staff were abdicating their behaviour management responsibilities*, and relying on the police to enforce discipline.
- A view, described by social service staff, that the police were responding *less rapidly to call-outs* at their homes.

As well as setting out processes for reporting incidents for social services staff and the police, the protocol also provides guidance and criteria for where police involvement may be justified. These are summarised in Box 8 below.

#### Box 8: Situations for, and considerations in, reporting

The protocol describes where police involvement might occur, and other factors to be considered, including:

- violence by the child or young person on another, or to staff
- criminal damage within the home, and to staff cars/property
- theft within the home
- disorder in or around the home
- the misuse of controlled drugs

The protocol sets out the expectation that home staff *'should expect to manage problematic situations unless so severe that immediate police involvement is essential to avoid physical assault or excessive damage'*. Three categories of seriousness are described:

- **Serious incidents** – incidents of violence requiring an immediate police response, where there is risk of serious physical harm, substantial damage, or significant disorder.
- **Not serious incidents** – where no immediate police response is required, such as minor assaults, minor damage or minor theft. Incidents are referred to home managers to identify an appropriate course of action – and while the unnecessary reporting of incidents should be avoided, Police involvement may take place in liaison meetings with local beat managers that the child's social worker may attend.
- **Internal incidents** – relatively minor incidents such as misbehaviour and refusing to go to bed, where police intervention is not appropriate.

#### Key benefits

The protocol had been reviewed shortly before the study, with a series of positive findings emerging. The benefits identified and attributed to the protocol included:

- **A dramatic decrease in the numbers of incidents reported** – notably where young people are reported for/charged with lesser offences (such as minor criminal damage). The protocol was considered to have contributed to the achievement of national offending convergence targets for the area, and reduced the proportion of offences by looked-after children from 25 per cent in 1999 to 11 per cent in 2001.
- **A change in care staff views of reporting** and an increased focus on the **outcomes for young people and the prevention of criminalisation**, through a consideration of the context and wider reasons for individual incidents. The protocol has led to a more reflective, consistent, considered and preventative approach – making staff think what could be done differently.
- **A confirmation of the responsibilities of the homes for the behaviour of their residents** – as one manager described, the protocol **"confirmed it was our job to manage behaviour in the home, not the police's"**. The processes around the protocol were also felt to help residents take responsibility for their actions.
- **Change in the procedures** followed in the homes – including more consistent responses to incidents and different options being considered. These include a restorative justice approach, and referral to a local project where offenders and those at risk spend time at a young offenders institution.
- **The development of strong links between the individual homes** – was a spin-off benefit, leading to positive networks and the ongoing exchange of ideas and good practice. The process of developing and implementing the protocol also **helped foster new and strengthen existing partnership links** between the authority, police and the YOT, leading to additional collaborative activities.

The review also identified a series of service gaps during its implementation, importantly in terms of *programmes and services to reduce risk*. A revised protocol was developed including an action planning stage to follow the home liaison meetings. Under the revised protocol, all incidents are discussed at fortnightly liaison meetings, attended by the home manager, CBO, YOT representative and child's key worker (social services). Assessment documents, including the social services' risk assessment, are then produced for each individual, their individual care plans updated, and a suitable preventative intervention chosen.

### Key Considerations

Home managers, their staff and partner representatives confirmed many of the positive benefits identified, and suggested that the *'thresholds' around the protocol were being applied appropriately* in most cases. However, it was recognised that the protocol will have *less of an impact on particular groups of young people* – for example with the *'career care kids'* and existing offenders who are not afraid of being charged and where reporting is not seen as a deterrent.

It was also stressed that the process of protocol development and introduction was not without cost, with a series of challenges being summarised in Box 9 below.

### Box 9: Challenges for introducing the protocol

The introduction of the protocol took considerable effort and was not without cost for residents, staff and in terms of damage to the homes. Key issues included:

- **An initial increase in incidents** – on introduction, news of the protocol spread amongst residents rapidly, with some viewing it as a licence to commit criminal damage. This behaviour started with the small number of existing offenders, before spreading to a couple of 'at-risk' residents later. Incidents were in the 'not serious' category, but led to a difficult first few months of implementation. The homes concluded that it is important to introduce the protocol quickly, explain it in detail to residents and staff alike, and consider the timing of its introduction – for example with a less challenging resident group.
- **Decisions to prosecute being taken at a central management level** – this was a cause of annoyance for home managers and remained particularly time consuming. While considered disempowering by managers and staff, it forced them to stand back, cool off, and be more considered in their response. As the relevant incidents were in the 'less serious' group, delays in reporting were not a problem.
- **In addition, some staff were concerned that the content of the debrief sessions** (which included how incidents could have been handled differently) could influence individuals' careers and appear on personnel records.

One success factor for the approach was the involvement of *dedicated, well-resourced beat officers* and other police staff who know of the protocol and how it operates. Learning from wider experience, changes in local police officers must be carefully managed and new staff well briefed. Joint training and awareness raising events were particularly useful, notably in terms of broadening understandings.

### The informal approach – local authorities 2 and 3

While local authority 1 had formalised a protocol for the

reporting of offending, the other two areas had established thresholds and procedures on a less formal basis:

- In local authority 2, one home had established an informal protocol and series of shared understandings with the local police.
- In local authority 3 a series of thresholds were identified, with plans to develop a more formal protocol in future.

Both approaches are summarised in Box 10 below.

### Box 10: Less formal approaches to reporting protocols

#### Local authority 2

Although there is no formal guidance on reporting offending, staff described following similar responses by offence 'type'. In one home an 'informal protocol' had been established with the local police, which was considered to have had a considerable impact including an 80 per cent reduction in the number of incidents involving the police.



Under the agreement minor offences, such as criminal damage and some instances of assault, are not reported unless a pattern of repeat or escalating behaviour is identified. Across both homes in the area the following thresholds were described:

- **Minor criminal damage** – such as graffiti and broken windows, is dealt with by the home unless the damage is severe, such as a resident jumping on the bonnet of a staff member's car. Damage is paid for from reward payments for positive behaviour, ensuring the resident understands the consequences of their actions.
- **Serious premeditated criminal damage and assault** – here all incidents can be reported to the police, although staff described using their discretion as to when to report. In discussing a recent incident, one member of staff described that *"as it was a bit of a shove we probably wouldn't call the police. But if it's premeditated, or if it's a good hit then we'd go straight to them."*
- **Verbal abuse** – would usually not be reported, but recorded in the home incident book. Racist abuse is viewed more seriously, and would be referred to the police after several incidents and if a pattern of behaviour was emerging.

All incidents are logged in the homes' incident books, and if repeated or escalated the police may be called in. As one member of staff described *"it's much easier to get the police to do something once there's a pattern"*. Most commonly the local CBO will be called, setting reporting in the context of an existing relationship. One home described a strong relationship with their CBO, with a series of flexible responses ranging from discussions on the consequences of further offending behaviour through to formal charges.

### Local authority 3

Here the homes visited described a series of broadly standardised reporting thresholds, although there are plans to develop a formal protocol in future. In addition to the nature and seriousness of the individual incident, responses may also depend on:

- The background/build up to it – e.g. if part of an escalating behaviour pattern.
- The young person involved – their individual background and offending history.
- The presence of other (vulnerable) young people – in consideration of influencing effects.
- The confidence and capacity of the staff members involved – influencing the nature, and ownership of, any subsequent response.

While thresholds may vary slightly between homes, a key factor appears to be the relationship between home staff and local police. Home 6 appears to have a more collaborative relationship with local police, where home staff can influence responses to a specific incident/call-out. Where no such understanding exists, the police are obliged to follow up reported offences in the same way as any other alleged crime, allowing no leeway for young persons' circumstances to be considered.



## Conclusions and recommendations

The conclusions and recommendations from these case studies, with reference to behaviour management, the prevention of offending and protocols for reporting incidents in residential homes, are summarised below.

### Conclusions

The study identified a series of potentially valuable approaches to behaviour management and the reduction of offending by young people in local authority residential care. These included:

- Behaviour management approaches, including reward schemes.
- Protocols for the reporting of offending.
- Relations with partners – notably the benefits of collaborative working between social service departments, the police and YOTs.
- Flexible management and preventative approaches.
- Changing cultures from punitive to preventative or restorative approaches.

Some of the key points are summarised below.

### Behaviour management strategies

A range of approaches to behaviour management in the residential care setting was described, with significant differences existing both between and within local authorities. The local authorities all described a central policy framework that guided their overall approaches, with individual strategies being the responsibility of the individual homes.

Positively, a trend was detected away from punitive towards more individually tailored, preventative and restorative approaches. These approaches relied on external and partner inputs.

### Offending behaviour

A range of views was expressed on the nature, trajectory and frequency of offending by young people in residential care. One of the key findings was that the current availability of offender data does not allow many of the central questions on the link between residential care and offending to be answered, although one police force had a well developed youth offending data system which had provided a series of significant local benefits.

Importantly, the study allowed one well developed protocol for the reporting of offending to be assessed, and its emerging impacts examined. Reductions in the levels of offending reported by care staff were described, although

this may not all be attributable to the protocol. Importantly, the protocol development process had led to the establishment of shared understandings between the local authority and the police and YOT. However, formal protocols are not the only option, as one care home in another local authority area described. In this case, an informal arrangement has been established with the local police, although this more informal approach risks collapse when police contacts are replaced.

### Resident characteristics and changing context

In describing the characteristics of the young people in residential care, the common view was that the move towards increased fostering and family placement meant that the residential care sector was contracting, leading to a concentration of young people with more challenging behaviours in the sector. This has clear implications for the care and behaviour management of young people in the residential care sector, in terms of the level and variety of their needs – and also challenges some of the previous perceptions of the nature, onset and causality of offending behaviour.

This new environment, and the revisions to both perceptions and actions, should be considered for additional research leading to practical outcomes. Positively, reductions in the average home size should mean that more flexible, targeted, preventative and restorative approaches can be developed and implemented with this particularly challenging client group.

### Recommendations

The study recommendations provided a series of steps to help communicate and replicate good practice elements further.

### Joint working

While many of the most successful examples of good practice in the case studies have arisen as a result of close partnership working, there remains scope for greater cooperation, particularly at the strategic local authority level. In particular, there is a need for *integration of targets and action planning between YOT managers and directors of Children's Services and Quality Protects managers within social services*. The main report also included recommendations for revised approaches to the recording and counting of offences at the local and national level – as a means of harmonising existing requirements and preparing for the more detailed and informed examination of links between residential care and the onset/continuation of offending.

In addition, a recommendation was made that *YOT and social services managers commit to a joint action plan, laying out their respective responsibilities for action and funding for looked-after children who are (or are at risk of) offending*. This action plan should be underpinned by shared data and information pertaining to this target group. On the ground this should translate into joint assessment, planning and intervention delivery between YOT and social service staff. Strategically, the YOT Steering Group should have ownership and oversight of the plan.

#### Development of staff skills

The challenges faced by residential care staff in managing the behaviour of the young people in their care are significant. Specialised inputs from other agencies, such as police, health YOT workers, have proved extremely valuable in the case studies visited. In order to extend and embed this diversity of inputs and approaches, *local inter-agency training for home staff and other professionals should be facilitated*. This would develop residential staff skills in preventing and coping with anti-social behaviour, as well as increasing other agencies' awareness of the particular challenges posed by young people in residential care. Home managers should receive advanced training in these issues, with an emphasis on techniques for

prevention rather than the containment of anti-social and offending behaviour.

#### Reporting protocols

The findings from this research also lead to recommendations for policy makers. Given the early indications of success emerging from the local authority 1 case study in particular, it would seem that other areas could benefit from adoption of a similar type of protocol for reporting offences within residential homes. A first step would be a *full evaluation of the impact of the reporting protocols* currently in place. Based on the findings of this research, subsequent *dissemination of the protocol with supporting guidance* is recommended. Given the multi-agency involvement required for such protocols, all lead agencies (police, social services, YOT) should be jointly responsible for promoting dissemination and adoption.

One of the key requisites, and benefits, of the reporting protocol is the multi-agency co-operation it engenders. For this reason, it would be unproductive to export existing experiences wholesale and expect exact replication elsewhere. The process of devising and embedding the protocol, and the shared understandings this facilitates, can be as important as the product itself.

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