



SECURE ACCOMMODATION NETWORK

Good Practice Guidance

Title: The Use of Single Separation in Secure Children's Homes (England and Wales).

Purpose: To ensure that staff working and employed in Secure Children's Homes (SCH's) are clear about when to use and when not to use single separation and that their practice always follows the attached established guidelines and principles of good and positive child care.

Date: Friday, 18 March 2005

1. INTRODUCTION

1.1 It is recognised that young people in custody or cared for within the secure estate for welfare reasons are often the most damaged and vulnerable young people within our society, and they sometimes have great difficulty accepting the boundaries and controls imposed on them by the adults caring for them.

1.2 This can result in potentially violent and disruptive behaviour, which can cause the environment to be unsafe for staff and for other young people within the home. It is recognised that there will be occasions where a young person may need to be removed from the group or spend time away from their peers and staff to ensure a safe living environment. This activity is commonly termed as "single separation".

1.3 Single separation is considered as a last resort and all other efforts should be made to prevent this extreme action. Staff will endeavour, at all times, to attempt to resolve any situation with a young person without the use of single separation.

2. DEFINITION

2.1 Single separation refers to the confining of a young person in his/her bedroom or another room or area as a means of control and with out the young persons permission or agreement, without a member of staff being present and with the door locked in order to prevent exit or to further restrict their liberty in excess of that permission already granted by a court under Section 25 Children Act 1989, Section 100 Powers of Criminal Courts (Sentencing) Act 2000 or Section 90-92 Powers of Criminal Courts (Sentencing) Act 2000.

Refer also to:-

Department of Health "Guidance on Permissible Forms of Control in Children's Residential Care" 1993

Also

The Children Act 1989 Guidance and Regulations; Volume 4, page 124 para 8.21

Also

Human Rights Act 1998, s 4, Sch 1, art 5

Also

Section 25 Children Act 1989

3. CATEGORIES OF SINGLE SEPARATION

3.1 There are three categories of single separation:-

3.2 ENFORCED SEPARATION – This is when a young person is locked in a room, this can be their bedroom or another area. The significant feature of this form of separation is that the door is locked and they cannot negotiate this, as their behaviour has become unsafe, threatening, violent, etc.

3.3 DIRECTED SEPARATION – This is either a planned separation from the group (as often used as part of a behaviour management plan) or when a young person is asked to take ‘time out’ in their room. The door is not locked. Directed single separation only applies if the young person is alone. If a member of staff is with the young person during this period, they are not in single separation.

3.4 ELECTED SEPARATION – This is when a door is locked at the request of the young person.

4. CIRCUMSTANCES FOR USE.

4.1 Single Separation can only be used in the following five circumstances:-

1. *Where a young person is likely to cause significant harm to her/himself or others.*
2. *Where a young person is likely to cause significant damage to property.*
3. *During full security checks in order to ensure that the check is thorough and can be completed without interference or obstruction.*
4. *Where a resident is refusing to comply with a personal search. Allowing the young person free access around the home may pose a risk to her/himself or others. e.g. from being in the possession of a prohibited or restricted item.*
5. *Where the young person has elected (chosen) to remain in their room. Elected separation cannot be suggested by staff but must be requested by young people.*

4.2 Consideration for approval for the use of elected single separation should be given as to whether the young person is requesting elected separation in order to be away from staff attention and supervision in order to commit an act of self harm.

How security checks are managed should be based on whether the check is part of the unit's general procedures or whether an item is missing or thought to be present that may potentially endanger the safety of staff and young people.

Those units contracted to provide services to the Youth Justice Board (England and Wales), have specific derogation's within the contract in terms of how security searches are administered.

The design of buildings will also determine how searches are managed and may not always warrant the use of single separation.

5. PROCESS

- 5.1 Wherever possible, prior authorisation to use single separation should be sought from the Shift Leader before the young person is locked in their room; or if immediately unavailable, as soon as possible after single separation begins.
- 5.2 The Duty Manager must be informed immediately by the Shift Leader that single separation has commenced and all relevant details and risk issues must be considered and discussed.
- 5.3 Staff should be mindful of the principle of "Minimum Restriction of Confinement (MRC)" and should actively work towards the release of the young person from their room as soon as is safe and practically possible. Staff must feel sure that the young person poses no further risk to self, to others or to property.
- 5.4 During single separation, a strategy of contact must be agreed. Consideration should be given as to how, who or if verbal communication should occur. Sometimes this may inflame matters or act as a stimulus for further negative or confrontational behaviour.
- 5.5 Therapeutic silence can be considered as a planned strategy of intervention based on the individuals personal behaviour management plan or risk assessment but should not be used as standard response for all young people. Negotiation and mediation are activities that must be at the front of all actions to reduce the length of single separation.
- 5.6 Staff can achieve this by talking to the young person, re-assessing mood and planning with them the next steps forward.
- 5.7 The decision to end a period of separation must be made by the Shift Leader (after discussion with shift colleagues).
- 5.8 Staff should provide support and counselling to the young person afterwards. Staff should also advise other young people on how to treat the young person returning from a period of

Refer also to:-

*Secure
Accommodation
Standards
"Safeguarding
Children, para
3.13*

*De-briefing as
stated in TCI,
MAPA®, PRICE,
CALM etc)*

separation.

6. RECORDING AND MONITORING

- 6.1 The incidence of single separation should be recorded in the "Single Separation Log" located in the Duty Office and a Significant Events Proforma (if applicable and dependent on additional manual or electrical recording systems used within the home).
- 6.2 Records of Single Separation should include details of the:-
1. *Date and time at which single separation began,*
 2. *The reason for the action,*
 3. *Continual records of how the young person was behaving during the period of single separation,*
 4. *The time of unlocking the room,*
 5. *What consequences or actions were agreed with the young person on the conclusion of the period of single separation,*
 6. *The signature of the manager authorising it and the name, date and time of any further authorisations.*
- 6.3 Observations of the young person should be made every 10 minutes (or as per risk assessment or behaviour management plan) and these should be recorded on the "Single Separation Log".
- 6.4 Written entries must be made at the actual time of the check and not as an accumulative entry at the end of the period of single separation.
- 6.5 Such observations are necessary to ensure that the young person is safe and not causing harm to her/himself or causing significant damage to property. These records may also be necessary should an investigation under sections 26 or 47 of the Children Act 1989 be invoked.
- 6.6 This does not mean that a member of staff should stand outside the room all the time as this may appear provocative or intrusive. They may be in the immediate vicinity but not in ear or eyeshot.
- 6.7 Where possible single separation entries should be cross-referenced with other interventions used (sanctions, restraint etc). Reference to action plans, behavioural strategies and risk assessments should also be made.

Refer also to:-

*Regulation 17(g)
Secure
Accommodation
Regulations
2001*

*Para 7.10 of this
GPG*

7. ADDITIONAL PROCEDURES FOR CONSIDERATION FOR THE USE OF SINGLE SEPARATION.
- 7.1 The Shift/Team Leader may agree to single separation for a period of up to 30 minutes.
- 7.2 Beyond 30 minutes the permission of the Duty Manager or On Call Manager **MUST** be obtained.
- 7.3 The Shift/Team Leader should review the situation every 30 minutes after the initial 30 minute period with the On-Call or Duty Manager. Consideration should be given by the Shift/Team Leader as to whether the young person places her/himself at risk by having access to their possessions.
- 7.4 Automatic stripping and clearing of rooms should not occur but must be based on risk assessment or behaviour management plans. Consideration to the effect that removing personal memorabilia (ie.family photo's ect) should be made.
- 7.5 Where it is envisaged that the young person is not in control of their behaviour and may cause significant damage to their property whilst separated, then all property and materials should be removed and the on-suite/shower door locked close.
- 7.6 All reasonable efforts to terminate the need for single separation should be made throughout this period.
- 7.7 The Centre Manager or Duty Manager in her/his absence, should notify the Chief Officer/Assistant Director (Children's Services) if the need for single separation continues beyond 5 hours or an aggregate period of 12 hours in any period of 24 hours; except where the period expires after the young person's normal bedtime.
- 7.8 In this case frequent observations should continue until such time as staff feel that the young person is calm and able to be safely left under normal night-time supervision.
- 7.9 Parents, Social Workers, Youth Offending Team workers should be kept informed of incidents whereby separation has occurred as a result of serious incident, where a breach of security has occurred or where an injury to the young person or a staff member has occurred.
- 7.10 Should the young person injure themselves either deliberately or accidentally during the period of single separation and that injury requires medical treatment by a nurse, GP or A&E department, then the incident should also be recorded and reported as a notifiable incident to both the Commission for Social Care Inspection and the placements team at the Youth Justice Board (England and Wales).

Refer also to:-

Lord Carlisle of Berriew QC inquiry - The terms of reference being: To investigate the use of physical restraint, solitary confinement and forcible strip searching of children in prisons, secure training centres and local authority secure children's homes and to make recommendations

Also

Para 6.5 of this GPG

Single Separation forms should be made available for Parents,

7.11 Social Workers or YOT workers. Good practice would suggest that this information is offered in written form to the relevant persons, particularly in the case of ENFORCED single separation. Considerable prior thought to the content of the completed documentation must be made by the author of the reports as they may be used in a formal or legal investigative process.

Refer also to:-

Human Rights Act 1998

7.12 If the injury has been caused to the young person in separation then this should be reported as soon as is practically possible (no later than 12 hours after the event) and in a sensitive manner to the parents or those with parental responsibility.

8. ADDITIONAL RESTRICTION OF LIBERTY ISSUES RELATING TO THE PROVISION OF EDUCATION.

Paragraph 8.1 – 8.4 is taken directly from information issued by Teachernet and based on formal guidance issued by DfES and OFTSED.

8.1 To the extent that *seclusion* (where an adult or child is forced to spend time alone against their will) involves restricting a person's freedom of movement, it should also be considered a form of physical intervention.

8.2 The use of seclusion for people detained under the Mental Health Act (1983;under review) is set out in the Code of Practice published in 1999.

8.3 The right to liberty and personal freedom is enshrined in Article 5 of the Human Rights Act 1998 and is protected by the criminal and civil law. For these reasons the use of seclusion outside the Mental Health Act should only be considered in exceptional circumstances and should always be proportional to the risk presented by the child or service user.

8.4 Under the Children Act 1989 any practice or measure, such as 'time out' or seclusion, which prevents a child from leaving a room or building of his own free will, may be deemed a 'restriction of liberty'. Under this Act, restriction of liberty of children being looked after by a local authority or accommodated by NHS establishments is only permissible in very specific circumstances, for example when the child is placed in secure accommodation approved by the Secretary of State or where a court order is in operation.

9. **SINGLE SEPARATION CANNOT BE USED UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:-**

1. *To protect a young person from an assailant or to protect themselves from others.*
2. *To facilitate staff in the administration of paperwork or other organisational activity.*
3. *If a young person has requested time out. (The door must*

remain unlocked and open or ajar).

4. *If a child has been asked to eat in their room as a result of misbehaviour within the dining room then the door must remain unlocked and open or ajar.*

9.1 Single Separation forms should be made available for Parents, Social Workers or YOT workers. Good practice would suggest that this information is offered in written form to the relevant persons, particularly in the case of ENFORCED single separation.

10. ACCESS TO REPRESENTATION FROM AN ADVOCACY SERVICE.

10.1 The rights of the young person to access a representative from an advocacy service (VCC, NYAS etc) are not altered by the young person's placement in single separation. Any request, whether accepted or refused must be recorded in the Single Separation Log. If permission is refused, then the reason why must also be recorded.

10.2 Even if access to an advocate is refused, consideration should be given to making a call on the young person's behalf.

10.3 However, the decision to allow access to a young person held in single separation by an advocate still lies with the manager in charge of the Centre at the time of the incident. This may be a Duty Team Leader, Duty Senior Officer/Manager, Centre Co-ordinator etc.

10.4 The Duty Team Leader, Duty Senior Officer/Manager, Centre Co-ordinator, when considering access, must take into consideration the following:-

- *The current behaviour and likelihood to further cause significant harm to self/others or to property.*
- *All aspects of the current risk assessment of the young person.*
- *The "Duty of Care" as identified within the General Social Care Code of Conduct.*
- *Principles enshrined with the Human Rights Act 1998 and related Articles.*
- *The potential for an independent person to achieve a resolution or to potentially exacerbate the situation.*

10.5 The home must inform the visiting advocate if any resident presents a danger to the safety of the visiting advocate.

10.6 Where the Duty Team Leader, Duty Senior Officer/Manager or Centre Co-ordinator makes a decision to refuse or permit access by an advocate, then this must be recorded in the Single Separation Log.

Refer also to:-

Code of Practice for Social Care Workers and Employers of Social Care Workers. Section 4.

Paragraph 4.8 VCC (Northern) Visiting Advocacy Service Contract 2005/2006.

10.7 Where access has been denied, then it is suggested that a verbal explanation be provided from the Duty Team Leader, Duty Senior Officer/Manager or Centre Co-ordinator to the visiting advocate.

Refer also to:-

11. ACCESS TO A SOLICITOR OR POLICE OFFICER.

11.1 Whilst a young person is in single separation, the young person does not have an automatic right to access his solicitor or a Police Officer if their current behaviour is likely to cause further significant harm to self/others or to property.

11.2 Consideration to access these professionals should be given after the senior manager on duty has considered whether the young person is calm and rational enough to conduct telephone contact without the likelihood of further harm or damage being actioned.

12. GENERAL COMMENT

12.1 Please note that the guidance contained within this practice guidance document is neither conclusive nor exhaustive and more specific processes and procedures may be in use in each individual custodial facility dependent on the statement of purpose and function in operation and more specific local authority guidance and regulations.

12.2 This document primarily relates to practices delivered within Secure Children's Homes and not those facilities that are governed by Home Office Prison Service guidance, regulations or instructions.

13. CLARIFICATION OF TERMINOLOGY

13.1 Significant

Individual units and staff will have their own definition of what is termed as significant and what is deemed as insignificant. In addition, staff with differing levels of experience, competence and personal resilience will further influence the definition.

13.2 As a guide "significant" should refer to an act or action that warrants the intervention of more than one form of action being taken.

YJB Reportable Incident Procedure .Para 1.5

13.3 For instance a young person may be restrained as a result of assaulting someone. The assault may have been so serious as to warrant medial intervention for the victim and charges being made by the Police. In this case three actions as a result of the assault have been taken.... Restraint, Medical Aid and Criminal Charges.


Children's Homes Regulations 2001. Schedule 5, Regulation 30. Page 98.

13.4

Significant events may also be further interpreted as those actions or events that are included under the notifiable incident procedure (CSCI) and the Reportable Incident procedure for Secure Children's Homes (YJB)

It is the responsibility of the Head of the Unit to clarify definitions with the Head of Children's Services, their legal departments or managing bodies and governors.

Refer also to:-

<p>Editor(s):</p> 	<ul style="list-style-type: none">• Francis N'Jie, Vice Chair (Secure Accommodation Network)• Anna Curry, Deputy Manager (Kylloe House Secure Children's Home) <p><i>(with specific advice, guidance and good practice contributions from:-</i></p> <ul style="list-style-type: none">▪ Northumberland Social Services Department,▪ Nottinghamshire Social Services Department,▪ Sheffield City Social Services Department,▪ Leeds City Social Services Department,▪ Securicor,▪ Commission for Social Care Inspection (CSCI)▪ Voice for the Child in Care (VCC) <p><i>And general contributions from members and associated members of the Secure Accommodation Network (SAN).</i></p>
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