

## Welfare Checks Deployment Procedure

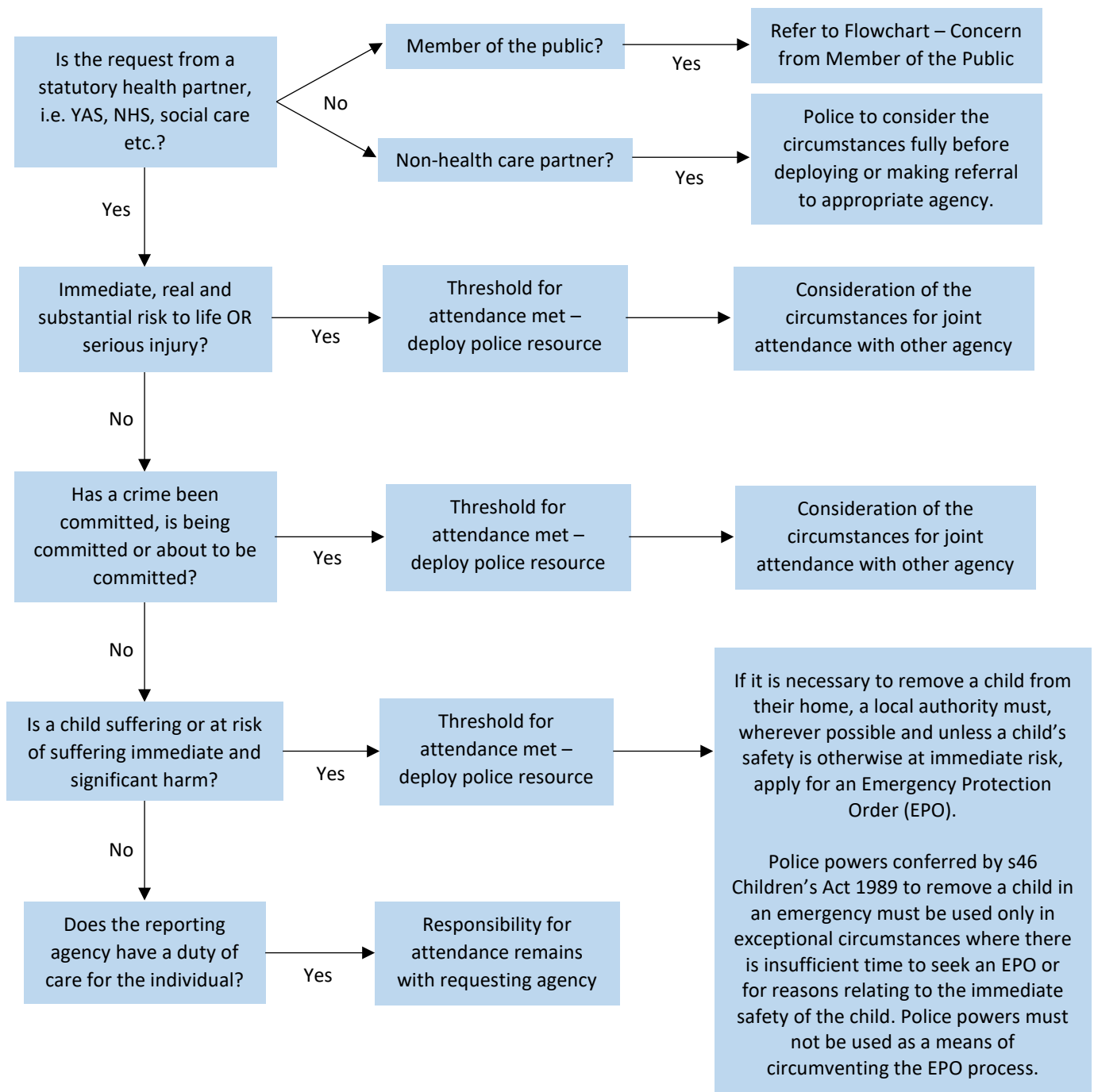
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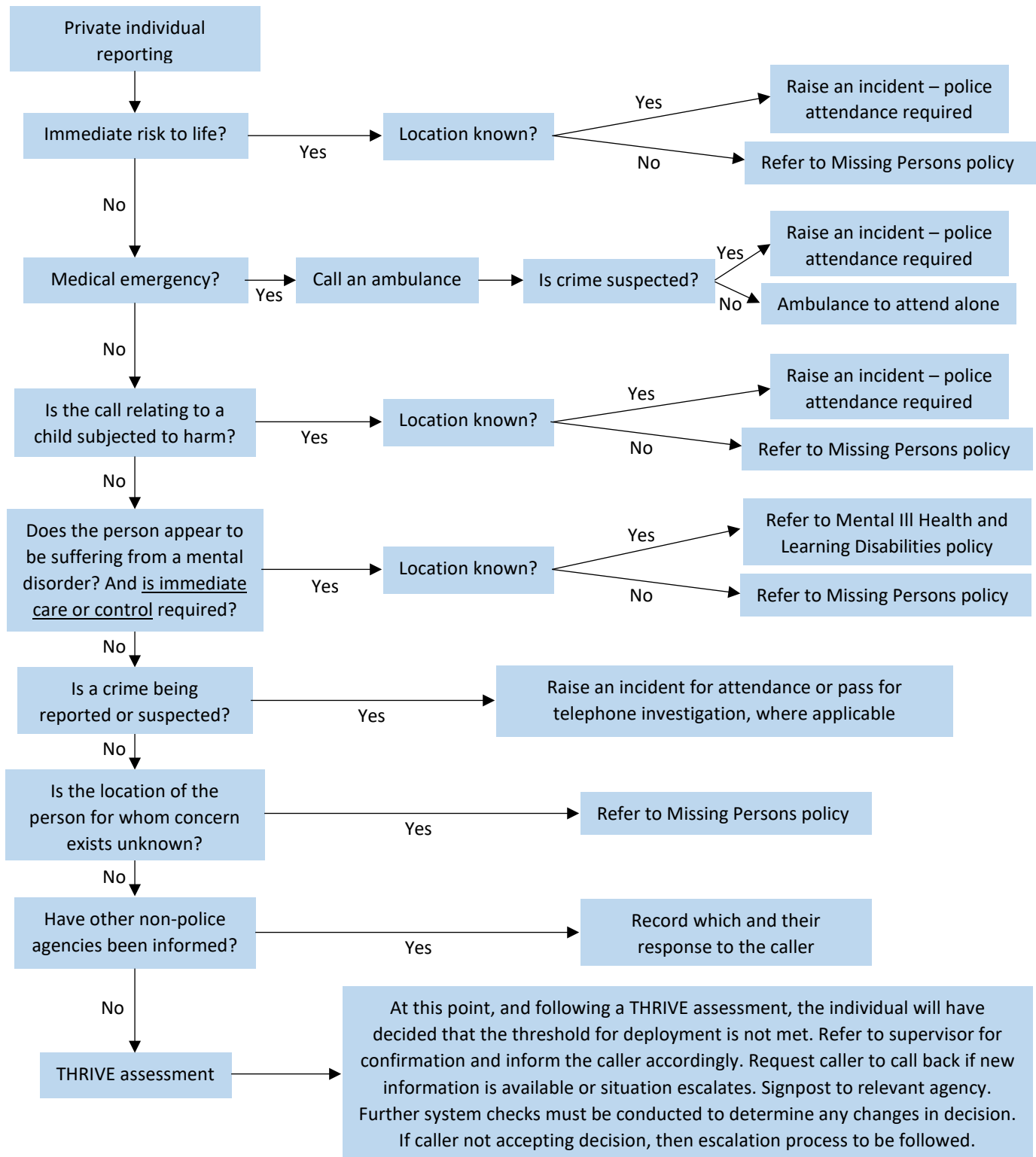
## Flowchart – Concern from Partner Agency



### Escalation Process

If the caller remains insistent that police attendance is required then the matter must be passed to the Force Control Room Inspector for review who will, using NDM/THRIVE, endorse the log with rationale and outcome. The caller must be informed of the outcome and invited to call back if the information changes/escalates.

## Flowchart – Concern from Member of the Public



### Escalation Process

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## Policy Statement

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### Summary

West Yorkshire Police complies with Authorised Professional Practice (APP), which contains information to assist policing, and has established supplementary local procedures, where appropriate, to provide additional guidance to police officers and police staff.

This policy takes cognisance from the College of Policing guidance and details the West Yorkshire Police approach on deployment of police officers to incidents regarding welfare, assisting officers and staff to make operational decisions when responding to such calls for service.

This policy aims to:

- Ensure police responses in respect of concerns for welfare are proportionate and in compliance with our legal duties;
- Enable staff from within the Force Control Room to determine the specific concern and, having identified the concern, ensure that the right person/ agency with the appropriate skills, expertise and knowledge responds to the incident;
- Provide clarity to the police on when a concern for welfare will, and will not, become a police responsibility to respond; and
- Safeguard individuals by fulfilling our policing duties and statutory obligations.

This policy does not cover specific areas such as missing persons, mental health response to crisis or investigating crime. These are covered respectively in the Missing Persons policy, Mental Ill Health and Learning Disabilities policy and Investigations policy.

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### Scope

This policy applies to all police officers and police staff.

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## Principles

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### Important

**West Yorkshire Police will only attend a concern for welfare call for service if:**

- **It is considered that there is an immediate, real and substantial risk to the life of, and/or of serious injury to, the person or any other person if there is no response.**
- **The circumstances mean there is a reasonable belief that a crime has been, is being, or is about to be committed.**

- In the case of a child, there is a reasonable belief that the child is suffering, or at risk of suffering, immediate and significant harm as set out in s46 Children's Act 1989.

Unless this threshold is reached, the police have no duty to take action.

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## Principles

- West Yorkshire Police will:
  - Protect vulnerable people within our communities through effective partnership working arrangements with statutory and non-statutory partners.
  - Be robust and ensure that police are not missing critical information that would significantly change our assessment.
  - Apply the THRIVE risk assessment model, as with all calls for service.
- The police do not generally owe a duty of care at common law to protect individuals from harm, either harm caused by themselves or others.
- The police may:
  - Owe a duty of care to protect persons from harm where the police have assumed responsibility to care for them, or where the police have created (directly or indirectly) the risk of harm.
  - Owe responsibility to take reasonable steps to assist where there is a real and immediate risk to the life of a person, or a real and immediate risk of that person being subject to serious harm or other inhumane treatment. The risks of harm where a duty will arise on the police will generally, but not always, be from the criminal acts of a third party.
- The legal duties of care and liabilities towards an individual cannot be passed to the police, unless the police accept that responsibility. In such cases where responsibility is not accepted, the duty of care will remain with the partner agency or individual concerned.
- Any concern for welfare request that includes one of the following core roles of the police will be considered appropriate for police attention:
  - Common Law Policing Powers;
  - Prevention and investigation of crime; and/or
  - To keep the Queen's Peace.

Where the police respond to welfare requests touching on these issues, that must not be taken as an assumption of responsibility of care for an individual.

- A concern for welfare request can also be initiated by a member of the public. Where an individual is unable (due to circumstances beyond their control) to carry out such a check, or seek support from an agency who could do so, then the police will assist.
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## Definitions

- 'Welfare Check', 'Safe and Well', 'Concern for Safety', 'Wellbeing', 'Wellness Check' and 'Concern for Welfare (CFW)' are all terms to describe

a request to ensure the safety and wellbeing of an individual and, for the purposes of this policy, are considered the same.

- These concerns are made directly or indirectly to the police in the expectation that the police will deal with the subject of the call and check on a person's safety and/or minimise any apparent risk posed to them.
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## Deployment Procedure

### Triage

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#### Principles

- West Yorkshire Police will adopt a robust and timely triage system to clearly identify calls that warrant our attention so that we respond appropriately.
  - All calls for service will be subject to threshold tests for police intervention:
    - Is there a real and immediate risk to life or serious harm to an identified person/persons?
    - Is it a medical emergency?
    - Is a child at risk of significant harm?
    - Is the person suspected to have a mental health problem?
    - Has a crime been committed?
    - Is this a missing person report?
  - See the flowchart for concern from partner agency and flowchart for concern from member of the public.
  - Where the threshold is not met, the supervisor on duty must endorse the log confirming that the matter should be closed.
  - The caller must be advised this incident does not fall under the criteria for police attendance and, as a result, the police will not attend.
  - The caller must be informed to call back should the situation change, and that the position will be reviewed based on new information.
  - If other agencies are more appropriate, then signposting to them must be made at this stage.
  - The call taker must note that Yorkshire Ambulance Service (YAS) are not the appropriate service for all mental health incidents. YAS do not conduct general concern for welfare checks. Their deployment criteria is set "*for persons in immediate need of emergency medical care*".
  - The local Crisis Team must be the first point of call for all mental health calls if not an immediate medical emergency.
  - In cases of persons who are trying to be located, then considerations must be given to the property owner, neighbours, family members and colleagues who could assist the caller in the location of the person.
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## Is there a real and immediate risk to life or serious harm to an identified person?

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### Principles

- A real risk is one that is present and continuing. The risk does not have to be a probability, but the risk must be substantial.
  - The risk must relate to death, serious harm, or some other form of degrading or inhumane treatment, e.g. being subjected to a sexual offence.
  - The police will also deal with calls where these events, i.e. death or serious violence etc., may have just happened.
  - Calls regarding suicidal ideation by people who are at home are not a matter for the police, as they have no Mental Health Act powers within a private residence. Under these circumstances, the Crisis Team contact details must be given to the caller. In the event the individual is in imminent danger and in the process of carrying out suicidal actions, then a risk assessment must be made regarding the circumstances. In all cases an ambulance must be requested and, in circumstances whereby the method of harm involves a weapon that could cause harm to YAS personnel, police must be deployed in support.
  - The police apply this high threshold when dealing with calls for service because it reflects the extent of the police's duty to act. This will identify the risk foreseen and prioritise the threat anticipated. It will also focus attention and available resources on the most serious concerns, which clearly meet the high threshold and legislative powers.
  - In addition to this policy, the Demand Management policy must be followed when a call for service is received.
  - All concern for welfare calls for service must be recorded in an incident log, irrespective of whether it is or is not resourced.
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## Is it a medical emergency?

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### Principles

- If someone has called the police to report a medical episode, the caller must be advised to call 111 to speak to a trained practitioner who will triage the call and identify the best response.
- If the police call taker recognises that the incident is a medical emergency, then an ambulance must be called.
- Where a medical episode is established, West Yorkshire Police will incorporate the category of YAS response (which is assessed on urgency of medical need) into its decision-making as to whether a police response is appropriate and, if so, at what police log grading.
- A THRIVE assessment is required to ensure any issues relevant to the situation are assessed, enabling a police response if required.

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## Is a child at risk of significant harm?

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### Principles

- This policy complements our statutory responsibilities in Working Together to Safeguard Children 2018, namely:
    - Identification of children who might be at risk from abuse and neglect.
    - Investigation of alleged offences against children.
    - Inter-agency working and information sharing to protect children.
    - The use of emergency powers to protect children.
  - In deciding whether to respond to a request for a welfare check on a child, individuals must adhere to the guidance which states that *“where there is a risk to the life of a child or a likelihood of serious immediate harm, then local authority social workers, the police or National Society for the Prevention of Cruelty to Children (NSPCC) should use their statutory child protection powers to act immediately to secure the safety of the child”*.
  - If it is necessary to remove a child from their home, it is the local authority’s responsibility (wherever possible and unless a child’s safety is otherwise at immediate risk) to apply for an Emergency Protection Order (EPO).
  - Police powers conferred by s46 Children’s Act 1989 to remove a child in an emergency must be used only in exceptional circumstances, where there is insufficient time to seek an EPO or for reasons relating to the immediate safety of the child. Police powers must not be used as a means of circumventing the EPO process.
  - The call taker must obtain full details and create a log for consideration by despatch.
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## Is the person suspected to have a mental health problem?

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### Principles

- Cases involving mental health issues **may** require the support of police officers using their powers under the Mental Health Act and the Mental Capacity Act, as well as following this policy.
- Police powers under s136 Mental Health Act apply only in a public place.
- Police officers are not the appropriate resource to either deal with vulnerable mentally ill people or to conduct welfare checks on people with physical ailments in non-emergency incidents.
- Police officers have no formal training and no more powers to use the Mental Capacity Act than YAS or West Yorkshire Fire and Rescue Service (WYFRS) and much less than Mental Health Crisis Teams.
- Consideration must be given before deployment, as research indicates that police attendance can often exacerbate the risk to vulnerable people as



police officers are usually ill-prepared to resolve the issue effectively, creating confusion and further distress to individuals in crisis.

- In cases where police are not deployed, the call must be directed to the Mental Health Crisis Team.
  - If police assistance is requested by YAS or other Mental Health Practitioners, then it is expected that the police will attend but the necessity for police attendance must be that the professional on scene is fearing for their own safety.
  - Police support **will not** be based on historical incidents when police attended and the person became aggressive. It is important to remember that presence of police can have a negative impact on those people living with mental ill health, especially if there is no legal reason or clear imperative for police intervention. There must be a clear rationale for police attendance.
  - The crisis team have a professional responsibility and duty of care for patients. If the crisis team felt an emergency service was required, the healthcare professional would contact emergency services directly.
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## Has a crime been committed?

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### Principles

- A concern for welfare call can often be associated with a suspected crime and the police have a clear duty to investigate crime.
  - In these circumstances the police will respond to the request so that any investigation can be managed as efficiently and effectively as possible.
  - The Force Control Room must create a log for despatch and grade and THRIVE accordingly or pass for telephone investigation where applicable.
  - Initial assessments will be made by Contact but any officer of Sergeant rank and above can review the log and, if adopting the position that we do not attend, they must inform the caller, ensure the relevant partner agency is informed and then close the log.
  - Where the police investigate a crime, this must not be taken as an assumption of responsibility for care towards a person(s).
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## Is this a missing person report?

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### Principles

- If it is determined to be a missing person report then adherence to the Missing Persons policy takes precedence.
- It is often the case that concern for welfare reports become missing person enquiries once initial actions have been completed.

## Concern from Partner Agency

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### Principles

- A call for service from a partner agency or statutory body may indicate that the duty of care of the individual concerned is within that partner agency's remit.
  - If so, the partner agency retains that responsibility and should take all necessary steps to secure the care and welfare of the party concerned.
  - If this requires a welfare check to be carried out, it is the partner agency's responsibility to do so, and call takers must advise that any deficiency in their ability to carry this out must be brought to the attention of their own manager. Any deficiency in the partner agency's ability to carry out a welfare check does not make the situation a police matter and in these circumstances police will not attend.
  - There are a range of non-health partners who may be unable to carry out a concern for welfare check and in these circumstances the police will consider all the information available before deciding whether there is a need for them to do so. See Principles.
  - If the threshold for police to attend is not met, the partner agency must be informed that the police will not be attending and advised to call back immediately should more information become available or the situation change in a way that requires the police to re-evaluate their decision.
  - It is important to place responsibility on the other agencies to bring relevant information to the police's attention.
  - If forced entry is required on behalf of YAS, WYFRS will provide this service under the Gaining Entry Memorandum of Understanding (MoU).
  - See Flowchart – Concern from Partner Agency.
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## Concern from Member of the Public

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### Principles

- It is important to recognise and distinguish between a general member of the public and a family member who calls police for assistance or expresses concern for a person.
- The caller may be a Good Samaritan or well-meaning member of the public acting in good faith or exercising their public-spirited duty.
- It is of utmost importance to maintain trust and confidence in the ability of the police to meet their needs and to be sympathetic and engaged with our communities.
- In the first instance the police will establish all the facts, so far as possible, from the caller and consider if another partner agency is better placed to give support and assistance.

- If so, the caller must be signposted to that partner agency and given sufficient information and contact details to do so themselves. If, due to circumstances beyond their control, the caller is unable to gain support from a partner agency and they are unable to do their own concern for welfare check, the police may take on that responsibility. Whether the police do take that responsibility will depend on the facts known at that time.
  - In such circumstances, the call taker must create a log, grade and THRIVE for despatch to resource in the most appropriate way. The caller will be informed the police will be attending to carry out a concern for welfare check and report back to them their findings.
  - See Flowchart – Concern from Member of the Public.
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## Escalation Procedure

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### Principles

- In the event of a disagreement between the requesting agency and police in terms of the immediacy of any risk to life or the identified policing objective that has necessitated the request being made, the matter must be referred to a Duty Control Room Supervisor who will be responsible for determining whether police resources are deployed and speaking with the caller.
  - Should the matter not be resolved at this stage, then the dispute must be escalated to the Duty Control Room Inspector to resolve.
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## Additional Information

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### Compliance

This policy complies with the following legislation, policy and guidance:

- APP Mental Health
  - Human Rights Act 1998
  - Equality Act 2010
  - Crime and Disorder Act 1998
  - Mental Health Act 1983
  - Mental Capacity Act 2005
  - Health and Safety at Work Act 1974
  - Data Protection Act 2018
  - Missing Persons policy
  - Mental Ill Health and Learning Disabilities policy
  - Investigations policy
  - Safeguarding Children and Young People policy
  - Home Office Best Practice – Supporting vulnerable people who encounter the police 2014
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### Supporting Information

The supporting information for this policy can be accessed.

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