

# **F9FT 04 (DE5) Establish and Maintain Contact with Victims, Survivors and Witnesses which Acknowledges the Effects of Their Experience**

## **Elements of competence**

- DE5.1 Establish contact with victims, survivors and witnesses in a manner which acknowledges the effects of their experience**
- DE5.2 Maintain contact with victims, survivors and witnesses in a manner which acknowledges the effects of their experience**

## **About this Unit**

This standard is about establishing and maintaining contact with victims, survivors and witnesses of crime or anti-social behaviour. It involves making contact with individuals on a number of occasions, and over varying periods of time. It is essential that you recognise and acknowledge the impact of crime on people whilst at the same time maintaining a focus on the purpose of your employment. You need to be able to provide information about your own organisation, and that of other organisations that may be able to offer support to individuals.

The term 'support' may include the provision of information, practical help, counselling and emotional therapy.

In this standard, the term 'individuals' has been used to refer to the people you are assisting, including those who may be victims, survivors, witnesses or their associates.

In this unit, the term 'individuals' has been used to refer to victims and survivors against whom an offence was committed directly, witnesses, or a partner, relative or friend bereaved or affected by crime.

## **Target Group**

This standard is applicable to those who are employed or acting as volunteers in organisations within the criminal justice system whose work brings them into direct contact with victims, survivors and witnesses. It includes the police, courts and the Crown Prosecution Service /Procurator Fiscal's Office and a wide range of other statutory, voluntary and independent organisations whose work brings them into direct contact with those affected by crime, including community safety agencies, local authorities, probation service, and voluntary organisations.

## **Evidence Requirements for the Unit**

**It is essential that you adhere to the Evidence Requirements for this Unit — please see details overleaf.**

## F9FT 04 (DE5) Establish and Maintain Contact with Victims, Survivors and Witnesses which Acknowledges the Effects of Their Experience

<b>Specific Evidence Requirements for this Unit</b>
<b>Simulation:</b>
Simulation is <b>NOT</b> permitted for this Unit.
<b>The following forms of evidence ARE mandatory:</b>
<p><b>Direct Observation:</b> Your assessor or expert witness must observe you in real work activities which provide a significant amount of the Performance Criteria for most of the Elements in this Unit. For example your assessor may observe you at meetings with the service user(s) explaining your role and responsibilities and that of other agencies, gaining their views, assessing the risks to service user(s) and offender, disclosing only information that can be disclosed and advising service user(s) of their rights.</p> <p><b>Reflective Account/professional discussion:</b> These will be an explanation or a description of your practice in particular situations based on current working practices. For example an account of your practice in preparation for meetings with service user(s), your assessment of risk to the service user(s) and offender, your active listening skills and other methods of communication to establish trust and build confidence and the variety of available support from your own and other agencies. You could also include an explanation of how legislation, policies and procedures affect your practice.</p>
<b>Competence of performance and knowledge could also be demonstrated using a variety of evidence from the following:</b>
<p><b>Questioning/professional discussion:</b> May be used to provide evidence of knowledge, legislation, policies and procedures which cannot be fully evidenced through direct observation or reflective accounts. In addition the assessor/expert witness may also ask questions to clarify aspects of your practice.</p> <p><b>Expert Witness:</b> A designated expert witness may provide direct observation of practice, questioning, undertaking a professional discussion or providing feedback on a reflective account. Working with Victims, Survivors and Witnesses can pose a number of challenges for Direct Observation of practice by assessors not based in the workplace and it is vital that expert witnesses are identified at the planning stage as they will be required to work closely with your assessor in the evidence gathering process.</p> <p><b>Witness testimony:</b> Can be a confirmation or authentication of the activities described in your evidence which your assessor has not seen. This could be provided by a work colleague or another key person. It is NOT appropriate to use witness testimony from any member of their family or circle of friends.</p> <p><b>Products:</b> These can be agreed plans, risk assessments, assessment records and/or any agency approved forms and records. Copies of material/brochures/application forms on services the candidate has sought out and prepared for the service user. Where products have not been developed or compiled by the candidate you need to provide an explanation of the contribution you made to them or your reasoning for offering them to the service user(s), eg brochures and application forms.</p>

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Due to the nature of this Unit considerable care should be given to the inclusion of any anonymised records in your portfolio. They should remain where they are normally stored and checked for their authenticity by your assessor as well as occasionally by your Verifier. Where records are included great care should be taken to ensure they are anonymised to ensure confidentiality.

### **General guidance**

- ◆ Prior to commencing this Unit you should agree and complete an assessment plan with your assessor which details the assessment methods (including potential products) and the tasks you will be undertaking to demonstrate your competence.
- ◆ Evidence must be provided for ALL of the Performance Criteria, ALL of the knowledge and parts of the scope that are relevant to your job.
- ◆ Candidates and assessors should ensure that knowledge evidence should be **integrated** into the reflective accounts, direct observations and if appropriate in professional discussions. Care should be taken to **avoid** assessment of knowledge through set or banks of questions as they generally do not reflect real work practice.
- ◆ The evidence must reflect the policies and procedures of your workplace and be linked to the current legislation, values and principles of best practice within the Community Justice Sector and in particular those staff working with victims survivors and witnesses.
- ◆ ALL evidence must relate to your own work practice.

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### **Knowledge Specification for this Unit**

Competent practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent practice in the performance described in this Unit.

When using this specification **it is important to read the knowledge requirements in relation to expectations and requirements of your job role.**

**You need to provide evidence for ALL knowledge points listed below. There are a variety of ways this can be achieved so it is essential that you read the 'knowledge evidence' section of the Assessment Guidance.**

<b>You need to show that you know, understand and can apply in practice:</b>	<b>Enter Evidence Numbers</b>
<b>Legislative, regulatory and organisational requirements</b>	
1 Legal and organisational requirements which relate to assisting victims, survivors and witnesses and assessing their needs for further support, and their impact for your area of operations.	
2 Legislation, policies and procedures relating to data protection, health and safety, diversity and their impact for your area of operations.	
3 The role of your organisation and its services and the services which it provides in supporting victims, survivors and witnesses.	
4 Your organisation's policy and procedures regarding confidentiality of information and the disclosure of information to third parties, and the specific circumstances under which disclosure may be made.	
5 Organisational requirements relating to allowing others to be present in discussions with victims/survivors/witnesses, and the relative benefits and disadvantages that the presence of others can create.	
6 The limits of your authority and responsibility, and the actions to take if these are exceeded.	
<b>Working with victims, survivors and witnesses</b>	
7 The impact of crime on victims, survivors and witnesses and their need for protection, respect, recognition, information and confidentiality.	
8 Criminal justice processes, including processes for charging and prosecuting individuals, court and custodial processes.	
9 The ways in which it is necessary to alter communication when working with different individuals.	
10 The limits on the information that it may be possible to disclose to those affected by crime, including methods for explaining these.	

## F9FT 04 (DE5) Establish and Maintain Contact with Victims, Survivors and Witnesses which Acknowledges the Effects of Their Experience

You need to show that you know, understand and can apply in practice:	Enter Evidence Numbers
11 Ways of explaining and promoting your organisation and the aims of its work to those affected by crime, and ways of explaining and promoting the circumstances and feelings of victims, survivors and witnesses to other organisations.	
12 The characteristics of children as victims, survivors or witnesses and the particular requirements of child protection legislation.	
13 The role of your organisation and its services and how they relate to other organisations and services in the community justice sector.	
14 Own role and responsibilities and from whom assistance and advice should be sought if you are unsure.	
15 The options for supporting witnesses and associates, including the reasoning processes used in determining the most appropriate options for the individuals concerned.	
16 Methods of evaluating your own competence, determining when further support and expertise are needed.	

## **F9FT 04 (DE5) Establish and Maintain Contact with Victims, Survivors and Witnesses which Acknowledges the Effects of Their Experience**

### **DE5.1 Establish contact with victims, survivors and witnesses in a manner which acknowledges the effects of their experience**

<b>Performance Criteria</b>	<b>DO</b>	<b>RA</b>	<b>EW</b>	<b>Q</b>	<b>P</b>	<b>WT</b>
1 Introduce yourself correctly and take the relevant actions towards welcoming individuals and towards encouraging them to be at ease.						
2 Listen actively and respond constructively and with empathy to the points made, acknowledging their experiences and the impact of the crime upon them and those close to them, communicating in a manner which suits the needs and ability of the individuals.						
3 Encourage individuals to discuss their experiences and express any immediate concerns they have about their own safety and that of their family.						
4 Forward any information promptly to the appropriate organisation relevant to the safety of individuals and their family, where they have consented to this information being shared, or where there is a significant risk of harm to others.						
5 Obtain any further information which is needed from individuals, explaining why the information is needed, how it will be used, and who will have the right of access to the information which they provide.						
6 Encourage individuals to ask questions, providing them with information that may be disclosed, and seek confirmation of their understanding of the information provided.						
7 Offer individuals information about other organisations that may be able to offer them support, the nature of the services they offer and assist individuals to make contact if they so wish.						

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Performance Criteria		DO	RA	EW	Q	P	WT
8	Explain clearly to individuals your own role and responsibility, and provide details of those to contact within your organisation if the individuals have any further concerns or questions.						
9	Carry out requirements in accordance with child protection legislation.						

DO = Direct Observation  
EW = Expert Witness

RA = Reflective Account  
P = Product (Work)

Q = Questions  
WT = Witness Testimony

### DE5.2 Maintain contact with victims, survivors and witnesses in a manner which acknowledges the effects of their experience

Performance Criteria		DO	RA	EW	Q	P	WT
1	Listen actively and respond constructively and with empathy to the points made, communicating in a manner which suits the needs and ability of the individuals communicate with individuals throughout the process in a manner which.						
2	Provide individuals with accurate, relevant, up-to-date information about the progress of the case.						
3	Explain clearly to individuals the information which you can disclose to them and the reasons for these limits, who may have access to reports of their views and their right to request that information is not disclosed to the offender, including the steps that can be taken to protect their anonymity in such reports.						
4	Discuss with individuals the factors that are considered by decision-makers and why it may not always be possible to act on their views, including the range of possible conditions that could be attached to the case.						
5	Encourage individuals to feel comfortable about making comments on any aspects which affect or concern them.						

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Performance Criteria		DO	RA	EW	Q	P	WT
6	Maintain accurate and up to date reports of individuals' views in a way which protects their anonymity when this has been agreed with them, and in lien with your organisation's requirements.						
7	Discuss with individuals their need for further support and assist them to contact the relevant organisations, where appropriate.						
8	Carry out requirements in accordance with child protection legislation.						

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*To be completed by the candidate*

**I submit this as a complete Unit**

Candidate's name: .....

Candidate's signature: .....

Date: .....

*To be completed by the assessor*

*It is a shared responsibility of both the candidate and assessor to claim evidence, however, it is the responsibility of the assessor to ensure the accuracy/validity of each evidence claim and make the final decision.*

**I certify that sufficient evidence has been produced to meet all the Elements, PCs and Knowledge of this Unit.**

Assessor's name: .....

Assessor's signature: .....

Date: .....

**Assessor/internal verifier feedback**

*To be completed by the internal verifier if applicable.*

***This section only needs to be completed if the Unit is sampled by the internal verifier.***

Internal verifier's name: .....

Internal verifier's signature: .....

Date: .....