

# **F9RR 04 (DJ101) Assess the Circumstances of an Incident towards Identifying a Restorative Response**

## **Elements of competence**

- DJ101.1 Obtain and review information relating to incidents**
- DJ101.2 Assess the benefits and risks associated with progressing a restorative response**
- DJ101.3 Explore situations where there are complex and sensitive issues**

## **About this Unit**

This Unit is about establishing the circumstances of an incident and assessing the potential benefits of and the risks associated with possible restorative practice responses. It includes identifying whether there are any complex or sensitive issues to be addressed. These can relate to the incident itself, or to the capability of those involved to understand fully or to participate in a restorative process.

Within the Unit, the terms 'person(s) responsible' and 'person(s) harmed' are used. The term 'person(s) responsible' refers to the individual(s) responsible for the incident. The 'person(s) harmed' refers to those harmed or affected similarly by the incident.

## **Target Group**

This Unit applies to those with responsibility for providing initial advice on the application of restorative practice processes to an individual or in a community situation.

## **Evidence Requirements for the Unit**

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

## F9RR 04 (DJ101) Assess the Circumstances of an Incident towards Identifying a Restorative Response

<b>Specific Evidence Requirements for this Unit</b>
<b>Simulation:</b>
Simulation is not 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 see you setting up or attending a meeting between yourself and other members of staff from other agencies set up to look at information the candidate has gathered regarding incidents and their assessment of the risks associated with restorative justice/practice.</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 how you assessed the risks of any proposed restorative initiatives to the wider community or an account of the information gathering process, protocols and procedures used on projects you are involved in. 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.</p> <p>Working within the Youth Justice field 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 require 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 anonymised copies of risk assessments or information from incident reports, agency forms you have completed. 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 staff or other organisations, eg brochures and publicity or marketing material.</p> <p>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.</p>

## F9RR 04 (DJ101) Assess the Circumstances of an Incident towards Identifying a Restorative Response

### 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 the Youth Justice Sector.
- ◆ ALL evidence must relate to your own work practice.

# F9RR 04 (DJ101) Assess the Circumstances of an Incident towards Identifying a Restorative Response

## 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.**

You need to show that you know, understand and can apply in practice:	Enter Evidence Numbers
<b>General/key knowledge relating to restorative practice</b>	
1 The legislation and guidelines of good practice which relate to assessing the appropriateness of restorative processes and the impact of these on your work, including requirements regarding confidentiality.	
2 The nature of and principles underpinning restorative processes, and the purpose and potential benefits of restorative practice.	
3 Partner organisations with which you might work in the restorative process, including their principal roles and responsibilities within the process.	
4 The needs of all involved within the restorative process.	
5 The importance of, and how to create, a safe environment for participants.	
6 The importance of treating all participants with respect and of avoiding both stigmatisation and stereotyping in your dealings with participants.	
7 Effective telephone and face to face communication techniques, including: <ul style="list-style-type: none"> <li>◆ active listening</li> <li>◆ questioning for understanding</li> <li>◆ awareness of and ability to read non-verbal signals</li> <li>◆ summarising and reflecting back</li> <li>◆ giving and receiving feedback</li> <li>◆ challenging constructively and positively</li> <li>◆ enabling participants to make their own choices</li> </ul>	
8 How to judge what information may be given to one participant about another, or to anyone else given the implications for their emotional and physical safety, and how gaining additional information might be used by the person responsible or the person harmed.	
9 How to recognise the effects on yourself of working upon restorative processes, and how to seek any appropriate supervision and personal support.	
10 Your own role and responsibilities, and from whom assistance and advice should be sought where necessary.	
11 The principles of effective equality, diversity and anti-discriminatory practice.	
<b>Knowledge related to assessing the circumstances, benefits and risks</b>	
12 The boundaries of confidentiality, and the importance of maintaining appropriate levels of confidentiality, and how to maintain these.	

## F9RR 04 (DJ101) Assess the Circumstances of an Incident towards Identifying a Restorative Response

You need to show that you know, understand and can apply in practice:	Enter Evidence Numbers
13 The information required towards making an assessment of individuals, appropriate to identifying potential benefits and any risks, and to managing risk factors within a restorative process.	
14 Sources of relevant information regarding individuals and to how to access these.	
15 Methods of verifying and corroborating the information required.	
16 How to distinguish between directly observed evidence, evidence from reliable sources, and hearsay.	
17 How to distinguish between prejudice and opinions that are backed by evidence.	
18 How to assess the suitable restorative processes for individuals, including the factors to take into account and the alternatives that may be available to the person responsible and the person harmed.	
19 Approaches to risk assessment, how to use these and their relative advantages and disadvantages.	
20 Factors influencing the vulnerability of individuals, the types of vulnerability or levels of harm used in assessing risk, their indicators and how to determine these.	
21 What might constitute a sensitive and/or complex issue, the sources of vulnerability arising from the effects of sensitive and complex cases on those involved, the behaviour and relationships underlying these cases, and the implications upon how to work with participants in a restorative process.	
22 Possible attitudes to sensitive and complex cases in the participants' communities, and how this may affect them and influence how they participate in the restorative process, especially if the case is widely known.	
23 The long-term effects of sensitive and complex cases, and the implications for the length and timing of the restorative process, and for maintaining continuity of case handling and the importance of closure for persons harmed.	
24 How participants, or others, can cause harm either during or outside the restorative process, including how participants can manipulate others to prevent them stating their needs and views, and how this can manifest itself in a restorative process.	
25 How a pre-existing or ongoing relationship between participants can affect a restorative process, either increasing its benefits or providing opportunities for harm.	
26 Methods of managing risk within the restorative process, including the types of communication, selecting appropriate venues, and managing and balancing the presence/absence of supporters	

# F9RR 04 (DJ101) Assess the Circumstances of an Incident towards Identifying a Restorative Response

## DJ101.1 Obtain and review information relating to incidents

Performance Criteria		DO	RA	EW	Q	P	WT
1	Identify the information required towards identifying a possible restorative practice response.						
2	Access any existing information regarding the incident and the individuals involved, appropriate to identifying possible restorative practices, and the benefits and any risks associated with these.						
3	Obtain additional information requirements through structured questioning.						
4	Determine, where possible, any existing relevant assessments relating to the individuals' prior behaviour.						
5	Seek the advice of others where there is uncertainty about the validity of information or the interpretation of findings.						
6	Present the information to those who need to have access to it, maintaining confidentiality in line with your organisation's requirements.						

## DJ101.2 Assess the benefits and risks associated with progressing a restorative response

Performance Criteria		DO	RA	EW	Q	P	WT
1	Identify the individuals' relevant circumstances, including their family and personal situation, physical and mental health.						
2	Establish whether there is any previous connection between the individuals involved, and where relevant, determine the nature of any such history.						
3	Assess the information obtained and determine the potential benefits, and the nature of any risk factors, associated with progressing a restorative process.						
4	Provide evidence to show the basis for your assessment and to explain the nature and strength of the benefits and any risk(s).						
5	Determine and assess whether there are any factors which might trigger an imbalance between individuals.						
6	Use your professional judgement to assess the significance of any risk factors identified, and determine correctly the steps towards addressing these risks.						
7	Identify any factors which may mean that an individual is particularly vulnerable and which indicate that there are complex or sensitive issues to be considered.						

## F9RR 04 (DJ101) Assess the Circumstances of an Incident towards Identifying a Restorative Response

Performance Criteria (cont)		DO	RA	EW	Q	P	WT
8	Record the potential benefits and also any risk concerns correctly, together with the steps taken to address these.						
9	Identify correctly where additional assessments are required, and make the appropriate arrangements promptly, recording your reasons for the additional requirement clearly.						

### DJ101.3 Explore situations where there are complex and sensitive issues

Performance Criteria		DO	RA	EW	Q	P	WT
1	Identify and review with co-workers, as appropriate, where there are complex and sensitive issues that may influence the restorative process.						
2	Select and agree with co-workers an appropriate procedure for exploring any issues which are considered complex and sensitive.						
3	Assess cases for the presence of any complex issues that would require referral to a line manager.						
4	Use agreed procedures and protocols in gathering necessary information from relevant individuals and sources, making clear the information that is needed, how it will be used, and who will have access to the information.						
5	Summarise the information obtained, verify that it is relevant, accurate and current, and that any opinions have authoritative support.						
6	Prepare, record and present recommendations to co-workers for any special consideration in the design of the restorative process arising from the sensitive and complex issues explored.						
7	Record concerns regarding any complex and sensitive issues, together with ways in which they might be addressed, and refer these to the appropriate level of management and/or partnership, or agency, in accordance with your organisation's procedures.						

DO = Direct Observation  
EW = Expert Witness

RA = Reflective Account  
P = Product (Work)

Q = Questions  
WT = Witness Testimony

# F9RR 04 (DJ101) Assess the Circumstances of an Incident towards Identifying a Restorative Response

*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: .....