



*Youth Offending Team*

The London Borough of Bromley

**Service Level Agreement and  
Working Together Protocol  
between Bromley Youth  
Offending Service and Bromley  
Probation Trust – February  
2013**

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## AIM OF DOCUMENT

This Service Level Agreement and Working Together Protocol aims to provide guidance on how the two named Services will work to support the delivery of appropriate services for young people known to the Criminal Justice System. The aim of this document is to enable a common understanding of responsibility and requirements placed on both named Services in the delivery of transparent Criminal Justice Service.

## STATUTORY DUTIES:

Under **Section 39(1) of the 1998 Crime and Disorder Act** (The Act) it is the duty of every Local Authority, acting in co-operation with partner agencies (who are under a duty to co-operate with the Local Authority), to establish for their area one or more Youth Offending teams (YOS).

## STATUTORY PARTNERS:

The **YOS statutory partner** agencies are as follows:

- Chief Officer of Police or Police Authority
- The Secretary of State in relation to his functions under Sections 2 and 3 Of the Offender Management Act 2007
- Every provider of Probation Services that is required by arrangements under Section 3(2) of the Offender Management Act 2007 to carry out the duty under his subsection in relation to the Local Authority.
- Every local Probation Board, Strategic Health Authority, Local Health Board or Primary Care Trust any part of whose area lies within that area.

## STATUTORY FUNCTIONS:

The functions of the YOS are set out in Section 39(7) as follows:

- To co-ordinate the provision of Youth Justice Services for all those in the authority's area who need them; and
- To carry out such functions assigned in the Local Authority's Youth Justice Plan

The act also references paragraph 7(b) of Schedule 2 to the Children Act 1989 - the local authority's duty to take reasonable steps designed to encourage children and young person's not to commit offences.

#### MEMBERSHIP:

The exact form of the YOS is not prescribed, but membership of a YOS (section 39(5) of the act) must include **at least one of the following**:

- An Officer of a local Probation Board or an officer of a provider of Probation Services;

#### SERVICES OF A YOS:

Local Authorities and partners have a duty to ensure that all “Youth Justice Services are available to such extent as is appropriate for their area”.

Under Section 38(3) of the Act, it states that partner agencies may make payments towards expenditure in the provision of Youth Justice Services. Section 38(4) lists a large number of items which are within the meaning of Youth Justice Services Act.

This arrangement between Bromley Youth Offending Service (YOS) and Bromley Probation Trust (PT), takes into account local needs, national agreement between the Youth Justice Board and London Probation Service and legislative requirement.

This document should be read in conjunction with **Youth to Adult Transitions Framework**, advice for managing cases which transfer from Youth Offending Teams to Probation Trusts. The Local Youth to Adult Protocol between Bromley Youth Offending Service (YOS) and Bromley Probation Trust (PT) is based on a template provide by the Youth Justice Board.

#### THE ARRANGEMENT BETWEEN

Bromley Youth Offending Service (YOS) and Bromley Probation Trust (PT), will be reviewed annually, and includes the provision for interfaces between the two services during the identified annual period.

**For further information on Bromley YOS please visit [www.bromley.gov.uk](http://www.bromley.gov.uk)**

**For further information on London Probation Trust please visit [www.london-probation.org.uk](http://www.london-probation.org.uk)**

**LOCAL MANAGER CONTACT:**

<b>Probation Lead Manager</b> Robert Clarke - Assistant Chief Officer	<b>YOS Lead Manager</b> Elayne Stewart - Group Manager
Crosby House 9-13 Elmfield Road Bromley Kent BR1 1LT Mobile: 07921095151 DD:020 8290 2119 <a href="mailto:rob.clarke@london.probation.gsi.gov.uk">rob.clarke@london.probation.gsi.gov.uk</a>  Twitter: @LondonProbation <a href="http://www.london-probation.org.uk">www.london-probation.org.uk</a>	Bromley Youth Offending Service Education & Care Service  London Borough of Bromley 8 Masons Hill Bromley Kent BR1 9EY Tel: 020 8466 3080 Mob: 07983 477533 <a href="mailto:Elayne.stewart@bromley.gov.uk">Elayne.stewart@bromley.gov.uk</a> <a href="http://www.bromley.gov.uk">www.bromley.gov.uk</a>

<b>Probation Lead Operational Manager</b> Lisa Charman –Senior Probation Officer	<b>YOS Lead Operational Manager</b> Lorraine Duffus – Operations Manager
London Probation Trust Orpington 6 Church Hill Orpington Kent BR6 0HE Direct Line: 01689 806670  <a href="mailto:lisa.charman@london.probation.gsi.gov.uk">lisa.charman@london.probation.gsi.gov.uk</a>	Bromley Youth Offending Service Education & Care Service  London Borough of Bromley 8 Masons Hill Bromley Kent BR1 9EY Tel: 020 8466 3080 Mob: <a href="mailto:Lorraine.duffus@bromley.gov.uk">Lorraine.duffus@bromley.gov.uk</a> <a href="http://www.bromley.gov.uk">www.bromley.gov.uk</a>

## LOCAL PROBATION OFFICE CONTACT DETAILS

London Probation Trust  
Orpington  
6 Church Hill  
Orpington  
Kent BR6 0HE  
Direct Line: 01689 806670

## PROVISIONS

### Staffing

Bromley Probation Trust (PT) will provide YOS with an experienced full time Probation Offender Manager on a secondment arrangement for the period of two years, with the provision to extend for a further year with all parties in agreement. If the PT is unable to identify a secondee, it will fall on them to commission an experienced interim Probation Offender Manager, for a time limited period to bridge the gap, until a permanent secondee can be appointed.

Bromley PT will complete an annual appraisal for the YOS based Probation Offender Manager with input from the YOS Line Manager.

Bromley PT will ensure that YOS are involved in the Recruitment and Selection pertaining to their service.

Bromley PT will provide the YOS based Probation Offender Manager with an identified Line Manager and ensure that regular supervision is undertaken.

YOS based Probation Offender Manager will attend both Services Team Meetings and the joint transfer liaison meetings.

### Annual Leave arrangements

YOS Probation Offender Manager will inform both services of prospective annual leave dates.

Bromley PT will advise YOS of cover arrangements during the agreed annual leave period.

### Sickness

YOS based Probation Offender Manager will notify YOS Line Manager direct of any period of absences, YOS Line Manager will notify Probation Service.

### Interface

Bromley PT Assistant Chief Officer and YOS Manager to meet a minimum of twice a year, to discuss SLA, working together, Service delivery and review relevant procedures and data.

PT Trust Operational Lead and YOS Operational lead for the Court and Community to meet every 6 weeks to discuss possible transfers to probation, working together and operational service delivery.

### IT

YOS based Probation Offender Manager will have access at the YOS to Bromley PT database (OASYS) including relevant training

YOS based Probation Offender Manager will have access to YOS database (Child View, Youth Justice) including relevant training

### Training

YOS based Probation Offender Manager will have access to all relevant PT and YOS Training.

Bromley PT will provide the YOS with MAPPA and Breach Training, the two services will share relevant training information and where appropriate the services will undertake joint training.

## FINANCE

**Bromley Probation Trust finance contribution to the YOS for the forthcoming financial year April 2013 – March 2014 will be £000, 00**

**Bromley YOS will receive a full- time worker in-kind from Bromley PT**

## SERVICES PLANNING

An evaluation must be produced by the Lead Managers and submitted to the Head of the YOS and the Assistant Chief Officer of the Probation Trust. This will assist both Senior Managers in their strategic overview of the transition process to ensure it is effective.

The Operational leads from Bromley PT and Bromley YOS will submit transfer minutes to the Lead managers and outline any concerns to assist with the evaluation.

This evaluation will inform the review of this Local Protocol which will also take place annually. The aim of the review is to update this Local Protocol with improvements to practice, promoting the development of good practice and taking account of any lessons learnt.

## DISPUTE RESOLUTION

Should a dispute arise between the Bromley YOS and Bromley Probation Trust, it will be escalated through the relevant organisational Line Management structures. If this process does not provide a resolution, then the YOS Management Board LB must be alerted and asked to provide a decision, as the YOS Management Board should have senior representatives from the YOS and the Probation trust.

**Signed .....**

**Date.....**

**Youth Offending Service Manager**

**Signed ...Rob Clarke.....**

**Date...22/10/2013..**

**Assistant Chief Officer Probation**

**Next Review Date TBA**



## BROMLEY PROBATION LOCAL MANAGER CONTACT AS FOLLOWS;

This Protocol was developed with reference to the National Probation Directorate Probation Circular ref: 91/2009: 'Case Transfer Protocols between YJB` and NOMS' Guidance for YOS's and local Probation areas/trusts on case transfers.

## TRANSFER OF CASES /ORDERS:

There is an automatic presumption in this document that all cases will be transferred from the Youth Offending Service to London Probation Trust when the young person becomes 18, however communication in all instances should take place three months (six months prior for high or very high risk offenders prior to their 18<sup>th</sup> birthday).

### Cases that should be transferred;

- Section 90/91 – 226/228 Imprisonment: Periods of imprisonment imposed under section 90/91 (Powers of Criminal Courts Sentencing Act 2000) or section 226/228 (Criminal Justice Act 2003) where the young person may be released on supervision after their 18<sup>th</sup> birthday, in which case transfer arrangements to probation should take place no later than three months before their 18<sup>th</sup> birthday. Transfer discussions between the YOS and probation should take place well in advance of the release date to ensure effective case management and a consistent approach to risk (as defined in the transfer liaison meetings). If a transfer occurs whilst the young person is still a serving prisoner, prior to transfer, the YOS case manager must prepare the young person for transfer to Adult estate and the end of YOS support.
- Youth Rehabilitation Orders (YRO) imposed under the Criminal Justice and Immigration Act 2008. There are 18 requirements under the YRO but both agencies need to recognise that not all requirements can be transferred to London Probation and will need to remain at the YOS until completion.
- Youth Rehabilitation Order (YRO) with a supervision requirement. Within 3 months of the young person's 18<sup>th</sup> birthday the YOS should begin the transfer process as part of the joint liaison meeting.
- Youth Rehabilitation Order (YRO) –Unpaid work (UPW) requirement with supervision. Case management responsibility of all YROs with multiple requirements including UPW remains with the YOS, until the process of transferring the order to London PT occurs at the offender's 18<sup>th</sup> birthday. Where a young person is within three months of their 18<sup>th</sup> birthday and

becomes subject to a YRO with both supervision and UPW requirements, the order should be transferred at the point it is made.

- YRO with a Drug Treatment, Drug Testing, Intoxicating Substance Treatment or Mental Health Treatment Requirement. The YOS *should* transfer these in line with local arrangements for transition from young people to adult treatment services within three months of the young person's 18<sup>th</sup> birthday. The YOS should negotiate the treatment service via mainstream young people's services into mainstream adult services to determine the services that will be provided after transfer.
- Where a young person is within 4 weeks of their 18<sup>th</sup> birthday and becomes subject to a new Youth Rehabilitation Order, the Order should be transferred to London probation at the point it is made. The YOS needs to ensure that there is prior consultation with London Probation as to which programmes are available.

**The only exceptions are:**

- Detention and Training Orders: To remain with the YOS until completion, unless the young person re-offends after they are 18 and becomes subject to a community or adult custodial sentence.
- Stand-alone YRO with unpaid work requirement: SERCO will now manage all YROs with a stand-alone UPW requirement for young people aged 16 and 17 years old.
- Stand-alone YRO with Electric monitoring (Curfew) requirement: SERCO will manage all stand-alone Electric monitoring (Curfew) requirements for young people. If these cases are approaching 18 the YOS will notify London Probation of these, but they will be managed by SERCO.
- Referral Orders: Referral Orders cannot be transferred to London Probation and should remain with the YOS.
- Intensive Supervision and Surveillance (ISS) or Intensive Fostering (IF) Requirement the YOS will maintain case responsibility until the ISS or fostering requirement has ended. Discussions as to transfer should begin with London Probation Trust three months prior to the end of the ISS/ IF element.
- Any YRO programme or activity requirements such as reparation or a weapons or knife programme managed by the YOS, these will need to be completed prior to transfer to London Probation. Consideration will need to be given to the completion of such requirements before the young person reaches their 18<sup>th</sup> birthday.

- Where a young person is being supervised by the YOS and is within 3 months of completion of their Order when they reach their 18<sup>th</sup> birthday, consideration should be given to the YOS retaining responsibility for the case. These cases will be discussed at the transfer liaison meetings and agreement will be sought for YOS to retain case responsibility.
- Where there is an outstanding breach matter, the Order should remain with the YOS until execution / resolution of the breach. This is also the case where recall to custody is being considered at the point of transfer. The recall should occur prior to effecting case transfer. Subsequent to the resolution of the breach, discussion should occur between Probation and the relevant YOS about the future supervision of the young person where appropriate. In cases where breach or recall action is contentious between the YOS and London PT at the point of transfer, the final enforcement decision should be jointly agreed by managers from both agencies prior to effecting transfer.
- Where the young person is missing/absconded the Order should remain with the YOS until the young person has been found and returned to Court. Once the matter is resolved the case, following discussions the case can then be transferred.

## **Procedures for the transfer of cases from YOS to Probation**

The expectation is that operational lead managers from the YOS and Probation meet on a bi – monthly basis to discuss all cases that could be transferred. Decisions are made on each case as to whether to transfer or not, the decision based predominantly on the needs of the young person and which agency is best placed to address them.

### YOS responsibilities

When transferring cases, the seconded YOS Probation Officer should send the information regarding the young person as indicated to the nominated SPO at Bromley Probation Offices. Prior to transfer of the case, the YOS Seconded Probation officer will complete a transfer OASys assessment. Information should also be sent via the Y2A information sharing portal, all documentation should be transferred between YOS and London PT by this secure mechanism.

When transfer of a case is agreed there should be a 3-way case transfer meeting at the designated Probation Office. It is essential that at least one transfer meeting **always** occurs in cases that are assessed as High / Very High Risk of serious harm ( ROSH), subject to MAPPA registration, identified as a PPO/ DYO offender or involved in Violent Extremism or Serious Group Offending (SGO). The initial 3-way meeting should be attended by the YOS Case Manager, the designated offender manager, the young person and their parent / carer. Other key professionals should be invited as appropriate.

These 3-way meetings should discuss the progress of the young person on their order/licence to date and clearly identify expectations for the remainder of the Order/licence, particularly if these differ from previous arrangements, e.g. frequency of reporting, enforcement/ compliance arrangements etc.

If contact cannot be made between agencies or arrangements for a three-way meeting organised, the matter should be escalated to the relevant line managers. A discussion should be held between these managers within two working days of the case being escalated in order to progress the issues identified. No transfer of an Order can take place until at a 3-way transfer meeting has occurred. If the young person fails to attend the transfer will be deemed as not taking place.

The YOS Case Manager will notify in writing all relevant parties of the change of supervisory arrangements within five days of the 3-way meeting (or the formal transfer). The YOS case manager should inform all relevant parties (e.g. other partner agencies involved) of the name and contact details of the new local Probation Trust case manager and the formal date of transfer. Transfer will be deemed to have taken place after the successful attendance of the young person at the **initial transfer meeting appointment**.

Probation will not accept transfer until the offender keeps the initial first appointment meeting. The YOS will retain responsibility for the enforcement of the Order/Licence if the Young Person does not attend this first appointment. If the offender is in custody, the expectation for high risk of harm, very high risk of harm and PPO cases is that Probation and YOS staff would meet at the Probation office to exchange case information.

**The following information should be provided, where relevant:**

- The seconded YOS Probation Officer will complete an OASYS assessment
- Up to date ASSET with a Risk of Serious Harm (ROSH) assessment
- Transfer summary/Intervention plan
- Previous convictions.
- Notification of outstanding matters, status, dates, crime references etc.
- The most recent PSR and other relevant reports.
- Record of contact with young person.
- Details of work carried out as part of the Order/Licence.
- CPS bundle in relation to offence(s) for which current Order was made
- Mental health, education and training, outstanding referrals, involvement of other professional organisations, child protection/care of younger siblings etc.
- Sentence plan/release plan
- Other relevant information re: high risk cases including MAPPA or MARAC
- Relevant victim information
- Enforcement information re: current sentence ( e.g. failures to attend, warning letters, SERCO violations)
- PPO: If the offender is a prolific or other priority offender (PPO), or is being monitored as a the 'Deter Young Offender' (DYO) strand of the PPO programme, Local Police and the Borough PPO team should be informed of this prior to transfer.

## **1. Pre-Sentence reports**

If a case is currently under the supervision of the YOS, the YOS officer should write the report even if the offender is approaching their 18<sup>th</sup> birthday. Consultation about sentencing options must take place with the local Probation SPO in such cases. A provisional first appointment should be arranged at this point. The case should be transferred on sentence if within three months of their 18<sup>th</sup> birthday. If it is not possible for the existing order to be transferred to Probation, it is the YOS's responsibility to arrange for the existing order to be revoked or completed via YOS supervision.

If a Pre-Sentence Report (PSR) is requested on a young person within one month of their 18<sup>th</sup> birthday who is not known to either service, the report will be prepared by the YOS, in consultation with the local Probation Office concerning the sentencing recommendations being made to the Court. An initial first appointment should be arranged at this point and included within the report. All information PSR, ASSET, CPS documents etc should be sent to the designated Probation office at point of sentence in order that the case can be allocated.

If the Pre-Sentence Report (PSR) is requested on a young person previously unknown, or not known currently to the YOS, who has reached 18 at conviction, and appears in an adult Crown Court then London Probation Trust will complete the report. The YOS will transfer any available information held on the young person regarding background, compliance, offending history and progress via the Y2A information portal.

However in cases where no transfer has taken place (at the young person's 18<sup>th</sup> birthday) with LPT and the YOS are still managing the supervision requirement any request for a PSR will be completed by the YOS regardless of age of conviction. Only upon formal transfer will the report be completed by Probation.

If the PSR is requested on a young person previously unknown to the YOS who has reached 18 at conviction, where the young person is retained at Youth Court for sentencing, the report will be completed by the responsible YOS, (ideally by the seconded Probation Officer). The YOS report author will ensure that they consult the London PT regarding sentencing options that will be included in the report and ensure that they arrange a first appointment with the Probation Office. Following sentence, the YOS Court Duty Officer will immediately inform the local Probation Office of the sentencing outcome if the sentence imposed requires supervision from London PT.

## 2. Courts

### Youth Courts:

- The YOS shall have responsibility for staffing the Youth Court and notifying the Probation Service of any young person remitted for sentence to the adult Magistrate's Court or committed to Crown Court.
- The YOS shall provide Court Duty cover for any young person aged 17 or under appearing at Saturday Court or on a Bank holiday.
- **Unpaid work:** Immediately post-sentence the YOS Court Officer contacts the SERCO Control Centre to provide details on the young offender including risk, availability and the young person's circumstances.

Contact details for the SERCO central office **Phone: 020 7593 3120 and**

**Email: [yoscases@london.cp.gsi.gov.uk](mailto:yoscases@london.cp.gsi.gov.uk)**

The SERCO Control Centre agrees the Community Payback work instructions and provides these to the YOS Court Officer verbally and via email to issue to the young person. The appointment will be given to the young person in Court. The YOS Court Officer then provides details of the young person's sentence to the relevant London PT Local Delivery Unit. The YOS will provide within one working day the current ASSET, any Risk of Harm Serious (ROSH) assessments, PSR, list of previous convictions and signed initial appointment letter. The YOS will also confirm if the young person is currently subject to any other Orders and the name of the YOS supervising officer.

### **When a young person appears in an adult Magistrates Court**

#### **Probation responsibilities:**

- When a young person appears in an adult Magistrates Court, Probation Court staff will provide all relevant details to the local YOS via the duty officer on 0208 466 3080 including notification of requests or adjournments for PSRs, CPS documents and case summary, outcomes of Court appearances etc. This will be done within one working day.
- Where there is a risk of a remand in custody (Youth Detention Accommodation – YDA), a bail supervision or Bail ISS proposal, Probation staff will telephone the YOS Duty Officer. Where the YOS staff member is unable to attend, Probation staff may be asked to supply information on behalf of the YOS. In such cases the YOS will supply as much information as required in order to ensure the case is dealt with effectively.

**Crown Courts:**

- The YOS email or by phone shall notify the Probation team at the relevant Crown Court of any young person committed or remitted to Crown Court.
- Probation Court staff will ensure that all outcomes of hearings in Crown Courts that relate to young people, including requests or adjournments for PSRs or bail conditions, will be communicated via telephone or email to the relevant YOS within one working day.
- YOS staff when they have completed a (PSR) Court report should attend Crown Court on each sentencing occasions. In exceptional circumstances, when a YOS staff member is unable to attend, probation staff may be asked to supply information on behalf of the YOS. In such cases the YOS will supply all relevant information to ensure the case can be dealt with effectively.

**3. Youth Rehabilitation Orders and Unpaid Work:**

Where a young person is subject to an YRO with unpaid work requirement there should be a minimum of monthly communication between the two agencies to ensure continuity of recording and case management. Each agency will provide the other with the name of the respective Supervising Officer. If enforcement issues are present, there should be a minimum of weekly contact to ensure enforcement issues are swiftly and effectively resolved.

When a young person fails to attend an appointment with either agency, and this is recorded as an unacceptable absence, the other agency will be notified within 24 hours.

YOS Supervising Officers will take enforcement action after the second unacceptable failure to attend unpaid work in line with national standards.

When a young person completes the unpaid work element of an YRO with unpaid work requirement, the Unpaid Work unit will notify the YOS of the completion within 5 working days.



#### **4. Management of Risk: MAPPA:**

The transfer of any offender who is being managed within MAPPA at level 2 or 3 will be considered at the relevant MAPPA meeting before the offender's 18<sup>th</sup> birthday. For those cases managed at MAPPA level 1, the YOS should inform the local MAPPA co-ordinator prior to transfer.

Where an offender is subject to MAPPA, or is considered to be a high risk of harm, a three-way meeting will always be convened prior to transfer and discussed at the joint liaison meetings with the operational leads for Probation and YOS and to ensure that they have sight of the MAPPA referral form.

**Queries relating to MAPPA cases should be directed to Public Protection SPO.**

#### **5. Victims**

- Details of victims of violent or sexual offences where the offender receives 12 months or more in custody should be notified to the local LP Victim Unit. The staff in the LP Victim Unit provides an information service to victims about sentences etc and act as a conduit for information from the victim that is relevant to parole decisions, licence conditions.
- If the Victim Unit receives information about victims direct from Crown Court the staff will notify the relevant YOS of their involvement.

**The YOS Victim Liaison Officer contact on 0208 466 3080**

#### **6. National Standards and enforcement**

The supervision of an offender in both the YOS and Probation area will be managed in accordance with their relevant National Standards. Any departure from National Standards will be agreed and recorded on the case file.

Enforcement action should always be completed prior to transfer. Where enforcement action should have been taken by the YOS but has not, responsibility for the case will remain with the YOS until such action has been completed regardless of whether the offender has reached 18.

## **7. PPOs: Transfer arrangements:**

In cases where a young person is currently on the Deter strand of the PPO strategy, is approaching 18yrs and is at risk of becoming an adult PPO, potential transfer to the borough adult PPO scheme should be sought. The YOS should refer the case to the relevant borough PPO panel approximately 3 months before the date of expected transfer. If the case is accepted by the panel as a PPO, a formal transfer plan should be agreed between the YOS Supervising Officer and the borough PPO team. The probation officer within the borough PPO team will take on case management responsibility for the young person.

If the case does not meet the criteria for acceptance onto the adult PPO scheme, then transfer to the borough Probation Offender Management Unit should be arranged as normal.

**Queries and transfers relating to PPO's should be directed to Leighton Evans SPO**

## **8. Additional Information exchange:**

YOS Officers and London Probation Offender Managers should actively seek to exchange information in support of Section 115 of the Crime and Disorder Act 1998. In the case of youth crime prevention, the expectation is that LPA Offender Managers will exchange information to support the work of Pre Court Teams i.e. relevant information on parents / carers who are under Probation supervision. YOS Pre-Court leads will liaise directly with LPA SPOs to ensure relevant information is exchanged in a timely manner to support interventions.

## LOCAL OPERATIONAL PROTOCOL FOR YOUTH TO ADULT

### **YOS Local Transition Protocol in place between Bromley YOS and Bromley Probation Trust for the Management of young people in Transition.**

The following steps will be taken to ensure that cases are transferred effectively from the YOS to the Probation Trust with the aim of minimising risks to the public, safeguarding the young person, and reducing re-offending:

#### *Identifying those young people who are eligible to transfer to Probation*

A transition to adult services is normally predictable at the point of sentencing and therefore transition planning will be developed with this as the starting point for every transition. If a sentence or order is expected to run past the young person's 18<sup>th</sup> birthday, their eligibility for transfer to Probation will be considered as part of early sentence planning and considered again at each sentence planning review meeting.

YOS Practitioners along with the seconded YOS Probation Officer will also identify young people who they believe present a risk of re-offending as an adult. This means that a young person's sentence may end before their 18<sup>th</sup> birthday and there is therefore no formal transfer of supervision to Probation, but the YOS feels that there is a high likelihood that a young person could reoffend and therefore come under Probation supervision in the future. Transition planning must also take place with these young people and include informing them of the differences between youth and adult services, and sharing information with Probation.

Special attention will need to be given to those young people subject to Multi-Agency Public Protection Arrangements (MAPPA) or Deter Young Offender (DYO)/priority offender arrangements. Transition planning will take account of existing management processes for these groups.

#### *Joint transfer liaison meetings between probation and YOS*

The Probation Trust Operational Lead and the Youth Offending Service Operations Manager for Court and Community section will meet bi-monthly as part of the transfer liaison meetings to discuss the young people who are approaching 18 and are eligible to be transferred to the Probation Trust. These meetings will also be attended by the seconded YOS probation Officer.

### *Including transitions as part of the young person's sentence plan*

If the young person could transfer then transition-related work, preparation and planning will form part of their sentence plan at the earliest point.

Planning will ensure that other services and intervention providers are aware that a transition could take place and therefore plan appropriately and collaboratively for this. This means working with service providers at an early point to ensure effective continuity between other youth and adult services takes place, for example youth and adult health services.

Transition-related work may not need to be too intensive in the early stages of a sentence but will increase as the young person approaches the date of transfer. Consideration will need to be given to the intensity of transition work for the individual young person and will take into account maturity, including what interventions need to be in place to help assist with the development of a young person's maturity, the risks to the young person's safety and wellbeing, and other risk factors. Each transition process will be tailored to the individual young person's needs.

### *Informing the young person and family/carer about the transition process*

The young person must be informed that due to the fact that their sentence extends beyond their 18<sup>th</sup> birthday and because of the type of sentence they will be assessed for transfer to Probation supervision. This will be done at the earliest opportunity and no later than six months before transfer.

Young people making the transition, and their families, will be given an overview of the transition process and be kept informed at each stage. The young person and their family will be given regular opportunities to ask questions about the process and consulted, where appropriate, on decisions which affect the young person<sup>1</sup>. The young person must be clear about what their responsibilities are in the transitions process and understand how they will meet them. This includes understanding what they will and will not be supported with.

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<sup>1</sup> See Youth to Adult Transitions Framework section: 'Preparing the young person and their family for transition'.

### *Probation trust allocation of an Offender Manager*

The probation trust will allocate a Probation offender three months before the transfer could take place or six months if the young person is identified as high risk. The YOS will provide the Senior Probation Officer with an overview of the young person so the case can be allocated to the most appropriate Probation Offender Manager.

The young person and their family will be informed of the allocated Probation Offender Manager and introduced to them as early as possible. In addition, opportunities will be sought for the young person and the allocated probation offender manager to get to know each other. This may take place, for example, in the form of additional meetings at the Probation Office or the allocated Probation Offender Manager attending YOS meetings with the young person. The Probation Trust will engage with any troubled families work at this early point.

### *YOS Caseworker and Probation Offender Manager Initial Consultation*

The YOS Case Manager will arrange an initial consultation with the allocated Probation Offender Manager as soon as they have been appointed. This will therefore take place no later than three months before the potential transfer date or six months if the young person is identified as high risk. The purpose of the initial consultation is to:

- share appropriate information
- outline the nature of the case
- discuss the young person's risk of serious harm and their risks to safety and wellbeing and explain the relevant assessments
- discuss the relationships in the young person's life and their associates, including any gang affiliation
- outline the young person's employment, training and education involvement/needs
- discuss the young person's drug or alcohol misuse
- discuss the young person's health needs
- discuss the young person's lifestyle and living arrangements

- discuss the young person's family involvement with the YOS, including any family intervention and dependencies the young person may have
- outline the young person's emotional wellbeing, attitudes, thinking and behaviour, perceptions of themselves and others, motivation to change
- progress of the young person against their sentence plan and work undertaken
- Discuss initial MAPPA/risk management issues. The transfer of a young person who is subject to MAPPA will be discussed at the relevant MAPPA meeting no less than four months prior to transfer, identifying and addressing issues to do with the transfer. The receiving Probation Trust will be made aware of the young person's MAPPA level and the specific arrangements in place
- discuss outstanding Court cases
- identify any enforcement issues
- identify if the young person is a Looked After Child and which services they are entitled to
- Where the young person is a DYO/priority offender, then this will be discussed at the meeting and the YOS will outline the additional actions/plans that have been in place through the DYO Management Framework. The Probation Trust will consider whether the young person fits the criteria for any priority offender (e.g. Prolific and Priority Offender) scheme in line with local and national guidance. In these cases, it may be appropriate for the YOS worker to attend the first PPO meeting
- YOS caseworker will explain their *risk of serious harm* assessment and the reasons for coming to that assessment. The allocated Probation Offender Manager will then give their view on how this would correlate with a probation *risk of serious harm* assessment and the supervision which comes with this. The YOS caseworker may then be able to advise if they believe this level of supervision is appropriate for the young person. This discussion may be reviewed again nearer to the transfer date
- agree Probation's contribution to transition planning for the individual young person
- Consider any other transfer issues.

### *Professionals' meeting*

A Professionals' meeting will be arranged and attended by the YOS caseworker no later than two months before the potential transfer date or four months if the young person is identified as high or very high risk. This meeting will include: the allocated Probation Offender Manager, other professionals involved with the young person, including, where applicable: a mentor, voluntary sector providers, local agencies (e.g. Children's Services),

Where possible, it should also include prospective adult service providers. This meeting will contribute to transition planning by discussing the following:

- overview of the progress against sentence plan and likelihood of reoffending
- each service/intervention the young person is involved in and their progress
- Arrangements for continuing or ending these services/interventions if the young person is transferred to Probation. Some services may be willing to continue working with the young person past the age of 18 and therefore continue to engage with the Probation Trust
- The young person's needs which each service/intervention is working to address and how the work will continue through services/interventions available in the probation trust. This will include a discussion on the arrangements and plans each relevant young person's service has to consult with their retrospective adult service, for example: transfer from Child and Adolescent Mental Health Services to Adult Mental Health Services, and drug and alcohol service
- Contact details for each service or intervention provider which can be used by the allocated Probation Offender Manager, or other adult service providers in the future.

If it is not possible to find an appropriate date which all parties can meet (or there are existing management forums e.g. MAPPA) then the above information will be sought by the YOS caseworker from each of the parties who cannot attend and will ensure that it is factored into transition planning. The YOS caseworker will also feedback relevant information from the meeting to those service/intervention providers who could not attend.

*Joint YOS and Probation Assessment to decide if the transfer should take place or if the YOS should retain responsibility*

A joint assessment will take place at least one month before the potential transfer date or three months if the young person is identified as high risk. This will consider:

- the maturity of the young person: this is based on the professional judgement of the YOS and Probation Offender Manager
- risks to the young person's safety and wellbeing
- type of offence and Court Order and sentence length
- learning and developmental issues
- mental health and substance misuse issues
- physical and social care needs
- previous compliance
- the interventions which the young person needs to access and if the YOS or Probation is better placed to provide those services (this will include input from Service Providers obtained at the Professionals' meeting)
- young person and families view on whether the transfer should take place

The professional judgements of both the YOS and Probation workers are key in making this decision. YOS and Probation workers will make a recommendation to their relevant operations managers who will give approval for transferring/accepting a young person or not. The decision will be recorded on the young person's case record, and the reasons for coming to that decision with reference to the factors outlined above. This assessment will be used to explain to the young person and their family the decision to transfer or not.

If a decision is made to transfer the young person to Probation then the timescales for doing this will be recorded within the transfer liaison meeting minutes and on the young person's case record. In some cases it may be appropriate to transfer a young person before their 18<sup>th</sup> birthday. This decision will be taken by the respective Operations Managers with the reasons outlined on the young person's case record. Similarly, if a decision is made not to transfer the young person then the timescales for retaining the young person and reviewing this decision will be recorded on the young person's case record.



The YOS caseworker will provide updated information via the Y2A portal to the Probation Offender Manager to inform this decision. In addition, YOS caseworkers will ensure the Asset is updated to reflect the transition and highlight any issues which may affect the transfer.

*Case Transfer Meeting between YOS caseworker, Probation Offender Manager, young person and family or carer*

The case transfer meeting will be arranged by the YOS caseworker if a final decision has been made to transfer the young person to the Probation Trust. This meeting will inform the young person and their family of the decision to transfer and provide clear timescales for the transfer, including a date for the first contact. In addition, the meeting will be used to outline the initial arrangements set by the Probation Offender Manager. The meeting will also identify a provisional Probation Supervision Plan, and reiterate compliance and enforcement procedures.

If the young person and/or their family is not happy with the decision to transfer or not to transfer then this will be escalated to the YOS and Probation Trust Operations Managers. The joint decision of the YOS and Probation Managers will be final.

The Probation Offender Manager will consider if additional assistance is needed in the early stages after transfer to assist the young person in meeting Probation requirements. This may include telephoning the young person and their family nearer the time of their first meeting/s to remind them.

This meeting will be held at the local Probation trust office which the young person will be reporting to. It will act as the formal date of transfer between the YOS and the Probation Trust. If the young person does not attend or leaves during the meeting or the meeting does not take place, then the case has not been transferred and the YOS will continue to have case management responsibility.

From the point of formal transfer, the YOS Case Manager will no longer have case management responsibilities for the young person and the responsibility for National Standards contact transfers to the Probation Trust. The YOS and probation workers agree that transfer of responsibility has happened and that the key elements outlined in this protocol have taken place, including transfer of all appropriate and up-to-date information. The case will be signed off by the Operations Managers from the YOS and Probation Trust.

### *Following the case transfer meeting*

Within five working days of the formal transfer of responsibility, the YOS caseworker will contact all relevant parties to confirm the date in which the transfer took place and ensure each party has the name and contact details of the allocated Probation Offender Manager.

### *Probation to verify that the young person and family/ carer have been properly prepared and informed*

During the first meeting, the Probation Offender Manager will inform the young person and family/carer of the transfer of supervision. The young person will be reminded of the requirements within probation supervision and reassured of any concerns they may have. This will take place within five working days from the date of transfer.

The first meeting with probation will include both the young person and their family (if possible and appropriate).

### *Probation assessing the young person*

All information received from the YOS on the young person will be considered including areas of outstanding work from the YOS that will be addressed in the Probation Sentence Plan.

The Probation Offender Manager will set at least weekly meetings with every transferred young person for an initial period. This initial level of contact is necessary for ensuring the young person's compliance with new probation requirements. The Probation Offender Manager will decide the duration of this 'initial period' and inform the young person at the initial appointment.

The Probation Offender Manager will pay special attention to the reasons for the YOS's assessment of *risk of serious harm* when making their own assessment. The Probation Offender Manager will complete their assessment as soon as possible following the transfer.

### *Implementing the Probation Induction Plan*

During this initial period the young person will be engaged in a planned induction period (this would have been constructed and agreed during the case transfer meeting). This induction period will be used to ease the young person into the requirements of probation supervision, reiterating what will continue/stay the same, and discussing the new services (including voluntary services and courses) that are available in probation.

During this period, Probation Offender Managers will consider using greater professional judgement in their approach to supervision with some young people in areas such as attendance at meetings and punctuality. (The probation offender manager may continue sending reminders during this initial period).

#### *Probation professionals meeting*

The Probation Offender Manager will set up a meeting involving the adult service providers that the young person will now engage with. This will take place within one month from the transfer date but can take place before the transfer of responsibility to allow more preparation time for adult services and aide continuity of services.

The meeting will brief adult providers about the services the young person has accessed while under YOS supervision and the anticipated future needs of the young person.

It may be appropriate for the YOS caseworker and/or young people's service providers who were previously working with the young person to attend this meeting. This will aide continuity and efficient information sharing between youth and adult services. Where there are obvious links, youth service providers should have already made contact and discussed the transition with adult service providers. Any gaps in information from Youth Services will be identified here and action/s assigned to retrieve it.

#### *Review Meeting and YOS involvement following formal transfer*

Two months after the formal transfer of responsibility, a review meeting between the YOS caseworker, allocated Probation Offender Manager and young person (and family where appropriate) will take place. This will be used to discuss the young person's progress under probation supervision, including compliance. If the young person has not been progressing well, then the YOS will make efforts to assist the probation offender manager in addressing any issues with the young person. If the YOS caseworker had a good relationship with the young person then it may be appropriate for them, along with the probation offender manager, to make further contact with the young person to assist them in meeting probation requirements.

#### *Seeking feedback from the young person and their family on the transition*

YOS and Probation Operations Managers will conduct a joint annual evaluation of all the cases the YOS has transferred to probation that year. This will include, but not be limited to:

- the number of cases which have been transferred for that period
- an analysis of the reoffending rates of those young people who have gone through the transition process
- number of breaches and general compliance in Probation
- relationships and partnership working between YOSs and Probation
- This will include feedback from YOS caseworkers and Probation Offender Managers who have managed transitions cases in that year
- Consideration on whether the principles of good transitions outlined in the Youth to Adult Transitions Framework have been met.

*Probation contacting the YOS regarding a young person who has previously been under their supervision but has not gone through a formal transition process*

Probation Offender Managers will look at a young person's offending history and if there have been offences between the ages of 10–17, contact the relevant YOS and seek information on that young person. This information could provide insight into the risks posed and will aide OASYs assessments.

In addition, the young person may be used to the requirements of the Youth Justice System but may need assistance in meeting the requirements of the adult system. YOSs will assist probation in the initial management of these cases to help young people adjust to the difference in services.

When a young person has not gone through a formal transition process, as above, the Probation and YOS workers will consider if any elements of the transition process should be initiated. This may depend on, but is not limited to; the length of time the young person had been under YOS supervision, their ability to meet Probation requirements, and the seriousness of their offences.

**Signed .....**

**Date.....**

**YOS Operations Manager**

**Signed .....Rob Clarke (Assistant Chief Officer)...**

**Date...22/10/2013..**

**Probation Operations Manager**