



Portsmouth City Council Children and Families Services'

Joint Working Protocol for Portsmouth Targetted Early Help and Prevention, Children's Social Care and Youth Offending Team

V2- April 2021

**Introduction to the Protocol**

This protocol provides a point of reference for practitioners in Children and Families (C&F) Services working with children who are at risk of offending and/or reoffending. Each section can be read in isolation as and when required:

* Underlying Principles
* Early Help and Prevention Threshold Services
* Children's Social Care Threshold Services
* Youth Justice Threshold Services
* Management Resolution of Query or Concern
* Appendices

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**Section 1: Underlying Principles**

* 1. **Purpose of the Protocol**

1.1.1 All Children and Families staff have responsibilities within legislation including the Children Act (2004), the Children and Young Persons Act (2008), the Crime and Disorder Act (1998) and the Legal Aid, Sentencing and Punishment of Offenders Act (2012) as well as the objectives outlined in Working Together to Safeguard Children 2018. This protocol sets out shared responsibilities and agreed ways of working. It provides a key reference point for practitioners, but does not replace statutory guidance (current at, or subsequent to, its circulation).

1.1.2 The purpose of this protocol is to ensure the interests of children in Portsmouth who are known to Children and Families (C&F) services and at risk of offending/reoffending are best met. It identifies how Portsmouth Youth Offending Team (YOT) and C&F services will work together to not only manage their own responsibilities but also work efficiently and collaboratively within the above frameworks to achieve that aim. While roles and responsibilities may need to be negotiated in order to ensure a better outcome for children and young people, the welfare of the child will always be paramount in decisions made.

* 1. **Shared Principles**
     1. Early intervention, prevention, safeguarding, partnership work and narrowing the gap for vulnerable children at risk of not achieving their potential are key shared principles.
     2. Effective joint working enhances the quality and future life chances for children who require a dual response from YOT and C&F. In these cases the lead professional and line manager should be clearly identified, with specific actions assigned to named workers and clearly communicated to children and families in a way which is meaningful to them.
     3. Parents, Carers and other family members play a key role in the lives of their children and will be included in, and/or consulted on, all work delivered unless doing so would compromise the safety of the child. Where appropriate, this will be extended to wider family members or trusted adults, recognising key protective and/or attachment figures in children's networks. Restorative approaches (including Family Group Conferences) will be adopted to support this if required.
     4. All services will be delivered according to anti-discriminatory practice. Diversity characteristics will be recognised, including ethnicity, culture, religion, gender identity and sexuality, and related needs met. Other aspects, such as literacy needs, will also be taken in to account- particularly in relation to the way in which information is sought and shared.
     5. Care should be taken to ensure appropriate language is used in all written and verbal forms of communication. This should be objective, inclusive and non-blaming. It should also be at a level and in a format that is appropriate to the 'audience' receiving it, and avoid unnecessary use of jargon or technical terms/legalese.
     6. All staff will give due consideration to levels of need and risk to ensure families receive the right service at the right time. The PSCP Thresholds Document will be accessed to inform and support their decision making.
     7. Involvement checks with respective services should be completed upon allocation, to identify professionals involved and confirm plans in place.
     8. Assessments and resulting plans should be aligned, evidence-based, derived from multiple sources and evidence defensible decision making practice. They will incorporate the voice of the child as well as their parents/carers' and clearly record the views of other professionals.
     9. Behaviours will be assessed against the maturity and developmental capacity of each child, not purely on the basis of their chronological age or what they 'should' understand. This must take into account the context in which they occur, and any speech, language or communication needs which may present (diagnosed or otherwise).
     10. Additional assessments (e.g. CERAF) or referrals (e.g. MARAC or Prevent) will be undertaken via joint discussion and collaboration between workers to ensure all relevant information is included. In these cases, a lead worker role will be agreed to complete and submit the documents required, monitor progress of referral and resulting actions, to support effective working.
     11. Where additional services (e.g. mental health, or substance misuse) are required, discussion will take place between workers before a referral is made (unless urgent needs are identified). Consideration will be given to whether the assessed need or risk can be met within the skillset of professionals already working with the family, via Team Around the Family approaches, before introducing new workers to them. The views of the child and their parent/carer will also be considered, particularly in terms of readiness, motivation and ability to engage. Appropriate sequencing of referrals will also be taken into account, to avoid overload and/or disengagement. Where possible, reviews will be undertaken jointly, and review timescales aligned.
     12. Exit strategies and step-up/down plans will recognise the voice of the child and the views of their family, alongside professional judgement. Where children are approaching the age of 18, due consideration will be given to impending youth to adult (Y2A) transitions. Other key transitions, such as changes in school, care status or living arrangements and transfer in and out custody, will also be recognised as key events in a child's life which must inform and shape practice.
     13. No case will be closed by any service without prior consultation and/or notification between allocated workers, and (where necessary) their respective Team Managers. Similarly, no decision which will significantly impact upon the child or the work being done by other services should be made without consultation. Where there is disagreement between workers or teams, YOT, EH and/or C&F Service Leaders should be consulted before the action is completed. YOT involvement timescales are stipulated by expiry dates of intervention imposed via Police or the Courts, after which contacts cannot be enforced, but prior warning will be given in advance.
     14. Processes are in place to provide a clear and consistent framework within which professionals can work, but will be applied with appropriate flexibility where the child's needs require it.
     15. This Protocol will be reviewed every 3 years, unless legislative change or local developments require earlier amendment, jointly between YOT and wider Children and Families services.
  2. **Information Sharing**
     1. Senior managers will contribute to strategic development within their attendance and participation at the YOT Partnership Management Board and other relevant forums e.g. Corporate Parenting Board. This will include consideration of 'high level' (anonymised) data to support decision making and strategic planning; identifying trends, patterns and projections as required.
     2. Learning resulting from case audits, reviews and/or internal supervision and quality assurance practices will be shared to identify areas of strength and stretch. Where audits or reviews are undertaken under formal processes, the findings and proposed actions will be jointly presented to relevant PSCP Sub-Groups and/or the YOT Partnership Management Board.
     3. Service Leaders and Team Leaders will ensure learning is cascaded and applied, which will include joint team briefings if required. They will also support staff to share and record information effectively in accordance with agreed protocols and legislation related to data sharing and protection. This includes the Freedom of Information Act 2000 and taking into account Article 8.2 of the European Convention on Human Rights, with particular reference to:

a) Public safety

b) The prevention of crime and disorder

c) The protection of health and morals

d) The protection of the rights and freedom of others

* + 1. Practitioners in all services will ensure the information they share is proportionate and necessary, provided within reasonable timescales and recorded as required.
    2. Additionally, Section 115 of the Crime and Disorder Act 1998 provides an enabling power for YOTs, as local authority partnerships, to share information when it is in the public interest. Best practice suggests that consent should be sought, particularly in prevention cases. However, for children and young people on statutory orders or interventions (e.g. Youth Caution, Youth Conditional Caution or statutory Court Order) the minimum requirement is to inform them how and with whom information will be shared (and that those processes comply with data protection principles).
    3. YOT and C&F services staff will maintain good exchange of information including- but not limited to- the appropriate sharing of assessments, reports, plans and reviews. All forms of communication will be recorded on respective case management systems to evidence what information was shared, when, with whom and why. Shared action plans and agreed targets, with the owner of each action clearly noted, will also be documented. Where separate assessments and plans are completed, cross-referencing and correlation will be made clear.
    4. Any attendee receiving minutes of a YOT or C&F meeting is entitled to store and share them as necessary within his or her own agency, but will not circulate to anyone outside their organisation unless this is agreed by the meeting Chair. This will not negate the expected standards of information sharing for child protection or crime prevention purposes, and must not prohibit the effective sharing of information for safeguarding.
    5. Case records will be retained for as long as they are legally required in line with respective data retention schedules.

**Section 2: Early Help and Prevention Threshold Services**

2.1 Children become known to YOT, via Police or the Courts, *after* an offence has been committed. At times, a child may be identified as being at risk of offending or reoffending but not have any involvement with the YOT or Children's Social Care threshold services. Early identification of factors associated with risk of offending (criminogenic need), and proportionate response to those risks identified, is critical to effective early intervention and diversion *away* from the youth justice system.

2.2 Whilst all agencies should be mindful of this, staff working in Early Help and Prevention will play a key role in identifying children who are at risk of offending and identifying effective strategies for diversion. To support this, a local **Risk of Anti-Social Behaviour and Offending screening tool** has been developed (see Appendix One). This can be used alongside any assessment for children aged 8 and over (as the age of criminal responsibility is 10) to sharpen focus on offence-related needs and support decision making regarding responses required.

2.3 Additionally, a representative of Early Help and Prevention services will attend the weekly Joint YOT/Police Decision Making Panel (aka Triage) to support decision making at the earliest stage.

2.4 Conversely, children who are known to YOT may exhibit a range of risks and needs which require a dual response with C&F colleagues but who are not known to Early Help and Prevention or Children's Social Care threshold services. Alternatively, YOT staff may identify a need for ongoing intervention to prevent reoffending which cannot be delivered within the timescales of YOT involvement and/or requires a different type of intervention.

2.5 In those cases, YOT practitioners will consult the PSCP Thresholds Document to inform decision making, and have a conversation with the child and their parent/carer to explore options available. Where Early Help and Prevention input is agreed as potentially beneficial, the allocated YOT worker will submit an Inter-Agency Contact Form to the Multi-Agency Safeguarding Hub (MASH) outlining areas of additional need, alongside a copy of the YOT's own assessment. A decision will then be made by MASH as to the level of response required, in line with the local Referral Pathway in to Early Help and Prevention Service.

2.6 At times, YOT staff may identify siblings or other children within the family group who are at risk of offending and/or would benefit from a response from Early Help and Prevention services but are not open to YOT. Again, the PSCP thresholds chart should be accessed to inform next steps and a conversation had with the family regarding options for support. Where YOT practitioners are unable to do this (i.e. they are not directly working with the child and are unable to gather the relevant information), discussion will take place with the family to identify who else might be able to support them and agree what information can be shared to secure this.

2.7 It should be noted that in cases where MASH decide an Early Help response is required this can only be progressed with the express and explicit consent of the family. Therefore, the YOT will ensure this is received before the Inter-Agency Contact Form is submitted. Thereafter, the YOT allocated Case Manager should liaise closely with the Early Help and Prevention worker to ensure the shared principles of this protocol are upheld.

**Section 3: Children's Social Care Threshold Services**

**3.1 Identifying Risk and Need**

3.1.1 As noted in Section 2, children become known to YOT, via Police or the Courts, *after* an offence has been committed. At times, a child known to Children's Social Care services may be identified as being at risk of offending or reoffending but not have any involvement with the YOT. Early identification of factors associated with risk of offending (criminogenic need), and proportionate response to those risks identified, is critical to effective early intervention and diversion *away* from the youth justice system.

3.1.2 Whilst all agencies should be mindful of this, Children's Social Care staff (alongside colleagues in Early Help and Prevention) will play a key role in identifying children who are at risk of offending and identifying effective strategies for diversion. To support this, a local **Risk of Anti-Social Behaviour and Offending screening tool** (see Appendix One). This can be used alongside any assessment for children aged 8 and over (as the age of criminal responsibility is 10) to sharpen focus on offence-related needs and support decision making regarding responses required.

3.1.3 Conversely, children known to YOT may exhibit a range of risks and needs which require a dual response with C&F colleagues but not already be known to Early Help and Prevention or Children's Social Care threshold services. Where it is considered by the YOT Case Manager that a child's circumstances meets the threshold of CIN or CP, but is not allocated as such, they will discuss this with the family (unless to do so would increase risks posed) and submit an Inter-Agency Contact Form to the MASH. The YOT Case Manager will supply copies of YOT assessments and any other supporting information required to inform MASH decision making, and identify any measures required to safeguard the child whilst a decision is being made.

3.1.4 In cases where the child (or their sibling) is already known to Children's Social Care, the YOT Case Manager will inform the appropriate Social Worker and their Team Leader of any additional concerns arising to agree jointly what steps need to be taken. This communication will be fully and clearly documented on the YOT's case management system, and endorsed by a Manager where required.

3.1.5 The YOT Case Manager will ensure that the child and their parent/carer is aware of and in agreement with the contact being made (unless doing so would place the child at greater risk). Where known, the views of the child and their parent/carer will be recorded within the Inter Agency Contact alongside confirmation of intended/desired outcomes. Resulting decisions regarding case progression, will be sought and recorded by the YOT Case Manager until the contact is concluded.

**3.2 Child In Need (CIN) and Child Protection (CP)**

3.2.1 When a child with existing CIN or CP status receives a YOT-led youth justice disposal, the allocated YOT Case Manager will liaise with the allocated Social Worker to inform their assessment, and align subsequent intervention planning. The aim will be for staff from both teams to target key risk and protective areas and to establish an achievable intervention plan which both services then have a shared responsibility to action. The social worker will usually retain responsibility as the Lead Professional, though this does not preclude the allocated YOT Case Manager for assuming a lead role and responsibility for delivery of agreed plans will be shared.

3.2.2 When a CIN/CP child's youth justice plan is being created or reviewed by YOT, the YOT Case Manager will invite the allocated Social Worker to contribute. Wherever possible though, such review meetings should be 'tied in' with existing CIN/CP planning Meetings (including Core Groups) to ensure synchronisation and co-ordination with the Lead Professional via the Chair.

3.2.3 Invites to CIN/CP Planning Meetings will be sent to allocated YOT staff with reasonable notice, to secure their attendance, and YOT staff will prioritise attendance at these meetings. Where the allocated YOT Case Manager is unable to attend, an alternative representative, who has an appropriate level of knowledge of the child and their YOT involvements, will go instead. In exceptional circumstances, where this is not possible, the reasons will be highlighted to the Chair and written information provided in advance.

**3.3 Edge of Care**

3.3.1 The Edge of Care (EoC) service works with children and their families who are at risk of coming in to care and, in some circumstances, children who have been accommodated. EoC will work with families where children are subject to CP / PLO planning, YOT Parenting Orders, and young people 'on the edge of care' or who have returned home following S20. Access to the EoC team can only be made by social care professionals at Tier 4 and cases must remain open to the locality or TCT Social Worker throughout the intervention of the team. To receive a service from EoC, agreement must be received from the case holding Service Leader.

3.3.2 When a child becomes known to EoC/YOT services, checks will be undertaken to confirm respective involvement (historical and current) to support effective assessment and intervention planning. Whilst the child's allocated Social Worker will retain lead responsibility, allocated workers in YOT and EoC will maintain close links and regular communication to ensure good join up. In particular, both services will work together to reduce the likelihood of reoffending *and* receipt into care (including those at risk of remand).

3.3.3 Where the YOT identify a child who is at risk of remand (and therefore at risk of becoming Looked After) and they are not known to EoC, the allocated YOT worker will consider whether a request is required to be made by the child's allocated Social Worker (if they have one) or via contact to the MASH (if they don’t).

* 1. **Looked After Children (LAC)**

3.4.1 This section outlines expectations relating to children who are Looked After via voluntary agreement with their parents and/or Family Court proceedings, distinct from youth justice processes. In some cases, when certain conditions are met, children may become Looked After via youth justice remands or other requirements imposed in Youth or Crown Courts. Additionally, Looked After children who receive a custodial sentence may experience a change in their LAC status as a result. These aspects are considered in Section 4 of this protocol.

3.4.2 In line with the Joint pan-Hampshire and Isle of Wight Protocol to Reduce the Criminalisation of Children In Care, YOT and Children's Social Care services will work together under a multi-agency approach, alongside criminal justice agencies including Police, Courts and Crown Prosecution Service.

3.4.3 As an extension of that protocol, Portsmouth C&F and YOT have developed a flowchart to support Foster Carers and residential carers to manage incidents which occur in their home (see Appendix Two). Under the guidance of supporting Social Workers, Carers will be encouraged to follow agreed processes and therefore also contribute to the reduction of criminalisation of Looked After Children in keeping with both the pan-Hampshire protocol and Portsmouth City Council's wider restorative approach.

3.4.4 Where a child is known to YOT *and* Looked After by the Local Authority, good quality joint working is required between Fostering, Residential, Locality, Through Care and YOT workers to promote positive outcomes. To achieve this, YOT and C&F staff (including residential workers) will work together to deliver interventions targeting the specific issues faced by Looked After Children (LAC) who have offended. This could include- but is not limited to- communication of key Court dates and significant events, consideration of group mix (in the case of multiple-placement residential settings) and explanation of enforcement requirements for wider awareness and planning. It should also include agreement on what information will be shared with parents and carers, who by and when.

3.4.5 Where possible, assessments and plans should be completed and agreed jointly between the child's allocated YOT worker and Social Worker and align with existing planning processes (to avoid duplication or omission). As a minimum, assessments and plans will be shared between allocated workers for comment/consultation before completion. The combined aim of workers will be to target the key risk and protective areas within an achievable intervention plan which both Services then have a shared responsibility to action. The Social Worker will usually retain responsibility as the Lead Professional, but this does not preclude the allocated YOT worker from assuming a lead role.

3.4.6 The allocated YOT Case Manager will be responsible for informing the Foster Carer's Supervising Social Worker and Independent Reviewing Officer of YOT involvement and what support might be expected from, or requested of, the child's carer. The YOT Case Manager will then ensure (where appropriate) that both Carers and Parents are invited to be involved in the delivery of YOT services and agreement of plans as appropriate, updating colleagues as required.

3.4.7 When a Looked After Child's youth justice plan is being reviewed by YOT, the YOT Case Manager will invite their allocated Social Worker to contribute. They will also ensure the views of parents AND carers (including residential workers) are included where it is appropriate to do so. The Carer's supporting Social Worker should also be notified so they can discuss with the Carer what support is required in relation to YOT's work in order to give full support to the placement.

3.4.8 Wherever possible, such reviews should be 'tied in' with existing LAC Review Meetings to ensure synchronisation and co-ordination with the Lead Professional. However, there may be times when distinct YOT led reviews or meetings are required e.g. when review timescales cannot be aligned or when additional meetings are required to focus on reducing the risk of harm posed to others by the child.

3.4.9 Invites to LAC Review Meetings will be sent to allocated YOT staff with reasonable notice, to secure their attendance, and YOT staff will prioritise attendance at these meetings. Where the allocated YOT Case Manager is unable to attend, an alternative representative, who has an appropriate level of knowledge of the child and their YOT involvements, will go instead. In exceptional circumstances, where this is not possible, the reasons will be highlighted to the child's Social Worker and Independent Reviewing Officer and written information provided in advance.

3.4.10 If at any stage of mutual involvement, a child's placement is identified as potentially breaking down by either the YOT Case Manager or allocated Social Worker, they will notify each other and the Carer's Supervising Social Worker to agree ways in which this can be addressed. They will also ensure the Independent Reviewing Officer is made aware a dmay refer to the Systemic Review of Placement Stability (SROPS) Meeting Forum as needed. Restorative approaches will be considered within this, to prevent placement disruption and/or breakdown, alongside stability meetings if convened. The impact of placement breakdown on likelihood of reoffending, risk of harm to others and safety and wellbeing will also be considered, and contingency plans agreed as required.

3.4.11 If changes in placement are required (even on a temporary basis), the allocated Social Worker will notify YOT as soon as this has been agreed. This is crucial to ensure effective review of plans in place to manage risk of reoffending and harm as well as supporting victim safety. For children subject to curfew and/or electronic monitoring, or Notice of Supervision following release from custody, the YOT will need to notify the Courts or Secure Estate. Where changes in placement result in the child residing outside the boundaries of the PYOT area, notification and/or transfer out procedures will also be enacted by the YOT in line with their own policies and the National Protocol for Case Responsibility.

**Section 4- Youth Justice Threshold Service**

* 1. **Appropriate Adults (AAs) at the Police Station**

4.1.1 Under Police and Criminal Evidence Act (PACE) 1984 Codes of Practice, children aged 17 years and under must have an Appropriate Adult (AA) present when interviewed under formal caution. It is expected in the first instance that the young person's parent or guardian will be contacted by Police to attend (unless they are a victim or witness to the offence).

4.1.3 In the event that all options have been explored and there is nobody available to attend the Police Station to act as AA during normal office hours, the Local Authority will be contacted by Police, via the YOT, to request an AA through its commissioned service. The YOT will then undertake involvement checks to confirm details, including whether the child is known to Early Help or Social Care. For children open to Early Help, or supported via CIN or CP planning, their allocated worker should be notified for awareness at that stage.

4.1.4 For Looked After Child their parent/carer, residential worker or Social Worker should accompany them as an AA wherever possible. YOT will therefore notify the relevant team and ask whether a CSC representative is able to attend. It is important that children are supported by people who know them, and who are able to advise other professionals of plans in place.

4.1.5 In exceptional cases of an emergency, unplanned arrest or where the Social Worker/Foster Carer may be the victim or witness, a Duty worker can be utilised. Only as a last resort should request be made to the commission service, such as may be necessary outside normal office hours.

4.1.6 In the event that an AA is required “out of hours” and a parent/carer or key worker is unable to attend the Out of Hours (OOH) service will be contacted by Police to request an AA via the commissioned service.

4.1.7 PYOT receive 'Call Out' Forms from the commissioned service to confirm details of their involvement when undertaking AA Duties. Where the child is open to EH or CSC, these will be forwarded to the allocated practitioner for awareness. Where the child is open to YOT, a copy will also be forwarded to their allocated YOT Case Manager.

4.1.8 The commissioned service is required to provide AAs at the Police station only. For Court appearances, other arrangements should be made. Again, it is expected in the first instance that the young person's parent or guardian will attend. For Looked After Children, this could be their parent, carer, residential worker or Social Worker.

* 1. **Joint (YOT/Police) Decision Making Panel (JDMP aka Triage)**

4.2.1 The YOT/Police 'Triage' Panel takes place on weekly basis to discuss the circumstances of children who have offended and recommend youth justice outcomes. It is attended by representatives of both YOT, Police and Early Help and Prevention, and draws information from a range of other services including education, children's social care and health.

* + 1. Where a child is to be discussed at the YOT/Police Joint Decision Making Panel (otherwise known as Triage), the YOT will check C&F involvement and request information to inform decision making processes. The allocated Worker must provide this promptly to support defensible decision making. Timely notification of recommended outcomes will then be provided by the YOT. At all times, staff will record information sent/received on their respective systems, and are responsible for ensuring these are updated as required.
    2. When a Looked After Child is to be discussed at Triage, information should be sought in relation to their current CIC Plan and interventions already in place. Consideration will also be given to their LAC status, in line with local Protocols to Reduce the Criminalisation of Children In Care. Recommendations by the Panel should be shared with the allocated Social Worker for awareness.
    3. The outcome can only be confirmed though, upon delivery of the resulting disposal and therefore must be communicated to the young person and their parent/carer, via the Police. Resulting outcomes will usually be delivered via the local Out of Court Disposal Clinic, which also takes place on weekly basis, attended by the YOT PC and a YOT Case Manager.
    4. Further information on Triage processes is available via the Pan-Hampshire Joint YOT/Police Triage Protocol.
  1. **Provision of Accommodation under PACE (overnight detention)**
     1. After interviewing and charging a child, the police may consider refusing Bail if:
* there are doubts about the child’s identity
* there is a realistic risk of further serious offending
* there is a risk the child may not attend court
* there is reason to believe that the child may attempt to interfere with witnesses and the administration of justice

When children are refused Police bail, or ineligible due to breach of bail, they must be presented to the next available Court. This can include Saturday and Bank Holiday Courts which are covered via rota.

* + 1. Section 38(6) of the Police and Criminal Evidence Act (PACE) 1984 places a duty on the police to transfer children who have been refused bail, to local authority accommodation rather than keeping then in the police station overnight (often referred to as PACE beds). Section 21(2)(b) places a corresponding duty on the local authority to provide accommodation when they are requested to do so.
    2. When suitable (i.e. non-secure) accommodation is requested, there is an absolute duty on the Local Authority to provide accommodation. When secure accommodation is requested by Police, there is no absolute duty for the Local Authority to provide this but there is a duty to have in place a reasonable system to respond to (i.e. consider) the request. In either case, the costs of such provision fall to the Local Authority but arrangements for transport may fall to Police, YOT or Social Care depending on the needs of the case and availability to provide.
    3. Where a child has been arrested and charged for an offence but refused bail, and is deemed by Police as requiring overnight detention, the Custody Sergeant will make contact with MASH or Out of Hours to request a PACE bed. Local processes will then be enacted. Only when all available options have been considered, and ruled out, shall a young person be detained overnight in police custody in line with the national Concordat on Children in Custody.
    4. Where the Local Authority is considering a request for a PACE bed made by Police, the YOT will (as far as is practicable i.e. during normal office hours) support identification of a placement through provision of information to inform risk assessment and planning. C&F workers who are notified of a PACE bed being required during normal office hours should contact the YOT Duty Officer to confirm whether the YOT are currently working with the child. This will also support early, joint consideration of any bail packages which could be offered to the Courts.
  1. **Remands into Local Authority Accommodation (RILAA)**

4.3.1 Where a child appears in Court and the Crown Prosecution Service (CPS) is opposing bail, they are at risk of being made subject to a remand by the Courts (subject to certain criteria being met). The Bail Act 1976 gives a presumption that children and young people will be given bail from Court unless:

* They are serving a custodial sentence and were produced at Court for a new matter
* They previously breached, or absconded on, bail
* They are appearing for an imprisonable offence and there is reason to believe the child would fail to surrender, commit a further offence or seek to obstruct the course of justice
* The offence was committed on bail and could have been heard at either a Magistrates or Crown Court.
  + 1. The YOT Court Officer will attend Court and undertake their duties as outlined in the PYOT Bail and Remand Protocol. They should seek to assess and propose a bail supervision and support package which will reduce the risks, protect the public and promote the justice process. In circumstances where it is assessed that risk posed are too high to be managed in the community, the YOT may choose not to propose a bail package to the Court. Where the Court are satisfied that Bail is suitable, this will be granted.
    2. If the Court are not satisfied that Bail is suitable, and determines that the case has met the criteria for remand, then they must first consider whether they will remand the child into the care of the Local Authority (before considering a remand to Youth Detention Accommodation).
    3. The YOT must confirm whether the child is currently, or has previously, been Looked After by a Local Authority. If the responsible Local Authority is not the one in which the child or young person is appearing in court, the YOT Court Duty Officer must ensure that the 'home' authority is informed and consulted throughout the proceedings.
    4. Where the home area is Portsmouth (PO1-P06) the YOT Court Officer will notify the appropriate Social Care team (if the child is already open) or the MASH (if they are not open) that a remand may be made if bail is not granted (which will result in the child becoming Looked After) and establish what YOT/Children's Social Care can jointly offer within a bail support package. They will agree who should notify Access to Resources and the Service and Quality Team of a potential placement being required, and provide information to inform placement planning. In out of hours cases (e.g Saturday or Bank Holiday Courts) all calls will be directed to the OOH service.
    5. If the child is already open to a Children's Social Care team, the YOT Court Officer will liaise with the allocated Social Worker who should attend Court to assist through provision of information regarding involvements. If this is not possible, the Social worker (or a representative of their team) will provide the YOT Court Officer with supporting information so that it can be relayed. The YOT Court Officer will complete a Bail assessment using the approved YJB tool, and identify whether a suitable bail programme can be offered. This could be a standard Bail Supervision and Support (BSS) programme, requiring attendance at regular appointments, or a Bail Intensive Supervision and Surveillance (Bail ISS) requiring higher levels of contact and curfew requirement, as outlined in the PYOT Bail and Remand Protocol.
    6. Throughout this process, the YOT Court Officer/Case Manager and/or allocated Social Worker will ensure that the child's parent(s) or carer(s) are made aware of the potential outcomes and invited to contribute. Consideration will be given to whether the child can return home, if there are other family members who could provide accommodation to mitigate identified risks of offending and/or harm, or whether a foster care placement should be considered. Confirmation should also be sought regarding how parent(s) and carer(s) could support proposed bail packages, and what support they will need, in turn, to do so. The views of the child and parent/carer should be clearly requested and recorded, but balanced against considerations of risks and needs as presented by the case before the Courts.
    7. The YOT Court Officer will highlight to the court that the Local Authority does not have access to secure accommodation and that any RILAA imposed would therefore be community based. They will also outline any packages of bail support or bail conditions which could be offered instead of or alongside the RILAA. At this stage, there is an expectation by the Court that a C&F representative will attend to provide details of available accommodation to inform decision making.
    8. Whilst the YOT Court Officer will provide information with regard to levels of risk and need assessed (taking into account offence seriousness and other factors), the decision as to whether to impose a RILAA is made by the Court. Representatives of all services will work together to propose the best outcome for the child, with due regard to public protection as appropriate.
    9. A court that remands a child to local authority accommodation must designate which local authority will receive the child. If the child is Looked After, the designated local authority will be the ‘home’ LA (i.e. the one already providing care), regardless of where the child or young person is placed, or where the offence took place. If designation is unclear, the Court will decide.
    10. The designated authority must provide or arrange for accommodation for the child for the duration of the remand, and during this time it is lawful for any person acting on behalf of the designated authority to detain the child.
    11. Children who are Remanded in to Local Authority Accommodation (RILAA) will attain 'Looked After' status for the period of their remand irrespective of whether they were 'Looked After' previously. This is stipulated by the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012. Appendix 3 outlines steps required of both C&F Social Workers and YOT staff to fulfil the requirements of the RILAA. Thereafter, depending on the length of their remand period, they may be eligible for leaving care services if relevant criteria are met. An overview of LAC status' is provided in Appendix 4.
    12. In the event of a child being made subject to RILAA, the designated Local Authority are responsible for identifying a suitable placement, placing the child and completing the necessary paperwork as well as arranging required review meetings. YOT will provide information to support effective risk assessment (e.g. a copy of the bail assessment) and can provide further advice to the child, their parent/carer and the Social Worker regarding youth justice processes. Where possible, both YOT and CSC workers will jointly communicate to the child and their carer the importance of complying with the RILAA and the potential consequences of not doing so.
    13. Local authorities have a legal duty under Section 21 of the Children Act 1989 to provide accommodation for all children and young people Remanded Into Local Authority Accommodation. It is for the Local Authority to determine where the child will be placed, which could include returning them home or making arrangements with other family members where this is deemed appropriate. On some occasions the Court can make a ruling that the child should not be placed back in the family home or exclude the young person from a certain area. C&F will need to heed this direction when placing the young person.
    14. Where the Local Authority is not Portsmouth, the YOT Court Duty Officer must liaise with the home area Children's Social Care to confirm arrangements for the child's care on the same day. They must also confirm the outcome in writing to the Home area YOT within 1 working day and request that they liaise with the Home area LA to confirm arrangements for the child's care. The Home YOT should also be asked to liaise with PYOT where further Court appearances are due to take place in Portsmouth Courts. The YJB Protocol for Case Responsbility should be consulted to confirm roles and responsibilities where these are queried, and referred to a YOT Team Leader when required.
    15. Where the Local Authority is Portsmouth, the YOT Court Officer must liaise with the allocated or attending Social Worker to confirm arrangements for the child's care on the same day. They must also send email notification upon return from Court to YOT Managers, relevant Social Worker/Team Leaders, the child's IRO (if known), Service and Quality Team and Access to Resources to confirm the Court outcome, details of YOT appointments and future Court dates.
    16. C&F must also inform the YOT of the child's approved address on the same day that the RILAA is made in order to ensure YOT can implement any bail support packages agreed and maintain appropriate contact with the child and their carer. C&F must also ensure the child's parent is advised of their placementand subsequently, that plans are in place for the child to attend their next Court Hearing (with an appropriate adult) and access appropriate legal advice.
    17. YOT will offer appointments as determined by conditions set out by the Court, and liaise with Social Care colleagues re: progression of the case. Both the YOT and C&F should prepare an update to be submitted to the next Court Hearing, outlining arrangements put into place since the RILAA was imposed, and any progress made in relation to objectives set.

**4.5 Remand to Youth Detention Accommodation (Legal Aid, Sentencing and Punishment of Offenders Act 2012).**

4.5.1 Where a child appears in Court and the Crown Prosecution Service (CPS) is opposing bail, the Court will first consider whether conditions of bail and/or a Remand into Local Authority Accommodation should be imposed (as outlined in Section 4.4).

4.5.2 Where this is deemed to be insufficient, a child aged 12 to 17 can be remanded into Youth Detention Accommodation (YDA) under Section 98 and 99 of the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012 subject to certain criteria (known as sets of conditions) being met..

The first set of conditions are:

* The **age** condition is that the child has reached the age of twelve.
* The **offence** condition is that one or more of those offences (a)is a violent or sexual offence, or (b) is an offence punishable in the case of an adult with imprisonment for a term of 14 years or more.
* The **necessity** condition is that the court is of the opinion, after considering all the options for the remand of the child, that only remanding the child to youth detention accommodation would be adequate (a)to protect the public from death or serious personal injury (whether physical or psychological) occasioned by further offences committed by the child, or (b)to prevent the commission by the child of imprisonable offences.
* The **legal representation** condition is that the child is legally represented before the court; or they are not legally represented before the court because they are ineligible, have not applied or had representation withdrawn.

The second set of conditions are:

* + The **age** condition is that the child has reached the age of twelve.
  + The **sentencing** condition is that it appears to the court that there is a real prospect that the child will be sentenced to a custodial sentence for one or more of the offences before the court.
  + The **offence** condition is that one or more of those offences, is an imprisonable offence.
  + The **first history** condition is that (a) the child has a recent history of absconding while subject to a custodial remand, and (b) the offence is alleged to be or has been found to have been committed while the child was remanded to local authority accommodation or youth detention accommodation.
  + The **second history** condition is that the offence(s), together with any other imprisonable offences of which the child has been convicted in any proceedings, amount or would, if the child were convicted of that offence or those offences, amount to a recent history of committing imprisonable offences while on bail or subject to a custodial remand.
  + The **necessity** condition is that the court is of the opinion, after considering all the options for the remand of the child, that only remanding the child to youth detention accommodation would be adequate (a) to protect the public from death or serious personal injury (whether physical or psychological) occasioned by further offences committed by the child, or (b) to prevent the commission by the child of imprisonable offences.
  + The **legal representation** condition is that the child is legally represented before the court; or they are not legally represented before the court because they are ineligible, have not applied or had representation withdrawn.

4.5.3 All Young People aged 12-17 who are remanded to Youth Detention Accommodation (YDA) will acquire Looked After status at the point of remand into custody, and Leaving Care entitlement if they are remanded for 13 weeks or more. Youth Detention Accommodation refers to placements at Secure Children's Homes, Secure Training Centres or Young Offender Institutions where a custodial remand has been made by the Court. The costs of the remand fall to the Local Authority, though the placement decision is made by the Ministry of Justice's Youth Custody Service.

4.5.4 When YDA criteria may be met, the YOT Court Officer will conduct enquiries to confirm the 'home authority' area for the child in line with the Youth Justice Board's National Protocol for Case Responsibility. This is important in terms of funding considerations, as the designated 'Home' area will be liable for YDA costs.

4.5.5 Where the child does not normally reside within the Portsmouth Local Authority, or is Looked After by another Authority, the YOT Team Leader will liaise with the relevant LA lead to confirm the same and agree 'Home' area status in order that this can be confirmed to the Court as it must be designated within the YDA order. Where Portsmouth is identified as the 'home authority' the following process will be enacted.

4.5.6 The YOT Court Officer will notify MASH (if the child is not open to Social Care) or the appropriate Social Work team (if they are open) and the Service and Quality Team as soon as is practicable. In out of hours cases (e.g Saturday or Bank Holiday Courts) all calls will be directed to OOH. The aims at this stage are to notify the relevant team that a remand may be made if bail is not granted (which will result in the child becoming Looked After) and establish what YOT/Children's Social Care can jointly offer within a bail support package.

4.5.7 If the child is already open to a C&F Social Work team, the YOT Court Officer will liaise with the allocated Social Worker who, where possible, should attend court to assist through the provision of information. If this is not possible, the Social worker (or a representative of their team) will provide the YOT Court Officer with supporting information so that it can be relayed.

4.5.8 The YOT Court Officer will complete a Bail assessment using the approved YJB tool, and identify whether a suitable bail programme can be offered. This could be a standard Bail Supervision and Support (BSS) programme, requiring attendance at regular appointments, or a Bail Intensive Supervision and Surveillance (Bail ISS) requiring higher levels of contact and curfew requirement. The allocated YOT and (Social) Worker will jointly discuss the risks/needs posed to determine the most appropriate placement for recommendation (e.g. LASCH, STC or YOI) should a YDA be made.

4.5.9 In particular, the YOT Court Officer and Social Worker should work together to confirm any health or safeguarding needs which could present in a secure estate environment. This might include access to prescribed medication, as well as requests to Child and Adolescent Mental Health (CAMHS) or Drug and Alcohol Support Service (DASS) for information regarding treatment/withdrawal, or more general discussion around coping strategies and resilience. Where specific and/or significant concerns are identified, these must be notified to the Youth Custody Service who will be responsible for placing the child, and the YOT Team Leader for appropriate awareness and management oversight. It may also be necessary to notify the Court Clerk and Court Cells staff.

4.5.10 The YOT Court Duty Officer must then send the Bail Recommendation AssetPlus to the Youth Custody Service as soon as possible so that all key information is shared with the Youth Custody Service at the earliest opportunity BEFORE the Hearing takes place. On Saturdays and Bank Holidays, the Bail and Custody Modules will suffice.

4.5.11 Throughout this process, the YOT Court Officer/Case Manager and Social Worker will ensure that the child's parent(s) or carer(s) are made aware of the potential outcomes and invited to contribute. Consideration will be given to whether the child could return home, if there are other family members who could provide accommodation to mitigate identified risks of offending and/or harm, or whether a foster care placement should be considered. Confirmation should also be sought regarding how parent(s) and carer(s) could support proposed bail or RILAA packages, and what support they will need, in turn, to do so. The views of the child and parent/carer should be clearly requested and recorded, and balanced against considerations of risks and needs as presented by the case before the Courts. Where it is clear that a YDA is very likely to be imposed, the YOT Court Officer and Social Worker will explain this to the parent/carer and provide information regarding likely placement as well as request information to inform placement planning.

4.5.12 When a YDA remand is imposed, the YOT Court Duty Officer will notify the Youth Custody Service and see the child to assess how they are coping. They will then complete a Post Court Report AssetPlus (or update the Custody module on Saturdays and Bank Holidays) and submit this to the Youth Custody Service, liaising with the parent/carer to ensure they remain updated throughout the process.

Where the child's 'Home' area is not Portsmouth, the YOT Team Leader will ensure the appropriate YOT and LA are notified to confirm Court outcomes and that all paperwork is shared.

4.5.13 Where the child is normally resident in Portsmouth, or Looked After by Portsmouth LA, the YOT Court Officer will send email notification to YOT Managers, relevant Social Worker/Team Leaders and the child's IRO (if known) or Service and Quality Team (if not known) to confirm the Court outcome, placement details and future Court dates. This information must also be submitted to the YOT Education Officer, in order that relevant Education professionals are informed, and the child's Defence Solicitor, in order that they can make contact with regards to legal representation.Where the child's 'Home' area is not Portsmouth, the YOT Team Leader will notify the appropriate YOT and LA to confirm Court outcomes.

4.4.14 In the case of a 'Home' area being incorrectly designated to Portsmouth by the Court, the YOT Team Leader will ensure an application is made to the Court to amend this, liaising with the Home YOT as required.

4.5.15 The YOT Team Leader will allocate a designated Case Manager within one working day. The name and contact details of the allocated Social Worker and IRO should also be confirmed at this stage (or Service and Quality Team if not known). The designated YOT Case Manager will then make contact with the secure establishment to confirm the name and contact details of the child's allocated Social Worker/IRO (if not known at the time of the remand) and begin to make arrangements for required review meetings. They will ensure contact is made with the child to inform them of plans being put into place and contact details of people available to support them both in and outside of the custodial establishment. The same information will be provided to the child's parent/carer and Social Worker.

4.5.16Effective communication should take place between agencies throughout the young person's remand period and recorded on respective case management databases. This could include consideration of additional applications for bail, and must include resettlement planning to work towards release. Even where it appears that the child may ultimately receive a custodial sentence in respect of their offences, resettlement planning should commence from the point of remand and options be continually reviewed until their release. In particular, post-release accommodation planning should be prioritised.Thereafter, depending on the length of their remand period, they may be eligible for leaving care services if relevant criteria are met.

4.5.17Appendix 3 outlines steps required of both C&F Social Workers and YOT staff to fulfil the requirements of the YDA.

**4.6 Youth Rehabilitation Order (YRO) and Local Authority Residence Requirements**

4.6.1 The Criminal Justice and Immigration Act (CJIA) 2008 introduced the Youth Rehabilitation Order which allows the court to sentence from a menu of requirements. Amongst these, a Local Authority Residence Requirement is included which can be made for a period up to 6 months. It should only be recommended in cases where it is assessed that the young person's living arrangements have contributed to their offending behaviour and that the addition of such a requirement would assist in their rehabilitation to reduce risk of reoffending. It should not be made without consultation with the relevant C&F Teams.

4.6.2 Prior to recommending such a requirement, the YOT should liaise with the child's allocated Social Worker (if the child is already open) or MASH (if they are not). The relevant allocated YOT Officer (e.g Court Officer, Pre-Sentence Report Author or Case Manager) should provide a copy of the YOT's assessment and other supporting information to inform discussion and decision making. The views of the child, and their parent/carer, should also be sought. If it is agreed that the child is both eligible and suitable for such a requirement, approval should be given from both the YOT Service Leader and relevant C&F Manager (in writing) before recommendation can be submitted to Court. C&F should confirm full details of the address and carer prior to sentencing.

4.6.3 In the event that a LA Residence requirement is imposed by the Court, the young person must reside in suitable accommodation provided by or on behalf of the Local Authority. Young people accommodated under this provision are subject to the general provisions of section 23 of the Childrens Act 1989 placing a duty on the Local Authority to assess the young person's needs, create a plan and then review the young person's ongoing care and accommodation for the duration of the order.

4.6.4 The YOT will be responsible for monitoring and enforcing the LA Residence requirement. If the child fails to reside as directed, non-compliance procedures (e.g warning letter) or, ultimately, return to court for breach hearing can be enacted by the YOT. The allocated Social Worker and YOT Case Manager will need to work closely and communicate effectively at all times. Where possible, the allocated YOT Case Manager and Social Worker should collaborate on assessments and intervention planning and be present at relevant planning meetings to provide information and contribute to each other's respective reviews. They should also ensure the child's Carer is fully aware of the requirement and expectations upon them to support compliance.

4.6.5 Where arrangements break down during the course of the requirement, the YOT Case Manager will need to work with the Social Worker to address this. Placement Stability Meetings and/or restorative approaches should be considered to retain the arrangement, where it can be retained, in the first instance. Alternatively, they should work jointly to identify an alternative arrangement and support the child in making the transition. Where a suitable alternative cannot be found, the YOT Case Manager will need to return the Order to court and request that the order is amended (i.e. the requirement removed or replaced).

**4.7 Youth Rehabilitation Order (YRO) and Intensive Fostering (IF) requirement**

4.7.1 The Criminal Justice and Immigration Act (CJIA) 2008 introduced the Youth Rehabilitation Order (YRO) which allows the court to sentence from a menu of requirements. Where a custodial sentence is under consideration, the Court are required to consider two direct alternatives to custody before sentencing the child to a Detention and Training Order. The Intensive Fostering (IF) requirement is one, and the Intensive Supervision and Surveillance (ISS) requirement is the other.

4.7.2 Due to withdrawal of local provision, IF requirements are not currently available within the pan-Hampshire area. Instead, the YOT will consider whether an ISS requirement can be offered or a suitable alternative 'bespoke' YRO. The latter could include consideration of an LA Residence requirement as outlined in Section 4.6 of this protocol.

**4.8 Custodial Sentences:**

4.8.1 Custodial sentences will be supervised by PYOT in line with the PYOT Custody and Resettlement Policy and Procedures. Of note, children subject to sentences of detention (custody) do not become Looked After upon sentence in the way that remanded children will. However, special consideration needs to be given to children who are already Looked After at the point of sentence.

4.8.2 Children who are subject to Care Orders (Section 31) will retain LAC status whilst they are in custody. Care planning and review processes should therefore continue in line with the Care Planning, Placement and Case Review Guidance and Regulations (Children Act 1989). In such cases, additional (local) resettlement planning meetings may take place throughout sentence to consider the child's views about their release and track progress against resettlement plans. These may take the guise of formal case discussion, rather than formal meetings, but should take place regularly to track progress and planning particularly when there is uncertainty about accommodation and/or education plans following release. They will not replace the required 'LAC' planning and review meetings, but will supplement discussion and ensure progress is continually reviewed.

4.8.3 For children who are in 'voluntary care' (e.g. Section 20) prior to going to custody, their LAC status will end at the point of sentence. However, they should remain open to C&F as a Child In Need to allow for a re-assessment of need and joint resettlement work to take place. In the case of short custodial sentences (6 months or less) C&F may use its discretion and decide to keep a Section 20 case open in order to provide continuity. If required, 'Looked After' status can be resumed upon release, and any accommodation needs should be highlighted at the earliest opportunity. Again, (local) resettlement planning discussions should take place throughout the custodial element of the sentence to consider the child's views about their release and track progress against resettlement plans. These may take the guise of formal case discussion, rather than formal meetings, but should take place regularly to track progress and planning particularly when there is uncertainty about accommodation and/or education plans following release. They will not replace the required youth justice custodial planning and review meetings, but will supplement discussion and ensure progress is continually reviewed.

4.8.4 In both instances, the decision on where to place a young person for the custodial (pre-release) period is made by the Youth Custody (Placements) Services, and not the YOT, based on assessment of the young person's needs and risks alongside consideration of vulnerability and availability. The YOT are required to submit an assessment prior to sentence (or remand) in order to inform planning and can make recommendations, but not instruct. The allocated YOT and (Social) Worker will jointly discuss the risks/needs posed to determine the most appropriate placement for recommendation and ensure all key information is shared with the Youth Custody Service at the earliest opportunity. The full cost of a custodial sentence is met by the Ministry of Justice.

4.8.5 Where a child reaches the age of 18 before release, they will usually be transferred to a 'young adult' establishment on or after that date. They will also fall under provisions of the Offender Rehabilitation Act (ORA) requiring extended periods of supervision upon release and might transfer between YOT and Probation services at a similar time. YOT and C&F workers will ensure these potential transitions are identified at the point of sentence (or when release dates are confirmed), and for Looked After Children consider how this may also impact upon them in light of Care Leaver transitions which could take place around the same time.

**4.9 Youth to Adult transitions in Criminal Justice**

4.9.1 Where children known to YOT will attain their 18th birthday during their involvement with YOT, they may be eligible for transfer to Probation Services or otherwise require support for more general transitions into adulthood. An outline of Youth to Adult (Y2A) criminal justice transfer options is provided in Appendix 5. Further detail is outlined in the Pan-Hampshire Youth To Adult Transitions Protocol agreed between YOTs and Probation Services.

4.9.2 In response to this, the YOT have developed a Youth To Adult transitions (Y2A) programme to help prepare the child for these changes, and enable them to have their say in the process. Where the child is known to Early Help and Prevention or Children's Social Care Teams, consideration should be given to delivering elements of the programme jointly to aid joint-planning and preparation.

4.9.3 PYOT also hold regular 'Y2A' meetings with Probation and Through Care Team colleagues to track cases progressing via transfer. These take place every 6 weeks to ensure transition and transfer cases are identified at the earliest opportunity.

4.9.4 In cases where the child is serving a custodial sentence, they may be transferred to the 'adult estate' upon attaining the age of 18, alongside transfers in the community between YOT and Probation Services. Where this is likely to be the case, the YOT Case Manager will liaise with all professionals working with the child to ensure they are kept informed and able to contribute to planning processes as required.

4.9.5 Of note, Looked After children will also experience a number of procedural transitions as a result of reaching the age of 18, alongside their journey of emotional and physical development. This applies to those completing community-based sentences as well as in custody and therefore consideration should be given to the full range of transitions likely for LAC who will become Care Leavers. Clear and consistent communication will take place to support this vulnerable client group, and ensure- as far as possible- that levels of contact and levels of engagement are maintained throughout this challenging period of change.

4.9.6 If a child is eligible for, or already receiving, Through Care services via the LA, the YOT Case Manager will make contact with their allocated Social Worker and/or Care Leaver Personal Advisor to share details of YOT involvement and contribute to pre-18 planning. The C&F Social Worker and/or Personal Advisor will provide advice on relevant Social Care processes and prepare the child for delivery of the same. The YOT Case Manager will provide advice on relevant youth justice processes (including transfer to Probation, if applicable) and prepare the child for such changes. Contributions should also be invited from parents/carers/residential workers as well as the Carer's supporting Social Worker.

**4.10.Transfers in and out of YOT**

4.10.1 The YOT will adhere to the YJB's National Protocol for Case Responsibility when dealing with all 'out of area' cases, and follow the PYOT Transfer In/Out Process.

4.10.2 Where a child from another area becomes known to YOT (e.g. via transfer request) checks will be made to confirm their living arrangements and care status. Where the child is Looked After by another LA and placed in Portsmouth, or supported via CIN/CP Planning, Portsmouth YOT will contact Portsmouth MASH to confirm whether the relevant notifications have been made by the Home LA. Where this is found not to be the case, the YOT will advise the Home area YOT and request that they liaise with CSC colleagues to ensure this is completed. In those cases, the YOT will also ensure relevant local CSC, Health, Education and Police colleagues are made aware who can then make their own enquiries if required.

4.10.3 Where a child aged 10 and above becomes known to C&F via move from another area, checks should be made to confirm whether they have had any involvement with youth justice services in their previous home area. Where it is identified that a YOT disposal is currently in place, C&F should request that the Home YOT notify Portsmouth YOT to make a formal transfer request (and notify YOT Team Leaders that this has been done). Where it is identified that a YOT disposal is not in place, but risk of offending or reoffending are present, the YOT Duty Officer or Team Leader can be contacted to provide advice or guidance.

4.10.4 If a child known to YOT and Early Help and Prevention or Children's Social Care moves out of the Portsmouth (PO1-PO6) area, C&F staff will notify YOT as soon as possible. For children not Looked After by the Local Authority, the YOT will notify the new ('host') area YOT and usually request that they oversee delivery of YOT interventions on a 'caretaking basis'. In most cases, this will be agreed for a period of 3 months after which it will be considered whether a transfer of full case responsibility can be made, though arrangements do differ from area to area.

4.10.5 For Looked After Children, the YOT will notify the new area YOT and usually request that they oversee delivery of YOT interventions on a 'caretaking' basis, but will retain full case responsibility for the duration of YOT involvement. In exceptional cases, the YOT may notify a 'host' YOT of placement within their area but request that caretaking procedures are not enacted as would normally be expected. For example, where a child's placement provision is likely to be short term, or can effectively meet all elements of the YOT intervention plan, it may be more appropriate for the PYOT to maintain contact and reduce the number of new professionals introduced to the child at that time. Where this approach is assessed as best meeting the needs of the child, discussion should take place with Team Leaders in both relevant teams to agree before it is confirmed to the host area. The decision will be reviewed according to the needs of the case, and where it is then assessed that supervision by the 'host' YOT on behalf of the 'home' area is required this request will be made.

4.10.6 The 'home' YOT Case Manager will attend LAC Review Meetings and contribute to assessments and planning as required, ensuring that the child is made aware of this and that their views are sought at regular intervals, for as long as the YOT remains involved. The Social Worker will inform the YOT Case Manager of any changes in placement as soon as those changes are known, in order that the YOT Case Manager can inform the 'Host YOT' and review arrangements as required.

**4.11 Portsmouth Children discussed in Out of Area Triage Panels or appearing in Out of Area Courts**

4.11.1 If a child who is normally resident in Portsmouth offends outside the Portsmouth City area, they will initially be dealt with by Police operating in the host area. For offences committed in Isle of Wight, Southampton or Hampshire, Hampshire Constabulary and/or the relevant YOTs will usually notify PYOT for local processes to be followed. Joint protocols are in place between the YOTs to ensure effective information sharing for these instances, including referrals to the appropriate Triage Panel and attendance at Court. Where children are open to C&F services, PYOT will then liaise with allocated workers as required.

4.11.2 Where a child who is not known to YOT, but open to EH or Children's Social Care, offends 'out of area', their allocated worker should liaise with PYOT staff (e.g. Duty Worker to Team Leader) to seek advice and guidance as to what processes could ensue. Where the child is then listed to be discussed in a host area Triage Panel, or appear at Court, PYOT must be notified in order that they can liaise with the counterpart YOT to ensure all relevant information is exchanged.

**5 Problem Solving, Management Oversight and Escalation**

5.1. All YOT and C&F staff will work together under a constructive, problem-solving and restorative approach to pro-actively improve outcomes for children and families. YOT and C&F Team Leaders will provide effective supervision and management oversight of all joint YOT/C&F cases to promote good collaborative practice between their teams. In some cases, it may be appropriate to conduct joint Supervision or collective peer discussion across teams to further support this approach.

5.2 In the event of a difference of opinion between YOT and C&F, the expectation in the first instance is that the practitioner will attempt to resolve this in a positive way themselves in discussion with their colleague. If they are unable to come to an agreement then the worker will refer this matter to their Team Leader for advice and support. Where agreed actions are not successful, the Team Leader will discuss the issue with their respective counterpart. If these steps are not successful, the Team Leader will refer to Service Leaders under local escalation procedures. At all times, resolution will be sought at the earliest opportunity and lowest level possible.

**Appendix 1:**

**Portsmouth City Council Children and Families Branch-**

**Risk of Anti-Social Behaviour or Offending Screening Tool**

Children aged 10 or over can be held 'criminally' responsible for their actions and made subject to a range of youth justice disposals in response to offending behaviour. This can have an impact on future education, training and employment options and long term life chances. In many cases, early intervention can prevent or reduce involvement in the youth justice system or divert children away entirely.

This tool should be used by C&F professionals, in conjunction with professional judgement, to consider whether a child (aged 8 or over) is at risk of offending and/or anti-social behaviour.

To support professional judgement, there are no strict criteria in terms of scoring or recommendation.

It is important to recognise that indicators do not automatically equate to involvement.

However, where there are multiple 'yes' answers for the factors below, or several factors in any one category, consideration should be given to what actions can be taken to reduce the likelihood of entry (or re-entry) into the youth justice system.

|  |  |  |
| --- | --- | --- |
| **YP Name:** | **DOB/Age:** | |
| **Worker/Team completing form:** | **Date completed:** | |
| **Living arrangements and family relationships** | | **Y/N** |
| Accommodation is not stable, safe and/or secure. | |  |
| Child goes missing from home and/or their whereabouts are not always known. | |  |
| Child has experienced domestic abuse as a witness or victim. | |  |
| Child has damaged family property or stolen from family members. | |  |
| Child exhibits coercive, controlling and/or aggressive behaviour in the home (abusive language, damage to property, threats of violence or violence to gain own ends) | |  |
| Influential adults or siblings are involved in criminal activity, known to the criminal justice system and/or encouraging the child to engage in offending/anti-social behaviour. | |  |
| Influential adults express concern regarding child's lifestyle, associates and/or activities and inability to address (due to inaction, lack of authority or inability to cope). | |  |
| Child is placed in residential Care by the Local Authority | |  |
| **Other relationships** | | **Y/N** |
| Child's peer group is known to local justice services (e.g. YOT or Police) | |  |
| Child is susceptible to encouragement or exploitation by others for criminal gain | |  |
| Child is suspected of, or known to be, exploited by others in relation to offending (e.g. stealing to order, involved in drugs supply, accumulating drug debt, providing access to peers for same) **(Please complete CERAF if CSE/CCE suspected)** | |  |
| Child is seeking a sense of belonging (seeking kudos with others) due to loss or rejection | |  |
| Child exhibits coercive, controlling and/or aggressive behaviour in their interactions with the public, with peers and/or partners (abusive language, threats of violence or violence) | |  |
| **Education** | | **Y/N** |
| Lack of appropriate provision (i.e. not currently in place) | |  |
| Lack of attachment to current education provision (i.e. in place but not accessed) | |  |
| Child is regularly absent from school, training or employment and/or goes missing from school. | |  |
| Child has received, or is at risk of, exclusions for behaviour which is indicative of offending/ASB | |  |
| Child demonstrates controlling, oppositional or aggressive behaviour at school | |  |
| Child is reported as being involved in bullying other children | |  |
| Child is a victim of bullying themselves | |  |
| **Neighbourhood and lifestyle** | | **Y/N** |
| Child is involved in anti-social behaviour or crime | |  |
| Child spends time in places, and/or with peers, who are known to be a cause for concern. | |  |
| Child is easily bored and/or lacks constructive activity to address this. | |  |
| Child lacks an age appropriate friendship group and/or is socially isolated (consider social media contacts also) | |  |
| Child undertakes dangerous or unhealthy activities (e.g driving, pier jumping, substance misuse) | |  |
| Child has goods/monies that cannot be accounted for (e.g obtained via theft and/or exploitation) | |  |
| **Substance misuse (consider use of DASS screening tool/referral if Yes in this section)** | | **Y/N** |
| Child is known to drink alcohol. | |  |
| Child is known to take illicit drugs (including prescribed drugs not prescribed for them) | |  |
| Child/family demonstrate problematic attitudes towards substance misuse | |  |
| Child has access to quantities of drugs and alcohol (regardless of source) | |  |
| Child is thought or known to have accumulated debt due to substance misuse. | |  |
| Child does not identify substance misuse as problematic and has no desire to change | |  |
| **Emotional and mental health** | | **Y/N** |
| Child has a condition affecting everyday life and impacts on impulse control which links to offending or ASB type behaviours (e.g. ADHD, ASD, ODD). | |  |
| Child has had adverse childhood experience(s) impacting on their daily functioning. | |  |
| Child lacks age-appropriate coping strategies and/or support mechanisms to support these. | |  |
| Child demonstrates inappropriate self-esteem or self-worth (too high or too low). | |  |
| Influential adults don’t model or support effective coping strategies | |  |
| **Thinking and behaviour** | | **Y/N** |
| Child appears unable or unwilling to trust others. | |  |
| Child is/was a victim of discrimination by others or displays discriminatory views towards others | |  |
| Child demonstrates or describes highly impulsive behaviour i.e. child is unable to link actions to consequences (e.g says things 'just happen' without thinking). | |  |
| Child has inappropriate levels of self-esteem (too high or too low) | |  |
| Child demonstrates or describes problematic responses to conflict or challenge. | |  |
| Child has caused serious harm or behaved in a way which was likely to cause serious harm. | |  |
| Child has said that he/she will cause serious harm to somebody and shown evidence of intent. | |  |
| **Offending and Anti-Social Behaviour** | | **Y/N** |
| Is the child currently known to YOT and/or Police | |  |
| Has the child previously been known to YOT and/or Police | |  |
| Child has expressed a concern he/she may engage in offence/anti-social behaviour and/or cause serious harm to others through their own behaviour (even if they do not intend to) | |  |
| Others have expressed a concern he/she may engage in offending, anti-social behaviour and/or cause serious harm to others through their own behaviour (even if not showing intent to do so). | |  |
| **Do risk factors identified indicate a risk of (re)offending?- Note any key details, thoughts or comments to support analysis** | | |
|  | | |
| **What actions should be taken following completion of this screening tool (consider guidance overleaf)** | | |
| **If a child is at risk of serious harm, this should be immediately reported to Children's Social Care and/or the Police. Other actions can be agreed, but must not replace referral to the appropriate service. A CERAF should also be completed where exploitation is identified or suspected.** | | |
| **How will this be shared and agreed with the child and their parent/carer?** | | |
|  | | |
| **Signed: Dated:** | | |

**Supporting Summary:**

When considering actions to be taken, consider risk and supporting protective factors.

|  |  |
| --- | --- |
| **Risk Factors** (what makes them more likely to offend or engage in ASB specifically) | **Protective Factors** (what makes them less likely to offend or engage in ASB specifically) |
|  |  |
| **What other factors could be strengthened to reduce risk of offending/ASB further?** (Consider risk indicators identified and how positive change can be secured). | |

**Supporting Notes:**

**If in your view, the child is at risk of offending and/or anti-social behaviour it is important to retain perspective, and ensure that you are intervening at the lowest level, at the earliest possible stage, before escalating concerns or levels of intervention.**

**Referrals to other professionals should only be made where existing and/or universal services are not able to meet levels of risk/need posed and the child/family are willing to engage.**

**Alternative options might include:**

* Discuss with the family to highlight concerns and agree what steps they can take to prevent escalation.
* Identify positive activities and networks which the child can be part of, to provide positive influences, develop skills and/or enhance levels of support and guidance.
* Discuss with the child's school to identify a key worker who can support or work with the family.
* Identify key relatives, appropriate family friends or existing workers who can support the child/family to address the specific concerns identified in completion of this tool without referring to an additional service.
* Include areas of concern in existing interventions and ensure the rationale (preventing offending) is clear to support outcome based planning and recognition of success.
* Access advice from Safer Neighbourhood Police Teams, and share information regarding concerns.
* Consult with YOT services for advice and information on strategies or tools which you can use in your work with the child/family.
* Referral to Early Help and Prevention Services (or if relevant thresholds apply)

**If a child is at risk of serious harm, this should be immediately reported to Children's Social Care and/or the Police. Other actions can be agreed, but must not replace referral to the appropriate service. A PSCB Child Exploitation Toolkit should also be completed where exploitation is identified or suspected.**

**Appendix 2**

**CARER’S DECISION TO INVOLVE POLICE**

This process must be followed when a Foster Carer/ Residential Carer is considering contacting the Police.

Liaison between YOT, Childrens and Families, and Foster Carer/ Residential Staff as required (determined by outcome).

**Incident Occurs**

**Serious**

Immediate Police response required.

Eg, person at risk of serious assault/ damage

**Non Serious**

No *immediate* police response

Eg, no risk of harm or further harm/damage

**Internal**

No police response required

Eg Young person misbehaving, minor damage, testing boundaries

Action

Foster carer/residential staff to Contact police on 999, inform OOH or SW and record in file.

Action:

Incident reported to SW or OOH, decision made re police attendance and/or RJ.

Police notified via 101, if agreed necessary.

Action:

Carers manage situation and decide on sanctions. If 3+ incidents- Consider stability meeting or similar discussion to review circumstances and agree actions required (e.g. Screening Tool, NPT support).

Police investigate resulting in decision whether or not to prosecute (via Triage, if necessary)

Police attendance, resulting in decision whether or not to prosecute, or use out of court disposal, community resolution (via Triage)

Internal action. No police action necessary.

Review agreed actions as required.

Consider stability meeting or similar discussion to review circumstance and agree actions required

Review actions agreed, consider other actions required.

Liaise with YOT for information sharing and action planning re: Triage.

**Appendix 3**

**Legal Aid Sentencing and Punishment of Offenders Act (2012):**

**Flowchart and Practice Guidance Task List for YOT and Children and Families Services**

(adapted with permission from Hampshire YOT)

**Part 1: Children *not* looked after prior to remand by the court:**

Child/young person **not** currently looked after and appears in criminal court.

Bail refused - child/young person remanded (either secure or non-secure) by the criminal court

Remand into LA Accommodation (RILAA) (age 10-17)

**CHILD/YOUNG PERSON BECOMES LOOKED AFTER FOR PERIOD OF REMAND**

Secure remand into Youth Detention Accommodation (YDA) (age 12-17)

If child known and open to C&F, their allocated worker should be in court with them. Where this is not the case, YOT worker in court should contact the relevant social work team immediately (that working day). If not an open case to CSD, YOT worker to contact Portsmouth MASH.

**YOT/C&F RESPONSIBILITY**

It is expected that YOT and CSD will work together from the beginning of the remand (See next page for practice guidance task list).

**Legal Aid Sentencing and Punishment of Offenders Act (2012):**

**Flowchart and Practice Guidance Task List for YOT and Children and Families Services**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Legal Status** | **Remanded into Local Authority Accommodation (RILAA- Aged 10-17)** | | **Remanded to Youth Detention Accommodation (YDA- Aged 12 -17)** | |
| **Child *not* looked after by Local Authority prior to remand by the court** | **C&F will:**  Identify a suitable placement and ensure child is placed by C&F Social Worker.  Care plan and placement plan to be drawn up within **5 working days** (however regulation 5 (a) does NOT apply i.e. no plan for permanence required) Need to consider what longer term support or accommodation will be required after the remand period  IRO allocated and CLA review held within **20 working days**  Ensure the child/young person is visited within **1 week** of being detained and then **every 6 weeks for the first year and every 3 months thereafter.** However these are minimum requirements and visiting should be more frequent where required | **YOT will:**  Hold an initial remand discussion within **5 days** (to include bail package plans, and not necessarily a face to face meeting *unless* there are risk issues)  Hold a remand planning meeting within **10 days** (YOT *must* attend this first meeting)  Hold minimum **6 weekly** remand planning reviews thereafter (these can be via video link)  Ensure the child/young person is visited **monthly** by YOT and/or partner agencies. | **C&F will:**  There will need to be an Initial Assessment of the child/young person`s needs  Detention Placement Plan (DPP) prepared *instead of* a care plan and placement plan within **10 working days.** However provisions as to health assessments do NOT apply whilst remanded (health plan should be incorporated into DPP),  DPP must be agreed and signed off by the secure estate Governor/registered Manager/Director  IRO allocated and CLA review to keep the DPP under review, to be held within **20 working days**  Ensure the child/young person is visited within **1 week** of being detained and then **every 6 weeks for the first year and every 3 months thereafter.** However these are minimum requirements and visiting should be more frequent where required. | **YOT will:**  Hold an initial remand discussion within **5 days** (to include bail package plans, and not necessarily a face to face meeting *unless* there are risk issues)  Hold a remand planning meeting within **10 days** (YOT *must* attend this first meeting)  Hold minimum **6 weekly** remand planning reviews thereafter (these can be via video link)  Ensure the child/young person is visited **monthly** by YOT and/or partner agencies. |

**Legal Aid Sentencing and Punishment of Offenders Act (2012):**

**Flowchart and Practice Guidance Task List for YOT and Children and Families Services**

**Part 2: Child/Young Person looked after prior to remand by the court**

Child/young person **currently looked after** and appears in criminal court.

Bail refused - child/young person remanded (either secure or non secure) by the criminal court

Remand into LA accommodation (RILAA) (AGE 10-17)

**CHILD/YOUNG PERSON REMAINS LOOKED AFTER FOR PERIOD OF REMAND**

Secure remand into Youth Detention Accommodation (YDA) (age 12-17)

Social worker should be in court with the child/young person. Where this is not the case, YOT worker will contact the relevant social work team immediately (that working day) to secure attendance of a Duty Worker.

**YOT/C&F RESPONSIBILITY**

It is expected that YOT and C&F will work together from the beginning of the remand (See next page practice guidance task list).

**Legal Aid Sentencing and Punishment of Offenders Act (2012):**

**Flowchart and Practice Guidance Task List for YOT and Children and Families Services**

| **Child’s Legal status** | **Remanded to Local Authority Accommodation (RILAA) (ages 10-17)** | | **Remanded to Youth Detention Accommodation (YDA) (ages 12-17)** | |
| --- | --- | --- | --- | --- |
| **Child *already* looked after by Local Authority immediately prior to remand by the court** | **C&F will:**  Inform the IRO within **24 hours**, as s/he may want to bring the statutory review forward.  Maintain care plan.  Complete Placement plan within **5 days**  *(Note: It is unlikely that a child who is already looked after would also be remanded to the LA but it could be a possibility if court wants to impose a condition).*  Ensure the child/young person is visited within **1 week** of being detained and then **every 6 weeks for the first year and every 3 months thereafter.** However these are minimum requirements and visiting should be more frequent where required | **YOT will:**  Hold an initial remand discussion within **5 days** (to include bail package plans, and not necessarily a face to face meeting *unless* there are risk issues)  Hold a remand planning meeting within **10 days** (YOT *must* attend this first meeting)  Hold minimum **6 weekly** remand planning reviews thereafter (these can be via video link)  Ensure the child/young person is visited **monthly** by YOT and/or partner agencies. | **C&F will:**  Inform the IRO within **24 hours**  Maintain the Care plan  However provisions as to health assessments do NOT apply whilst remanded (health plans should be incorporated into DPP)  Detention Placement Plan (DPP) to be included in the care plan instead of the placement plan, within **10 working days**  DPP must be agreed and signed off by the secure estate Governor/registered Manager/Director  Ensure the child/young person is visited **within 1 week** of being detained and then **every 6 weeks for the first year and every 3 months thereafter.** However these are minimum requirements and visiting should be more frequent where required | **YOT will:**  Hold an initial remand discussion within **5 days** (to include bail package plans, and not necessarily a face to face meeting *unless* there are risk issues)  Hold a remand planning meeting within **10 days** (YOT *must* attend this first meeting)  Hold minimum **6 weekly** remand planning reviews thereafter (these can be via video link)  Ensure the child/young person is visited **monthly** by YOT and/or partner agencies. |

**Part 3: Detention Placement Plans**

Detention Placement Plans must include the following:

1. How, on a day to day basis, the child will be cared for and the child’s welfare safeguarded and promoted
2. Arrangements for contact between the child and parents/persons with parental responsibility/connected persons including, if appropriate, the reasons why contact would not be reasonably practicable or would not be consistent with the child’s welfare
3. Arrangements for the child’s health (including physical, emotional and mental health) and dental care including any arrangements for the giving or withholding of consent to medical or dental examination or treatment
4. Arrangements for the child’s education and training, the name and address of any educational institution the child was attending or any other person providing the child with educational training immediately before remand. Where there is a SEN, details of the LA that maintains it.
5. Arrangements for social worker visits including frequency
6. Arrangements for giving advice, support and guidance to the child between visits
7. If an Independent Visitor is appointed, the arrangements made for them to visit the child
8. The child’s personal history, religion, cultural and linguistic background and racial origin
9. The name and contact details of the following people:
10. IRO
11. Independent Visitor (if appointed)
12. Social Worker (from local authority)
13. Personal Advisor (appointed if the child is an eligible child)
14. The person responsible for discharging the responsible authority’s duty under s22 (3a) (duty to promote the educational achievement of children looked after by the local authority).

Good practice would be for the YOT worker to also be named in the DPP

1. Child’s wishes and feelings

11.Details of how the child’s welfare should be adequately safeguarded and promoted when the child ceases to be remanded to YDA, in particular, whether the child will be provided with accommodation by the LA or whether the LA should provide any other services.

**Appendix 4: Overview of LAC Status:**

|  |  |
| --- | --- |
| **Looked After Child** | A 'Looked After Child' is a child who is accommodated by a Local Authority. This can include those accommodated under voluntary agreement with parents (e.g. Section 20 of Children Act), subject to an Interim Care Order (Section 38 of Children Act), a full Care Order (Section 31 of the Children Act), an Emergency Protection Order, remanded in Local Authority Accommodation (RILAA) or remanded into Youth Detention Accommodation (YDA). |
| **Eligible Child** | An 'eligible child' is a child aged 16 or 17 who has been looked after by a local authority for at least 13 weeks (in total) which began after he/she reached the age of 14 and is still looked after. |
| **Relevant Child** | A ‘relevant child’ is a child aged 16 or 17 who is not being looked after by any local authority, but was, before last ceasing to be looked after, an eligible child, and is aged 16 or 17. This also includes young people who were detained (e.g. in a youth offending institution or hospital) when they turned 16, but who were looked after immediately before being detained. However, it does not include 16 or 17 year olds who have returned to live with parents for a continuous period of 6 months since being looked after (unless that breaks down again before their 18th birthday). |
| **Former Relevant Child** | A 'former relevant child' is a young person aged 18 to 21 (or older, if in education or training) who was previously 'eligible' or 'relevant'. |
| **Former Relevant Child Pursuing Education** | Any 'former relevant child' whose case was closed for any reason and informs the Local Authority that they are planning to continue education or training and can request an assessment regarding support which could last until their 25th birthday. |
| **Qualifying Children and Young People over 16** | Any young person aged under 21 (or under 24 if in education or training) who ceases to be looked after or accommodated in a variety of other settings, or privately fostered, after the age of 16. This includes young people who are under a special guardianship order. |
| **The ‘responsible authority’** | The council which last looked after the child or young person (irrespective of where they may be living now). |

A variety of other organisations provide information such as:

* Office of the Children’s Rights Director
* National Leaving Care Advisory Service
* Care Leaver’s Association
* Children’s Legal Centre
* National Voice

**Appendix 5: Overview of Youth to Adult Transitions in criminal justice**

The below provides an overview of the types of sentences supervised by YOTs and whether they can be transferred to Probation. Further information regarding transfer and transition processes between YOT and Probation Services can be found in the Hampshire and IOW Area Youth to Adult Transitions Protocol (held by YOT).

|  |  |
| --- | --- |
| **Out of Court Disposals** | YOTs should not transfer these. |
| **Referral Orders** | These should not be transferred from YOTs, under local agreement, due to the need for Panel Meetings to take place until the Order expiry which only YOT can provide. |
| **YRO with Activity Requirement** | These can be considered for transfer on a case by case basis. Decisions will be informed by the type of activity specified, and whether it can be delivered by Probation services. |
| **YRO with Attendance Centre Requirement** | These can be considered for transfer on a case by case basis. Decision makers would need to confirm which Attendance Centre should apply. |
| **YRO with Supervision Requirement** | These should normally be transferred from YOTs. Exceptions could include YROs with an expiry date soon after the 18th birthday; planned work which can only be delivered by YOT; maturity and learning needs being better met via YOT delivery. |
| **YRO with a Drug Treatment, Drug Testing, Intoxicating Substance Treatment or Mental Health Treatment Requirement** | These can be transferred from YOTs in line with transition from young people’s to adult treatment services. YOTs should negotiate the treatment service via mainstream young people’s services into mainstream adult services. |
| **YRO with a Curfew/Electronically Monitored Curfew, Prohibited Activity Requirement, Residence Requirement and/or Exclusion Requirement** | YOTs should normally transfer these |
| **YRO with an Education Requirement or Local Authority Residence Requirement** | These should normally be transferred. The Education Requirement or local authority Residence Requirement itself will cease.  An Education Requirement cannot be made for the period after a young person has reached the age of 16 (statutory school age). Similarly, a local authority Residence Requirement cannot be made for the period after the young person has reached the age of 18. |
| **YRO with stand-alone Unpaid Work Requirement. YOT can transfer these cases.** | These should normally be transferred. Outstanding hours would be delivered differently, but can be carried over in to Probation Services if it is assessed that the young person's maturity would enable completion. |
| **YRO with IF or ISS Requirement** | These can only be transferred when the IF/ISS requirement is completed and the young person has reached the age of 18. |
| **Detention and Training Orders** | These can be considered for transfer on a case by case basis. This could include transfer at either pre or post-release, depending on the needs/risks posed and the age and maturity of the child. |
| **Long-term custodial sentences ( e.g S 90/91 of the Powers of Criminal Courts (Sentencing) Act 2000)** | YOTs should transfer these to Probation, subject to the long-term sentence planning arrangements. |