



A Stepping Stone to a Brighter Future

POLICIES & PROCEDURES

6. SAFER CARING, PRIVACY & CONFIDENTIALITY POLICY

SCOTLAND





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Guidance on Safer Caring, Privacy & Confidentiality

Discussions regarding information on a young person

Staff must respect the young people's right to confidentiality at all times.

Staff must not share any information relating to a young person with any other young person.

Staff must not discuss young persons with information they have been made aware of about the young person with anyone outside of Partners in Care, Pebbles Care or Radical Services Ltd. (will now be referred to as 'The Company')

Staff must also think about telephone calls for young people and the information given out. Staff must not give any information about a young person out to anyone other than agreed professionals and parents if applicable. This should be discussed at the young person's admission to the home and staff must be aware that if contact between parents is supervised and they are on a full care order then restrictions may be put in place with regards to information given to parents due to concerns around the young person's safety. This must always be discussed with the manager if you are not sure.

Access to Case Records/Information on a young person

Staff must ensure that access to case records is in line with this policy.

If anybody other than care staff is wanting to access case records, the staff must always seek advice from their manager first.

The child/young person has a right to see the records kept on them and are asked to give requests to do this to the Manager and they must expect to have access to their records within 48 hours maximum. This allows time for the case records to be stripped of any third party confidential information.

All case records must be stored within a lockable office which must be kept locked when not in use and no case records information held regarding the young people should leave the home. Any breach of this will lead to disciplinary action.





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Physical Contact / See Behaviour management policy

Appropriate touch is a normal part of human relationships and is a natural and necessary part of personal development. However, staff engaged in the care and education of young people needs to exercise caution in the use of physical contact. Staff should be aware of individual risk assessments for each young person regarding physical contact.

Generally the expectation is that staff will work in a 'limited touch' environment and that when physical contact is made with young people this will be in response to the young person's need's at the time, will be of limited duration and will be appropriate given the age and stage of development of the young person. For example, it would be acceptable to briefly hug, shake hands or pat on the back or arm to congratulate them.

When young people are distressed it is important that they are comforted and often physical contact can facilitate this. In these circumstances a touch on the arm, holding a hand or an arm around the shoulder might be appropriate. However staff must remain self-aware at all times to ensure that their contact with young people is not threatening or intrusive and not subject to misinterpretation.

Staff who are involved in the education and care of young people who may have been emotionally or sexually abused need to exercise particular caution in the use of physical contact. Such young people may be extremely emotionally needy and seek out physical contact with adults which may inadvertently (from the adult's point of view) replicate their abusive experiences and leave the member of staff vulnerable to allegations of abuse. In these circumstances staff should deter the young person and manage the inappropriate touch in such a way that the young person does not suffer a negative experience.

However, the young people who are being educated and looked after by 'The Company' are other people's children and as such are owed a duty of care which precludes such contact.

On occasions it may be necessary for staff to restrain young people in order to protect them or others or to protect property. Staff will be fully trained in this, in





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these circumstances the restraint must be conducted in line with agreed policy and procedure (see Behaviour Management/Physical Interventions Policy). Staff should never engage in 'play fighting' with young people and should actively discourage such behaviour between young people themselves.

It is not intended that this guidance should distance staff from the children/young people they look after; rather it is an acknowledgement that such limits on physical contact are an inevitable consequence of the current climate of concern about young people's safety. Also adherence to this Guidance will help protect staff from false allegations of abuse.

Protecting Children

All staff must be aware of the implications when dealing with a child protection enquiry and/or disclosure of illegal activities and that the rights to confidentiality should and can be overridden in these events.

This means if the young person discloses something to you which gives you cause for concern for their safety or that they have committed an illegal offence you must explain to the young person you cannot keep this secret. This must be fully recorded and discussed with your line manager/designated child protection officer who will decide what the next step is.

These are:-

DCPO

Put in here the Scottish Child Protection Officers for the distinct areas

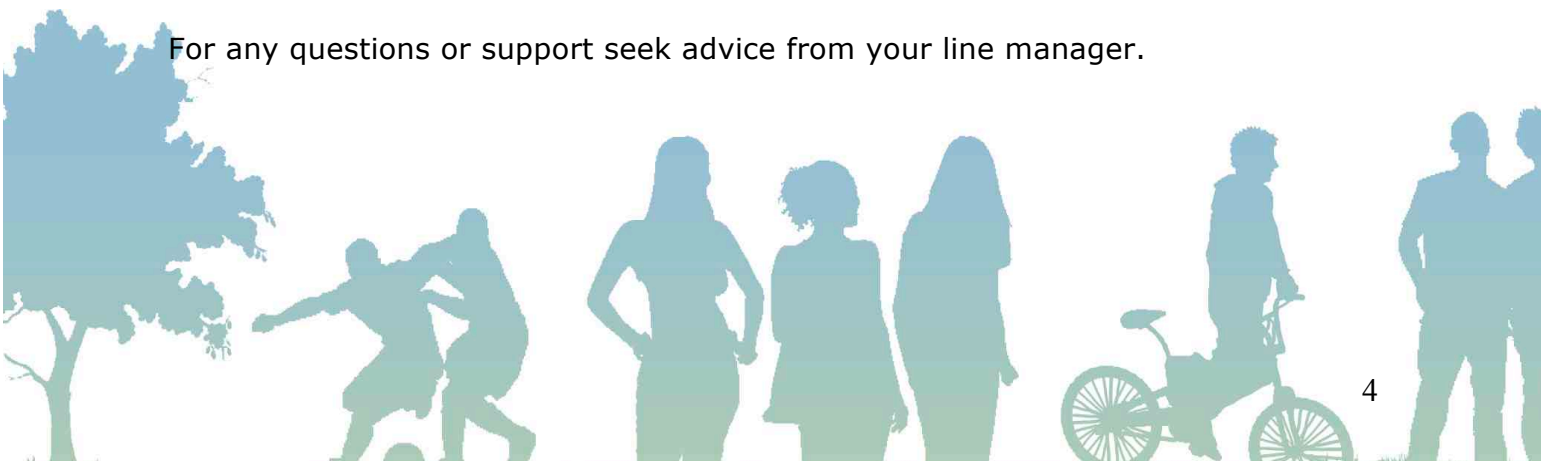
Name

Area

Contact Details

For further guidance on this area you must read the companies child protection and child sexual exploitation policy.

For any questions or support seek advice from your line manager.





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Access to Bedrooms

Staff need to follow young person's individual risk assessments.

Staff need to be aware they must always knock before entering a young person's bedroom and can enter with the young person's consent in a safe and respectable way i.e. advise the young person very clearly that you will be entering the bedroom and give them adequate time to be able to respond to this warning. The bedroom door must remain open at all times.

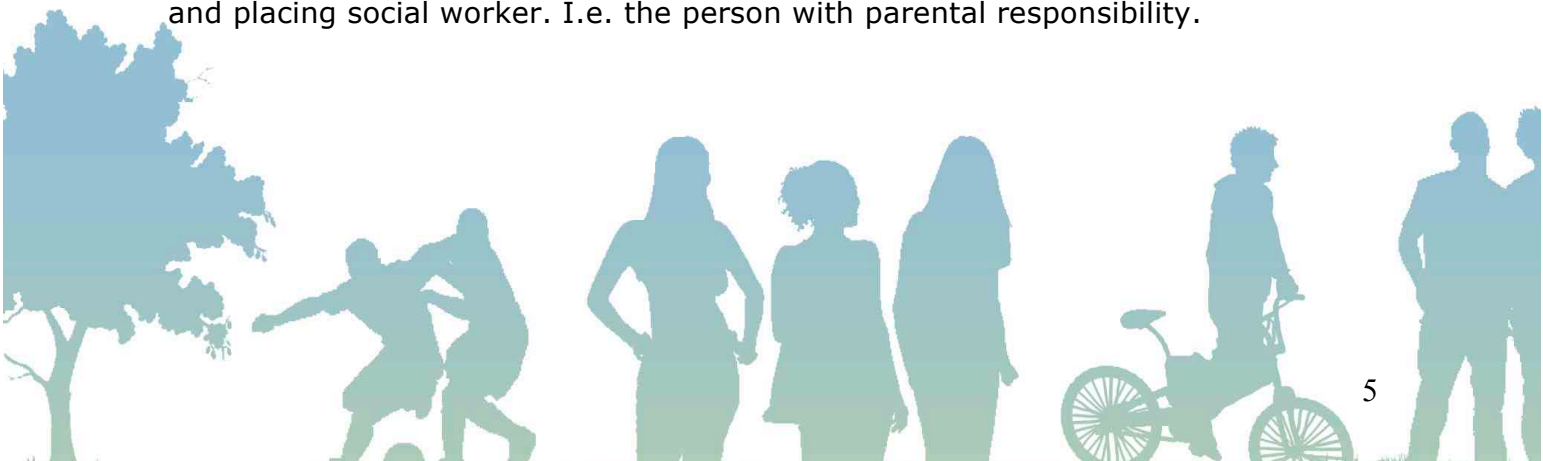
The only reasons when staff can enter a young person's room without seeking prior permission is in the following circumstances:

- When they are considered at risk due to their behaviours i.e. potential serious harm to the young person, to another young person or potential major health & safety implications in the home.
- When there is evidence to suggest that another young person is in their bedroom without consent from the home.

If rooms are entered in an emergency for the above reasons then staff should try to gain access by what ever means necessary and constantly verbalise their actions to the young person. This **MUST** always be logged in the home's log book and staff must always notify other staff members and if necessary work in pairs.

At this point staff should consider the involvement of emergency services should the situation warrant, please read companies police involvement policy and should be prepared to give emergency first aid should a young person have harmed themselves.

In the interest of Health and Safety and safe caring it is important to ensure that young people's bedrooms are cleaned regularly, if young people present problems around cleanliness a strategy outlined in their care plan must be put in place to help young people clean their rooms. This should be agreed with parents and placing social worker. I.e. the person with parental responsibility.





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If a young person refuses assistance and will not clean their room then staff must identify this and agree times and dates to complete it for them, this will be recorded in the homes logs book and young person's observation books.

All information and conversations around this must be clearly evidenced through key working sessions with the young person. The issue of cleanliness in bedrooms should also be discussed in house residents meetings.

Room Searches

All staff must read and sign the searches policy and discuss this in team meetings regularly to ensure they are knowledgeable.

Where room searches may be necessary the staff must have good grounds for this, see companies policy on searches for specific examples. Once it has been decided a room search is necessary then the young person must be notified and if possible present for the room search. If the young person does not wish to be present, staff must agree & explain their full findings to the young person after the room search including details of any items that have been confiscated.

A room search must **never** be done alone and must always involve at least 2 staff members. If the staff member is alone, they should contact the on call manager for advice. It must be clearly recorded in line with our reporting and recording procedures contained in the reporting and recording handbook.

Records must be kept which evidence: **(is there a form? If so add as appendix and delete this bit)**

- ◆ Date and time
- ◆ Reason for the search
- ◆ Who conducted the search
- ◆ The outcome of the search (What was found? If anything)
- ◆ Did the young person give their approval
- ◆ Young persons comments and signature
- ◆ All staff members involved must sign the records

Staff must have a key to any lockable cabinets within the young people's bedrooms, however will not access it unless there are concerns for their safety or





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staff suspect they hold illegal substances on site and are conducting a room search.

Access to/use of telephone

All homes have cordless phones to allow a young person privacy and confidentiality without restriction. Young people have a right to use the telephone on a daily basis to talk privately to parents, friends, independent visitors etc. This will depend on individual risk assessments and will be reviewed by the Manager if the young person causes damage or misuses the phone.

Access may be restricted if child protection issues override the need for privacy and confidentiality e.g. sexual exploitation, prostitution, illegal activities, and contact arrangements or that the use of the phone may lead them into any other significant levels of harm or abuse.

Supervised phone calls must be agreed with the young person's placing authority, parents (if applicable) and any significant others. Placement plans and risk assessments must clearly reflect these arrangements.

Showering/Bathing/Getting Dressed

Staff must respect young people have the right to absolute privacy whilst showering, bathing & getting dressed and must not enter a bedroom, bathroom or shower facility unless there is evidence to indicate that a young person would be at serious risk of harm if the staff did not enter at that point.

All bathrooms and bedrooms should have a fully functioning lock at all times which are able to open from the outside in case of emergency.

If a young person requires support whilst showering, bathing or getting dressed for example an injury or a medical condition then this must be clearly identified within their care plan and risk assessments. This must be done in consultation with placing social workers, parents (if applicable) and any significant others. This should be documented on the child/young person's file.





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Any staff involved with intimate care or with lifting and handling must have received appropriate training and must be provided with clear and appropriate guidelines on the provision of such assistance.

The gender of the young person must be taking into account when making any arrangements for assistance. A comprehensive risk assessment and detailed care plan will need to be in place with written consent from the young person's social worker /parents.

Personal Matters

When caring for female residents all staff must be aware of rights to privacy and issues in relation to menstruation, access to sanitary products will be readily available at all times and staff should be very discreet in this area.

Staff must be aware of a young person's rights to privacy & confidentiality when discussing sexual health and relationships and young people should not be subjected to intrusive questions in this area. In order to protect young people from teenage pregnancies and sexually transmitted infections access to contraception should be discussed with young people and advice should be given on where to obtain such items when educating the young people on sexual health and relationship issues. If young residents are not comfortable speaking to staff then details of other agencies should be offered taking into account the culture and religion of the young person when addressing any issues of a sexual health nature.

Staff must ensure that every young person has a lockable cabinet within their bedroom with their own key to ensure they can store things they wish to. Staff must also hold a key to this (see section on room searches above).

Staff must ensure that young people have access to the homes washing facilities. Should they wish to do so they can wash their clothes in privacy. (This should be risk assessed by the homes Manager).





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Photographs/Audio and Visual Equipment

Under no circumstances will images /video of young people be taken on mobile phones, personal cameras or any such equipment. These will only be taken using the homes camera and the homes PC to download and print if digital pictures for use within the home. The placing authorities will be made aware of 'The company' policy in relation to these matters and social workers will be notified if the young person's image is to be used for files/case records.

If there are child protection concerns for example a young person is missing from home then photographs of the young person concerned can be shared with the police. Any decisions around providing young people's details to the media in such circumstances must be discussed and agreed with the young person's placing authority and the company's Head of Care.

Placing authorities will also be made aware if the home has CCTV in operation on its premises and assured that this is never used to monitor private/personal areas but only for areas outside of the house and on the grounds.

All staff, residents, visitors, students on day placements must be aware of the homes code of conduct in relation to the use of such equipment.

Cross Reference

Code of Conduct (Scotland)
Child Protection Policy (Scotland)
Child Sexual Exploitation Policy (Scotland)
Police Involvement Policy
Health Policy
Searches Policy

Updated: July 2015

