



Joint Working Protocol Between Medway Youth Offending Team & Medway Looked After Children & Proceedings Service.

This protocol is designed to clarify how Youth Offending Team (YOT) officers and social workers and personal advisors (PA's) from the Looked after Children and Proceedings (LAC&P) services will work together to support looked after young people who are involved with the YOS service.

Medway Council is ambitious for our looked after young people and is committed to working with young people and their carers to divert them from offending, to reduce the severity of their offending and to provide opportunities for restorative justice wherever possible.

A fundamental aim of our joint work is to prevent young people from receiving custodial sentences unless the nature of their offences is so serious that this is clearly warranted. It is essential that there are agreed expectations of service and communication between the Medway Youth Offending Team and Medway Looked after Children Services, particularly as the direct work interventions and accommodation concerns will be jointly shared.

Medway Youth Offending Team is a multi-agency organisation, set up to address and reduce youth offending. For a range of reasons Looked after Children are more likely to become involved in the criminal justice system.

The LAC&P service works with young people aged from 0-24. Amongst other things we aim to secure positive outcomes for young people and to equip them with suitable skills to lead successful and fulfilling lives as young adults and beyond.

Identifying cases where both teams are involved

- Where cases are listed a YOT administrator will undertake a Framework I check in order to identify whether the case is open to Children's Services
- If the case is a Looked after Child the YOT will notify the allocated social worker of the child/young person's attendance at court, the progress of ongoing proceedings and the outcome. In the event that the SW is not available they will contact their Team Manager to update them.

- LAC social workers will provide relevant information on the child/ young person's placement/care plan in order to assist the YOT to deal with any vulnerability or risk issues whilst the case proceeds through court.
- There is an expectation that the allocated SW will attend court. On occasions however this will not be possible so the allocated YOS worker and SW will agree how the young person will be supported in court prior to the hearing.
- Wherever possible and appropriate the young persons parents/carers or keyworker will be asked to attend the hearing. The YOS worker and SW will agree who will coordinate their attendance.
- Where the young person is known to Children's Services but the young person is not looked after the YOT will either contact the named CP/CIN worker or where none is shown refer the case through CAD's who will then make a referral to the relevant team.
- Where an allocated social worker is aware that a young person with whom they are working has been arrested they must inform the YOT immediately in order that effective joint working may begin in order to secure the welfare of the young person and prevent them from either escalating their offending behaviour or receiving a custodial sentence.

Pre-sentence reports (PSR)

- If a court requests a report on a looked after child the allocated YOT Officer will notify the LAC social worker and carer of the precise details of the report (i.e., which sentence may be anticipated, the need for ISSP assessment)
- The YOT Officer will interview the child/young person and parent/carer on at least one occasion in order to complete the report
- The LAC social worker and the YOT Officer will share all relevant information to enable the completion of the court report. This will include their; legal status, Chronology, Child and Family Assessment, Care Plan, Pathway Plan.
- The YOT officer will make available a copy of the pre-sentence report to the LAC social worker prior to sentence using the following timescales:
 1. By the end of week 1 of the YOS involvement (i.e. within 5 working days) – Info will be collated about the young person from both teams. The YOS worker has the lead role in pulling together the information they require to complete their PSR. If there has been no response from the social worker the issue will be escalated to the relevant Social Care Operations Manager.
 2. By end of week 2 (i.e. within 10 working days) - A pre Sentence Report is drafted and sent to the allocated social worker for review and

feedback. If there is still no response from either the Social Worker or Operations manager the report and lack of response will be escalated to the relevant CSC Head of Service.

3. By day 12 - Final Pre Sentence Report agreed by Children's Social Care and Youth Offending Teams
 - There are clear sentencing guidelines to which the YOS and the Court must adhere and the YOS officer must be mindful of these when recommending final disposal for the court. However, it is vital that there is close communication and dialogue between the services in relation to the recommendation to ensure effective planning for the young person both immediately and in the longer term.

Attendance at court

- The YOT will have a court officer or bail & remand officer at court when a looked after young person is attending court.
- Ideally the LAC social worker or a representative from the LAC team with knowledge of the case must be in attendance on the day of sentencing in order to assist the court and deal with any queries the judge/magistrate may have in relation to care planning/placements etc. Where this is not practicable there must be communication between the 2 services and agreement reached as to how the young person can be best supported. Agreement reached should be recorded on FWi by the allocated social worker.

Looked after Children who receive community sentences/are supervised on Licence

At the commencement of statutory youth justice supervision a multi agency meeting shall be convened by the Youth Offending Team to which the LAC social worker shall be invited along with the IRO. The purpose of this meeting is to ensure that the young person's intervention plan with the youth offending team is fully responsive to their being 'looked after'. These meetings where possible and appropriate will be linked to the looked after review meetings. However in some cases such as following the release of a young person from custody (where the youth offending team has to see the young person within 1 working day) this may not be practical.

- YOT officers will notify the LAC social worker and parent/carer of the date, time and venue of these meetings
- LAC social workers will be invited to attend and it is expected that either the social worker or parent/carer/residential worker will accompany the Looked After Child
- The YOT officer and the LAC social worker will be jointly involved in devising the targets on the Youth Offending Intervention Plan (objectives set for the Looked after Child in order to address re-offending risks).

- Appointment schedules will be copied to LAC social workers and parents/carers/residential staff. These must be uploaded onto FWI by the social worker.
- Reviews of community sentences are normally held every three months. The YOT officer will notify the LAC social worker and parent/carer of the date, time and venue of the review in advance
- National Standards for Youth Justice place requirements on the frequency of contact the YOT must have with Looked after Children. These are known as statutory contacts. Meetings with LAC social workers or other related social care professionals can count as statutory contacts but this must be discussed and agreed with the LAC social worker in advance and recorded formally on FWI.
- Wherever possible LAC reviews and YOT reviews should be held jointly in order to assist joint planning between services
- LAC social workers will ensure that the YOT Officer and other relevant YOT partner agencies are invited to LAC reviews and other relevant meetings

Remands to the Care of the Local Authority (S23) Children & Young Person's Act 1969 (RLAA)

- On those occasions where currently looked after children are further remanded to the care of the Local Authority (refused bail) the LAC social worker would normally be responsible for placing the young person into the relevant accommodation placement, However, where it is agreed between the YOT Officer and the Social Worker and relevant to the young person, the YOT Officer may accompany the young person to the placement. *This may be the same placement as before but the YOS officer will need to clarify this with the Court at the hearing.*
- The YOT will ensure that a court officer/bail & remand officer is available at court and where available shall assist the LAC social worker in carrying out this duty
- The YOT officer will undertake a bail ASSET and liaise with the Crown Prosecution Service/defence solicitor in relation to any additional services/conditions that could be imposed in order to secure the RLAA (and therefore prevent the child/young person from entering the secure estate)
- The LAC social worker will be responsible for ensuring that the young person attends court on subsequent occasions during the period that the RLAA remains in place

Remands to Youth Detention Accommodation (Legal aid and Punishment of Offenders Act 2012)

When a Looked after Child is remanded by the court into Youth Detention Accommodation it is essential that his/her social worker or carer is present at the hearing so that they can provide emotional and practical support to the young person.

- The YOT will notify the LAC team as early as is possible of the impending court attendance of a looked after child
- When remanded the YOT Officer will complete a post court report (vulnerability assessment) and liaise with the Youth Justice Board in order to secure a placement
- The YOT Officer will arrange transport to the facility and notify the LAC social worker of the details
- Both the Youth Offending Team practitioner and the Social Worker allocated to the young person will attend both the remand planning meetings and the care planning meetings convened in the custodial establishment during the period of remand. The statutory requirements of the timings of these meetings may prohibit them from being held in conjunction with another however wherever possible these meetings should be held jointly in order to facilitate parallel planning on a shared case.
- .Where they cannot be held in tandem it is important that the social worker is able to ensure that the remand planning process is inclusive of care planning considerations, and vice versa.
- The IRO should always be invited to the remand planning meetings.
- The LAC social worker will inform the YOT Officer of the details of any placement planning meetings/LAC reviews during the remand episode.

Cases not currently known to Children's Services

- In cases where the young person is not currently known to Children's Services and the court is likely to be considering a remand to Youth Detention Accommodation the Youth Offending Team officer will make a referral to the Children's Social Care CAD's Service. They will open the case on FWI and will commence a Child and Family assessment.
- Once remanded into YDA the young person automatically becomes looked after for the duration of their sentence and the CADs workers will need to ensure that the usual looked after processes are followed.
- The Youth Offending Team officer in court will immediately inform the CAD's team of the decision of the court as to whether the young person is remanded and if they have been remanded to which institution they have been placed.
- CADs will liaise with the YOT worker regarding the length of the remand. There will then need to be a discussion between the Operational Managers in CAD's and

LAC&P as to where the management of the case will sit: this will depend on the length of the remand.

- Where a young person is known to the CP/CIN service and has an allocated SW they will remain the allocated social worker throughout the period of the sentence to ensure that there is suitable support to the young person and their family from a familiar worker.
- Once sentenced the young person ceases to be looked after and the involvement of CSC will cease unless the assessment undertaken by CADs at point of referral and any subsequent assessments undertaken indicate that the young person and their family require further CSC involvement. Where this is the case the case will be passed to the appropriate team via the transfer meeting.
- In respect of eligibility for leaving care services, these only apply if the young person is aged 16 or 17 and has been on remand for a period that exceeds thirteen weeks and which has been continuous.
- Both the Youth Offending Team practitioner and the Social Worker allocated to the young person will attend both the remand planning meetings and the LAC reviews convened in the custodial establishment during the period of remand. The statutory requirements of the timings of these meetings may prohibit them from being held in conjunction with another however wherever possible these meetings should be held jointly in order to facilitate parallel planning on a shared case.
- Where they cannot be held in tandem it is important that the social worker is able to ensure that the remand planning process is inclusive of care planning considerations, and vice versa.
- The IRO should always be invited to the remand planning meetings.

Looked after Children serving custodial sentences

Looked after children are over-represented in the juvenile secure estate. Whilst in custody looked after children retain the same care status as they would in the community. It is in the interests of the child as well as both services to work in partnership so as to reduce the risks, as far as possible, of future remands/custodial sentences.

The LAC Team and YOT recognise the importance of holding joint planning meetings wherever possible in order to co-ordinate the resources of both teams.

It is acknowledged that the primary role of both teams is to arrange a suitable resettlement plan prior to release of the looked after children that addresses accommodation, educational, emotional and social needs.

- The YOT Officer will ensure the LAC social workers are invited to each custodial planning meeting. The schedule is as follows:
 1. Initial planning meeting (within 10 working days of sentence)
 2. First Review meeting (1 month after initial planning meeting)

3. Subsequent Review meetings (every 3 months during custodial element of sentence)
 4. Pre-release meeting (10 days before release)
- The allocated social worker and IRO will liaise with the YOT worker to try and coordinate the statutory LAC reviews with the custodial planning meetings and to ensure that information relevant to both is shared in a timely and effective manner.

Safeguarding Looked after Children serving custodial sentences

The YOT and LAC Team will notify each other of any information relating to harm or risk concerning the young person within 24 hours of receiving the information from the custodial facility, the client, parent or any other party

The YOT and LAC Team will ensure that they act in accordance with their own procedures in relation to issues of safeguarding and that where their relevant safeguarding procedures are triggered there is coordination between both agencies and that each allocated worker attends the relevant strategy/planning meetings.

Looked after children must receive visits according to the required timescales and at an increased frequency where possible and required. The SW must ensure that contact is made with the young person in a variety of ways including letters, contact from previous carers etc.

The allocated social worker and YOT worker must be mindful of the risks to young people of sexual exploitation and radicalisation whilst they are serving custodial sentences. To this end the YOT worker and SW will agree who will liaise with the centre medical staff and Governor to highlight any particular risks and vulnerabilities.

Where necessary the CSE toolkit should be completed and shared with the relevant prison staff. Similarly any information about radicalisation concerns must be shared immediately the young person is sentenced.

Nominated Contacts

To promote positive joint working and partnership the following will take place:

- The YOT and CSC will nominate a member of staff who will act as the point of contact for the respective team in relation to queries and concerns
- The nominated worker will attend respective team meetings at least quarterly in order to address issues or concerns of joint relevance.
- Joint training will take place at least annually. Where there are lessons to be disseminated from SCR's or other key issues then they will take place as required.
- Where a young person known to CSC receives a custodial sentence there will be a review of joint working following the completion of the sentence and the ending of the YOS involvement to ensure areas of good joint working are recognised and any

lessons learned taken forward. These meetings will be chaired by a relevant manager from either service and will be agreed at the time by the relevant HOS.



Signed: Jo Cross. Head of Service. LAC & Proceedings
Date: 7th Sept 2015



Signed: Keith Gulvin, Youth Offending Team Manager
Date: 7th September 2015