

Model policies

on

working with young people

for

non-residential youth services in NSW

by Nick Manning

Youth Action & Policy Association (NSW)

2004

Part 7

Safety

Model policies on working with young people for non-residential youth services in NSW

by Nick Manning

published by

Youth Action & Policy Association (NSW) Inc

146 Devonshire Street SURRY HILLS NSW 2010

(02) 9319 1100 or 1800 627 323

info@yapa.org.au

http://www.yapa.org.au

© Copyright 2004 Youth Action & Policy Association (NSW)

You can copy and use extracts of text from this document. Please acknowledge the source. You can copy the whole document if you make no changes and include all pages including this page.

How to get, view, print or copy this publication

The model policies are available from <http://www.yapa.org.au/youthwork/modelpolicies>, as:

- PDF files for easy printing and reading
- web pages for quick viewing of particular policies
- Word files for easy copying + pasting into your own policy documents.

Warning!

These are model policies for agencies to adapt to suit their circumstances. We have done the best we can within our resources, but it is not possible to write a single policy which meets the requirements of the wide range of youth services in NSW. You should not rely solely on the information here, but should refer to other publications and authorities and if necessary get qualified advice for your specific situation.

We have attempted to include all the relevant legal requirements as at 2004. However the law is sometimes complex and open to interpretation, and applies to different youth agencies in different ways. If necessary you should get legal advice about your own policies. The information here is not legal advice. If there is a real possibility of legal action, you should talk to a lawyer before you decide what to do.

These policies reflect law which applies in NSW, which may be quite different to law in other states and territories of Australia. Using these policies outside NSW without checking the law, may put your agency, staff and volunteers at risk of breaking the law.

Acknowledgements and thanks

Author: Nick Manning, consultant (nmanning@pnc.com.au)
Project Manager: Courtney Innes, YAPA Western Sydney Project
Editorial review: Louise Sutherland, Macquarie Legal Centre
Reference group: Kristy Delaney, Kim McLoughry, Liam O'Sullivan, Stan Small, Mark Townsend.

Other contributors:

Many people contributed policies, ideas, and feedback, far more than we can list here. However, we would especially like to thank: Rebecca Bernard, YWCA; Vanessa Ford, NSW Commission for Children and Young People, Karen Hewitt, FaCS; Yvette Middleton, Burnside Campbelltown; Jane Miller, Fairfield Community Resource Centre, Sussan Omar, FLYHT, Mia Prodigalidad, YAPA Board of Management, Jane Sanders, Shopfront Youth Legal Centre.

Contents

Part 7: Safety

- 4 Duty of care statement
- 6 Individual risk assessment about a young person
- 15 Report risks and serious incidents to the Manager
- 19 Medications and medical treatment
- 21 Vehicles
- 26 Home visits
- 27 Smoking
- 29 Alcohol and illegal drugs
- 36 Crime and police
- 43 Suicide
- 48 Non-violence
- 56 Critical incident response

**The other parts of this publication (below) are available from
<http://www.yapa.org.au/youthwork/modelpolicies>**

Part 1

How to use these policies

Activities and services

- Drop-in & use of centre facilities
- Young people's use of computers
- Street work
- Holding mail for young people
- Excursions and camps

Part 2: Casework

Part 3: Rights and responsibilities

- Young people's rights to their personal information
- Keeping and destroying records
- Code of conduct for staff
- Complaints
- Rules and consequences

Part 4: Inclusiveness

- Developing an inclusive youth service
- Expression of religion, culture and lifestyle
- Eliminating harassment, vilification and excluding behaviour

Part 5: Privacy and confidentiality

- Privacy essentials
- Collecting personal information
- Privacy statement & privacy consent form
- Using personal information within the team
- Security of personal information
- Disclosing personal information with consent
- Disclosing personal information without consent

Part 6: Child protection

Duty of care statement

Use the document *Our duty of care to young people at this agency* to communicate to young people's families and others about our responsibilities and the limits of those responsibilities. Include the document, or references to it, in all relevant places eg:

- flyer for an activity
- a sign at the front
- our newsletter
- community newspaper
- letter to parents.

The details below are an example. Edit these details according to your agency's circumstances.

Our duty of care to young people at this agency

This agency provides a range of services and activities to young people aged XX-YY from the ZZ area, including: INSERT LIST OF ACTIVITIES

Our aims

We aim to provide young people with opportunities to socialise and develop knowledge and skills in a safe and supportive environment. We promote mutual respect, acceptance of everyone's rights and responsibilities, and positive and healthy lifestyles.

Supervision and rules

Paid and volunteer youth workers with first aid qualifications provide supervision during our activities, and enforce a strict set of rules including:

- no alcohol or illegal drugs
- no theft, vandalism, aggression or violence
- no racist, sexist or discriminatory behaviour.

There is a designated smoking area outside on the premises where young people can smoke. We don't encourage smoking but we do not stop anyone including under 18s from smoking.

If a young person comes to the centre under the influence of alcohol or other drugs, they are normally not allowed to participate in group activities. We take reasonable care to watch over them or try to get someone else to look after them, depending on the circumstances.

7. Safety: Duty of care statement

Activities away from the agency premises

Sometimes we go with young people to a nearby location such as the park, a café/fast food place or another agency (eg. community health centre). We might walk or drive the young people there. Our vehicles and drivers are all insured and authorised by the agency for this purpose.

Limits of our responsibilities

We are not an after-school care program or a child minding service. Young people choose whether to come to the agency and they are free to leave when they wish.

When a young person leaves, at any time, **we usually do not:**

- ask them where they are going
- contact their family
- drive them home (except in very exceptional circumstances)
- supervise them while they wait for transport
- take any responsibility for them once they leave.

Occasionally the agency is closed for the day or has to close early (eg. due to staffing shortages). We try to give advance notice but this is not always possible. Young people and their families must make their own arrangements in these circumstances. Our apologies for any inconvenience this may cause.

If you have any concerns or questions at any time, please feel free to contact INSERT DETAILS

Individual risk assessment about a young person

Aims

This policy aims to keep young people, staff and others safe, while minimising restriction to young people's access to services and activities. The policy balances these aims:

- The agency must ensure that nobody suffers preventable harm because of a failure to conduct or update a risk assessment, or a failure to communicate risk-related information to all staff (including future staff).
- The agency must meet the requirements of occupational health and safety law and the requirements of our insurers.
- The agency must ensure that young people do not miss out on services and are not treated less favourably because of inaccurate or out-of-date information on a risk assessment.

The assessment:

- ensures everyone in the team has a common understanding of risks associated with a young person and the appropriate strategies to minimise those risks
- can be used as a tool for staff to discuss issues involved in working with a particular young person (eg. suicide).

Which risks are covered?

An individual risk assessment covers all these situations:

- the young person may have an accident or medical emergency
- the young person may harm themselves
- someone else may harm the young person
- the young person may harm someone else (staff, other young people or others)
- someone else in the young person's life may harm staff.

Which young people?

The agency only completes risk assessments about some young people, where the risks associated with the young person are higher than or different to the risks associated with most young people at the agency.

Procedure

When to conduct or update risk assessments

When to conduct an individual risk assessment

The Manager must ensure that staff conduct a risk assessment about a young person if staff have any reason to believe that the risks associated with the young person are higher than or different to the risks associated with most young people who use the agency.

The information which leads staff to decide that a risk assessment is needed might include, for example:

- information disclosed during casework
- information on an excursion/camp consent form
- an incident involving the young person or a family member.

An individual risk assessment may be needed about some young people in these situations, for example:

- camps and excursions involving significant risks
- home visits
- where a staff member likely to be alone with a young person eg. on the premises, in a vehicle, in a park etc.

When to update an individual risk assessment

The Manager must ensure that staff update a current risk assessment about a young person:

- if staff gain any new information which may increase, reduce or change those risks, and
- 12 months after the risk assessment was conducted or last updated.

If the risks no longer exist, the risk assessment can be filed and no longer used.

How to fill in the forms

Use clear and straightforward language

When you conduct or update a risk assessment, keep in mind that the young person usually has the right to read it (see the policy Young people's rights to their personal information). Therefore:

- use clear and straightforward language
- avoid writing things which may be unnecessarily upsetting or inflame the situation, such as moralistic or "blaming" language

7. Safety: Individual risk assessment about a young person

- at the same time, avoid glossing over difficult issues if this would mean that other staff do not have the information they need.

Who is involved

All team members who work with the young person should have input into the assessment. The Manager must approve the finished assessment so that the strategies become an official part of team members' duties.

Involve the young person?

Consider whether to do the risk assessment with the young person. Keep in mind:

- you are not equal partners in the risk assessment and it is not a participation or empowerment exercise, so the young person can let you know what they think but ultimately the agency is legally responsible for the content of the assessment
- some young people will respond better to the risk assessment if they become aware of it sooner rather than later
- some risks which involve choices made by the young person (eg. aggression, drug use, suicide) could be addressed in an agreement between you and the young person, and that agreement would then become one of your "Strategies to minimise risk" in the risk assessment (see below).

Judgemental? Subjective?

Should a risk assessment be judgemental or subjective? It depends what you mean:

Judging the young person?

Judging the young person, in the sense of blaming the young person, or making moralistic statements about them, is not the purpose of a risk assessment. Avoid language which sounds moralistic or blaming.

Judging the risks?

You must judge the risks. That is the point of a risk assessment. In this sense you are making judgements, though not being "judgemental".

Subjective?

A risk assessment should be based on facts and reasonable beliefs, not rumours and superficial assumptions. However the actual assessments you make (ie. what are the risks and how high are those risks) are necessarily subjective – they are opinions.

Background information about the young person

Record under "Background information about the young person" (the first page of the risk assessment form) all background information about the young person which informs the risk assessment.

- While some of this information may already be recorded in case notes or excursion/camp consent forms, all safety-related information should ideally be readily available, including to other staff in an emergency.
- By recording this background information separately to the actual risk assessment, it can be used to inform different risk assessments for different purposes over a period of time.

Background information includes facts and reasonable beliefs. So you only include:

- the things that you know
- the things that you believe, based on reasonable evidence.

7. Safety: Individual risk assessment about a young person

Wherever possible:

- obtain this information from the young person themselves
- otherwise, check its accuracy with the young person.

Example

Relevant background information on hazards related to the young person		
Issue	Date of entry	Details
<i>alcohol</i>	<i>1/1/01</i>	<i>says he binge drinks each week</i>

Here are examples of background information to record. There may be other hazard-related information you should record which is not included below.

Camp/ excursion-related hazards

Only ask for and record the details you genuinely need for the event. Examples of details you may need:

- medical conditions
- current prescribed and unprescribed medication
- time since last tetanus injection
- level of physical fitness (eg. for difficult bushwalks)
- swimming ability: strong / average / weak / non-swimmer.

Young person's general health etc

Record these if you find out about them, but don't try to find out purely for risk assessment purposes:

- young person has intellectual disability
- young person has mobility disability
- young person has sensory disability
- young person has mental illness
- young person drinks to excess
- young person uses other drugs
- young person has history of threats/ aggressive behaviour
- young person has history of violence
- young person is in grief
- young person suicidal or self-harming.

Family/household details

Record these if you find out about them, but don't try to find out purely for risk assessment purposes:

- family member aggressively opposes aims of casework

7. Safety: Individual risk assessment about a young person

- family/household member has history of violence
- family/household member has threatened young person
- family/household member has assaulted young person
- family/household member has threatened agency
- any of the above **and** there is a gun in the house

Risk assessments for different activities and services

After completing the background information (above), complete the appropriate risk assessment form for the purpose, ie:

- *Individual risk assessment for an excursion or camp*
- *Individual risk assessment for home visits*
- *Individual risk assessment – general*

The risk assessment necessarily involves judgements and educated guesses. However you must base these on the background facts and beliefs listed under *Background information about the young person*. Do not allow your personal feelings (positive or negative) about the young person or their lifestyle to affect the risk assessment.

Example

Hazard: (ie. young person, staff or other person may be injured by):	Likeli- hood: Low Med High	Details	Strategies to manage risk	Notes
<i>alcohol poisoning or accident due to being drunk</i>	<i>Med</i>	<i>Likely to want to drink during camp, so might smuggle in a flask etc.</i>	<ul style="list-style-type: none"> • <i>explain rules and consequences</i> • <i>close supervision of all young people</i> • <i>etc</i> 	
<i>drowning</i>	<i>Med</i>	<i>poor swimmer but may want to go in water</i>	<ul style="list-style-type: none"> • <i>Beach is patrolled</i> • <i>Only swim between the flags</i> • <i>etc</i> 	

7. Safety: Individual risk assessment about a young person

**2. Excursion / camp
Individual risk assessment**

Young person's name:

Supervising staff member approving this assessment:

Hazard: (ie. young person, staff or other person may be injured by):	Likeli- hood: Low Med High	Details	Strategies to manage risk	Notes
---	--	---------	------------------------------	-------

7. Safety: Individual risk assessment about a young person

3. Home visits Individual risk assessment

Young person's name:

Supervising staff member approving this assessment:

Hazard: (ie. young person, staff or other person may be injured by):	Likeli- hood: Low Med High	Details	Strategies to manage risk	Notes
---	--	---------	------------------------------	-------

Address 1:

Address 2:

Address 3:

See the policy Home visits.

7. Safety: Individual risk assessment about a young person

4. General Individual risk assessment

Young person's name:

Supervising staff member approving this assessment:

Hazard: (ie. young person, staff or other person may be injured by):	Likeli- hood: Low Med High	Details	Strategies to manage risk	Notes
---	--	---------	------------------------------	-------

Report risks and serious incidents to the Manager

Aims

This policy aims to assist the agency to keep people safe, and meet legal and policy requirements of occupational health and safety and workers compensation laws, and these policies:

- Inclusiveness
- Complaints
- Crime and Police
- Child Protection
- Suicide
- Non-violence
- Critical Incident Response.

This policy brings together in one place all the internal reporting requirements in all the other policies.

This policy requires volunteers and less experienced paid staff to report internally a wide range of incidents and information, so that the necessary assessment of the agency response, (eg. reporting to external authorities) can be made by more experienced staff. **The agency is not required to report to external authorities all of the risks and serious incidents listed below.** For external reporting obligations see these policies:

- Child Protection policies
- Crime and Police
- Privacy: Disclosing personal information without consent
- agency OH&S and workers compensation policies.

Procedure

Report risks and serious incidents

All paid and volunteer staff must report to the Manager all risks, hazards and serious incidents:

- on agency property
- during agency services and activities
- where the perpetrator or the victim is a staff member or a young person who uses the agency.

7. Safety: Report risks and serious incidents to the Manager

The Manager will assess the situation and decide on the appropriate response according to the relevant policies.

If the Manager is not available, you should:

- tell them as soon as they are available
- ask other staff or management for immediate support and guidance following a stressful or serious incident
- ask other staff or management for immediate guidance about how to manage a risk.

Do not keep any risk or serious incident to yourself.

Below are **some examples** of hazards and serious incidents which you should report.

Incidents

General incidents

- any incident where emergency services are called or present
- drug overdose or unconsciousness
- any incident which might be a critical incident for the agency, regardless of whether it occurred on agency premises or during work time, or not (see the policy Critical incident response).

Vehicles

- accidents
- damage
- speeding ticket or other traffic offence.

Accidents

- minor injuries
- first aid
- incorrect medication taken
- medical treatment
- accidental fires (however brief)
- a serious incident or emergency on an excursion or camp.

Crime

- any crime on agency premises or during agency services and activities
- information about any more serious crime wherever it happens

Violence

- assault or other violence
- verbal abuse, aggressive or threatening behaviour
- if a person has a weapon with them without a satisfactory reason

Model Policies on Working with Young People, for Non-residential Youth Services in NSW
© Copyright 2004 YAPA. See the complete set of policies including any updates, and
copy + paste the text, at <http://www.yapa.org.au/youthwork/modelpolicies/index.htm>

7. Safety: Report risks and serious incidents to the Manager

- violence against property
- deliberately lit fires.

Domestic violence involving a client (as perpetrator, victim or child living in a household where it occurred)

- the victim has serious injuries
- the perpetrator has a weapon and has threatened to use it
- the perpetrator has assaulted or threatened anybody on agency premises
- the perpetrator has made threats to or against the agency or staff.

Threats

All threats regardless of how serious or not you judge the risk, including verbal threats, phone threats, threats passed on by another person, threats against property, threats of suicide or self-harm, threats against other people outside the agency, or any situation where you feel unsafe.

Discrimination or harassment

Discrimination against, and harassment of, any person. Report it regardless of whether the offender or victim is a young person, a staff member, a volunteer or anyone else in the agency.

Poor staff interactions with young people and the public

If you believe that a paid or volunteer staff member's disrespectful or aggressive manner or poor interpersonal skills may seriously increase the risk of violence.

Complaints and allegations

- complaints and negative comments or feedback about the agency or its staff (written or spoken).
- allegations of unprofessional conduct about staff (written or spoken).

Risks and hazards

General risks and hazards

- all physical/OH&S hazards (see agency OH&S policy)
- home visits: incidents, threats and other safety-related information
- caseload: if you believe that your caseload (either the number of cases or the nature of those cases) is likely to contribute to occupational stress or other illness
- if you have any reason to believe that the risks associated with a young person are higher than or different to the risks associated with most young people who use the agency
- a paid or volunteer staff member's poor safety practices.

Social/environmental hazards eg:

- new ways that young people use the space and facilities which create new risks
- too many young people in the space

7. Safety: Report risks and serious incidents to the Manager

- lack of stimulating activities for young people leading to boredom or frustration
- tension among young people.

A person's safety

- any concerns that a young person may be suicidal at any time in the future
- if you believe that a person (a young person using the agency, or someone else) should not be in possession of a gun because of the risk of violence or suicide (you don't have to know whether they actually have a gun or not)
- a serious and imminent threat to the life or health of any person (a young person, staff member or someone else).

Child protection

All disclosures, incidents, allegations, complaints and other information which relate to child protection or a child or young person's safety, welfare or wellbeing, regardless of your views about its accuracy or seriousness involving:

- children (under 16)
- young people (16-17)
- adult young people (over 18)
- incidents which may have already occurred and
- information which may suggest the possibility of a future incident.

(See Child Protection policies for more information).

Medications and medical treatment

Aims

This policy aims to ensure that:

- the agency appropriately supports a young person's medication needs
- after accidents and in medical emergencies agency staff take appropriate action
- the agency complies with legal requirements regarding medical issues.

Related policies:

- Alcohol and Illegal Drugs
- Suicide.

Procedure

Medications

INSERT HERE ANY AGENCY POLICY ABOUT MEDICATIONS.

Medications

If a young person is able to manage their own medications, youth workers should not take over. The agency's role would normally be limited to providing safe storage or refrigeration if requested.

On excursions to remote areas, and on camps, the agency should consider keeping details on file of the medications which young people manage themselves, in case of a medical emergency.

More information:

- *Guidelines for the handling of medication in community-based health services and residential facilities in NSW.* (1997) NSW Health Department Circular 97/10, available from Better Health Centre 02 9816 0452 or <http://www.health.nsw.gov.au/fcsd/rmc/cib/circulars/1997/cir97-10.pdf>
- YAPA is developing a guide to this topic.

Unprescribed medications

You must not prohibit young people from bringing unprescribed legal medication to the agency or on a camp. Try to avoid the potentially humiliating situation where a young person is asked to prove that the pills they have are legal.

Painkillers

There is no single correct approach to the question of youth agencies and over-the-counter painkillers (eg. Panadol) for young people. YAPA is developing a guide to this topic.

7. Safety: Medications and medical treatment

First aid

Staff should have first aid qualifications if required by WorkCover, or if they regularly run:

- street work
- physical recreation activities
- excursions and camps
- any activity or service where there is a significant risk of a young person being intoxicated.

More information on first aid:

First Aid in the Workplace: Guide 2001
WorkCover (Catalogue no 121)
<http://www.workcover.nsw.gov.au>

Keep a first aid kit in each building according to WorkCover guidelines and in any vehicle used in providing activities and services.

Urgent medical treatment

If a young person needs urgent medical attention, use your own judgement to decide whether to drive them to the nearest hospital or to wait for an ambulance. (If in doubt, ring the ambulance who may advise you on this question).

Call an ambulance if you believe that it is needed, regardless of the wishes of the person in need or the people with them.

Ambulance officers and confidentiality

Some people are concerned that if an ambulance comes to a drug overdose, the police may become involved. Ambulance officers generally do not call the police to overdose cases unless the person is violent, or there is evidence of criminal activity not relating to the drugs.

Ambulance costs

Ambulance transport is expensive. The bill goes to the young person or their parents, not to the agency or whoever called the ambulance (eg. a youth worker). However if you call an ambulance but in the end the person does not need to go to hospital, eg. if the ambulance officers provide assistance on the spot, there is no bill to anyone.

Consent to medical treatment

A "blanket" consent for medical treatment (eg. on an excursion/camp consent form) may not be legally valid (because it does not amount to informed consent), but in any case it may not be necessary:

- In an emergency, health workers can provide medical treatment without consent.
- Otherwise, in most cases a young person can give their own consent for medical treatment.

It is the responsibility of the doctor or other health worker, not your responsibility, to ensure that they have legal consent for medical treatment.

Vehicles

Aims

This policy aims to balance:

- the need for staff and young people to travel as part of our activities and services
- the need to maximise safety
- the need to minimise financial risks to the agency through vehicle theft or accident.

Procedure

Authorised Drivers & Vehicles

The Manager will keep an Authorised Drivers List and an Authorised Vehicles List.

Authorised drivers

The Authorised Drivers List will record:

- name
- date of birth
- date the Manager last checked their drivers licence
- licence type
- any restrictions (eg. vehicles they are not authorised to drive due to licence type or age, P plate)
- what agency purposes they are authorised to use vehicles for.

Authorised Drivers List					
Name	Date of birth	Licence last checked on (date)	Licence type	Restrictions (eg. due to age, licence type)	Authorised purposes (eg. any/any except drive young people)

7. Safety: Vehicles

The Manager will authorise drivers who are:

- licensed, and
- suitable, in the opinion of the Manager (eg. taking into account their driving record), and
- likely to need to drive for agency business at some time, and
- willing to drive for work purposes, or required to drive for work purposes.

As an authorised driver you must report to the Manager immediately if, at work or in your private life:

- you have an accident which is reported to police
- you incur traffic fines or lose points
- your licence is cancelled, suspended or you fail to renew it.

Authorised Vehicles

The Authorised Vehicle List will record:

- make, model, number plate
- registration expiry date
- comprehensive insurance expiry date
- any restrictions (eg. drivers over 25 only)
- and for privately-owned vehicles: comprehensive cover type (private/business).

Authorised Vehicles List					
Make, model, number plate	Registration expires	Comprehensive insurance expires	Cover level (private/business, age of drivers)	Restrictions (eg. licence type, age of drivers)	Notes

The Manager will authorise vehicles which are:

- registered
- comprehensively insured for agency purposes (private comprehensive may not cover work trips)
- belong to a roadside assistance scheme (eg. NRMA)
- regularly maintained and roadworthy
- otherwise suitable, in the opinion of the Manager (motorbikes will only be approved in exceptional circumstances and must never carry passengers)
- willingly made available by the staff member, or required to be available according to the staff member's job contract.

7. Safety: Vehicles

Report any change in these details to the Manager as soon as possible.

Driving young people

You can drive a young person in an authorised vehicle, if you are authorised to transport young people.

You should not drive a young person anywhere if you feel uncomfortable because of the possibility of:

- violence
- an allegation against you.

Do not leave anything visible to passengers that has your home address or phone number (eg. your personal mail, your mobile). Remove the cigarette lighter to avoid it being used as a weapon.

Driving young people home

Balance these issues before deciding whether to drive a young person home:

- how will they get home if you don't drive them, and how safe will they be?
- how safe will you be in a vehicle with them?
- might they be an unsafe passenger (eg. not wear seatbelt, hang out the window, distract the driver)?
- how long will it take to drive them home, other demands on your time, how soon do you finish work etc.

If you don't drive a young person home, and they may be unsafe getting home, you should do whatever is reasonable in the circumstances to try to keep them safe eg:

- let them use a phone
- provide petty cash to pay for a bus or taxi (see relevant agency policy)
- wait until someone comes to pick them up
- drive them to a nearby place which is safer (eg. a shopping centre).

Unauthorised drivers & unauthorised vehicles

Serious emergencies

In a serious emergency, any appropriately licensed staff member can drive any registered vehicle, and carry any passengers, including young people.

Consent to drive a young person?

There is no legal or insurance requirement to get a parent's consent to drive a young person as part of your duties at work, eg. to take them to Centrelink, or to drive them home. Your legal duties are to:

- register and take out CTP (green slip) insurance on the vehicle
- be licensed
- follow the road rules
- duty of care: take reasonable care in the circumstances.

If you have reason to suspect that the young person may be an unsafe passenger in whatever way, you should take reasonable care to manage this risk.

For driving a young person on an excursion or camp, follow the consent section of the Excursions and Camps policy.

7. Safety: Vehicles

A serious emergency is where there is a serious and imminent threat to someone's life or health. Examples of emergencies include:

- escaping serious violence
- escaping bushfire
- getting urgent medical help when an ambulance is too far away.

The driver must report the incident to the Manager before or as soon as possible after the journey.

Urgent medical help: If a young person needs urgent medical attention, use your own judgement to decide whether to drive them to the nearest hospital or to wait for an ambulance. (If in doubt, ring the ambulance who may advise you on this question). (See Medications and Medical Treatment policy).

Non-emergencies

In situations other than serious emergencies, if you drive when you are not an authorised driver, or if you drive an unauthorised vehicle, then:

- you do so at your own risk. (This means that you must pay all costs including repairs to the vehicle and any other vehicle damaged in an accident, and any excess payable as part of any insurance claim)
- you must not drive young people
- you must not drive agency vehicles.

Unlicensed staff & staff without vehicles

Staff who:

- do not have a drivers licence
- do not have a vehicle
- do not have suitable insurance or whose vehicle is otherwise unsuitable
- do not wish to use their vehicle for particular work trips

will not be disadvantaged in performing their work compared to other staff. The agency will make alternative arrangements eg:

- use of agency vehicles
- reimbursement of public transport costs
- rented vehicles for long trips.

(Staff must comply with any requirements of their job contract or letter of employment regarding drivers licence and vehicle).

When using vehicles

Whenever you drive on agency business, regardless of the circumstances you must:

- wear a seatbelt (you and each passenger)
- obey the road rules and drive safely for the conditions
- not smoke
- carry a mobile phone
- only use a mobile phone safely and according to the road rules

7. Safety: Vehicles

- not let the vehicle run out of fuel
- carry a fire extinguisher (in the boot)
- carry a first aid kit.

On long trips you should:

- have a first aid trained person in the vehicle, if possible
- have a good night's sleep the night before
- have a break every 2 hours
- if travelling for over 6 hours in a day, have at least 2 drivers share the driving
- only drive in rural areas at night if you are an experienced rural night driver.

If you have an accident

- Secure the scene (eg. by getting off the road or warning other vehicles), then help anyone injured (see Medications and Medical Treatment policy).
- Exchange these details with any other drivers and injured people: driver's name and address, vehicle owner's name and address, vehicle registration number.
- Do not make any statement of liability to other drivers (eg. "it was my fault")
- Take names, addresses and phone numbers of any witnesses. If necessary, record details of the accident to help establish fault (eg. take photos, draw a diagram, make notes about the sequence of events etc).
- Notify the police as soon as possible if any person is killed or injured, or if a vehicle is towed or carried away, or if any other driver fails to give you their details.
- Notify the agency Manager as soon as possible. Fill in an agency accident form and comply with all other WorkCover requirements (see agency OH&S and workers compensation policies). Notify the vehicle insurers if required.

Traffic offences

If you get a speeding ticket or other traffic offence:

- you must pay your own fine
- you must report the offence to the Manager, who will consider whether to revoke your authorised driver status.

More information

- *Safety Pack - The community services safety pack: a guide to occupational health & safety* (2004) WorkCover <http://www.workcover.nsw.gov.au>
- *Insurance: What's it all about? A guide for not for profit organisations* (2004) by Sandra Handley. Council of Social Service of NSW (NCOSS) (02) 9211 2599
- fact sheet on car insurance at <http://www.ncoss.org.au/insurance>
- *The Law Handbook* (always use the latest edition) by Redfern Legal Centre Publishing. 9th Edition Chapters 3 & 22. In most libraries, or call 02 9698 3066.

Home visits

Aims

This policy aims to ensure that visits by staff to private homes are safe.

Procedure

Risk assessment

If you have any reason to believe that the risks associated with a particular home visit are higher than or different to the risks associated with most home visits, then complete a home visit risk assessment before visiting them.

- Some information about hazards may not be available until the first visit to that address. If so, update the assessment after the visit.
- Update the risk assessment annually as well as whenever any staff get new information which may increase, reduce or change the risks.
- Examples of hazards (there may be others): physical hazards (eg. long grass, trips & falls, syringes, etc), aggressive dog, violence against staff by client or by another household member, or a false allegation against staff.

See the policy Individual Risk Assessment about a Young Person.

Precautions on home visits

Do not go inside a person's home or property without first checking for any existing risk assessment for that home. You can visit a home by yourself unless a risk assessment indicates that a second person should go with you. The second person can be a staff member, student or volunteer.

When visiting a person's home:

- tell another staff member where you are going and when you expect to be back
- park close by, on the street (not in the driveway), and keep your car keys on your person at all times
- carry a fully charged and credited mobile phone on your person and keep it switched on during the visit
- do not remain if you feel unsafe
- report all incidents, threats and risks to the Manager and complete (or update) a risk assessment.

More information on safe home visits

- *Safety Pack - The community services safety pack: a guide to occupational health & safety* (2004) WorkCover
<http://www.workcover.nsw.gov.au>

Smoking

Cigarettes & smoking includes

- The word *cigarette* in this policy also includes roll-your-own, herbal cigarettes etc. (For cannabis, see the policy Alcohol and illegal drugs).
- The word *smoking* means smoking any of these products.

Aims

This policy aims to balance these competing concerns:

- Smoking is a very serious health issue, especially for young people, and the agency aims to reduce active smoking by young people generally, and to eliminate passive smoking by everyone during agency activities and programs and on agency premises.
- Young people of all ages can legally smoke, and the agency does not want young people who smoke to stop using the agency because of our approach to smoking.
- The agency wishes, where possible, to apply the same rules to young people regardless of whether they are under 18 or over 18.
- Staff can legally smoke in most outdoor locations, and the agency does not want to intrude excessively into the personal choices of its staff.

Procedure

Professional behaviour

Staff who smoke should always be professional, while also being honest and genuine, in their interactions with young people in relation to smoking.

Youth work and schools

Most schools do not allow students or staff to smoke on the premises or during activities. Youth workers working with or in schools should check the rules of the school regarding all issues covered in this policy.

Possessing cigarettes

Young people (of any age), staff and others can have cigarettes with them (eg. in their pocket or bag) while they are on the premises or participating in activities.

Staff providing cigarettes to young people

Do not buy cigarettes for, or sell cigarettes to:

- young people under 18 (an offence under the NSW *Public Health Act 1991*)
- young people over 18.

7. Safety: Smoking

Do not give a cigarette to a young person (of any age) except in exceptional circumstances.

Where can people smoke

No smoking inside buildings and vehicles

Smoking is illegal:

- inside agency vehicles, including at an open window
- inside agency buildings, including at an open window
- on an agency verandah or other semi-outdoor area if it has a roof and is substantially enclosed,

even if everyone there is a smoker or doesn't mind (NSW *Occupational Health & Safety Act 2000* and NSW *Smoke Free Environment Act 2000*).

Smoking outdoors

Staff and young people (of any age) can smoke:

- in a designated outdoor smoking area (if there is one on agency premises)
- outdoors, off the premises (if it is allowed where they are),

but not:

- if it is inappropriate for the activity or service taking place
- anywhere where it might cause discomfort to someone else
- in a vehicle
- in a bush area when there is a high fire danger.

More information

- *Smoking: law & policy for NSW youth services* (2004) YAPA <http://www.yapa.org.au>

Alcohol and illegal drugs

Drugs? Intoxicated?

The word *drugs* in this policy includes:

- alcohol
- illegal drugs
- prescription drugs which were not prescribed to the person who has them.

It does not include tobacco, herbal cigarettes etc – see the Smoking policy.

The word *intoxicated*: means being under the influence of an illegal drug or alcohol.

Prescription drugs

It is an offence to possess prescription drugs which were not prescribed to you (max. penalty \$2,200 fine and/or 6 months jail).

There are serious safety risks with the misuse of some prescription drugs. You should treat the sale, swapping etc of prescription drugs as drug offences, and respond to these incidents in the same way you would respond to other illegal drugs.

Aims

The agency has responsibilities to young people who use drugs and to young people who don't, as well as to staff and anyone else who may be affected by drug use on our premises and during our services and activities. This policy aims to balance these sometimes competing issues:

- The agency aims to give young people choices, including alternatives to drug use.
- The agency takes a harm minimisation approach: our policies, services and decisions aim to reduce the harm caused by legal and illegal drugs. This is consistent with our duty of care to young people.
- Young people cannot benefit from some of our services and activities while they, or other young people around them, are intoxicated.
- The agency's services and activities need to be free of all violence. Intoxication in some cases increases the risk of violence.
- Intoxicated young people face risks including overdose or poisoning, accidents, and assault. Our staff can help to reduce these risks in some circumstances.
- The agency aims to be crime-free. We do not tolerate illegal drug possession, use and dealing on the premises and during our services and activities. We also do not want to expose other young people to drug dealing or use.
- The agency recognises that young people who use drugs may need or want help. We aim to assist these young people, within the limits of our role, to address their drug use. We recognise that an excessively legalistic approach to drug crime would mean that some young people would not get the help that they need.

Related policies

- Rules and Consequences
- Non-violence
- Individual Risk Assessment about a Young Person
- Medications and Medical Treatment.

Model Policies on Working with Young People, for Non-residential Youth Services in NSW
© Copyright 2004 YAPA. See the complete set of policies including any updates, and copy + paste the text, at <http://www.yapa.org.au/youthwork/modelpolicies/index.htm>

Procedure

General approach to drug issues

Health promotion and harm minimisation

Our agency takes a harm minimisation approach: our policies, programs and decisions aim to reduce the harm caused by legal and illegal drugs. This is consistent with our duty of care to young people. Staff should not let their personal views interfere with this approach.

Staff should, within the limits of their role, provide information, education and resources (posters, pamphlets etc) with factual, realistic information about drugs and drug use for young people, including information about harmful effects of particular drugs and harm minimisation strategies.

Staff behaviour

Do not:

- consume or be under the influence of alcohol or illegal drugs while at work
- provide alcohol or illegal drugs to, or share or consume them with, young people from the agency, including away from the agency
- possess illegal drugs while at work
- come to work with a hangover or other after-effects of drug use if this would interfere with your work
- be judgemental to young people about drug use, or promote or glorify drug use to young people
- disclose your own drug use to young people unless it will assist your work (tell the Manager about these disclosures at the time).

Innocently possessing drugs?

If someone else leaves drugs on the premises (eg. hides them, or asks you to mind their bag and you don't know what is in it), you are not guilty of possessing a prohibited drug. You are only guilty of possession if you know about the drugs, and they are in your "custody or control".

Alcohol in your private life

If you come into contact with young people who use the agency while you are drinking, be natural and honest, while remaining professional. Do not drink or socialise with them.

If you might be seen drinking to excess, by young people who use the agency, or by adults connected to the agency, then find a balance between:

- your responsibility as a role model to the young people
- your responsibility not to damage the reputation of the agency
- your right to a private life.

Staff training & resources

Staff should maintain up-to-date knowledge and information about:

Model Policies on Working with Young People, for Non-residential Youth Services in NSW
© Copyright 2004 YAPA. See the complete set of policies including any updates, and copy + paste the text, at <http://www.yapa.org.au/youthwork/modelpolicies/index.htm>

7. Safety: Alcohol and illegal drugs

- drugs and their affects
- working with young people who use drugs
- services for drug users.

Each premises or activity should have at least one person present who has an up-to-date first aid certificate.

Staff should consider further training including:

- *Save A Mate* (see below)
- dealing with aggressive and violent clients.

Large events

Prepare a special plan for large events (eg. over 100 people). You should:

- consult the sorts of resources listed in *Alcohol & illegal drugs: law & policy for NSW youth services* (2004) <http://www.yapa.org.au>
- conduct a risk assessment which covers a wide range of potential drug-related harm
- talk to the police for advice and possible assistance
- consider hiring security or arranging for volunteer help
- decide whether to provide a safe supervision area (see below).

Alcohol and other drugs training is provided by:

- some area health services
- Ted Noffs Foundation
- Centre for Community Welfare Training (CCWT)
- NSW TAFE.

Rules and legal issues

The rules should include:

- *no alcohol, illegal drugs or drug implements*
- *no people under the influence of alcohol or illegal drugs*
- *no aggressive behaviour or violence*

and include the consequences:

- *if you break these rules we may refuse entry or tell you to leave, and we may call the police.*

Implementing rules for services

Allow young people to use individual services such as casework while intoxicated if they are in a fit state to do so. Staff should give priority to providing these services over simply enforcing the agency rules. Where possible, consequences for breaking the rules can be integrated into a casework agreement.

Implementing rules for activities and events

Information, advertising and promotional activities should, where relevant, say that:

- *the activity is drug and alcohol free*
- *the activity is being run with the knowledge of the local police*
- *the activity ends/the premises close at ... (time)*
- *supervision is provided during the activity* (but be clear about the limits of supervision, eg. that you do not supervise outside the event or after the event).

7. Safety: Alcohol and illegal drugs

If there may be a problem with young people gathering outside the premises consuming alcohol and other drugs while the activity is on inside, it may help to avoid the young people inside and outside mixing. You could refuse entry (and re-entry) after a certain time.

Search bags?

Youth agencies do not usually search everyone's bags, except sometimes at large events. (A better alternative may be to provide a place near the entrance where bags can be left safely while young people are inside).

Legally you can search bags as a condition of entry. Make it clear to participants before they enter that they must present their bags for inspection. Also make it clear in advance what the rules are and what items are not allowed inside.

If someone is already inside and you think that they have an item that is not allowed, ask to see what they have. If they refuse, tell them to leave.

Take what you find?

Think through carefully what you will do with any prohibited items you find. Will you take them, either to confiscate for good or to return them later? Some items you prohibit can be lawful property for at least some young people (eg. alcohol, cigarettes, some pills, some knives) and shouldn't be confiscated for good unless you are absolutely sure the person consents to this.

At the same time, some items are possibly illegal and/or unsafe, and returning them may compromise you if something happens later on. You may be on safer ground if you don't take certain prohibited items from young people but simply refuse people entry (or tell them to leave) while they have such items with them.

Do not confiscate alcohol or illegal drugs unless:

- you believe there is a serious risk to the young person's safety if they consume it (eg. they are already quite intoxicated or it is a very dangerous drug), and
- if pills etc, these are definitely not the person's own legal medication (prescribed or unprescribed), and
- you judge that it is safe for you to do so, and they let you.

Immediately dispose of confiscated alcohol and other drugs down the drain. (Police sometimes suggest that you should take illegal drugs to a police station, but this may be impractical, as well as putting you at risk of a drug possession allegation).

Wherever possible, make young people aware of these rules before they come into the building or decide to participate in the activity. Otherwise, display the rules prominently inside and refer young people to them at the start of the activity.

Drug dealing

If you know or believe that any person is selling or swapping illegal drugs (including prescription drugs) on the premises or during activities and services:

- report it to the police, and
- apply the policy Rules and Consequences.

7. Safety: Alcohol and illegal drugs

Alcohol and illegal drug possession

Refuse entry to young people in possession of alcohol or illegal drugs or implements. If they are already inside, tell them to leave.

Alternatively take an intoxicated young person to the safe supervision area if appropriate (see below).

Apply the policy Rules and Consequences.

Privacy and disclosing information to police, health workers or family

Generally staff must not breach privacy by talking to police, health workers or a young person's family about their drug use or intoxication. Only disclose personal information in one of these situations:

- the young person consents to the disclosure
- someone is violent or is threatening violence, and disclosure to police, health workers or family would reduce the risk
- there is a serious and imminent threat to the young person's life or health, and the disclosure would reduce that risk
- in an emergency you want to notify a young person's family for compassionate reasons (eg. the young person is unconscious or in hospital), but the young person is unable to communicate their consent or refusal, and they have not previously indicated that they don't want family notified in emergencies.

Regardless of the situation including those situations above, if a young person ever indicates that they don't want their family contacted for any reason, you must not contact their family. See the Privacy policies.

Intoxicated young people

Make a judgement on what to do about an intoxicated young person depending on the circumstances. The priorities are:

1. the safety of young people, staff, and the intoxicated young person, while they on the premises or during the activity
2. provide needed services to young people including to the intoxicated young person.
3. apply the policy Rules and Consequences.

Services & activities

Encourage an intoxicated young person to access appropriate services provided by the agency or other agencies including:

- street work and night bus services

Responding to intoxicated young people
See *Alcohol & illegal drugs: law & policy for NSW youth services* (2004) YAPA
<http://www.yapa.org.au>

7. Safety: Alcohol and illegal drugs

- information and referral
- counselling
- other casework services.

Young people can use these services while intoxicated if they are in a fit state to do so. Staff should give priority to providing these services over simply enforcing the agency rules. Where possible, consequences for breaking the rules can be integrated into a casework agreement.

Do not allow an intoxicated young person to participate in group activities unless there are exceptional circumstances.

Keep the intoxicated person safe

Depending on the circumstances you might:

- ask them how they will get home safely
- let them use the phone, or phone for them
- call a street beat-type service (eg. Salvos) if there is one in the area
- drive them home if a staff member and a vehicle are available (see the Vehicles policy)
- call the Poisons Information Centre on 13 11 26 (24 hours) for advice if you have concerns but the situation does not yet justify calling an ambulance
- take them to the safe supervision area if you have one (see below).

If the young person leaves (on foot or in a vehicle) and you believe that in the circumstances there is a serious and imminent threat to the life or health of the young person or someone else, call the police.

Refusing entry

Be polite but firm. Don't turn the situation into a confrontation, it is not the time for an argument or a lecture. Make it clear that you object to their behaviour and not to them as a person. For example say "Sorry we can't let you in because this is a 'no alcohol' event, but you are welcome to come back next time if you haven't been drinking."

Save a Mate

Save a Mate (SAM) is a drug education program and first aid course specifically designed for alcohol and other drug-related emergencies. SAM teaches participants to recognise the signs and symptoms of a drug overdose, and how to administer life-saving techniques. The program provides a general orientation to drug and alcohol issues, challenges myths, and promotes successful outcomes in drug and alcohol emergencies. Contact the Red Cross on 02 9229 4111 or 1800 812 028 or go to http://www.redcross.org.au/nsw/services_sam.htm

See the policy Medications and Medical Treatment.

Safe supervision area

Decide in advance whether to provide a safe supervision area for intoxicated young people, either as a dedicated space at a large event, or an ad hoc use of an office at other times. You should only provide a safe supervision area if:

- you have a first aid trained staff member (paid or volunteer) available to provide supervision
- you have a space to use which is separate from the areas used by the activity
- the supervisor will be safe (consider issues such as: more than one exit? other staff nearby? mobile phone or alarm for the supervisor? etc).

7. Safety: Alcohol and illegal drugs

Prevent violence

If someone is violent, threatens violence, or people feel unsafe, then depending on the circumstances staff should do one or more of these things:

- talk to them to calm them down
- ask them to leave
- let them know you will call the police if they stay
- remove all other people to a place of safety
- call the police.

See the Non-violence policy for more details.

Intoxicated young people outside the premises

If young people, eg. young people who were at your agency, or who were attracted to the area by your activity, are hanging around outside the premises and possibly consuming alcohol or drugs, what should you do? Actual supervision or intervention would usually not be required as part of your duty of care. But should you at least go and see what is happening?

To make this decision you need to balance:

- your hours of work, staffing levels and workload demands
- the need to maintain adequate supervision inside the premises or activity
- the need to keep staff safe while they do this
- whether the young people have been at the agency or not
- particular risks the young people face in the area (eg. drug dealers, isolated areas, busy roads, rail lines, swimming spots, cliffs).

Consider whether you should notify the police if you feel that the level of risk the young people face is very high, taking into account the potential for criticism of the agency and staff:

- by community members for supposedly causing or failing to prevent the problem, and
- by young people for calling the police.

If there are also young people, who have been at the agency, waiting outside for transport at night, take all reasonable steps within your resources to keep them safe while they wait.

More information about alcohol and illegal drugs in youth agencies

For background information and a list of other resources with lots of practical advice, see *Alcohol & illegal drugs: law & policy for NSW youth services (2004)* YAPA
<http://www.yapa.org.au>

Crime and police

Aims

This policy implements these aims:

- This agency plays a role, when consistent with particular project goals, in preventing crime and reducing re-offending by young people.
- This agency supports our criminal justice system as society's main response to criminal behaviour. Police play a key role in the criminal justice system and we support them to play that role, within the constraints of our project goals. However, youth workers are not law enforcement officers and our projects have different aims to police.
- Crime at this agency is not tolerated, whether against young people, staff or the agency itself. The agency understands that crime occurs in a context, and the agency supports a restorative justice approach where appropriate. Therefore, in responding to crime by young people at the agency, we take into account the background and situation of the offender, the seriousness of the crime, the views of the victim and the possibility of the offender taking steps to make up for their crime.
- Young people and police sometime experience conflict in their relationship. This agency has a role in trying to reduce this conflict, in ways which don't compromise young people's rights and needs.
- If individual police behave in ways which are disrespectful, discriminatory, against law or regulations, or corrupt, then staff, as advocates for young people individually and collectively, will respond to such behaviour when it occurs and work to reduce it occurring generally.

Related policies

- Privacy
- Non-violence
- Alcohol and Illegal Drugs

Procedure

Professional behaviour

Talking to young people about police

Staff should not generalise about police to young people, either by being unrealistically critical or unrealistically positive.

Avoid telling young people about your own experiences of committing crime or negative dealings with the police unless it will clearly assist with the work you are doing. Tell the Manager about these disclosures.

Contact with police

Be polite in all your dealings with the police, regardless of how the police treat you or young people. Always introduce yourself and try to establish and maintain constructive communications with the police. At the same time, assert the needs and requirements of the agency and its young people.

Relevant staff should maintain contact with the police Youth Liaison Officer and other relevant local police. In your dealings with police, you should:

- acknowledge that there are some issues on which the agency and the police have conflicting aims and must work separately
- identify issues on which the agency and the police have overlapping aims: share ideas and, when possible and appropriate, work together.

Young people's rights and responsibilities with police

Maintain resources and knowledge about young people's rights and responsibilities in dealing with police. Wherever possible, access resources, information and advice from independent sources such as Legal Aid, community legal centres, Aboriginal legal services and youth peak bodies, and do not rely solely on information provided by the police themselves.

Police involvement in agency activities

Before involving police in agency activities, be aware that situations may arise (eg. drug possession by young people) where police might act against agency policy:

- Police may enforce the law where staff would impose internal consequences
- Police may wish to breach privacy eg. by contacting a young person's parents.

The agency must ensure that police who assist with agency activities as part of the team:

- agree to work within agency policies except when specifically required to respond in another way
- do not have access to personal information (including young people's files or home contact details).

Rights with police:

- You do not have to go with police unless you are under arrest.
- You have a right to silence when being questioned by police.

Young people should get legal advice before they speak to police (eg. *Legal Aid Hotline for Under 18s* on 1800 10 18 10).

It is reasonable for youth workers to give young people this information when the police are questioning them.

7. Safety: Crime and police

Only give young people information about legal matters which you are sure is correct. Do not give legal advice (eg. whether to plead guilty, whether to accept a conference or go to court, etc).

Strongly encourage all young people to get legal advice if they have conflict with the police or are questioned, charged, fined, cautioned or referred to a Youth Justice Conference. Promote the free *Legal Aid Hotline for Under 18s* on 1800 10 18 10.

Inform young people about their options for complaining about police treatment.

You can complain about police:

- to the local police commander
- a formal complaint to NSW Ombudsman (also about rail Transit Officers)
- to YAPA who run a complaint gathering project (also about rail Transit Officers & private security guards)
<http://www.yapa.org.au>

Intervening in police interactions with young people

When police are talking to a young person, you can intervene in any of these situations:

- the young person is an existing client
- you have a positive working relationship with one of the police present
- the police ask you to
- you have a crime prevention or street-based role (street worker, outreach bus etc)
- it occurs on agency premises.

Briefly introduce yourself and your role. You should advocate for the young person as appropriate (or for the rights and needs of young people generally). Try to avoid conflict, and don't obstruct the police in performing their duties.

If you believe the police action is inappropriate, and the police persist despite your advocacy, you should remain there to observe. At a later time you can assist the young person and/or take official steps in response to the inappropriate police action.

Police harassment

If you feel that police are actively obstructing or harassing you in your work:

- attempt to resolve it with the police at the time, or if that fails
- report it to the agency Manager.

The Manager should, depending on the circumstances:

- attempt to meet with senior police to resolve the situation
- make an official complaint
- get legal advice
- contact the funding body and/or the peak body.

7. Safety: Crime and police

Giving information to the police

If you have information for the police, or police ask you for information about a young person, you can provide the information to the police if:

- the information does not breach the privacy of a young person from the agency, or
- you have the consent of the young person whose privacy will be breached.

You can also give information to the police in any of these situations (these are explained in the policy Privacy: Disclosing personal information without consent):

- the information relates to a child protection report (see policy: Child protection)
- a young person is reported to the police as a missing person (tell the police that they are OK, but do not tell the police (or the person's family) where they are)
- you believe that a person (a young person using the agency, or someone else) should not be in possession of a gun because of the risk of violence or suicide
- there is a serious and imminent threat to the life or health of any person and disclosing the information is likely to reduce that risk
- a young person has committed a crime on agency premises or during activities and services
- **in limited circumstances** if you know or believe that a serious crime has been committed and the information may help the police with that crime. See the policy Privacy: Disclosing personal information without consent, for issues to consider before disclosing in these circumstances.

Unless one of these situations (above) applies, you should not breach a young person's privacy. For example, do not tell the police about a client who:

- has committed a crime
- is wanted for police questioning
- has breached their bail conditions or has failed to appear at court
- has left home

except in the situations above.

Politely explain to the police that agency policy does not allow you to disclose the information. If police persist, refer them to the Manager or ask them to put their request in writing.

It is illegal to:

- give police false or misleading information
- assist an escapee
- knowingly mind, store or possess stolen property, illegal drugs or illegal weapons.

Police coming into the agency

If police want to come into the agency building, or are already in the building, ask them what they want.

- If they want to arrest someone who is present, you must let them in, but ask them if an arrest is necessary. An alternative might be for you to arrange for the young person to attend the police station voluntarily, either now or later, and either alone

7. Safety: Crime and police

or with a support person. This may give the young person the chance to get legal advice before speaking to police.

- If they want to question someone, you do not have to let them in. Your options are to let them in, or to suggest it could occur at another time.
- If they insist on questioning now, and you agree to let them in, ask them to use a private place. Ask the young person if they want you to support them during the questioning.

Police protocol

If police are turning up to the agency unannounced and disrupting your work or unsettling young people, consider negotiating a protocol with the police, outlining how you will interact, including in what circumstances police will come into agency buildings. Some suggestions:

- Police agree as a courtesy to phone the staff prior to arriving at the agency, where possible.
- Police agree that, where they don't have the legal right of entry, they will ask before coming in.
- Police agree to provide:
 - identification to staff and young people
 - the reason for seeking entry
 - name and/or a good description of any young person they are looking for
- As a general principle, police agree to trust staff when they say that a young person is not currently on the premises.
- Police agree that they will not arrest someone on the premises if less serious options are appropriate (eg. voluntary attendance at the police station, court attendance notice etc).
- Police agree that if they have to arrest someone, they should be as discreet as possible so as to have minimal impact on other people in the agency.
- Police will not come on to the premises to search and question young people for minor offences.
- Where possible, if police wish to speak to a particular young person who is on the premises, police agree to speak to the young person outside the agency premises, or in an office, with staff present.
- Police agree to respect the role of staff in telling young people their rights, and in supporting them in formal interviews and informal questioning.

Thanks to Pole Depot Neighbourhood Centre – YouthZone Youth Service for some of the material here. See the publications listed under *More information* (below). You can get advice about dealing with police from a community legal centre, or contact YAPA.

7. Safety: Crime and police

Police searches

If police want to search agency premises or files, ask if they have a search warrant.

No search warrant

If the police do not have a search warrant, ask what they are looking for. If you are easily able to assist them without the need for a search, do so, but not if it breaches the privacy of young people or staff, or significantly interferes with activities and services.

If you are not easily able to assist them, politely explain that agency policy does not allow you to let them search without a warrant. If police persist, refer them to the Manager or ask them to put their request in writing.

Whatever the outcome, report the incident to the Manager.

Search warrant

If the police do have a search warrant, ask to see your copy. Check what they are looking for, and insist that they don't search beyond what is permitted in the warrant. If possible, take police straight to the item they are searching for, to avoid disruption. Police can take anything they find. Whatever the outcome, report the incident to the Manager.

Files and other records

Do not hand over files and other records to police unless they have a valid search warrant which authorises them to search agency records.

Crime at the agency

For drug crimes see the policy Alcohol and illegal drugs.

Report to the Manager all crime on agency premises and during agency activities.

Fairness and non-discrimination

Respond to crime at the agency in fair and non-discriminatory ways. Base judgements on:

- facts and reasonable beliefs, not superficial assumptions, unsubstantiated allegations or rumours
- information about individuals, not generalisations about a "group" they belong to (eg. an ethnic group, or people with a particular mental illness).

Report to police?

If a young person commits a crime on the premises or during activities and services, the Privacy policies allow you to tell the police. See Privacy policies.

7. Safety: Crime and police

The victim (whether a young person, staff member or someone else) has the right to choose whether to report the crime to the police or not. (The exception is if a person has suffered injuries, or if there is still a serious and imminent threat to anyone, in which case staff should report the crime to the police).

Staff should provide any necessary information, support or referral to assist the victim. Do not put pressure on the victim to either report or not report the crime to police. If appropriate, staff can mediate between the victim and offender to reach a settlement without reporting to the police.

Where the agency is the victim (eg. of theft or vandalism), the Manager should check if the insurer requires a police report. Otherwise, the Manager should consider reporting to the police if the offence is not trivial and:

- you don't know who did the crime
- the suspect does not admit to the crime
- it is not the offender's first offence at the agency
- the offender doesn't show remorse
- the offender initially agreed to return/repair/replace or compensate for any property they took/damaged, but then failed to without reasonable explanation.

Rules and consequences

Regardless of the views of the victim, and regardless of police involvement or not, staff should implement the Rules and Consequences policy. In deciding on consequences staff should take into account:

- the background of the offender
- the seriousness of the offence
- the views of the victim if any
- if the victim was the agency, the views of other young people as users of the agency (and therefore as "victims")
- the ability and willingness of the offender to return/repair/replace or compensate for any property they took/damaged
- whether it is a first or repeat offence at the agency.

More information on dealing with crime and police:

- *Police powers and your rights* (2001) The Shopfront Youth Legal Service <http://www.theshopfront.org> and click on "Inform and train youth workers about legal issues"
- *Youth justice: Your guide to cops and court in NSW* (2003) by Jane Sanders & Ragnii Grainger. Published by Macquarie Legal Centre and Federation Press (02) 9552 2200 or info@federationpress.com.au
- *Law Handbook* (always use the latest edition) Redfern Legal Centre Publishing.

Suicide

Aims

This policy aims to:

- encourage staff to play a role in reducing the risk of suicide among young people
- encourage and assist staff to identify and respond to young people who may be at risk of suicide
- provide guidance and support to staff when they have serious concerns for the immediate safety of a young person.

Are you liable?

Youth workers may worry that if they take on a client who is suicidal, and they fail to prevent that young person from harming themselves, they might be sued for negligence (breach of duty of care). This fear might lead an agency to avoid working with suicidal young people.

A related fear might be that, by having a written suicide policy, an agency or staff member who fails to do everything in the policy might be sued, and that therefore they might be better off not having a written policy.

If anything, the opposite is the case:

- the agency might be criticised for **not** having a policy (eg. in a coronial inquiry after a death)
- a written policy usually protects individual staff when they comply with it, regardless of the outcome.

In practice it is exceedingly unlikely that a young person or their family could succeed in suing a youth agency for negligence for failing to prevent a suicide or self-harm. If an agency was sued, they would probably succeed in defending themselves by showing that they had a policy requiring staff to take reasonable care in the circumstances, and the staff had followed that policy.

A reasonable policy might give the agency a major role or a minor role in suicide prevention –make this decision based on the agency's overall aims and its resources (staff, skills etc).

Procedure

Confidentiality and consent

Staff must comply with the Privacy policies, including:

- making young people aware from the start of the relationship, of the circumstances in which the agency cannot guarantee confidentiality

7. Safety: Suicide

- only disclosing personal information in the circumstances permitted in the Privacy policies (as outlined below).

Staff can usually only act without the young person's consent in these situations:

- you have serious concerns for the person's immediate safety (see below)
- the person is under 16 and at risk as defined in child protection law, in which case mandatory reporters must report to DoCS (see the Child Protection policies), or
- if the person might possess a gun, you can tell the police if you think they shouldn't have a gun because they might commit suicide (see below).

Staff training, resources and supervision

All staff

All paid youth work staff who do not already have experience in working with young people who are suicidal, should have basic training in youth suicide, including where and when to get extra information and support.

All staff (including administrative staff and volunteers) must have ready access to details of the opening hours and intake procedures of the closest crisis services such as:

- adolescent mental health service
- mental health service
- childrens hospital
- local hospital emergency/casualty
- crisis counselling services
- any other crisis services.

Assessment tools

Assessments enable you to determine:

- whether the level of suicide risk is high, medium or low
- what alternative resources and support is available.

Tools and resources:

- *Keep Yourself Alive* from the Royal Australian College of General Practitioners
<http://auseinet.flinders.edu.au/suiprev/resources/kya.php>
- for more resources go to <http://www.yapa.org.au/youthwork/suicide.htm> or ring YAPA

Assessment tools should be used in conjunction with training, not as a substitute for training.

Casework staff

Staff with a casework role should:

- build a rapport with the staff of the services listed above
- have further training in making an assessment of the risk of suicide of a young person.

7. Safety: Suicide

The agency should have a basic assessment tool for staff to use. The tool should be based on best practice principles, and have been researched and assessed by the appropriate organisations.

Activities and services which protect young people

Identify opportunities within your area of responsibility for services and activities which may help to protect young people from the risk of suicide, eg. those which:

- reduce harmful alcohol and other drug use
- assist young people to deal with mental health problems (theirs and their family's)
- assist young people to deal with family conflict
- increase young people's social connectedness
- assist young people to go through life transitions and stressful life events
- support young people through grief and loss
- reduce despair and hopelessness and expand opportunities (eg. employment, education) for young people.

Take steps to make these services and activities accessible to those young people most in need of them.

Promote, through posters, referrals etc, relevant youth-friendly services such as:

- Kids Help Line 1800 55 1800
- Lifeline 13 1114
- ReachOut <http://www.reachout.com.au>
- Legal Aid Hotline for Under 18s 1800 101810
- Lawstuff <http://www.lawstuff.org.au> .

Recognising and assessing risks

If you have any concerns that a young person may be suicidal, discuss it with:

- the Manager and/or team members
- the young person.

If necessary, you should also discuss it (without disclosing the young person's identity) with:

- your local mental health service
- a youth health service or a child and adolescent mental health service.

If after these discussions your concerns remain, then:

- make an assessment if you are skilled and able to do so (or make an assessment with the assistance of a skilled person), or
- ask the young person for permission to refer them to a skilled person for an assessment.

(See *Assessment tools* above).

7. Safety: Suicide

Risk factors

Be alert to risk factors for suicide among all young people you work with, including (among many others):

- loss and grief
- the suicide of a family member, peer, or role model
- mental health problems in the young person or a family member
- a background of physical or sexual abuse
- being the child or other relative of a Vietnam veteran
- a previous suicide attempt.

Be alert to risk factors affecting a group of young people who use the agency, eg:

- the death of a peer, especially through suicide
- a traumatic incident at the agency or in the local community
- the suicide of a popular figure eg. a rock star.

(Get expert advice on how to support a group of young people following a death or a traumatic incident. See Critical Incident Response policy).

There are many risk factors for suicide. However most of them are **not** very useful in actually predicting suicide.

- Avoid stigmatising young people just because they have certain risk factors.
- If you have concerns that a young person might be suicidal, ask them. (Do not be concerned that you might "plant the idea in their minds").

Serious concerns for immediate safety

If at any time you have serious concerns for the immediate safety of the young person, then it is acceptable under the Privacy policies to disclose personal information and discuss your concerns with any person if this is likely to reduce the risk. (This is an example of "a serious and imminent threat to the life and health" of the young person, which is grounds for a breach of privacy).

Must you tell?

If you have serious concerns for the immediate safety of a client, you can legally breach client confidentiality to tell health workers, police, family or others (see Privacy policies). But must you? ...

... under 16 years

If a suicidal child under 16 years is at risk of harm (as defined in child protection law) then mandatory reporters must report the case to DoCS (see Child protection policies).

... 16 years and over

The law is not clear whether you must disclose information about a suicidal client who is 16 or over, against their wishes. If such a duty did exist, it would almost certainly be limited to when you have serious concerns for the person's immediate safety.

In the absence of a clear legal position, you should apply professional standards if they exist, or accepted practice. Accepted practice in youth work is to always tell mental health or other health workers when you have serious concerns for the person's immediate safety.

7. Safety: Suicide

If the Manager or other team members are available, talk with them.

Report the situation to your nearest:

- mental health service, or else
- children's hospital/ local hospital emergency or call an ambulance.

As well, depending on the circumstances, talk to:

- any family/household member or friend of the young person who might be able to help (but check whether the young person has indicated that they don't want you to disclose personal information to that person eg. on a Privacy consent form)
- any other professional who is working with the young person
- the police
- anyone else who may be able to help
- (under 16 years) if you have reasonable grounds to suspect risk of harm, report your concerns to the DOCS Helpline (see Child protection policy).

You should let the young person know that you are doing these things, unless this would increase the risk. Take whatever steps are reasonable within your role to help keep the young person safe.

Possession of guns

You may inform the police if you believe that a person (a young person using the agency, or someone else) is unsuitable to be in possession of a firearm (a gun) because of the person's mental condition, or because you think that the person might attempt to commit suicide, or would be a threat to public safety. You do not need to know whether the person already has a gun or not. The purpose of informing the police is so that the police can decide whether to issue or revoke a gun licence. Reporting this information to police is acceptable under the Privacy policies.

Ongoing support of a suicidal young person

Make arrangements for ongoing support for a young person at risk of suicide, with the consent of the young person. That ongoing support might be provided by, depending on the circumstances, agency staff, staff of other agencies, and individuals such as relatives and friends.

Agency staff who have an ongoing casework role supporting a young person who is suicidal, should have access to professional supervision with a health worker or case worker who has relevant experience.

The agency should also provide whatever else is necessary to assist the staff member, such as:

- guidelines
- training
- flexibility of hours to allow for out-of-hours crises.

Contracts

A contract can be a useful tool in supporting a person who is suicidal. It is basically an agreement that the person won't harm themselves until the next time you are due to talk to each other. The length of time is based on how long the person feels that they can last. The contract can be in writing or verbal.

The contract symbolises that there is another person (the youth worker) who the person is connected to, and who cares about them.

Non-violence

Aims

The agency does not tolerate violence in any form, by anyone, against anyone, anywhere. This policy aims to assist staff to:

- prevent violence
- manage the risk of violence
- respond to threats and to actual violence.

What does *violence* include?

- verbal and emotional threats, in person, by phone etc
- serious harassment
- bullying
- aggressive behaviour, whether directed at another person or not
- assault
- violence against or damage to property
- any other behaviour or threat that causes another person to feel unsafe, threatened or intimidated.

Whose behaviour does this policy apply to?

This policy applies to all paid and volunteer staff, management, young people and others at the agency.

Related policies

These policies help create the culture where violence is less likely:

- Code of Conduct for Staff
- Rules and Consequences
- Inclusiveness
- Complaints.

These other policies have specific safety requirements:

- Drop-in and Use of Centre Facilities
- Excursions and Camps
- Street Work
- Casework Safety
- Alcohol and Illegal Drugs
- Vehicles
- Home Visits
- Code of Conduct for Staff.

7. Safety: Non-violence

These policies outline responses to violence:

- Rules and Consequences
- Report Risks and Serious Incidents to the Manager
- Critical Incident Response
- Privacy
- Crime and Police
- Medications and Medical Treatment
- any agency OH&S, incident reporting or workers compensation policies.

Non-discrimination

Non-discrimination is both:

- a general requirement of everything you do, and
- a violence prevention measure,

so comply with the Inclusiveness policies.

Apply this Non-violence policy in non-discriminatory ways. Base judgements on:

- facts and reasonable beliefs, not superficial assumptions, unsubstantiated allegations or rumours
- information about individuals, not generalisations about a "group" they belong to (eg. an ethnic group, or people with a particular mental illness).

Procedure

Prevention

Orientation and training

The Manager must:

- ensure that all paid and volunteer staff understand this policy and how to implement it
- regularly discuss with staff issues relating to violence in their particular circumstances
- provide ongoing education for staff on the issue of aggression and violence to ensure that staff remain familiar with procedures
- ensure that staff who work in situations where the risk of violence is high, receive training in recognising the potential for violence and dealing with aggression and violence.

Management responsibility

The employer is legally responsible for preventing violence at the agency.

Management must provide staff with:

- the staffing
 - the resources
 - the policies and procedures
 - the training
- they need in order to minimise the risk of violence.

7. Safety: Non-violence

General approach to young people and others

Treat young people, family members and others with respect and always aim to provide quality services. As soon as possible after a young person comes to the agency for the first time, make them aware of:

- which services and activities the agency provides to which young people
- rules and consequences (see the Rules and Consequences policy)
- how the agency protects privacy, and show them the team's privacy statement (see the policy Privacy Statement and Privacy Consent Form)
- how to complain (show them the document *Your comments and complaints about this agency* (see Complaints policy).

Where relevant, also make family members and others aware of these things.

If you believe that a paid or volunteer staff member's:

- disrespectful or aggressive manner or poor interpersonal skills
 - poor safety practices
- may seriously increase the risk of violence, report this to the Manager.

Services and activities

Be conscious of the role that lack of stimulation, frustration, and negative group dynamics could play in increasing the risk of violence. Staff running activities should assess the effects of different activities and different arrangements for running those activities, in order to minimise these risks.

Staff should take advantage of any opportunities to promote non-violence within their work role, eg:

- run anger management programs
- include assertiveness or conflict resolution in group work programs.

Staffing levels and movements

Plan all services, activities, rosters and staffing levels with the potential for violence in mind. See these other policies for specific staffing requirements:

- Drop-in and Use of Centre Facilities
- Excursions and Camps
- Street Work
- Casework policies
- Home Visits.

Staff movements

As a violence prevention measure, the agency should have a procedure for tracking staff movements in certain risky situations, so as to identify if a staff member is not where they should be at the expected time.

See these policies:

- Street Work
- Home Visits.

Working alone at night

When you work at the agency alone at night:

- keep all external doors locked
- keep any escape routes (eg. fire escapes, interconnecting doors, windows) clear and accessible
- keep a mobile phone on your person, charged and switched on

7. Safety: Non-violence

- (in high risk situations) inform someone else when you are working.

Keep your home address and phone number private

Consider whether to list your home phone number in the phone book or not. When calling a young person or their family member from your home phone or personal mobile, use either permanent Line Blocking, or Call Blocking for that call (so that your number is not transmitted and revealed to them).

You must not disclose your home address or phone number to any young person or family member, and must not leave anything accessible to them with your home address or phone number (eg. your wallet, personal mail or mobile).

Equipment

In situations where the risk of violence is high, the agency must provide whatever safety and security equipment is suitable for the situation, for example:

- duress alarms
- security screen doors
- interview rooms with 2 exits
- good outdoor lighting including in staff parking areas
- intercoms
- mobile phones for staff to carry at all times.

Valuables and cash on the premises

Provide a place for staff to lock their personal belongings, out of sight of the public.

Agencies which:

- give out cash
- collect cash eg. fees from young people need to take this into account in their security arrangements.

Consider ways to minimise or eliminate cash on the premises, especially situations where the public will know that you have cash on the premises.

Report all aggression, threats and incidents

Staff must report all aggression, threats and incidents to the Manager as soon as possible. In the absence of the Manager, report to other staff or management. This applies to aggression, threats and incidents which:

- occur on agency property
- occur during agency services and activities
- involve, as the perpetrator or the victim, a staff member or a young person who uses the agency
- involve actual and threatened domestic violence or child abuse.

Manager to assess the risk

The Manager must receive reports and keep records of all major and minor violent incidents (actual and threatened), in order to assess the on-going risks. Use a standard form. Check each new report against previous reports to identify any trends or patterns.

The Manager will:

- assess the need for strengthened or different procedures in particular situations
- give staff any necessary instructions in order to minimise immediate risks

7. Safety: Non-violence

- assess the need to take action under the policy Rules and Consequences.
- assess the need to report risks or incidents to authorities
- assess the need for debriefing or to implement the policy Critical incident response.

Reporting the risk to authorities

See the Privacy policies for situations in which you should report certain risks to police, mental health services or other service providers.

Weapons

If a person has something with them which could be used as a weapon (eg. a pocket knife), but they have a **satisfactory reason** for having it with them, then:

- if possible store it in a safe place and return it to them when they leave, and
- ask them to try to avoid bringing things like that to the agency in future.

If a person has a weapon with them **without a satisfactory reason**, then:

- do not attempt to disarm them
- if you feel safe to do so, immediately ask them to leave
- if you don't feel safe, or if they refuse to leave, treat this as threatening behaviour (follow the procedure below)
- when it is safe to do so, inform the Manager.

The Manager will decide whether to report the incident to police (if the weapon is illegal), and will assess future risks and respond accordingly.

Verbal abuse, harassment, threatening and intimidating behaviour, and violence against property

The agency does not tolerate:

- verbal abuse
- harassment
- threatening and intimidating behaviour
- violence against property.

The agency believes that we should attempt to work with young people who sometimes behave in these ways. Therefore staff should use the least intervention necessary to stop the behaviour and minimise the risk of it occurring again.

Staff should also avoid responding in ways which are likely to increase the risk of physical violence.

If any person (young person, staff, young person's family etc):

- is verbally abusive or harassing
- is threatening or intimidating

7. Safety: Non-violence

- attacks or damages property,
- then if it is safe to do so, use assertive, non-aggressive language to tell them that their behaviour is not acceptable, and implement the Rules and Consequences policy.

If you feel unsafe, then depending on the circumstances:

- try to get another staff member to come
- try to avoid cornering the person, or them cornering you
- assess the mental and emotional state of the person (eg. frustrated, mentally unwell, intoxicated etc), and assess the risk of physical violence
- try to accommodate their needs (if necessary in order to reduce the immediate risk of physical violence)
- ask them to leave (if they don't, call the police)
- remove yourself from the scene
- remove other people at risk from the scene if it is safe for you to do so
- end the activity and close the premises
- always report the incident to the Manager or other staff as soon as possible.

Threats

Responding to threats

Report all threats to the Manager (or other staff or management in their absence), regardless of how serious or not you judge the risk, including:

- verbal threats
- phone threats
- threats passed on by another person
- threats against property
- threats of suicide or self-harm
- threats against other people outside the agency.

If you are fearful for anybody's immediate safety, do not hesitate to:

- close and lock the building
- refuse entry to any person
- remove yourself from the scene
- remove other people at risk from the scene if it is safe for you to do so
- ring the police.

Do not stay in a situation where you feel unsafe or threatened.

If the threat involves arson, a gun or other weapon, or a bomb, ring the police immediately and follow their advice.

Joke threats

If a young person makes a threat against anyone as a joke, always intervene and make it clear to everyone that this behaviour is unacceptable (see the Rules and Consequences policy).

Physical violence against people

Play violence

Young people might engage in 'play violence', such as wrestling. Staff should monitor play violence to ensure it is both consensual and safe.

Actual violence

Violence against people is not tolerated at the agency.

Priorities

Staff must use their training and judgement to deal with a violent situation. In all cases the priorities are:

1. your own safety, then
2. the safety of everyone else, then
3. the safety of the offender.

Do not put yourself in a position of serious risk in order to protect someone else. You are not expected to physically intervene when someone else (including a young person) is at risk or is being assaulted.

Do not attempt to protect property or money. Do not attempt to pursue the offender when they leave (this is the role of the police).

Actions

Always call the police if you are able to during a violent incident.

Depending on the circumstances:

- use your communication skills and training to persuade the person to stop
- warn the person that the police will be called
- ask the person to leave and lock all doors
- if they don't leave, remove yourself and other people at risk from the scene.

Once everyone is safe:

- provide first aid
- report the incident to the Manager (or to other staff or management in their absence)
- follow the Manager's instructions (or in their absence follow the policy Critical incident response)
- if you haven't called the police already, then only call the police if there is still a risk to any other person. (Once the incident is over, only the Manager or a victim should make the decision whether to report the incident to the police. See the Crime and Police policy).

7. Safety: Non-violence

Report to the Manager

Comply with the policy Report Risks and Serious Incidents to the Manager. (The Manager will then assess which other policies to implement, eg. Crime and Police, Child Protection, Critical Incident Response, agency policies on OH&S, workers compensation etc).

More information

- *Working with young people with challenging behaviours* (2004) Ted Noffs Foundation
- *Preventing violence in the accommodation services of the social and community services industry* http://www.workcover.nsw.gov.au/publications/pdf/violence_f.pdf
- *The Community Services Safety Pack* (January 2004) WorkCover <http://www.workcover.nsw.gov.au>
- WorkCover also publishes *Violence in the workplace – Fact sheet 2001* and *Violence in the workplace – Guide 2002*

Critical incident response

Aims

This policy aims to minimise the ill-effects on people who may be traumatised by a critical incident:

- during an agency activity or service
- while on agency property, or
- connected to the agency.

The policy establishes general guidelines for dealing with critical incidents. Specific procedures depend on the nature of the incident and the people affected, and should be guided by specialist advice.

What is a critical incident?

A critical incident is a traumatic event which is likely to cause unusually strong emotional reactions in people (staff, young people or others) and is outside their normal range of experience. Symptoms may be psychological and physical. It may interfere with their ability to function, at the time or later.

A critical incident might affect a person because:

- they were a victim of the incident
- they were a potential victim of the incident
- they witnessed the incident
- they are close to (personally or professionally) a victim of the incident
- they identify with the type of people affected by the incident
- they have experienced a previous trauma or grief.

Some incidents may also involve staff or young people as perpetrators.

Examples of incidents which may be critical in some circumstances:

- natural disaster (bushfire, flood, storm etc)
- major accident
- death of a significant person, or witnessing the death of any person
- suicide, attempted suicide or self-harm
- critical illness
- serious fire, vandalism, burglary, theft or robbery
- threat to staff, young people or premises
- serious assault or fight involving weapons
- sexual assault, child abuse or domestic violence
- alleged sexual or physical abuse by staff
- false allegation of misconduct
- negative media coverage of the agency
- threat to funding or potential loss of premises.

Not all critical incidents occur on agency premises or during activities. For example, any death, especially by accident, suicide or violence, of a staff member or young person who uses the agency, may have a major effect on others who work at or use the agency.

7. Safety: Critical incident response

Report risks and serious incidents to the Manager

Staff must comply with the policy Report Risks and Serious Incidents to the Manager. A report to the Manager allows the Manager to assess whether to implement the Critical Incident Response policy.

Child protection and Privacy policies

The Child Protection policies and the Privacy policies have priority over this policy. Comply with those policies, **and** comply with all aspects of this Critical Incident Response policy that don't contradict those policies.

Note that in a serious case after a critical incident, the risk to a particular person might amount to a "serious and imminent threat to someone's life and health". Examples of such risks might be the risk of suicide or of post-traumatic stress syndrome. If so, this risk might justify the disclosure of personal information in order to reduce that risk, under the Privacy policies.

Other policies

See these other policies for how to prevent or respond to particular types of incidents:

- Complaints
- Suicide
- Crime and Police
- Non-violence
- Alcohol and Illegal Drugs
- Medications and Medical Treatment
- Vehicles
- Home Visits
- Excursions and Camps
- any other relevant agency policies including OH&S, fire, incident reporting, workers compensation and volunteer policies.

Procedure

Specialist assistance

The Manager will maintain arrangements for specialist assistance at the time and after a critical incident, including:

- someone with specialist expertise who is available at short notice to advise the Manager on overall handling of the incident
- someone trained to conduct debriefings
- trained counsellors to counsel staff, young people and anyone else affected.

7. Safety: Critical incident response

Specialist assistance: *who ya gonna call?*

Each agency must plan their particular response to critical incidents based on their needs and resources. The key ingredients are:

- someone with specialist expertise who is available at short notice to advise the agency's Manager on overall handling of the incident, and possibly to conduct debriefing
- trained counsellors to counsel staff, young people and anyone else affected for a period of time after the incident.

Your options for specialist expertise are to:

- contract a consultant with expertise in critical incident management and call them in if needed
- nominate particular staff who have the expertise and skills or can be trained (more useful in larger agencies as it assumes those staff are not affected by the incident)
- use a combination of external consultants and internal staff.

Counselling might be provided by:

- selected staff (in larger organisations)
- external people who already provide professional supervision to staff
- other agencies in your area, by agreement
- counsellors or psychologists in private practice, for a fee. (In some cases insurance may pay for this).

Some private "employee assistance" companies provide confidential counselling for staff. Some may also conduct de-briefings on a fee-for-service basis.

Training

The Centre for Community Welfare Training (CCWT) runs a workshop on critical incident stress debriefing. CCWT Customised Training may also be able to design a course tailored to your particular needs. (02) 9281 8822

Immediate response to an incident

Is it a critical incident?

The Manager should assess each incident:

- Some incidents are clearly critical incidents, while others are less clear cut.
- Not all incidents require a full scale response.
- Sometimes a series of small incidents over time (eg. verbal abuse or harassment, minor violence) has a similar emotional impact as one large incident, and therefore should be treated as a critical incident.

Minor incident debriefing

Smaller incidents which occur in day-to-day work may require a brief debriefing response:

- the Manager or another staff member talks with the staff member affected
- discuss what happened
- discuss what would assist them to deal with the incident or to feel free from the distress it caused them.

7. Safety: Critical incident response

Critical incidents

Safety and security

Contact emergency services and ensure everyone's safety. In some situations this may require immediately leaving the area. Only remain in, or enter, a location to help others if it is safe to do so.

Make sure the scene of a crime is left undisturbed for the police.

Manager

Contact the Manager, who will:

- take over management of the situation
- appoint/contact other people to assist
- notify management.

Before people leave

Before affected people (staff, young people and others) leave, the Manager or the person in charge at the scene, should:

- conduct a defusing meeting (see below)
- if necessary, arrange a time and place for a more formal debriefing
- record the names of all people present during the incident, and record their contact details if you don't already have them
- contact, or assist all staff and young people to contact, their emergency contact person or family (check their privacy consent forms first)
- ensure that all affected people have a phone number to ring if they need support in the next few hours and days (eg. the Manager, counsellors arranged by the agency, Lifeline/Kids Help Line etc).
- where possible, identify any young person affected who had previously been identified as suicidal, and put in place additional support if appropriate
- before leaving, check the safety and security of the premises.

Record and report the incident

On the day of the incident, the Manager or the person in charge at the scene should record the incident, or at least make notes for later. Record: date, time, location, people involved, witnesses, description of the incident, any immediate action taken.

The Manager should notify WorkCover:

- immediately in cases of death or serious injury
- within 7 days in certain other circumstances.

More information on reporting to WorkCover

The Community Services Safety Pack
(January 2004) WorkCover
<http://www.workcover.nsw.gov.au>

7. Safety: Critical incident response

The Manager should inform staff of the details of the incident as soon as possible. Ensure that all staff get the same information (within the limits of privacy).

The Manager must ensure that staff do not jeopardise any police investigation or prosecution, or any other legal action, by giving out information or accepting blame. If necessary, get legal advice and check with all relevant agency insurers, before speaking to victims, families or the media.

Defusing

Hold a short defusing meeting as quickly as possible after the event, preferably on the same day or the next morning. Use a room at the agency, unless the incident occurred there. All relevant people should attend. The Manager should lead the meeting if possible, and focus it on the incident, including:

- introduction
- clarify the facts of the event
- affirm the competence of staff
- do not air people's reactions, but provide information about possible reactions they may have and how to care for themselves
- outline what will happen next.

The atmosphere should be positive and supportive. Provide a short information handout if possible, as people often cannot absorb information at this stage. The meeting should be short and not delay people from resuming familiar routines.

Within 48 hours of a critical incident

Within 48 hours of the incident, the Manager should:

- let all young people and families know that the Manager is their point of contact for all communication
- offer professional debriefing for all affected staff and young people (see below)
- ensure that any staff member who has an external person providing professional/clinical supervision has informed that person of the incident
- notify the agency workers compensation insurer
- deal with police if required
- notify the funding body if required.

Time off

Following a critical incident staff are entitled to some time off (eg. for the rest of the day or for a few days, as paid compassionate leave). Check also the provisions of workers compensation.

If necessary, replace staff who are affected by the incident, and/or cancel activities and services.

7. Safety: Critical incident response

Debriefing after a critical incident

Debriefing should preferably be planned and run by people with specialist training in this area. Some key points:

- Debriefing is not necessary for all critical incidents.
- Debriefing should normally occur 24-72 hours after an incident.
- Include those directly involved in the incident. Also consider including people who have had significant past involvement with any victim of the incident, including other staff, staff of other agencies, young people.
- Where the incident has affected young people and staff, decide whether to hold a combined debriefing or separate debriefings. If only two or three people are affected by a critical incident, it may be better to debrief them one at a time.

Dealing with the media

The incident might generate media interest and the agency needs to handle the media very carefully.

All contact with the media should be through the Manager or a delegated spokesperson only. Other staff and volunteers must not speak to the media.

Discourage young people and their families from speaking to the media. (If media interest is high, you may not be successful).

Comply with the Privacy policies. Only release information to the media that does not identify any individual, and does not allow them to be identified from details about the incident or surrounding circumstances.

If the police are involved, the police media unit may release some information to the media. This can be a useful way of containing the media activity. You should approach police media to discuss this with them before it happens.

Be cautious

Be cautious in releasing information to the media, as even very general statements may identify a person in some circumstances.

Journalists are skilled at finding out about people who are victims or suspects in dramatic incidents. They might listen in to police radio conversations, quiz everybody entering or leaving premises or even approach staff without revealing who they are.

Be aware that in incidents involving under 18s which may lead to criminal legal action it may be an offence to publish or broadcast the names of certain people (Section 11 of the *NSW Children (Criminal Proceedings) Act 1987*). If necessary get legal advice (eg. Legal Aid Hotline for Under 18s on 1800 101810).

Ongoing monitoring and support

The Manager is responsible for ongoing monitoring and support:

- keep track of how everyone is doing
- consider increasing the frequency of supervision (internal or external) for a while after a critical incident

Model Policies on Working with Young People, for Non-residential Youth Services in NSW
© Copyright 2004 YAPA. See the complete set of policies including any updates, and copy + paste the text, at <http://www.yapa.org.au/youthwork/modelpolicies/index.htm>

7. Safety: Critical incident response

- evaluate: what have you learnt, what could you do better?
- keep people informed of information that comes to hand, such as outcomes of legal proceedings.

Young people and others affected by the incident also may need ongoing support. If several young people who use the agency are affected, there may be ways of integrating this support with the regular services and activities of the agency.

The Manager should get specialist advice to reduce the risk of anyone affected suffering long-term Post Traumatic Stress Disorder.

Follow up session

Consider the need for a follow-up session in the weeks or months after a critical incident. (It is not always necessary).

You may need a follow up session in order to resolve some issue that has come up as a result of the critical incident, which has not gone away. This session may involve everyone affected, some of them or just one individual.

Anniversaries and court cases

The major effects of the incident may continue until the first anniversary passes, or until the end of legal action, if not longer. People will need very different lengths of time to work through their feelings.

Be alert:

- during times that cases are in court or in the media
- in the lead-up to and on anniversaries of the incident, especially the first anniversary,

as some people are more vulnerable at these times.

Team support

Staff especially need to feel supported by the team after a critical incident:

- team building activities (formal and informal)
- regular staff meetings where people feel accepted.

Legal action

A range of potential legal actions may follow a critical incident, depending on the exact nature of the incident, including a criminal prosecution, a coronial inquest, or one or more claims for compensation.

A victim may be entitled to compensation from:

- Workers compensation insurance
- Volunteer accident insurance
- Public liability insurance
- Vehicle insurances
- Victims Compensation for victims of crime.

Each person needs independent legal advice.

Some legal action takes months if not years to complete.

More information: Critical incidents

- *Paul Bullen Management Alternatives* <http://www.mapl.com.au>
- *The Community Services Safety Pack* (January 2004) WorkCover <http://www.workcover.nsw.gov.au>
- *Getting Over It: Coping with serious injury: A guide for injury survivors and their families* (2001) Australian Centre for Posttraumatic Mental Health, University of Melbourne, Locked Bag 1, WEST HEIDELBERG, VIC 3081.