**West Sussex – Practice Guidance**

IROs are qualified social workers with at least five years’ experience, and who have acquired the right skills to carry out this role.

**Secure Accommodation Review Guidance**

**(Welfare Grounds – Section 25 Children Act 1989)**

The Purpose of Secure Accommodation (Criteria) Reviews

In addition to Regulations governing the frequency of visits and statutory Reviews, young people placed in secure accommodation must be the subject of separate Secure Accommodation (Criteria) Reviews.

The purpose of the Secure Accommodation (Criteria) Review is for the panel to review the child's care in accordance with The Children (Secure Accommodation) Regulations 1991 and The Children (Secure Accommodation) Amendment Regulations 1992 and to satisfy themselves that:

The criteria for keeping the child in secure accommodation continue to

apply:

* S/he has a history of absconding and is likely to abscond from any other description of accommodation; and
* if s/he absconds is likely to suffer significant harm;or
* that if s/he is kept in any other description of accommodation s/he is likely to injure him/herself or other persons.

Also:

Does such a placement continue to be necessary and whether or not any other description of accommodation would be appropriate?

Gauge whether the welfare needs of the young person are being addressed by consulting with all of those involved?

The circumstances under which the young person will be allowed greater freedom, including any transfer to a more “open” unit.

The phased nature and timing of such increases in freedom, known as mobility.

The child’s social worker must provide a report to the chair in advance of the review, including the above points. This report must include details of what other accommodation has been considered with reasons as to why it is not suitable. The report must include a contingency plan that can be put into operation immediately should the panel consider that the criteria for secure accommodation are no longer met.

The overall purpose of the review is to ensure that the young person’s welfare is being promoted and safeguarded and that the criteria for keeping him/her in secure accommodation (depriving the young person of their liberty) continues to apply and the placement continues to be proportionate.

The Composition of Secure Accommodation (Criteria) Reviews

Each review will include at least three people to review the secure placement and the first Review must be held within 28 days of the young person being placed.

* A manager of Service Leader level or above will Chair the Review.

The Secure Accommodation (Criteria) Review will be convened by the Social Worker in liaison with the CLAM coordinator and invitations/contributions will include:

* The allocated Social Worker and Practice Manager
* A Senior Manager from the Secure Children’s Home (SCH)
* Health and education representatives from the SCH
* The child’s key worker from the SCH
* If appropriate, the child's parents or carer
* As far as is practicable, any person who is not a parent but holds, or shares, Parental Responsibility for the child.
* As far as is practicable, the child/young person
* The child's Independent Visitor, if one has been appointed.
* Any other person who has had care of the child, whose views panel members consider, should be taken into account; this might include Foster Carers, Residential unit key worker
* Child’s Guardian

Of the three panel members one must be independent, to the extent that they must not be a member or officer of West Sussex County Council or an officer of the authority providing secure accommodation for the young person. The panel will consist of:

* Chair
* Independent person.
* Other panel member (who should not have had any direct involvement in placing the young person in secure accommodation)

It is usual to consider the following points when assessing whether the criteria for continuation of the secure accommodation order continues to be met:

The criteria for keeping the child in secure accommodation continue to apply;

Such a placement continues to be necessary; and whether or not any

other description of accommodation would be appropriate for him,

and in doing so shall have regard to the welfare of the child.

To inform this, the following should be considered:-

Since being placed in secure accommodation, has the young person shown any

signs of understanding that his/her previous lifestyle was dangerous?

Has the young person shown any signs that she/he would not revert to

his/her previous lifestyle if the secure accommodation order was no longer

in place?

Have there been any signs to suggest that the child would now function safely in

an open environment? If so, risk analysis must accompany any evidence put

forward.

Has the child acquired sufficient internal controls to function safely in an open

environment? If so clear understanding and analysis must be provided.

The Frequency of Secure Accommodation (Criteria) Reviews

The first Secure Accommodation (Criteria) Review must be held within 28 days of the child being placed in secure accommodation. If the 72-hour provision is used and the Court subsequently grants a Secure Accommodation Order, the 28 days starts at the point of entry into secure accommodation, i.e. at the beginning of the 72 hours, not from the point of the Secure Accommodation Order being made by the court.

The second Secure Accommodation (Criteria) Review must take place within 3 months of the initial review.

Thereafter Secure Accommodation (Criteria) Reviews must take place at no less than 3 monthly intervals.

Secure Accommodation (Criteria) Reviews can take place more often than prescribed (for example if there has been a significant change) but certainly not less often.

Written Reports for Secure Accommodation (Criteria) Reviews

The child’s social worker is expected to provide an up to date written report in advance of the SAR, this should include:

A summary of why the Secure Accommodation Order was sought.

A summary of the work undertaken and to be undertaken with the young person

whilst in secure accommodation.

A summary of the exit plan, or the proposed exit plan with the child’s views.

Consultation with the parents or carer’s should also be reflected.

The SCH will also be expected to provide a written report.

Contingency Planning

Contingency planning is vital to ensure that the child's needs are met if the decision is made that the secure accommodation criteria are no longer met. Clear planning and analysis at each review is necessary to inform decision making immediately so that there is a minimum of delay in transferring the child out of the secure environment. A child must never remain in secure accommodation if the criteria are not met.

It should never be assumed that the panel will decide that the criteria are met. The Regulations state that if the criteria are not met, the placing authority must immediately review the placement. If the criteria are no longer met, the young person will not remain in the placement, contingency planning is crucial in providing appropriate levels of care on discharge.

Conduct of the Secure Accommodation (Criteria) Review

The independent panel member should see the young person before the review.

The chair should set out the purpose and structure of the review.

The social worker and the representative from the secure unit should present their reports and evidence followed by: an education report and, if relevant, a psychiatric or psychological report. Evidence given during the court process is appropriate for the panel to consider alongside more recent/current evidence of the young person’s situation. Professional’s contributions should address the core issues of absconding, injury to self and/or injury to others. The Welfare Checklist (set out in Section 1, Children Act 1989) should also be considered.

The young person and or her/his representative should be offered the opportunity to challenge any information presented.

The review panel should then withdraw to discuss their findings before presenting them to the meeting. The chair must sum up and present the findings in a language that the young person understands. The chair is responsible for ensuring that the young person is fully informed of the decision.

The meeting should then agree the date for the next secure accommodation review if the grounds continue to be met.

Appendix 1 Secure Accommodation Review Checklist

Appendix 2 Secure Accommodation Review Agenda and Record

Appendix 1 **Secure Accommodation Review Checklist**

Identify Panel Members

Chair

Other member

Independent Person

NB The ‘Other’ panel member should not be someone who has had any previous involvement with the young person and must not be someone who has played any part in placing the young person ion secure accommodation

Check that the young person has been offered an advocate for support.

Make a list of professionals and family to be invited.

Discuss the agenda with the Chair.

Contact the SCH to arrange a date and time.

Contact people to be invited – this will include:-

SAR Panel Chair

Independent Person

Other Panel Member

Social Worker/Practice Manager

Young person

Person with parental responsibility

Guardian

Relevant Secure Unit staff e.g. education, keyworker, health

Send copies of the agenda and other reports when received to all participants.

NB: Reports should be requested from:-

Social Worker

Unit staff (education, keyworker, health)

Any other relevant professionals involved e.g. substance misuse worker

Arrange minute taker

At the Secure Accommodation Review

The minute taker will record the meeting ensuring that the decision is clearly recorded with reasons.

A date should be set for the next secure accommodation review if the criteria are deemed to be met.

Agreement should be reached regarding who will receive the review minutes.

After the Secure Accommodation Review

The Chair will agree the review minutes with the minute taker and the record will then be distributed to the participants as agreed.

Appendix 2

**Secure Accommodation Agenda and Review Record**

Young Person’s Details

Name:

Gender:

Date of Birth:

Current Legal Status:

Ethnic Origin:

Date admitted to SCH:

Date SA Order Expires:

Placement

Secure Children’s Home:

Date of Secure Accommodation Review:

Purpose of meeting

The panel should satisfy themselves that:

The criteria for keeping a young person in secure accommodation continue to apply, and

Such a placement continues to be necessary and whether or not any other description of accommodation would be appropriate for them and in doing so they must have regard for the welfare of the young person

Secure Criteria:Children Act 1989: Section 25 (1)

s/he has a history of absconding and is likely to abscond from any other description of accommodation; and

if s/he absconds is likely to suffer significant harm;

or

that if s/he is kept in any other description of accommodation s/he is likely to injure him/herself or other persons.

Present at the Secure Accommodation Review

Review Panel Members:

Chair

(Independent)

Third panel member

Others attending:

Social Work Report

Secure Children’s Home Report

Information/reports from other professionals as appropriate

Young Person’s views

View of parents

Views of Guardian

Other relevant carers

Secure Criteria Panel

Decision: Which criteria continue to apply?

Reasons

Recommendations

Date and time of next SAR

Chair: Date:

**Reference Points;**

<https://www.legislation.gov.uk/cy/uksi/1991/1505/made>

<https://www.gov.uk/guidance/social-care-common-inspection-framework-sccif-children-s-homes-including-secure-children-s-homes/7-the-regulations-the-government-guide-and-the-sciff>