

GUIDELINES FOR WORKING WITH CHILDREN WHO HAVE A FAMILY MEMBER IN PRISON

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The term family member is not restricted to biological family members. It may be a parent or carer or any other person with a significant role for the child i.e. sibling, close family friend, step parent etc.

The information and advice in this document uses the following key sources:

1. Ormiston. (2007). *Working with Children and Families of Prisoners*.
2. Department for Children, Schools and Families and Ministry of Justice. (2007). *Children of Offenders Review*. London.
3. Greater Manchester Safeguarding Partnership and Barnardo's. (2017). *Guidance for Working with Children who have a Parent (or significant family member) in Prison*. Retrieved from: http://greatermanchesterscb.proceduresonline.com/chapters/p_child_parent_prison.html
4. Ormiston Families. (n.d.). *In it Together!* Retrieved from: www.inittogether.info
5. Legislation.gov.uk. (2014). *Children and Families Act*. Retrieved from: <http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>
6. Barnardo's Cymru. (2014). *Children affected by the imprisonment of a family member*. Retrieved from: https://www.barnardos.org.uk/welsh_schools_handbook_english.pdf
7. Family Lives. (2017). *The impact of parental imprisonment on the mental health of children and young people*. Retrieved from: https://app.pelorous.com/media_manager/public/209/Documents/APOF/APOF%20Parental%20imprisonment%20and%20CYP%20mental%20health%20Jan%202017.pdf
8. Department for Education (2019). *Keeping children safe in Education*. Retrieved from <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
9. Save the Children. (1998). *Working with Children of Prisoners Resource Book*
10. National Information Centre on Children of Offenders <https://www.nicco.org.uk/>
11. Gloucestershire County Council. (2002). *Policy for the Education of Children with a Parent or Close Relative in Prison*.
12. Slough Borough Council. (n.d.). *Guidelines for Working with Children who have a family member in Prison*.

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Introduction

It is reported that, in England and Wales, the parents of around 310,000 children are imprisoned each year and 10,000 visits are made by children to public prisons every week (National Information Centre on children of Offenders). It can be difficult for schools to identify who these children are as there are no statutory requirements for schools to be informed, and the family and children of the offender may choose to keep the information secret. However, it is important to raise awareness of children who have a family member in prison, as they will likely need extra support.

For many of these children, the impact of their family members imprisonment can be wide ranging. The COPING project (2012) highlighted that:

“Schools are the one institution that almost all children regularly attend. They are an important source of support for children with imprisoned parents and have potential to contribute to their emotional wellbeing. However, schools are often unaware of the existence of the children of prisoners, or their needs.”

These guidelines have been developed to highlight the key issues for children with a family member in prison, and the impact of this experience on school, with the aim that staff can be better informed and sensitive to the individual needs of this group of children. The more aware school staff are of the issues involved for a child with a family member in prison, the greater the potential for the child to achieve and thrive in school. A caring and understanding staff group can help to provide the stability and continuity to enable this.

Aims of the Guidelines

- To provide information and guidance for those working with children who have a family member in prison.
- To raise awareness and understanding of the needs of children with a family member in prison.
- To promote social inclusion and equal opportunities.
- To develop a consistent approach to good practice across Oxfordshire Local Authority.

Guidance & Legislation

Schools have a responsibility to support the children of prisoners, where this information is known, both with regard to safeguarding duty, and more generally with a view to improving outcomes and ensuring they thrive in education. This is outlined in the documents referenced below.

United Nations Convention of the Rights of the Child (UNCRC)

Article 9 refers to separation from parents. Children who are separated from their parents have the right to stay in contact with their parents, unless it is not in their best interests to do so. This would include a parent or carer in prison. Article 3 also states that the best interests of the child shall be a primary consideration in all public institutions.

Keeping children safe in Education 2015

The statutory guidance Keeping Children Safe in Education 2018 refers to the potential need for early help for a child who *'is in a family circumstance presenting challenges for the child'*. The vulnerabilities of this group mean that additional attention is required to ensure their wellbeing is safeguarded.

Children Act 2004

The Children Act 2004 was designed with guiding principles in mind for the care and support of children.

These are:

- To allow children to be healthy
- Allowing children to remain safe in their environments
- Helping children to enjoy life
- Assist children in their quest to succeed
- Help make a contribution – a positive contribution – to the lives of children
- Help achieve economic stability for our children's futures

Oxfordshire Children and Young People's Plan 2018 -2021

The Oxfordshire vision is for it to be a great place to grow up where children and young people to have opportunities to become everything they want to be. We want children and young people to;

- Be successful
- Be safe
- Be happy and healthy
- Be supported

Key priorities for the local area are children missing out on education, social and emotional well-being and mental health and protecting children from domestic abuse.

Impact on the Child

Barriers to Achievement

Barnardo's Cymru (2014) and Ormiston (2007) list the potential impact that a family member in prison may have on a child. While not exhaustive, this does reflect the experiences of many children in this situation. This may include:

Emotional well-being

- Sadness about the loss of a family member.
- Concern about what is happening to the family member in prison.
- Feeling anxious, struggling to express feelings and experiencing sleep disturbances.
- Behaviour changes.
- Increased likelihood of mental health difficulties.
- Prison visits can be very stressful and physically exhausting, especially for children.
- Worry and anxiety can prevent children's relaxation/recreation.
- The child may lack opportunities for play or may choose to avoid others by staying indoors rather than playing outside.
- Children can feel alone and need support to recognise and rationalise their own feelings.
- Lack of self-esteem and confidence can lead to children becoming withdrawn and avoiding situations where they will be the centre of attention.

Family

- An increased level of stress in the family means there is a potential for lack of supervision of children as the parents or carers adjust to the circumstances.
- The child's carer may experience isolation, stress or health difficulties and as a result, the child's needs may not be fully met.
- The cost of transport for families visiting prison and/or getting access to local services.
- The family income may drop causing additional stress due to problems with accommodation, debt and meeting the costs of visits. This may result in changes in diet, housing, holidays and opportunities for recreation.

- A change in primary caregiver, especially if the person imprisoned was the child's mother.
- There are issues of self-esteem for the whole family. Low self-esteem or belief can potentially affect the way family members look after themselves.
- A parent who receives a prison sentence is immediately removed from family life. This results not only in feelings of separation and loss but often a dramatic change in relationships within the family.
- Fear and anxiety increases the likelihood of mental health problems and stress-related illness.
- The child may be losing their childhood by taking on care responsibilities at home.

Community

- The child may experience the loss of friends and familiar surroundings through moving house or changing schools.
- Families can experience unwelcome attention from the media and the local community.
- The stigma of imprisonment often means the family has to deal with, or is fearful of, negative reactions.
- Stigma by association can cause children to be excluded from group activities, hobbies or friendship groups because of their parents'/carers' crime.
- In some communities/families, crime is seen as a normal part of everyday life which may present a risk to children.
- Families and their associates may be involved with drug or drug alcohol abuse or experience issues such as domestic violence.

School

- Concentration and attainment in school may deteriorate.
- The child's behaviour may change.
- Embarrassment or stigma leads some parents to decide not to inform their children's school, leaving children vulnerable and isolated.
- The child may experience tension and uncertainty from the imposing of silence around the situation.
- Regressive behaviour can make school difficult for the child at any age.

- Vulnerability to being bullied and or bullying others are significant issues for children of school age.
- More understanding about changes in children's behaviours might identify the encouragement and support that the child may need.

Significantly, parental imprisonment has been shown to have an impact on a child's long-term outcomes.

Emotional Impact

As with bereavement, a prisoner's child will have 'lost' someone close to them and as such, may experience a range of similar emotions. These are outlined below. In the case of a bereavement, the school is usually informed so the child can be supported. However, a prisoner's child may experience similar emotional turmoil but in a situation which can also bring stigma, shame and secrecy.

- Shock – can take the form of a physical pain or numbness but more often manifests in apathy and withdrawal, uncharacteristic calm or anger.
- Denial – may last for hours, weeks or even longer. No loss is acknowledged so the child is protecting him or herself. This distortion of the truth can create more complications in the future.
- Mixed emotions – children may feel they are 'different' because of the unexpected waves of strong emotions they can experience and over which they can feel they have little control. They can often feel the urge to keep going over what has happened, trying to find reasons.
- Anger – can be at the person who has let them down, family members for not stopping the chain of events, the police, the courts, school for not understanding and directionless anger.
- Depression – emptiness, the pain of loss, the feelings of lack of self-worth and loss of confidence.
- Guilt – children may assume responsibility for contributing to the loss of their family member.
- Anxiety – about the changes that are taking place, in new responsibilities, and the loneliness and isolation they may experience. They may fear that the other parent or carer may also be taken away, that others may find out what has happened and that they will be bullied as a result.

Children who are not visiting the family member in prison and have no access to accurate information about prison, may feel very anxious about what is happening to their imprisoned family member and base their ideas of prison on what they have seen or heard in films or on TV. Agencies working with children and families affected by imprisonment recommend that adults tell children what is happening at the earliest possible stage. However, whether to tell a child, when and how, is the concern of the family. Alternative explanations for a person's absence are sometimes given to children, which commonly include: working away on an oil rig, joined the army, in hospital, on holiday, gone to visit extended family overseas or attending college.

Children, including the very young, can sense tension and are aware of changes. Lack of information generally causes anxiety and fear and what is imagined may cause more worry than the whole truth would. Still, children who know what has happened may be reluctant to talk about the imprisonment, even inside their own families. They may have been told not to mention it to anyone or might feel too ashamed to talk about it. Talking about may even have been met with adverse responses.

Children often internalise their feelings surrounding a family member being in prison, which can result in loss of self-esteem, anxiety and depression. Manifestations can include:

- Bedwetting
- Nightmares
- Temper tantrums
- Aggressive behaviour
- Withdrawal
- School refusal

Teachers report observing the following changes in pupils with a family member in prison:

- Moodiness
- Aggression
- Chattering
- Bullying
- Difficulties with peers
- Appearing upset
- Appearing withdrawn
- Showing lack of concentration
- Showing lack of interest in work
- Antagonism towards authority figures.

These changes may begin to become more apparent in relation to the stages of imprisonment, such as:

- The arrest of a family member
- Finding out about the imprisonment of a family member
- A visit to a family member in prison
- Special events involving their family member in prison, for example their birthday, Mother's or Father's Day
- A home visit by a family member from prison
- The release of a family member from prison.

However, for some children the removal of a family member to prison may be beneficial and lead to positive changes in both behaviour and academic achievement.

Children in the Same Family

All children have unique needs, including those from within the same family. In the same school, there may be several children who are affected by the imprisonment of an individual. In such circumstances it is important not to assume that the children's needs are the same. An individual approach should be taken for each child. Occasionally, children from the same family are told different things. For example, the eldest child is told the truth, the younger child a lie and the youngest nothing at all. The presence of siblings may also mean that an older child has increased caring responsibilities at home which may affect punctuality, attendance and the ability to deliver homework on time.

Family systems can be complex and care needs to be taken that children no longer living with the person imprisoned are also considered.

Diversity and Cultural Issues

Ormiston Families (n.d.) highlight the importance of having an awareness of the beliefs of the family and community to which the child, and their family member in prison, belong. This may include the attitudes towards crime and punishment, types of crime and the sharing of information. It is also worth noting that diversity in families may lead to different anxieties or stresses. For example, if the family member in prison is a member of the LGBT community, the child and parents or carers may be particularly concerned about their welfare and safety whilst imprisoned. Also, if the child with a family member in prison has special educational needs, this may add challenges and concerns to the parents or carers including how the child may cope with prison visits, vulnerabilities to bullying and difficulties in communication.

Confidentiality

Confiding/ Disclosure

For a young child, the teacher is often the most important person in their life outside the home, and children will often confide sensitive, personal details about their family life to their class teacher.

Older pupils can have a different relationship to school and the many staff who teach them. They are less likely to spontaneously confide in a teacher and if they wish to raise sensitive issues with a member of staff they are more likely to know who they want to talk to (this person may not be their teacher). Alternatively, a teacher can spend time and effort referring a student to another member of staff or available service such as counselling, only for the student to fail to attend or return to talk to them. If a pupil raises issues concerning imprisonment of a family member the following responses are helpful:

- Allow the pupil to express him or herself
- Listen carefully and acknowledge what is said
- Be clear with them about who might need to be told to support them
- Try to negotiate and explain actions to the child so that they can jointly agree what steps may need to be taken
- Make yourself available to the child, giving them opportunities to talk confidentially.

The following factors will contribute to any decision-making process about next steps:

- The child's individual needs
- The existing relationships between the teacher and child
- The carer's wishes (where appropriate)
- School policy
- Whether there is wider publicity either in the press or on social media

Who to Inform

Guidelines on the sharing of confidential information should be laid down in existing school policies. The systems and policies that your school has in place for safeguarding can be usefully drawn on for children with a family member in prison. One approach is to inform all relevant staff that a child may be experiencing difficulties at school owing to changed family circumstances. This may also include informing outside agencies, with parental permission. If this is the case, it may be helpful to state that the parent is no longer at home, however, staff do not necessarily need to know that the individual is in prison. This is a question of professional judgement according

to the needs of the child, carer, teachers and school. Ultimately, only those who need to know should be told and all information received and passed on should be treated as confidential. This avoids gossip and rumour spreading around the school as well as ensures that the child and family are not exposed to the wider community.

There are particular issues surrounding confidentiality for a prisoner's child that may need to be taken into account by the school:

- Prisoner's children and their carers consistently stress that confidentiality is the key issue for them to avoid stigma and discrimination.
- The communication and relationships between home and school is vital to effectively discuss what has been shared with the children and what the parent or carer is comfortable sharing with the school.
- Within the criminal justice systems, some people's names and addresses are saleable commodities and prisoner's families are vulnerable to intimidation, threats and pressures from inside as well as outside prison.
- Some prisoner's children will be the subject of Child Protection measures made by a court which stipulate that the child should not be named.

School Records

- Be careful about what is committed to writing and in what context.
- Be non-judgemental.
- Record only facts that all potential readers need to know.
- Some concerns may be better conveyed orally than recorded, which may risk labelling the child.
- The parent in prison has a statutory right to receive copies of all information sent about their child.

School Support

Basic principles

Each situation is individual, therefore this is no one right response or approach to a child affected by imprisonment. However, the following have been identified as useful guiding principles:

- See the child as an individual with individual needs.

- Be non-judgemental. The child has not committed a crime.
- Avoid treating the child as a victim or being over protective.
- Acknowledge the child's own preferences.
- Don't ask about the crime.
- Work in partnership with parents; develop trust, communication and respect.
- Arrange additional support in school if needed
- Consider whether an early help assessment (EHA) and TAF would be helpful

Classroom Management

For any child experiencing difficulty in their home life, a teacher in the classroom offers a stable, secure and consistent environment. A classroom which operates positive behaviour expectations and a heightened awareness of the class' emotional wellbeing will enable all pupils to feel valued and safe. Maintaining the usual classroom routines is helpful although the teachers should also be sensitive to events likely to have a significant effect on a pupil's ability to cope. It is important not only for the child concerned, but for other pupils, that the teacher is seen to be fair.

Teachers will need to make individual assessments as to whether educational tasks and classroom organisation should be adapted to cater for the specific needs of such a pupil. In the case of a pupil displaying disruptive behaviour, maintaining discipline while also offering support and understanding will be necessary. Schools will need to understand the causes of the child's behaviour and be sensitive to the situation when seeking practical solutions.

It may be appropriate to consider whether the social and emotional needs of the child or young person require a higher level of targeted support e.g. through a nurture group or Emotional Learning Support Assistant (ELSA). Advice and support from the Educational Psychology Service or other agencies can be sought. Consider whether the family needs more support e.g. through an Early Help Assessment.

Awareness of School Staff

There should be a whole school approach to supporting children with a family member in prison, including raising awareness of the group, developing a policy on support and increasing staff knowledge and understanding through relevant training. Seek feedback from families on how to better support them and their children in the future and adapt practice in light of this feedback.

Role of a Designated Member of Staff

It may be helpful to have a designated teacher or member of staff who is the named person for children with a family member in prison. This could be the Designated Safeguarding Lead (DSL) as there may be issues which overlap. The designated person should have received training in dealing with sensitive issues and liaising with

other agencies. They would also benefit from having access to supervision and debriefing support.

The level of input and support given to the child may be determined by whether or not the family chooses to tell the school that a family member is in prison but if they do the designated person would:

- Liaise with other relevant staff on a need to know basis.
- Liaise with the family and/or other agencies as appropriate to establish the needs of the child.
- Keep the headteacher fully informed.
- Monitor the academic progress of the child and arrange additional support if needed.
- Act as an advocate for the child.
- Ensure that children new to the school have a smooth and welcoming induction.
- Ensure that the child has a member of staff they can talk to.
- Attend any relevant training.
- Act as an advisor for other staff and governors on issues relevant to the education of the children.
- Keep appropriate, up to date records (see 'Confidentiality' section).

This role may also be applicable within other agencies working with families and children of prisoners.

Information and Guidance on Prison Visits

Prison Visits

Prisoners on remand (un-convicted) are entitled to at least three visits a week. If convicted, they are entitled to a minimum of two visits every four weeks. Additional visits can be earned for example through good behaviour. Convicted prisoners may be located a considerable distance from home resulting in families having to travel long distances. Children being able to attend visits with the family member require adults with the desire to visit and take them; finances or means to make the trip; the time to visit and travel to the prison; and a willingness by the family member in prison to see the child. There is help available from the Assisted Prison Visit Unit¹, where families can claim for assistance with the financial costs of visiting a family member in prison.

¹ <https://www.gov.uk/help-with-prison-visits>

Prison visits can be challenging for the child. They are searched entering prisons; this can include a rub down search and passing a dog trained to detect drugs which may be frightening for some children. Visits usually last between 30 minutes to two hours and sitting across a table in the prison visiting room for the duration of the visit can be difficult for all involved. Most prisons do not allow visitors to take personal possessions in with them. Children's drawings and school reports can be sent by post but collages and models will not be allowed even if posted. 'Family days' in some prisons try to facilitate a more family friendly approach and many prisons have extensive websites providing detailed information about visiting a prison, including virtual tours, contact details for the Family Liaison Service and information regarding Special Family Visits. Teachers report that the performance and behaviour of children frequently become erratic around the time of a prison visit. Schools should be aware that the child may need additional emotional support around these times.

School Attendance

Making bookings for visits is often difficult, particularly if there are language difficulties. A child may have to stay at home to support the process, for example making phone calls and therefore miss school. Some visits will also be booked for weekdays resulting in absence from school. Time off for children to visit a prison can be a difficult request for parents to make. School staff need to be sensitive to this and take care not to allow the pressure of school attendance issues to compromise a relationship of trust. Children should be given the time off school for prison visits and this should be marked as an authorised absence, as maintaining a relationship with their family member in prison is important.

When a pupil has previously shown few attendance problems, suddenly begins to miss school, or a pattern of regular absences begin, it is possible that the child is at court or prison; the child is supporting a parent or sibling; or school has become difficult for emotional reasons. The school may wish to consider whether an Early Help Assessment or contact with another organisation is needed in order to identify support for pupils who are having difficulties with school attendance. Care should be taken that pupils do not become disadvantaged twice; at home through the loss of the family member and at school through the loss of education. Every effort should be made to enable the child to achieve at school and if school is missed, action taken to prevent any loss of opportunity.

To support attendance issues around visiting a family member in prison:

- Schools should take a sympathetic approach to families.
- Prison visits should be recorded as authorised absence.
- Efforts should be taken to support the pupil to keep up with their education.
- Outside agencies may be able to support the school attendance of the child.

Release

Release of a family member from prison may be a destabilising time for the child with mixed emotions as they rebuild relationships and perhaps worry about reoffending.

Adult prisoners released from a custodial sentence are likely to be placed under the supervision of a Probation Officer for at least a short time after release. Any major concerns about the readjustment process after release may be discussed on a no names basis or referred to the Multi Agency Safeguarding Hub (MASH) . If the school has any concerns about the safety of the child, the school's safeguarding procedure should be implemented.

Conclusion

As discussed in the introduction the COPING project (2012) highlighted that "Schools are the one institution that almost all children regularly attend. They are an important source of support for children with imprisoned parents and have potential to contribute to their emotional wellbeing. However, schools are often unaware of the existence of the children of prisoners, or their needs."

Please use this guidance to support staff working with children who have a family member in prison. Organisations are available to support families, if appropriate assist the family in accessing this.

The more aware school staff can be of the issues involved for a child whose family member is in prison, the more chance the child has of continuing to achieve and thrive in school.

Useful Contacts and Resources

Below is a list of sources which provide supportive materials, leaflets, additional and specific contact details, training and resources for schools working with children whose family member is in prison.

- Action for Prisoners' and Offenders' Families (part of Family Lives)
<https://www.familylives.org.uk/about/our-services/action-for-prisoners-and-offenders-families/>
- MH Prison Service
www.gov.uk/government/organisations/hm-prison-service
- National Prisoners' Families Helpline Website
08088082003
info@prisonersfamilies.org
www.prisonersfamilies.org
- National Information Centre on Children of Offenders (previously i-Hop)
www.nicco.org.uk
- Ormiston Children and Families Trust – The Unite Programme
<https://www.ormiston.org/what-we-do/our-programmes/unite/>
- Ormiston Children and Families Trust – In It Together
www.inittogether.info
- Prison Advice and Care Trust (PACT)
www.prisonadvice.org.uk
- Social care Institute for Excellence (SCIE) Guidance

www.scie.org.uk

- Thames Valley Partnership: Family Approaches
01844202001
saj@thamesvalleypartnership.org.uk
<https://thamesvalleypartnership.org.uk/ccc/work/offenders>

References

Barnardo's Cymru. (2014). *Children affected by the imprisonment of a family member*. Retrieved from: https://www.barnardos.org.uk/welsh_schools_handbook_english.pdf

COPING Project. (2012). *Coping with a parent in prison: An agenda for policy reform*. West Yorkshire: University of Huddersfield.

Ormiston. (2007). *Working with Children and Families of Prisoners*.

Ormiston Families. (n.d.). *Working with Families in Different Settings*. Retrieved from: http://www.inittogether.info/professionals_settings.htm

Williams, K., Papadopoulou, V. and Booth, N. (2012). *Prisoners' Childhood and family backgrounds: results from the Surveying Prisoner Crime Reduction (SPCR) longitudinal cohort study of prisoners*. London: Ministry of Justice.