

Facilitate participants' interaction within a restorative process

Summary

This is about facilitating and managing restorative processes through the appropriate use of indirect and direct procedures. It is recognised that cases may require the appropriate blend of such procedures.

Indirect restorative practice procedures are those where the person harmed by an incident and the person responsible, or their respective supporters, do not meet directly.

It includes holding separate discussions with the persons involved, and then relaying appropriate information via the agreed method(s). The indirect process can therefore use of a variety of media including, for example, the use of written communications, videotape, audio and/or shuttle information-sharing via a facilitator.

Direct restorative practice procedures are those involving meetings between the person(s) responsible and the person(s) harmed, as part of the restorative process.

This includes monitoring and evaluating progress during the indirect and/or direct restorative processes.

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.

It is recognised that where reparations are agreed, then these can be agreed subsequent to the meetings. The subject of agreeing outcomes, including any reparations, is addressed by a further, separate standard.

There are four elements:

- Promote effective communications and involvement in the process
- Relay and share information as part of the indirect process
- Facilitate face to face meetings
- Monitor the process and agree the way forward

Target Group

This is applicable to those with responsibility for facilitating restorative processes between person(s) responsible and person(s) harmed.

Promote effective communications and involvement in the process

In work performance criteria

- 1 are aware of all relevant information regarding the incident
- 2 discuss the incident with the participant(s), exploring the consequent harm caused, the effects of the harm and its consequences, and options towards a way forward
- 3 encourage the person responsible to identify and reflect upon their behaviour, and its impact upon the person(s) harmed
- 4 identify and agree with the participants those aspects which they wish to explore with the other party(ies) and their reasons for this, and their desired outcomes from the process
- 5 promote respect for the views of others in all discussions, ensuring that participants are provided with sufficient opportunity to provide input
- 6 are alert to the emotional needs and reactions of those participating, acting appropriately to help participants in managing their reactions, and to manage difficult situations, where these occur
- 7 take the necessary action promptly to address situations where you identify that an individual is in distress, or having difficulty in managing their emotions, where necessary
- 8 encourage participants to ask questions towards clarifying their understanding, where necessary
- 9 communicate at a pace suited to the participants, in a manner which avoids being judgemental, is free from discrimination and oppression, and which encourages participants to make relevant decisions regarding the actions appropriate for going forward
- 10 maintain confidentiality at all times, in line with your organisation's requirements

Relay and share information as part of the indirect process

In work performance criteria

- 1 select and agree with the participants the most appropriate method of indirect communication, taking into account your assessment of the risks and likely benefits
- 2 gather information relevant to the restorative process, identify and confirm with the relevant participant for each item of information whether it can be shared with other participants, and where relevant, how it can be shared
- 3 determine circumstances where it would be of benefit to the participants, and for the process, for the person responsible to express themselves by a particular medium, and provide the appropriate support in planning and in

- ensuring that the contents of the communication are appropriate
- 4 relay, with sensitivity to the persons involved, appropriate information which each participant has asked to be passed on, taking into account what the recipient is seeking to know
 - 5 ensure that the recipient understands which information has come directly from the other participant(s), and which is based upon your own assessment of the situation
 - 6 implement measures to manage any identified risks where required
 - 7 determine when to bring indirect communication to a close, and assess correctly whether a face-to-face meeting would be beneficial to those involved
 - 8 make an accurate record of the discussions and points agreed, including a record of that information which can be shared between participants

Facilitate face to face meetings

In work performance criteria

- 1 ensure that the meeting room will fulfil the requirements of the participants, is set up appropriately and that all necessary information is available
- 2 ensure that agreed arrangements for support are in place
- 3 manage the arrival of participants, ensuring that they are not left on their own without access to support whilst waiting, and that where possible, the different parties do not meet prior to the meeting
- 4 acknowledge and welcome participants, ensuring that all participants have the opportunity to introduce themselves, and that participants are informed of the roles of those present
- 5 confirm the aims and structure of the meeting, explaining clearly the process
- 6 establish the ground-rules for the meeting, ensuring that they, and the reasons for them, are understood by all participants, including having respect for the views of others and the rules regarding confidentiality
- 7 facilitate the discussions effectively, ensuring that those present at the meeting are given the opportunity to make appropriate input
- 8 encourage the relevant participants to discuss the incident, the consequent harm caused, and options towards the way forward
- 9 address promptly and correctly, and with sensitivity, any instances where anyone present is behaving in a manner, or is providing input, which is in breach of the ground-rules
- 10 address any issues or concerns, including non-attendance of particular parties, promptly and correctly, where these occur
- 11 encourage individuals to consider whether, following a direct restorative process, there is any further indirect restorative communication which they need or want, and advise on the options available to them
- 12 close the meeting, summarising concisely and accurately the actions agreed, confirming the next steps, and acknowledging the input of all

Monitor the process and agree the way forward

In work performance criteria

- 1 monitor the progress of the restorative process, identifying and assessing the impact of the process upon those involved, implementing measures to manage any unwanted impact correctly
- 2 discuss and agree, where relevant, an outcome agreement which addresses the way forward preferred by the participants, obtaining agreement to the actions proposed from the appropriate participants
- 3 identify correctly the support required and, where relevant, the appropriate agency(ies) to be involved, providing them with all relevant information whilst maintaining the necessary confidentiality
- 4 keep relevant people informed of progress, in line with their requirements and your organisation's procedures
- 5 make an accurate record of the outcomes and any agreements reached, ensuring that the relevant information is provided promptly to those who need it and who are entitled to it
- 6 promote and maintain confidentiality at all times, in line with your organisation's procedures

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Knowledge and Understanding

General/key knowledge relating to restorative practice

- 1 legislation and guidelines of good practice which relate to identifying the appropriate restorative process 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 creating a safe environment for participants and of treating all participants with respect, and of avoiding stigmatisation and stereotyping in your dealings with participants
- 6 effective telephone and face to face communication techniques, including:
 - active listening
 - questioning for understanding
 - awareness of and ability to read non-verbal signals
 - summarising and reflecting back
 - giving and receiving feedback
 - challenging constructively and positively

- enabling participants to make their own choices
- 7 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
- 8 how to recognise the effects on yourself of working upon restorative processes, and how to seek any appropriate supervision and personal support
- 9 your own role and responsibilities, and from whom assistance and advice should be sought where necessary
- 10 the principles of effective equality, diversity and anti-discriminatory practice
- 11 the boundaries of confidentiality, the importance of maintaining appropriate levels of confidentiality, and how to agree and maintain these

Knowledge relating to facilitating indirect restorative processes

- 12 the different media that can be used for indirect processes and the circumstances when it is appropriate for the person(s) responsible to use these, and the importance of ensuring that any written content is appropriate, how to do this and the factors to take into account

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Knowledge and Understanding (continued)

Knowledge relating to facilitating direct restorative processes

- 13 factors to take into account when setting up rooms for meetings involving those harmed and the person(s) responsible
- 14 how to balance the benefits of a wider group of people participating with the available time and resources required
- 15 protocols and ground-rules appropriate to face to face communication
- 16 how to control face to face communication without unduly intervening in the process, and allowing the engagement of all participants
- 17 group dynamics and the types of power imbalance that can occur, the reasons for these and strategies for addressing these

Knowledge relating to promoting the effective interaction of participants when facilitating both direct and indirect processes

- 18 the range of indirect and direct restorative practice processes available, their relative advantages and any disadvantages, and the circumstances when these are most appropriate
- 19 methods of encouraging the effective and active involvement of persons responsible and those harmed in restorative processes, including how to enable informed choice, whilst avoiding coercion
- 20 the types of support available to persons responsible and persons harmed who are involved in the restorative process
- 21 how to assist individuals to find ways of managing their anxieties about the restorative process when they have decided to participate, including by pacing

- the process appropriately to meet their needs
- 22 ground-rules for behaviour and communication during restorative processes – what they are, their purpose, why it is important to use them and what to do if they are breached, and where participants are struggling to control their emotions
 - 23 approaches to risk assessment, how to use these and their relative advantages and disadvantages
 - 24 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
 - 25 methods of managing risk within the restorative process, including the types of communication, selecting appropriate venues, and managing and balancing the presence/absence of others

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Evidence requirements

To achieve this unit you must provide your assessor with evidence that you have consistently met all of the performance criteria and knowledge and understanding.