



APPROPRIATE ADULT POLICY

Date: May 2026

APPROPRIATE ADULT POLICY

Contents

1. Introduction to the Policy
2. How this Policy Benefits the Home
3. Definitions & Legislation
 - 3.1 Definitions
 - 3.2 Key Legislation and Statutory Guidance (table)
4. The Policy
 - 4.1 What is an Appropriate Adult?
 - 4.2 Who Can Be an Appropriate Adult
 - 4.3 Who Should Not Be an Appropriate Adult
 - 4.4 Summary of Roles and Responsibilities
 - 4.5 What to Do If the Police Request an Appropriate Adult
 - 4.6 Prior to Attending the Police Station
 - 4.7 On Arrival at the Police Station and During the Investigation
 - 4.8 Recording and Reporting
5. How the Home Trains its Staff About this Policy
6. Related Policies and Guidance
7. Policy Approval and Review Details

1. Introduction to the Policy

This policy sets out the framework, principles, and procedures that **Byram House** follows when a child or young person in our care is arrested and requires an **Appropriate Adult** to attend the police station. The policy applies to all staff, agency workers, and volunteers who may be asked to act as an Appropriate Adult.

The Home is Byram House, which comprises the two residences at 62 Deighton Road and 66 Deighton Road. This policy applies equally across both residences.

The purpose of this policy is to ensure that all staff understand the role of the Appropriate Adult, when they may be asked to act in this capacity, and how to carry out their duties in accordance with the **Police and Criminal Evidence Act 1984 (PACE) Codes of Practice** and other relevant guidance.

Byram House is committed to safeguarding the rights and welfare of children and young people in police custody. Where a parent, guardian, or Youth Offending Team (YOT) worker is not available, a staff member may be asked to act as the Appropriate Adult, subject to the circumstances and the home's assessment of suitability.

This policy should be read in conjunction with the **Police Involvement Policy** and the **Safeguarding Policy**.

2. How this Policy Benefits the Home

This Appropriate Adult Policy benefits Byram House in the following ways:

- **Legal Compliance** – It ensures the home meets its duties under the **Police and Criminal Evidence Act 1984 (PACE)** and its Codes of Practice (C, G, and H), which require an Appropriate Adult to be present for any child under 18 in police detention.
- **Child Protection** – It ensures that children in our care have a responsible adult present during key stages of police investigation, safeguarding their rights and welfare.
- **Clarity for Staff** – It defines who can (and cannot) act as an Appropriate Adult, the circumstances in which a staff member should or should not take on this role, and the step-by-step procedure to follow.
- **Risk Management** – It prevents staff from acting as Appropriate Adult in conflict of interest situations (e.g., where the child is alleged to have harmed a staff member or damaged company property).
- **Training Framework** – It sets out annual training for relevant staff on the role of the Appropriate Adult and PACE requirements.
- **Inspection Readiness** – The **Social Care Common Inspection Framework (SCCIF) 2026** expects the home to have clear policies on police involvement and safeguarding. This policy provides evidence.

3. Definitions & Legislation

3.1 Definitions

Term	Definition
Home	Byram House, the children's home registered with Ofsted, comprising two residences at 62 Deighton Road and 66 Deighton Road.
Company	IMS Care LTD, the registered provider and legal entity responsible for operating Byram House.
Byram House	The name used throughout this policy to refer to the home and its staff.
Appropriate Adult	A responsible adult aged 18+ required by PACE to be present during police detention and questioning of a child or vulnerable adult to safeguard their rights and welfare.
PACE	Police and Criminal Evidence Act 1984 – the primary legislation governing police powers and procedures.
YOT	Youth Offending Team – a multi-agency team responsible for young offenders.
EDT	Emergency Duty Team – the out-of-hours social work service.
Custody Officer	The police officer responsible for the custody suite and the welfare of detained persons.
CSE	Child Sexual Exploitation.
CCE	Child Criminal Exploitation.

3.2 Key Legislation and Statutory Guidance (presented in a table)

Legislation / Guidance	Key Provisions	Relevance to this Policy
Police and Criminal Evidence Act 1984 (PACE)	Sets out police powers and the rights of detained persons. Code C (detention, treatment and questioning) requires an Appropriate Adult for children (under 18) and vulnerable adults.	This policy operationalises PACE Code C for the home's staff when they act as Appropriate Adult.
PACE Codes of Practice (revised 2023, updated 2025)	Code C, paragraphs 1.7, 3.12–3.15, 11.16, 11.17 – detailed rules on when an Appropriate Adult must be called and their role.	Staff must follow the latest code.
Children Act 1989	Section 22 – duty to safeguard and promote the child's welfare.	The home must act in the child's best interests when deciding whether to send a staff member as Appropriate Adult.
Working Together to Safeguard Children 2026	Requires effective partnership with police and other agencies.	The home must cooperate with YOT, EDT, and police in arranging an Appropriate Adult.
Social Care Common Inspection Framework (SCCIF) 2026	Inspects how the home responds to police involvement.	Inspectors will review this policy and staff understanding of the Appropriate Adult role.

Data Protection Act 2018 & UK GDPR	Governs sharing of information about the child with police and others.	The home must share relevant information lawfully.
---	---	---

4. The Policy

4.1 What is an Appropriate Adult?

When a child or young person under the age of 18 is arrested, the **PACE Codes of Practice** require an "Appropriate Adult" to be called to the police station. The Appropriate Adult must be present during:

- The child's initial notification of rights.
- Any strip or intimate search.
- The police interview.
- The taking of fingerprints, photographs, or samples (e.g., DNA, swabs).
- Any identification procedure (e.g., video identification parade).
- The point of charge.

The role of the Appropriate Adult is to **safeguard the rights and welfare** of the child, not to provide legal advice.

4.2 Who Can Be an Appropriate Adult

The following people can act as an Appropriate Adult (in order of preference):

1. **Parent or guardian** (provided they are not estranged and the child does not object).
2. **A person representing the local authority** that looks after the child (e.g., a social worker, EDT worker).
3. **A YOT worker** (Youth Offending Team).
4. **Another responsible adult aged over 18**, including (in some circumstances) a residential staff member from the home.

When a staff member from Byram House may act as Appropriate Adult:

The decision will depend on the nature of the alleged offence and the child's relationship with the home. The following criteria must be met:

- The alleged offence is **not related to any complaint made by a staff member** (e.g., assault on a staff member, damage to company property).
- The child has a **positive relationship** with the staff member (usually the Keyworker).
- The child **does not object** to that staff member acting as Appropriate Adult.
- The staff member has received appropriate training on the role (section 5).
- The Registered Manager (or On Call Manager) has **authorised** the staff member to attend.

4.3 Who Should Not Be an Appropriate Adult

A person **must not** act as Appropriate Adult if:

- They have already received admissions or denials about the offence(s) before acting.
- They are a **victim or witness** of the alleged offence(s).
- They are **suspected of being involved** in the offence(s).
- They are a parent who is **estranged** from the child and the child objects.
- The child's alleged offence is against **a staff member of Byram House** or involves damage to **company property**. In such cases, it would be inappropriate for a colleague of the alleged victim (or a representative of the company) to act as Appropriate Adult.

If a staff member cannot act, the home will work with the YOT, EDT, or police to find an alternative Appropriate Adult.

4.4 Summary of Roles and Responsibilities of the Appropriate Adult

The Appropriate Adult's key responsibilities are to:

- **Ensure the child understands** what is happening and why (taking into account any learning disability, mental health issue, or communication difficulty).
- **Ensure the child understands their rights** (legal representation, free legal advice, right to notify someone of their arrest).
- **Support, advise and assist** the child, particularly during questioning.
- **Observe whether the police are acting properly**, fairly, and with respect for the child's rights.
- **Facilitate communication** between the police and the child – this is an active role, not passive observation.

What the Appropriate Adult is NOT responsible for:

- Providing legal advice – that is the role of the solicitor.
- Answering questions on behalf of the child – the child must speak for themselves, but the adult can help them understand questions.
- Determining guilt or innocence – this is for the court.

Important: Conversations between the Appropriate Adult and the child are **not covered by legal privilege**. The Appropriate Adult may be required to disclose information in subsequent legal proceedings.

4.5 What to Do If the Police Request an Appropriate Adult

When the police request an Appropriate Adult, the following steps will be taken:

1. **The police will usually contact the local Youth Offending Team (YOT)** first. The YOT will try to identify a parent, guardian, or YOT worker.
2. **If the YOT cannot provide an Appropriate Adult**, they may request that a staff member from Byram House act in this role.

3. **The police custody officer (or investigating officer) will contact the home** (usually the Registered Manager or On Call Manager) to request a staff member.
4. **The Registered Manager (or On Call Manager) will assess the situation** using the criteria in sections 4.2 and 4.3, and decide whether a staff member can act.
5. **If agreed**, the manager will identify a suitable staff member (usually the child's Keyworker, if available and appropriate).
6. **The staff member will be briefed** using the information in sections 4.6 and 4.7 before attending the police station.

Out-of-hours: The On Call Manager will handle the decision and authorisation.

4.6 Prior to Attending the Police Station

Before leaving to attend the police station, the staff member acting as Appropriate Adult must obtain the following information (from the police or the home's manager):

- Full details of the child (name, date of birth, legal status).
- The child's state of health and emotional wellbeing (if known).
- Name of the custody officer and investigating officer.
- Details of the alleged offence.
- Time and place of arrest.
- Who else has been notified (parent, social worker, YOT).
- Why an Appropriate Adult is needed (i.e., why a parent or guardian is not attending).
- Whether a solicitor has been requested.
- Estimated time of interview.

The staff member must also:

- Contact the local YOT (if not already involved) to ask if the child is known to them and has any particular needs or difficulties.
- Inform the child's social worker (or EDT out of hours) that they are attending.

- Keep the Registered Manager (or On Call Manager) informed of progress.

4.7 On Arrival at the Police Station and During the Investigation

On arrival, the Appropriate Adult should:

- **Introduce themselves** to the custody officer and confirm their role.
- **Speak to the child** privately (where possible) to reassure them and explain the process.
- **Check that the child has been given their rights** (legal advice, someone notified of arrest, etc.).
- **Remain present during all key stages** (interview, identification procedures, charge).
- **Intervene appropriately** if the child does not understand a question, or if the police are not following proper procedure.
- **Take notes** of key events, times, and any concerns.
- **After the interview or release, debrief with the child** and, where appropriate, inform the Registered Manager of the outcome.

If the Appropriate Adult has concerns about the child's treatment or welfare, they should raise them with the custody officer immediately. If the concerns are not resolved, they should contact the home's On Call Manager for advice.

4.8 Recording and Reporting

- The staff member must record the fact that they acted as Appropriate Adult in the child's **daily record** (on Clear Care) and in an **incident report** (if the arrest and police involvement constitutes a notifiable event – see Notifications Policy).
- The Registered Manager will consider whether the incident requires a **Regulation 40 notification** to Ofsted (see Notifications Policy).
- The home will retain a record of the staff member's attendance and any notes taken for the child's file.

5. How the Home Trains its Staff About this Policy

Byram House provides structured training to ensure relevant staff understand and can implement this Appropriate Adult Policy effectively.

Training Element	Frequency	Method / Content
Induction (for Keyworkers and managers)	Upon appointment	Face-to-face training covering: PACE Code C requirements, definition of Appropriate Adult, who can/cannot act, the role and responsibilities, conflict of interest situations, procedure for attending a police station, recording requirements, and the dual-site operation (62 & 66 Deighton Road).
Annual refresher	Every 12 months	Classroom or virtual session covering updates to PACE Codes, case studies, and refresher on decision-making criteria.
Police station protocol	At induction and as needed	Practical guidance on what to do on arrival, speaking to the custody officer, and supporting a child during interview.

Staff who may be asked to act as Appropriate Adult are required to:

- Read and sign this policy annually.
- Complete all mandatory training.

- Never accept a request to act as Appropriate Adult without authorisation from the Registered Manager or On Call Manager.
- Immediately declare any conflict of interest (e.g., if the child is alleged to have harmed a colleague).

6. Related Policies and Guidance

- Police Involvement Policy
- Safeguarding Policy
- Incident Reporting Policy
- Notifications Policy
- On Call Policy
- Code of Conduct and Ethics Policy
- Children's Homes (England) Regulations 2015
- Working Together to Safeguard Children 2026
- Social Care Common Inspection Framework (SCCIF) for Children's Homes 2026
- PACE Codes of Practice (Code C)
- Guidance for Appropriate Adults (Home Office, updated 2025)

7. Policy Approval and Review Details



Home	Byram House	
Reviewed by	Danyaal Iqbal / Mustafa Amin	Deputy Manager / Registered Manager
Approved by	Stacey Wagstaffe	Responsible Individual
Date	May 2026	