

Children's Services

Ensuring the safety of children in foster care or supported accommodation when using the internet

1. Purpose

Children's Services supports children and young people in our care in ways that are collaborative, strengths-based and restorative. In supporting the behaviour of children and young people, we 'work positively and confidently with children and find the least intrusive way possible to support and empower them and keep them safe.'¹

We have procedures giving guidance on how to help children and young people in our care to use the internet safely in both our Children's Homes and Supported Accommodation procedures libraries (the Children's Homes version is at [Safe Use of the Internet, Social Media and Photographs \(trixonline.co.uk\)](https://trixonline.co.uk), for example).

In exceptional circumstances, where the internet poses a substantial risk of significant harm by others to the young person, we may consider developing an agreement with the young person to monitor their internet usage. For young people living in one of our children's homes, there is guidance for these circumstances at [Surveillance and Monitoring \(trixonline.co.uk\)](https://trixonline.co.uk). This guidance is drawn from the Children's Homes Regulations (2015), and so cannot be used with young people who are in foster care, supported lodgings or supported accommodation, or otherwise in our care; these groups are covered by this additional local procedure.

2. Principles

The surveillance and monitoring of internet use are restrictive practices that should only be used where the absence of such monitoring would place the young person at substantial risk of significant harm from others (or where the young person's use of the internet places others at substantial risk of significant harm), and where there is no less restrictive means of reducing this risk to an acceptable level.

Government guidance is clear on the principles we should follow in these circumstances:

'When we assess restrictive practices, including restraint, we consider the culture of the setting. We expect leaders to demonstrate how they promote a positive culture that minimises any restrictive practices. This will include:

- involving children, parents, and carers in reviewing practice
- training and developing staff so that they understand children's unique needs and how they communicate

¹ [Positive environments where children can flourish - GOV.UK \(www.gov.uk\)](https://www.gov.uk), March 2018, viewed Sept. 2023

- the use of positive approaches to supporting behaviour effective reporting and reflective practice'²

Any measures we develop must also meet two further tests that Ofsted will apply:

'When we are considering whether a setting complies with its legal requirements, we ask:

- Was this action legal and necessary – for example, was it taken to prevent a child from injuring themselves or someone else or causing serious harm to property or in a school to maintain good order and discipline?
- Could this action be considered 'reasonable' in this circumstance? Was it the minimum force necessary? Was it proportionate?'³

3. Procedure

Where any person involved in the care of a young person in our care believes that use of the internet places the young person (or is likely to place them) at substantial risk of significant harm from others (or poses a substantial risk of the young person harming others) they should inform the young person's Social Worker immediately.

The young person's Social Worker will assess the risk(s), involving the young person, their family (where appropriate) and all relevant officers and care givers in the assessment. If the assessment indicates a significant risk of harm, the Social Worker and their manager will convene a strategy discussion. Whether or not a strategy discussion takes place, the case may be presented to the Extra-Familial Risk of Harm (EFRH) Panel; this will trigger police investigation of the individual(s) posing the risk where appropriate. In the case of extremism or radicalisation the Social Worker should refer to the Channel Panel working under the Prevent Pathway. Whichever route is followed, the relevant panel minutes will be recorded on the young person's file, and their plans will be updated accordingly.

The Social Worker will evaluate the risk assessment with their Team and Service Managers. If they believe the assessment warrants the use of surveillance and/or monitoring, they will consider taking legal advice, and record their reasons for doing so or not doing so.

Where they decide that surveillance and/or monitoring is warranted, they will record the reasons for their decision on Mosaic. They will include evidence demonstrating why the risks cannot acceptably be reduced by less restrictive measures.

They will discuss their proposal with the young person and with their family (where appropriate). Where the young person does not have family who can support them in this discussion, their Social Worker should recommend to the young person that they have an advocate and arrange an advocate if the young person agrees.

² [Positive environments where children can flourish - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

³ [Positive environments where children can flourish - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The plan for surveillance and/or monitoring may only be implemented with the written agreement of the young person (if they are Gillick competent) or a person holding parental responsibility (but not the Corporate Parent). The agreement should be added to the young person's Mosaic record.

Any such agreement should be time-limited, since the measures proposed will by definition be exceptional. The agreement should include an action plan whereby surveillance and/or monitoring will be replaced by positive measures over the agreed period.

Any such agreement must be reviewed with the young person, their family, and all relevant parties after one month, and therefore not less than every three months.