



HM Prison &
Probation Service

Care Experience Matters

A guide to how prisons, probation and local authorities can work together to support people with care experience in custody and on probation.

March 2023



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Introduction and context

This document sets out beneficial practice for prisons, probation and local authorities to provide consistent and appropriate support for people with care experience whilst they are in prison, upon release, or under community supervision.

This guidance includes what care experienced people in the criminal justice system have told us would help them. It sets out what we can do across prisons, probation and local authorities, working collaboratively, to provide that support to help people in our care who are over 18. It can also help young people who live in the youth custody estate who have care leaver status and are waiting for release or transfer to the adult prison estate.

Young people on remand in youth custody establishments are currently classed as being in care following Section 104 of the Legal Aid Sentencing and Punishment of Offenders Act 2012.

How to use this document

Prisons and probation are asked to incorporate these practices in their support offer for those with care experience in their regions. Local authorities are asked to include them in their published local offers, referring to the [Local offer guidance](#).

Although this document is primarily aimed at those up to the age of 25 for whom local authorities still have statutory responsibilities, many of the elements can be used to support those with care experience in prison or supervised by Probation regardless of their age or status. As the experience of care may have lifelong impact, it is strongly recommended that support is available to care-experienced people of all ages.

[Annex B](#) sets out legal definitions for those with care experience who local authorities are still responsible for.

There are some important differences in England and Wales in entitlements and definitions for people who spent time in care.

To be eligible for local authority support in Wales, a person needed to be looked after for 13 weeks or more after their 14th birthday. In England, a person needs to be in care for 13 weeks or more, which includes their 16th birthday. The support of a personal advisor may be available up to 25 in England, but only 21 in Wales - unless the person is in education or training

[Annex C](#) sets out the legal definitions for those with experience of the care system in Wales. This National Youth Advocacy Service document sets out the [main differences in support for care leavers in England and Wales](#).

Training

This document should be used with the training: [Care experienced Young Adults on MyLearning](#)

Probation practitioners should read this document alongside '[Probation Service Management of Young Adults' Policy Framework, issued 7 February 2022](#), and pay attention to the mandatory actions in Section 4.

Separate guidance is available for supporting children under 18. Please refer to [Working together to Safeguard Children guidance](#) (paragraph 39, page 24)

There are resources to support you in this document. You will find more resources in the annexes.

Context

Although local authorities may have a relatively small number of their young adults in custody, care experienced people are over-represented in the prison population (27% of those in prison are thought to have care experience [Berman, G. and Dar, A. 2013] This is likely to be an underestimate due to our reliance on self-disclosure. No comparable research has been conducted on the Probation Service caseload.

Supporting care experienced people

Due to their experiences, care experienced people may need more support during their prison sentence, when preparing for and after release, and while serving a community sentence.

As corporate parents (see [Annex D](#) for further information about being a good corporate parent) we need to provide the best support available for care experienced people to cope with their prison or community sentence.

In prisons, the multiple and complex needs of care experienced people should be included in the 'safer custody', 'reducing reoffending' and 'family and significant other' strategies.

In probation, addressing the specific needs of care experienced people will support their rehabilitation, development of pro-social behaviour, and better engagement with the community sentence plan.

Resources

- [Probation Service Management of Young Adults Policy Framework - GOV.UK](#)
- [Joint National Protocol for Transitions in England](#)
- [Youth to Adult Transitions Principles and Guidance \(Wales\)](#)

1. Identification

“Do you really want to tell a random stranger that you have been through the care system because your family can’t look after you? You just want to keep it to yourself. But don’t be scared – it’s better to open up and not to keep it all in.”

(Young adult, Swinfen Hall)

A care experienced person may not mention their background when they arrive in prison or appear at their first probation appointment.

It’s important to have regular conversations about their experiences to give them the chance to share this information. That way you can make sure they’re getting the support they need.

Why are care experienced people reluctant to disclose?

Reasons that care experienced people tell us they are reluctant to disclose:

- stigma and a fear of judgement
- mistrust of authority and suspicion of why we want to know
- not understanding what is meant by the question
- not seeing any point in telling us
- believing we will apply risk because they have been in care
- the question gets asked at the wrong time, in the wrong way and sometimes by the wrong person with no context
- fear of exploitation by other people in custody
- women in prison often believe if they disclose their care experience, their own children might be taken into care
- not believing they are worthy of help or support

What can prisons do?

Create a safe, trauma informed environment where care experienced people feel safe to tell us about their experiences:

- take time to develop a relationship - do not try to cover everything in the first session, keep asking and building trust
- give reasons for questions about people's life experiences and explain the support available before asking
- frame questions as a conversation for example, "Have you always lived at home?", "What does family look like for you?", "Would you like us to help you find out what support might be available for you?"
- use training to help staff understand what being care experienced is like
- use peers and champions to offer support and ask about care experience - particularly in reception and during early days in custody
- use support networks and trusted relationships who feel separate from authority – for example key workers, family engagement workers, prison offender managers, teachers, instructors, chaplaincy, healthcare workers, other professionals such as pregnancy, mother and baby liaison officers
- be creative – a simple written questionnaire might be better for people who are not ready to talk to someone about their experiences
- assume everyone has care experience and offer guidance leaflets to all
- use the care experienced flag on NOMIS and add information for example local authority, personal advisor's name
- hand information about care status over to probation services upon release
- look for signs of care experience, for example: no photographs in their cells or very few possessions, no visits or visits only from professionals
- show positive examples of people with care and custodial experience who have overcome difficulties

What can probation do?

Probation practitioners should gather information and confirm with the person once a trusting relationship is proven:

- if someone is leaving custody, have a conversation with the Community Offender Manager to highlight any care experience and transition needs
- the person's Prison Offender Manager and/or the Pre-Release Team can also provide advice and support
- use the questions in the induction pack equalities form
- be aware that care experience is often noted in historic versions of the induction pack, if the person has earlier offences
- the nDelius documents list holds materials that record care experience, including pre-sentence reports, induction packs, judgements, and Youth Justice Board paperwork
- if the person is transitioning from the Youth Justice Service to the adult Probation Service, the Probation Link Officer (sometimes known as the YOS Secondee) can provide this information
- this information should be provided in the Transitions planning process ([Probation Service Management of Young Adults Policy Framework, Section 6.3](#); [Joint National Protocol for Transitions in England](#); [Youth to Adult Transitions Principles and Guidance \(Wales\)](#))
- check the Basic Custody Screening Tool on OASys for the question 'Has the offender been in the care of local authority children's services at any time?'
- approach the local authority leaving care services, with consent - this consent is usually given during induction but can be asked for at any time

Probation practitioners can ask someone directly about care experience. They should:

- talk in a safe and private environment, free of distractions, and allow adequate time to develop the conversation at their pace
- have this conversation once a trusting relationship has been established
- be aware that they might not know what 'care experienced' means. Ask the question in a few ways: "Have you ever had a social worker?" "Did you ever live away from home when you were a child?" "Who did you live with?", "Have you always had family around you?" ([See Annex F](#))
- explain why this question is important and the benefits of self-disclosure, emphasising the support of local authority personal advisors and local offers for care leavers
- make it clear that the conversation is to support legal entitlements, accommodation, education, employment and financial support
- if someone does not initially mention care experience, it may surface in conversation once a trusting relationship is in place
- ensure that care experience is discussed in any case handovers

What can local authorities do?

- inform the prison/probation when one of their young adults is taken into custody or when it is known that they have a community sentence – contacts for the prisons and probation can be found at [Annex E](#)
- provide a prompt response to prison and probation enquiries about care experience and give full advice on entitlements for leaving care services
- with consent share relevant information about someone's care experience
- make sure copies of local offers are accessible to the prisons/probation services in your area

Resources

[Annex F](#) - this one-page briefing gives guidance on how to ask about care experience in a different way that may help encourage disclosure

Language that Cares: This guide provides suggestions from those with care experience to professionals about preferred language and terminology [TACT-Language-that-cares-2019 online.pdf \(tactcare.org.uk\)](#)

2. Personal Advisor support

Young adults who are still eligible for local authority support will have / be given a personal advisor (PA) until they are 21 years old. Under the Children and Social Work Act 2017 they can request support from a PA at any time until they are 25 years old. They may not be given their original PA. They must request the support themselves and it will be tailored to their needs.

Government guidance says prison is an example of when support should be extended (paragraph 20 [Extending Personal Adviser support to all care leavers to age 25 \(publishing.service.gov.uk\)](#)). This support is also important on entry to prison, transition from the young person's secure estate and throughout their prison sentence.

Care experienced people told us:

- they were not always aware that they could request support post-21
- they were not always aware of their entitlements and the support available
- that although some enjoyed good support from their PAs, others had received no contact since they had come to prison and some did not know who their PA was
- some had been told that because they had said they did not want further support at 21, they had been refused that support when they asked later
- they valued consistency – both from their PA and what is available through their local authority offer
- they wanted to keep their PA after they reached 21 and not use a different duty advisor each time, they made a request
- they would benefit from support for as long as possible
- they would like more access to PAs

“I don't know how to describe it, we're not mates, I know we're not mates because she has got to be professional. But, at the same time, like I know I can talk to her about anything... she's always willing to listen and at the same time she gets in touch with me”

Coram Voice – Rapid Review

What prisons can do

- contact the local authority / PA to inform them that their young adult is in custody (consent needed – see form in [Annex I](#))
- request to be involved in the local authorities pathway planning for the young adult, and that this and sentence plan are worked on together
- ensure Prison Offender Managers and Key Workers are aware of the statutory support available
- let eligible people up to 25 know how they can request support and help them to request it
- ensure Offender Management Units assist them with contacting the local authority to request this support
- as post-21 support is done on a risk basis according to needs, liaise with the local authority prior to the young person's 21st birthday to ensure they can stay on their current worker's caseload rather than being given a duty worker each time
- for people on remand or unsentenced, ensure contact is still made with the local authority and visits by the PA are facilitated
- inform the local authority (with consent) of release dates and when the young adult moves establishments
- assist the young adult with any dispute about entitlements and statutory support by putting them in touch with advocacy services ([see Annex K](#))
- in accordance with OMiC (Offender Management in Custody) policy, care experienced people must have a Prison Offender Manager-Community Offender Manager handover meeting including the young person and other relevant people, including local authority PAs

What probation can do

- according to OMiC policy, when a care experienced person leaves custody, the probation practitioner should liaise closely with the prisoner, Prison Offender Manager and local authority PA to carefully plan the release and resettlement (see also: [Probation Service Management of Young Adults' Policy Framework, Section 4.9](#))
- when someone is given a community sentence, inform the local authority/PA that they are being supervised by probation, with their consent
- if they do not have a PA, explain the benefits of local authority support and offer to contact them, with consent
- request to be involved in local authority pathway planning for the young adult and include this in their community sentence plan
- require local champions for care experience to keep in touch with local authority leaving care services and act as a single point of contact
- ensure that all probation practitioners know that care experienced champions can advise on all statutory matters
- ensure that care experienced people are aware of the support available and their legal entitlements and can access them

- ensure that the local authority is aware of the community sentence and works closely with probation to assist in the enforcement of requirements
- if the person is recalled to prison, liaise closely with their Prison Offender Manager. Probation can establish contact, if needed

“My 16 plus worker is like my mum. I am still in contact with her. Hugs when I’ve done well, lectures when I’ve done something wrong... I wish I didn’t have her as a social worker, I wish she was my friend”

Coram Voice – Rapid Review

What local authorities can do

- extend the support of a PA for all those in prison / leaving prison to age 25 - this is important for those preparing to leave prison
- regularly check in with the young person to see if they need support, especially when they are leaving prison or resettling into the community
- hold prompt pathway planning meetings and discuss prison plans - allow probation practitioners to contribute to pathway planning during resettlement
- participate fully in community sentence planning and encourage the person to comply with probation’s requirements
- maintain support and communication while the young person is in prison and upon release
- ensure those in custody or under community supervision have a copy of the local offer and are aware of their entitlements and the support available – make paper copies available to prisons
- if support ends while the young person is in custody, consider visiting rather than sending a ‘closure letter’
- if support ends while the young person is in the community, inform their probation practitioner, as their sentence plan may need to be altered

Resources

- Details of the arrangements for **extended support** can be found [Extending Personal Adviser support to all care leavers to age 25 \(GOV.UK\)](#)
- Details of each **local authority’s local offer** and **contact points for local authorities** can be found at [Care Leaver Local Offer: Home \(careleaveroffer.co.uk\)](#)

- [Annex G](#) sets out **statutory support** for care leavers who have been identified as former relevant children
- [Probation Service Management of Young Adults Policy Framework - GOV.UK](#)

3. Maintaining contact

“Visits give you a connection to the outside world. There is no escape otherwise” Lord Farmer Review

Personal Advisors (PAs) have a statutory responsibility to visit or contact their young adult on a regular basis in the community. They should also visit them in prison on a regular basis. This pattern of visits should be agreed in the pathway plan, up until the age of 21. If the young person asks for support after age 21, contact arrangements should be agreed between the PA and young person, according to need. It is important that prisons can support these visits.

Often it may be that their PA is the only person who does visit them.

A prison visits protocol which allows for these visits is being developed which encourages PAs to visit as a domestic as well as a professional visitor and to use video calling to stay in contact.

Information for local authorities about visiting people in prison and alternative methods of contacting their young adult can be found at [Annex E](#).

Care experienced young adults said:

- speaking to their PA was sometimes the only contact they had with the world outside
- that for some, this was the only person they had
- they might need some help to rebuild their relationship with their PA
- because they could only use the phone in the evenings and weekends, it was hard to speak to their PA
- seeing their PA on a domestic visit felt more normal, they were not found by others as someone who had no visits, and they could have a ‘cup of tea and a Kit Kat’
- a letter or a birthday card could make all the difference
- they may not have enough money to telephone their PA
- that they did not deserve PA support as they were in prison

What prisons can do

- allow PAs to visit through domestic visits if requested or in another area of the prison (some prisons support PAs to see their young adult on the wing or in OMU)
- use governor discretion to allow a PA to visit without a visiting order (VO) in a domestic setting
- allow use of digital technology: for example, if the young adult is in a prison some distance away. This is particularly important for women, who are more likely to be some distance from home.

- take the location of the home local authority into account when transferring between prisons
- inform the PA at the earliest opportunity if their young person has moved prisons
- allow the young adult to make a call to their PA during the core day
- ensure the PAs contact number is added to the young person's telephone PIN account
- enable regular calls to the PA if the young adult does not have the funds to pay for it themselves
- with consent, invite PAs to family days, celebration events, sentence planning meetings, etc.
- with consent and as appropriate invite PAs to ACCT reviews

“I’m just so happy to see someone! I can’t stop smiling when my social worker is here because I don’t get any other visits and it’s just nice to keep in touch with the outside world”

Coram Voice – Rapid Review

What probation can do

- contribute to the pathway plan with the person's consent
- inform the PA if they have been recalled to prison or had their order enforced through the courts
- inform the PA if the person has been reallocated to a different probation practitioner
- regularly check that the person has the contact details of their PA in case they have changed their mobile phone or lost access to email accounts
- arrange phone calls with the PA in office if the person does not have the funds to pay for a call

“I haven’t had any [visits]. I would like to see [my social worker] because I would like to be kept up to date with what’s going on outside. I don’t know what is happening”

What local authorities can do

- ensure contact is supported while the person is in custody or under community supervision
- send money to their young adult in prison to add to their PIN account so they can make calls
- arrange suitable times for their young adult to call them with the prison
- use other methods of contact while in custody (email a prisoner, prisoner voicemail)
- if contact is lost in the community, inform the probation practitioner or local probation delivery unit as they may be able to put the person back in touch
- consider supplying a mobile phone upon release

Resources

Information and suggestions of how prisons might want to include maintaining contact with PAs as part of their Families and Significant Others Strategy can be found in the Course: Care experienced Young Adults (My Learning) for Civil Service staff.

4. Sentence planning, resettlement planning and pathway planning

Prisons create sentence plans to structure someone's activities during their time in custody. Before release, and in line with Offender Management in Custody (OMiC) guidance, a resettlement plan will be drawn up to help prepare the young adult for release.

Local authorities are responsible for drawing up a pathway plan with the same young person. This sets out what aspirations the young adult has and what support they need. The pathway plan is reviewed when a significant event happens, including going to prison.

These plans tend to be made separately and could result in two separate plans with different instructions. Important aspects of support could be missed as each organisation assumes the other is providing it. It can involve the young person repeating their story, which could be traumatising.

There is a project running currently to look at how pathway planning and sentence planning can be done in a more collaborative way. In the meantime, it is good practice for the prison offender manager to collaborate with the PA and community offender manager/probation practitioner and to hold joint meetings to coordinate sentence planning with pathway planning.

People on remand will not have a sentence plan, but those eligible for local authority support may still have a pathway plan. So, it is important that PAs for people on remand are involved as well.

Care experienced people said:

- they had to repeat their story many times to different people - this could be difficult for them, particularly if they had been subjected to trauma
- they were so fed up with telling their story, they started to make details up or change things
- they were unclear of the roles of the different professionals they encountered and who was responsible for which part of their care and support
- it is important that they are they want to be involved in decisions made about them
- transitioning from the Youth Custody Estate to prison can be particularly difficult

What prisons can do

- ensure PAs are aware of useful dates in their young adult's sentence – particularly release dates and significant events (consent required)
- inform the PA if the young adult moves prisons
- invite PAs to attend / contribute to sentence planning meetings

- Request to see the pathway plan to help inform support and planning during custody
- support opportunities for personal PAs to be involved in resettlement planning
- ensure PAs are involved in transition planning from YCS (Youth Custody Service) to mainstream prison estate
- ensure include the person in and inform them of any decisions made about them
- share details of sentence plan targets / activities (with consent)
- facilitate contact / visits by PA for those on remand so pathway plans can be completed, and support maintained

What probation can do

- the person's probation practitioner should introduce themselves before they leave prison
- involve the prison offender manager and local authority PA in all release and resettlement plans, as well as transition from the Youth Custody Service
- invite the PA to attend/contribute to community sentence planning meetings

What local authorities can do

- go to sentence/resettlement planning meetings prison and probation invite you to
- share pathway plans and allow prisons and probation to contribute, with the consent
- hold a pathway review meeting prior to release, ideally jointly with prison pre-release meeting
- enhance support for those transitioning from youth custody to mainstream adult prisons, particularly if it also coincides with transitioning from being in care to leaving care

Local authority statutory support should be available in the community, as well as access to local offers for care leavers.

Resources

Prison and probation practitioners should refer to the Care Leavers Process Maps on Equip.

“The joining up of sentencing and leaving care plans by prison staff and leaving care workers could also create clearer pathways to desistance through fostering communication between agencies and more effective joint working to support [care experienced people]”

Fitzpatrick et al (2022)

5. Financial support

People in prison can earn a small amount of money if they work, learn, and do other activities in prison.

Family and friends can also send money in. This money pays for 'extras' through the prison shop, for example: toiletries, sweets, snacks, vaping accessories, or to order books, clothes, trainers or CD's. Black young people can buy specialist skin and hair care products. The money can also be added to their PIN phone account so they can make calls to people outside the prison.

Women who are pregnant or living on a Mother and Baby Unit will be supported if they are experiencing financial hardship, have no access to other funds and need pregnancy related or perinatal items.

If care experienced young people have no family to send them money, they can't buy anything in prison. It makes them vulnerable to exploitation, for example bullying or getting into debt.

Some local authorities send their young people an allowance while they are in prison. However, this is inconsistent across local authorities and can be confusing to those who do not receive anything.

Due to changes in the process to send money to those in prisons, some local authorities have faced obstacles when trying to send money to their young person. For more information on exemption from this please refer to [Apply for an exemption to send money to someone in prison \(GOV.UK\)](#)

In the community, care experienced people who are living in supported accommodation, semi-independently or independently need financial support to pay for everyday essentials and bills. They may need extra support to understand money and budgeting.

Many care experienced people do not have official identification documents or address histories to open current and savings accounts with. Others may have lost access to bank accounts or their paperwork.

Care experienced people might need extra support to work out what they are entitled to and how to apply for it.

Those with care experience said

- they often struggle without money while they are in prison
- they may feel abandoned when their local authority does not provide financial or other support
- they do not know what financial support they are entitled to in the community and need advice and assistance

Any young person who was looked after for more than 12 months will have a junior individual savings account (Junior ISA). These are administered by The

Share Foundation with a £200 deposit from the government. Money is usually added by the local authority, who should make this money available when needed.

The Basic Income Pilot for care experienced people under the care of Welsh local authorities may provide an additional allowance of £1,600 (pre-tax) per month for 24 months once a young person has turned 18. The following caveats apply:

Those currently serving a custodial sentence who would otherwise be suitable for the Basic Income Pilot will not be eligible for it until the month after they are released from custody, if this is within the opening 12-month timeframe for general pilot eligibility. They will then receive whatever number of months would be remaining should they have entered at 18.

Anyone receiving a custodial sentence while participating in the pilot will have their payments suspended from the month that they enter custody. Should a young person's period in custody end while the pilot is still running, they can re-enter the pilot to receive the remaining months from their original 24-month allocation.

What prisons can do

- ensure requests for exemption to send money to a person in prison from local authorities are approved
- Business Hubs need to be aware of requests for exemption
- wherever possible, support people to open bank accounts and obtain ID through employment hubs
- ensure eligible care experienced people can access their financial entitlements, referring to advocacy services if necessary (See [Annex K – Advocacy Services](#))
- refer the person to education courses which focus on money management

What can probation do

- encourage people on probation to access their legal entitlements and statutory benefits
- provide advice on how to get official identification documentation to open bank accounts and apply for work with
- recommend Education, Training and Employment (ETE) offers that aid in the development of financial literacy and self-management
- link in with the Department for Education services for care leavers

What local authorities can do

- send a regular allowance to their young people in prison
- ensure their young people can get proper clothing, and items related to faith and beliefs or physical care etc
- ensure that they have access to their legal entitlements and statutory benefits
- ensure that financial arrangements are outlined in the Pathway plan
- ensure money from Junior ISA is available when needed

Resources

- The following link to the Become website provides advice and potential sources of financial support for those who have left care [Cost of Living – Become \(becomecharity.org.uk\)](#)

6. Clothing, footwear and possessions

People in prison on remand are allowed to wear their own clothes, as are women, some of those under 18 and those at specified levels of privilege. Generally, people in prison can wear their own shoes and underwear.

These items can be purchased through mail order catalogues or sent in by family or friends, dependent on local arrangements.

Some items of clothing appear to be more important for specific groups within prison. For example, trainers for young men and underwear, pyjamas and slippers for women.

Pregnant women experiencing financial hardship will have support in accessing maternity clothing.

Clothing for release is particularly important. Young adults serving longer sentences are likely to have grown out of the clothes they came to prison in. If they came to prison in the summer, they are unlikely to have a winter coat for a release in the winter.

Those with care experience in prison have said

- they are often moved without warning and without possessions and must start from scratch - this is often replicated in prison
- clothes parcels sent in by their PA may be stopped by the prison
- they tend to lose possessions and clothes during prison sentence so have nothing on release
- clothes are too small or worn, so help to get clothes would be good
- pyjamas, slippers and underwear can make a big difference (women's prison)

What prisons can do

- ensure clothes sent in by PAs are approved for issue
- make underwear available and affordable for women in prison and ensure pregnant women have suitable maternity clothing
- provide clothing prior to release, as necessary

What probation can do

- encourage the person to purchase clothing to improve self-esteem and the development of a personal identity, if funds allow
- people who claim Universal Credit can discuss clothing for interviews with their Jobcentre Plus work coach using Jobcentre Flexible Support Funds

What local authorities can do

- ensure adequate clothing, or sufficient money to buy clothes, is available
- consider a clothing grant for release

7. Release and resettlement back to the community

Preparing for release can be a frightening and unsettling time. It may be that someone has left care while they have been in prison so returning to their earlier placement or foster family may no longer be an option.

Often, they will have no settled accommodation to return to, have lost any possessions they may have had and lack practical and emotional support in the community. They may be re-traumatised or struggle with yet another transition. If they do have somewhere to live, it may be the first time they have lived independently.

Statutory support to help people resettle into the community is not available for those who turned 25 in prison or are over 25, although some local authorities are saving leaving care grants for when their young adult is released.

Those with care experience tell us

- they need a safe space to return to in the community
- hostels lack privacy, are often too far from home and are traumatising as they are a reminder of other institutions (children's homes, prisons)
- accommodation is a priority as they do not feel ready for therapy until after they have settled
- safe accommodation and education, training and employment support is what they would like probation and local authorities to help them with
- they would appreciate being met from prison and given support to settle back into the community - even a phone number to call would help
- they do not feel prepared for independence
- they need to learn life skills - how to feed themselves, how to budget for and pay bills, how to look after their family
- they would like support to re-establish contact / build relationships with family and friends
- they get 'bounced around' the education system which affects their ability to get a job
- there should be an enhanced offer for education, health, employment, accommodation etc. for those over 25 to compensate on the impact of care earlier in life
- you should still get your leaving care grant regardless of the age you are when you leave prison
- allow care leavers the opportunity to be more flexible when bidding for housing - higher band if you are a care leaver regardless of age
- access to websites to prepare for release
- many struggle to get identification documents

What prisons can do

- help ensure robust resettlement planning is in place, making every effort to identify settled, safe and appropriate accommodation as early as possible
- plan collaboratively with local authorities, probation, health services and other relevant agencies
- use the duty to refer procedures if the young person may be homeless in 56 days
- consider the use of ROTL (Release on Temporary Licence) or virtual viewings so young people can see where they might be living and attend assessments/interviews for supported housing or with a registered provider
- give the care experienced person access to the Employment Hub to assist in preparing / supporting them into employment on release
- make them aware of the support organisations available in prison and in the community - including those who are over the age of 25
- provide details of support in the discharge information ([Annex J](#))
- consider referrals to any tenancy, employability, practical skills courses / activities which may support their preparation for independence upon release
- consider what can be offered as part of Structured On Wing / Tier 2 Activities ([see glossary at Annex A](#)) to help preparation for release – even something as simple as learning to iron or other basic life skills
- ensure they have identification and a bank account prior to being released
- avoid Friday releases if possible
- ensure the PA is made aware of release date and any changes to it (with young adults' consent) and facilitate contact with their young person

“How do you pay for water? I have no clue”

(Young Adult, HMYOI (His Majesty s Young Offenders Institution) Deerbolt)

What probation can do

- recognise that resettlement is a vulnerable period for a care experienced person, filled with uncertainty, new responsibilities, and new authority figures
- work closely and collaboratively on resettlement planning with prisons, local authorities, health services, and other relevant agencies
- trigger duty to refer procedures if the someone may be homeless on release
- avoid placing care leavers in Approved Premises where possible
- make routine enquiries with the person on the safety and suitability of their accommodation and offer advice and support, offering to liaise with local authorities where necessary

- make the young person aware of the support organisations available to them in the community
- ensure that young adult women are aware of women’s centres, which aim to offer a safe space to support transition and to address certain practical needs
- encourage the person to re-establish or keep supportive relationships for example with family, former foster carers
- remind care leavers to request their setting up home grant from their local authority

What local authorities can do

- extend the setting up home grant for those over 25, who have reached their 25 birthday in prison and need that support
- attend / be involved in HMPPS (Her Majesty’s Prison and Probation Service) pre-release meetings, as recommended in the Children Act 1989 (Volume 3) guidance 6.41
- support finding suitable accommodation early to avoid homelessness, including referrals access to floating or tenancy support to help sustain the tenancy
- meet the young person from prison on the day of release if requested
- increase frequency of contact leading up to and in the weeks after release
- complete a digital needs assessment with the young person prior to their release and arrange access to a digital device, free connectivity, and digital support
- incorporate the community sentence plan into the pathway plan
- in collaboration with probation and prisons, and ideally no later than 14 days before release, a care leaver should know:
 - who is collecting them
 - where they will be living
 - reporting arrangements
 - sources of support – including out of hours
 - arrangements for education or employment
 - arrangements for meeting continuing health needs
 - arrangements for financial support
 - when they can expect to see their PA
 - roles and responsibilities of probation and leaving care teams

“At 18 I left foster care I had my own flat. I did not know too much how to run it – how to cook, how to clean”

(Care experienced person HMP (HM Prison), Brixton)

Resources

- there are [third sector organisations \(see Annex J\)](#) who can support those with care experience, regardless of their age
- the guidance documents around resettlement from prison, and the care system produced by the **Young Justice Advisors** are also helpful for care experienced young adults [Resources – Young Justice Advisors](#)
- for further information about **housing and preventing homelessness** please refer to:

[Joint housing protocols for care leavers: good practice advice \(GOV.UK\)](#)

[Homelessness duty to refer guide \(GOV.UK\)](#)

For information about offers provided for care leavers through the **Care Leavers Covenant** please go to: [Care Leaver Opportunities - Care Leaver Covenant \(mycovenant.org.uk\)](#)

8. Additional considerations

“Those with experience of the care system are more likely to have experienced significant trauma and abuse and other disadvantage that can put them more at risk of violence, self-harm and suicide when in prison. Many also have experiences of being failed by their corporate parents and can come to prison feeling extremely isolated and angry.” Lord Farmer

Many children (66%) are taken into care due to experiencing abuse or neglect ([Children looked after in England including adoptions, Reporting Year 2021 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](#)). Other reasons for being looked after as a child include bereavement, family breakdown or dysfunction. Some may have experienced multiple placements and transitions during their time in care which may have impacted on their education, friendships, family relationships, self-esteem, and sense of who they are.

It is important that we recognise, understand, and appreciate these experiences and how they may continue to impact throughout a person’s life. In particular the impact of adverse experiences, both in childhood and adulthood, and how we can minimise this and support people.

Care experienced people in prison told us

- what is said during induction is important – it is no good just saying support is available and leaving it at that
- often they are keen to access their social care files but need support to do so
- peer support groups were powerful and helpful to connect with others who shared their experiences
- people who have had this experience are best placed to help others
- they sometimes think they do not deserve the support available so do not take up any offers
- they valued consistency, honesty and transparency
- they may not have been able to learn at school, so value opportunities to change that
- they may have had many transitions and changes throughout their lives and further transition can be difficult
- while they may show immense resilience to get through ‘the here and now,’ resilience to focus on the future may be much harder

What prisons can do

- appoint a member of the senior management team as a lead for care experienced people
- recruit champions to support this work amongst the staffing group
- avoid assumptions that care experienced people can identify themselves or engage with any bespoke support systems – this might take time or not happen at all
- follow up conversations regarding care experience

- induction processes can be overwhelming, and it can take a while to absorb the environment and feel able to talk about personal circumstances like care experience
- consider gender-specific impacts, for example women who are pregnant or mothers
- allow contact to support organisations for advice and support ([See Annex J](#))
- ensure procedures are in place for requesting access to social care files ([See Annex H](#))
- consider introducing peer support (as a paid role)
- consider setting up forums for care experienced people to meet and support one another
- invite representatives from the local authorities to these forums
- have specialist and consistent key workers for those with care experience
- have prison wide champions for this group amongst the staff
- minimise the number of transfers between prisons and other movement for example wing moves, wherever possible
- offer support and acknowledge someone may revert to coping behaviour to get them through change (for example, outbursts, self-harm, drug use)
- recognise that family may look very different for this group and ensure Families and Significant Others Strategy allows for this (See for suggestions [Course: Care experienced Young Adults \(My Learning\)](#) (Civil service staff))
- recognise that some times of year may be more painful for them, for example Christmas and put on specific events
- ensure care experienced people have access to advocacy services when required ([See Annex K](#))
- consider how safety teams and psychology teams can support those with care experience
- use Choices and Changes package as appropriate
- use a trauma informed approach, recognising the experiences the person you are working with may have had and the impact on them
- consider care experience as a ‘protected characteristic’
- signpost to activities which may help redress some of the disadvantages they experienced earlier in life, for example Shannon Trust ([See Annex L](#))
- think about how SOWA (Structured On Wing Activities) / Tier 2 Activities may benefit people with care experience

“Care Leavers are more likely to have experienced significant trauma and abuse and other disadvantages that can put them more at risk of violence, self-harm and suicide when in prison. Many come to prison feeling extremely isolated and angry”

Care Leavers Association – “Effectively Abandoned”

What can probation do

- act on the knowledge that a person on probation has care experience
- probation practitioners should develop a relationship with the person that is based on action, support and consent
- recognise that care experience can have wide-ranging and lifelong impacts on many areas of life, not just offending behaviour and engagement with probation
- support care experienced people to access social care files and help in interpretation
- consider introducing care experienced peer supporters in the community
- consider offering ring-fenced employment opportunities within probation to care experienced people
- appoint care experience champions so that probation practitioners have a single point of contact for all matters concerning care experience
- appoint regional champions for care experience to direct care experience support and engagement work in their probation region
- expand regional care experience networks to include representatives from prisons, local authorities, and other external stakeholders with interests in improving outcomes for care experienced people
- minimise the reallocation of care experienced cases between probation practitioners
- improve the official recording of care experienced within probation case management systems to improve local planning and regional commissioning of services
- ensure care experienced people have access to advocacy services when required ([See Annex K](#))

What can local authorities do

- include and make specific reference to responding to the needs of those in contact with the criminal justice system within the local offer
- include those in prison and on probation in initiatives wherever possible, for example: awards, recognition, competitions, opportunities
- attend prison and probation forums
- support the process of accessing files if requested, including removing barriers to Subject Access Requests for Care Leavers (for example charging for information retrieval)
- provide support to build relationships with family and friends
- referral to Adult Services as appropriate
- supply quick response to requests for information from prison and probation, once consent has been received

Resources

- [Guidance to support care experienced people accessing their social care files can be found at Annex H](#) and, through the Care Leavers Association [Accessing your file – The Care Leavers Association](#)
- Assistance in accessing **advocacy** can be found at [Annex H](#) and here - [Home Page – Coram Voice](#)

“I have never been able to trust anybody, because I have been moved about so much. I have never really had that type of bond with my mam or any of my foster carers or anything like that, to be able to open up and speak to them and trust them. I’ve put trust in people before and they’ve just let me down because I have been moved about so much, so, my wee motto is: don’t trust nobody but yourself, and in that way you can’t go wrong. If you don’t need to trust anybody, nothing’s going to go wrong, and you can’t get hurt.”

Coram Voice – Rapid Review

“We may need to work harder to help our care leavers form relationships and to form relationships with them ourselves”

Wolverhampton Corporate Parenting Council

9. Additional considerations for care experienced women

Research shows there are certain factors which need to be recognised when supporting women with care experience.

Women are more likely to be in custody further away from home. So, there is an even bigger need for their transition back to the community to be smooth. Transport and accommodation should be in place and time allowed to get home for appointments.

Fitzpatrick et al (2019) found “adversity may have a greater impact on both care and justice experience for girls and women than for boys and men.” (p3)

Their evidence shows increased level of sexual abuse and exploitation as well as mental ill health and extreme and complex trauma (p9, p12). This group of people appear more likely to be repeat offenders and return to prison because of the lack of support (p3).

Findings also suggest that some of these women will use self-harm to communicate their suffering or alleviate pain (Fitzpatrick et al 2022).

Accessing social care files also appears to be more important for women (Gooch et al, 2022).

In addition to many of the things men in prison told us, women in prison also told us:

- there is too much push towards education and training – they need to address trauma first
- they wanted help to work through trauma and impact, for example: abuse, domestic violence, children going into care, offence, addiction, readjusting to society, children moving on while they are in prison
- they wanted help to be good mothers so that their children could stay with them – for example, they would like help to know how to put nutritious meals together for children
- rebuilding relationships can be hard
- they need a ‘safe space’ to live when they return to the community - often hostels afford no privacy or are far away from their families
- some feel safer in prison
- essentials and treats make an enormous difference - having underwear, pyjamas, slippers etc. meant a lot
- possessions and clothes tend to be lost during their prison sentence so they have nothing on release - their clothes could be too small or worn
- facilities to support one another were important
- many younger women valued the support and mentoring of the older women and peer support was seen as important

- there was a need for help, advice and support if their own children were going into care
- some had a belief that they do not deserve help – and so refused it when it was offered
- many spoke of wanting counselling, therapy and other support with mental health
- feelings included hopelessness, being let down or that nobody loves them
- some talk about dependency on relationships which are not always positive – and the need for support to break away from them
- they may not say they have children as do not want them taken into care
- there is fear that if they say they are care leavers their children will be taken away
- if you have been in prison since you were a girl, you have not had the opportunity to develop and mature

“My experience of the care system terrified the life out of me for my son”

Kerryann (Fitzpatrick et al, 2022)

What prisons can do

- take a trauma-informed and trauma-responsive approach
- foster a safe space for women to talk about their experiences
- ensure there is a single point of contact to support women with care experience
- set up forums or peer support groups for women with care experience
- consider arts-based activities which focus on identity, confidence and life stories, for example ‘Dream Boxes’
- invite positive role models with similar experiences to speak to the women
- provide practical and emotional advice and support for women whose children are in contact with the care system, or who may be pregnant or on a mother and baby unit and care may be considered as an option for their child.
- recognise that this group may benefit to a higher degree from parenting / motherhood courses
- ensure the women who are not able to access clothes, particularly underwear, from any other sources are not disadvantaged and are provided with appropriate clothing, whether that is by the prison or facilitated from the local authority
- ensure interventions to improve self-esteem, overcome trauma and build resilience are available
- engage with, and provide support for, women who self-harm
- ensure support supplied takes account of specific cultural or faith needs, which can be found by asking the someone what would help them

- ensure support supplied takes account of specific health needs such as pregnancy or perinatal care, by asking someone what would help them
- use ROTL (Release on Temporary Licence) where appropriate to rebuild ties with those who are important to them

“I found a group of individuals where it was not just me. These problems were not just my problems, and they were not a struggle I was facing by myself. And not just that, there were care leavers that were...in a worse position than me and it was something that I just didn’t want to continue to happen”

Lucy (Fitzpatrick et al, 2022) speaking about her work to engage and support other care experienced women.

What can probation do

- take a trauma-informed and trauma-responsive approach to working with women based on trust and empowerment, ensuring that safety needs are addressed, skills are developed and consolidated, and ties to the community are increased
- engage early with women in custody ahead of release to build up trusting relationships and connectivity to the community
- ask women if they would prefer to work with a female probation practitioner, be interviewed in a female-only environment, and if they would prefer not to be placed in an all-male working environment as part of an unpaid work or attendance centre requirement
- women are given help and support to maintain family ties, where appropriate
- the needs of pregnant women and women who have given birth are assessed and addressed
- ensure that women who are separated or who are separating from their children (including through fostering and adoption) are given appropriate support, including those experiencing loss and bereavement. Recognise that this may be re-traumatising for women who have experienced care.
- ensure that women are not disproportionately disadvantaged or unable to access services due to care experience, childcare issues or personal circumstances
- ensure that women are offered the option of not being placed in an all-male environment as part of unpaid work

What can local authorities do

- ensure adequate clothing is provided
- ensure safeguards are in place against period poverty
- take a proactive approach in maintaining contact with children and other significant people for example siblings, as appropriate
- in liaison with the Probation Service, support women to be accommodated safely and appropriately on release, including with sufficient space for women to be reunited with their children – where relevant.
- guard against negative judgements of care-experienced women and mothers who have left prison

Resources

- The Young Justice Advisors have produced a support booklet for girls transitioning to the adult prison system. It can be found at [Resources – Young Justice Advisors](#)
- [Resources from the Disrupting the Routes between Care and Custody for Girls and Women research](#)
- The Centre for Child and Family Justice Research have produced a [Vulnerable Birth Mothers and Recurrent Care Proceedings video](#)

9. Additional considerations for foreign national offenders with care experience

Foreign National Offenders (FNOs) make up 12% of the prison population, covering 168 nationalities and can be found in every region and establishment.

A FNO is someone who has not got British citizenship. This includes people with indefinite leave to remain or refugee status.

FNOs may also be care experienced, as they either came to the UK as unaccompanied asylum-seeking children (UASC) or have been resident in the United Kingdom for a considerable period.

There are multiple possible outcomes for an FNO in custody:

- they are deported straight from prison, potentially up to 12+ months prior to their conditional release date (if removed through the Early Removal Scheme or Facilitated Returns Scheme)
- they are sent to an Immigration Removal Centre (IRC) at the end of their sentence and are then deported from the IRC
- they are sent to an Immigration Removal Centre (IRC) at the end of their sentence and are then released into the UK community either because the Home Office do not seek deportation, or because deportation is not imminent
- they could be repatriated to their country of origin on a prison transfer agreement. This can occur at any point up until 6 months before the end of the custodial element of their sentence provided there is an active agreement with that country
- they are released into the UK directly from prison, either because the Home Office do not seek deportation, or because deportation is not imminent

Deportation is not always the immediate outcome for these cases. HMPPS and local authorities working with care experienced FNOs should seek to manage both the potential for the FNO to be deported to their home country, as well as consider their potential release into the UK community.

Deportation can often happen very quickly and suddenly. It may be that PAs are not made aware of it promptly. It is important to remember they may have important documents the young person might need, and some local authorities have useful information packs about support available in the country they are going to. The PA may have formed a relationship with the young person over many years, so it is also important they can say goodbye.

What can prison do

- when an FNO enters custody, it is important not to make assumptions about their status, journey or situation
- be enquiring and mindful that an FNO could also be care experienced
- their journey into care could be complex due to their passage into the UK
- take a compassionate approach to exploring the FNO's history, staying mindful of trauma associated with their FNO history and care journey
- Prison Offender Managers (POMs) should contact the leaving care team where the FNO lived before prison
- POMs should continue to keep the PA updated on any changes, particularly relating to their deportation status
- the PA should be encouraged to keep contact and may be able to support the FNO through their sentence and release planning.
- facilitate contact between the young person and PA prior to deportation
- other prison staff i.e. keyworkers and prison officers – liaise with the Offender Management Unit, particularly the Prison Offender Manager, to let them know of FNO status. It may also be beneficial to discuss with the Safer Custody team, especially if there are any safeguarding concerns.
- update the Home Office of any pertinent vulnerabilities that may affect their immigration journey including pregnancy.
- remain mindful of the intersectionality between unaccompanied children and modern day slavery and ensure that social care professionals are aware of the national referral mechanism and the additional support available for potential modern slavery victims. Please see the [FNO Information Hub \(HMPPS intranet\)](#) for more detailed information

What can probation do

- do FNO e-learning and sign up to the CPD offer of the FNO Coordination Hub (PSFNOCoordinationHub@justice.gov.uk)
- make regular contact with the Home Office case owner
- consider liaison with local FNO semi-specialist practitioners when undertaking reviews of Youth Justice Service transition cases
- while 'no recourse to public funds' can limit access to certain provisions, Commissioned Rehabilitative Services can receive referrals for FNOs regardless of status
- be aware that Home Office funded accommodation provision is sparse and any unsuitability assessment should be able to withstand legal scrutiny
- do not allow the immigration status of a care experienced person to become the focus of the relationship - acknowledge its significance and continue to build protective factors in line with the '4 Pillars' approach - [Risk of Serious Harm Guidance 2020, v2 \(GOV.UK\)](#)
- have discussions about the FNOs experience of care and facilitate contact with leaving care services, with permission
- remain mindful of the intersectionality between unaccompanied children and modern-day slavery and ensure that social care professionals are national

referral mechanism trained. Please see the [FNO Information Hub – HMPPS Intranet](#) for more detailed information.

What local authorities can do

- consider FNO status as an added vulnerability
- consider including a mandatory nationality field in data systems to show all children in care and care leavers affected by immigration control and obtain any available documentation
- incorporate nationality and immigration needs within all care and pathway plans for children and young people
- produce a triple pathway plan which shows the support offered if the young adult receives permission to remain while their claim is being processed and if they are refused, that appeal rights are exhausted
- consider training social care professionals in the identification of immigration issues
- seek guidance when unsure about eligibility of FNOs for 'local offer' provisions – do not assume zero provision
- the immigration journey is complex and many FNOs are not able to fully understand their status and associated rights
- before deciding to withdraw support, ensure that a human rights assessment has taken place and that the care experienced person is fully empowered to understand the implications of such an assessment
- supply or signpost to legal advice
- remain mindful of the intersectionality between unaccompanied children and modern-day slavery, and ensure that social care professionals are national referral mechanism trained

Resources

- Further information about Foreign National Offenders [Foreign national offenders - HMPPS intranet](#)
- [Risk of Serious Harm Guidance March 2022.pdf \(GOV.UK\)](#)

9. Additional considerations for care experienced people over 25

The experiences we have as children and young adults, which shape who we are and how we think and behave, affect us throughout our lives. They do not stop doing this just because we reach a certain age. Most support for people with care experience will end when they reach 25, but it is important to continue to consider how we can improve outcomes for this group, regardless of their age.

The statutory support for eligible care experienced people may also cease while they are in custody or on probation. This should be recognised and additional support put in place during this transition.

Older care experienced people told us:

- they often felt abandoned when they get to 25, mirroring early life experience
- some had applied for and subsequently received their case files from their local authority, others were still waiting to receive them, and some did not know they were available to access
- some told of the fear they felt in turning 25 and losing access to support. Some worried about their lack of practical skills and knowledge that were deemed to be important on release
- others were distressed at losing their personal advisor whom they trusted and could confide in
- peer support was highly valued
- there was often a desire to help other people with similar experiences
- one person said: "I left everything too late, I don't want that to happen for them," referring to addressing his traumas and his missed entitlements prior to turning 25. He was keen to advise and support others
- some who had not been in touch with their biological family since entering the care system as a child expressed interest in seeking contact with them. Reasons for this included wanting to explore their identity and background, which they knew little about, and wanting to find information for their unanswered questions regarding their reasons for entering care
- for some, the trauma they experienced in their childhood was still very evident later in life

Prisons can do the following:

- ensure your establishment strategy is inclusive of all care experienced people, regardless of age and eligibility status
- introduce peer mentoring support for all care experienced people regardless of their age. Older people can support and assist the younger ones and help them to navigate the transition at 25

- establish and incorporate ‘Trigger Training’ for officers to improve the trauma-informed environment and increase understanding of certain behaviours and how best to respond to those
- collaborate with third sector organisations to enable support for older care experienced people. Advertise this support ([See Annex J](#))
- create leaflets with details of existing contacts or organisations in the local area and direct care experienced people to them during custody and upon release
- support someone to re-establish proper ties with family and others who are important to them
- acknowledge the importance of non-parental role models such as foster families, friends, sports coaches and teachers in rehabilitation and increase their involvement in processes and sentence plans. (For example, invite a care experienced person’s role model in to celebrate educational achievements, support them through receiving their case file, or attend their other reviews)
- allow people to declare their own ‘family’ ties where these may differ to societal norms
- change criteria around what ‘family’ means in prison to prevent restrictions on visits and with attending funerals, for example
- use the same consideration as you would with protected characteristics to ensure any disadvantages which may have occurred because of their care experience is addressed
- check if the relevant local authority has a post-25 local offer for their care leavers as some Leaving Care Teams have, or are, developing this. You can [use the local offer comparator tool](#).

What probation can do

- remember that experience of care can have lifelong impacts. This can include trauma; lack of maturity to make good choices; lack of support from friends or family; difficulties in forming and maintaining relationships; difficulties in securing suitable accommodation, employment, training, and education; increased risk of mental health problems; and problems with self-management, resilience and problem-solving
- be aware that lifelong impacts may affect someone’s ability and motivation to engage with the sentence or probation practitioner
- consider the use of peer mentors to help care experienced people, allocating mentors with care experience, where possible
- maintain a trauma-informed and trauma-responsive approach with care experienced people, regardless of age
- local Care Experienced Champions should form relationships with third sector and support organisations to ensure that care experienced people over 25 years old can access additional help in the community with the least possible delay

- liaise closely with the Prison Offender Manager initiating resettlement to establish/ensure that third sector support received in custody can be continued and maintained in the community
- support people to form and keep pro-social relationships, including the re-establishment of family ties (incorporating custody work in this area), and considering interventions/approved probation practitioner toolkits that promote the establishment of healthy relationships
- ensure that significant personal relationships are recorded on nDelius/OASys

What local authorities can do

- ensure access to records is straightforward and obstacles removed
- ensure people are prepared and supported through transition post 25
- provide a list of local resources and available support

Resources

The Care Leavers Association and the Rees Foundation provide support for all care experienced people regardless of their age. Further information can be found at their websites:

- [Care Leavers Association](#)
- [Rees Foundation – The Rees Foundation | Life-long support for care leavers](#)
- [Information on Triggers and trauma in relation to suicide and self-harm](#) (HMPPS Staff)

10. Additional considerations for those in contact with Youth Custody Service/Youth Justice Service

Most of the children who are under 18 and care experienced will still be formally 'Looked After' under the Children Act 1989. Those who are the subjects of a Care Order (Section 31 of the Act) are 'Looked After' unless the Family Proceedings Court discharges the Order or until they reach their 18th birthday, when they legally become a 'Care Leaver'.

Some children who either were in care under Section 20 of the Children Act prior to their custody experience or who were 'Looked After' because of their remand (Section 104 of the Legal Aid Sentencing and Punishment of Offenders Act 2012) will technically be care leavers before their 18th birthday. For guidance see [Annex B](#), though if in doubt, local authorities should respond to a request for clarification and evidence of status.

Many children enter the care system for a wide range of reasons. These include abuse, neglect, exploitation, bereavement, witnessing domestic abuse and poor parental wellbeing. This means that they may still be living the trauma that brought them into care and may not have had good quality care to help them heal.

Children with care experience will often struggle to trust adults and professionals and may develop dysfunctional coping strategies.

It is important to move away from treating transition from youth custody / justice to the adult system and leaving care as a purely procedural task. Many young people moving out of the youth justice system may also be leaving care at the same time, so this transition can be even more unsettling.

It is essential to understand the enormous changes they may be facing and provide support and develop relationships through this potentially unsettling period.

What prisons can do

- ensure that resettlement practitioners hold local authorities to account for meeting children's needs in accordance with [The Care Planning, Placement and Case Review \(England\) Regulations 2010 \(legislation.gov.uk\)](#) and [The Care Planning, Placement and Case Review \(Wales\) Regulations 2015 \(legislation.gov.uk\)](#). This includes regularly visiting the child and having an independent reviewing officer review their plan
- ensure every child has a Personal Education Plan: [Promoting the education of looked-after children and previously looked-after children \(GOV.UK\)](#)

- support the child's home health authority to assure that their health needs are met via visits and liaison: [Stat guidance template \(gov.uk\)](#)
- support the local authority to undertake assessments for children leaving the care system in order to provide a plan for that child under either regulation 39 of the Care Planning Regulations or under [The Care Leavers \(England\) Regulations 2010 \(GOV.UK\)](#)
- ensure the procedures set out in the WECASP (Women's Estate Care, Advice and Support Panel) are followed when supporting our care experienced girls into the adult estate, in particular to identify the most appropriate establishment for them. See [Women's Estate Case Advice and Support Panel Policy Framework - GOV.UK](#)

What probation can do

- probation practitioners must manage transitions from the youth justice service to the adult service in line with the Joint National Protocol for Transitions in England
- individual needs and safeguarding requirements, including those relating to care, must be recognised and addressed throughout the transitions process.
- people eligible for transfer must be identified and allocated to an adult probation practitioner at the earliest opportunity
- ensure that people have a transition plan, and that care experience is communicated and referenced within this
- transitions planning should focus on providing flexible and continuous services tailored to meet someone's needs. For care leavers, this would include maintaining links with local authority leaving care teams and personal advisors; aligning pathway plans with sentence plans and ensuring that third sector services are continued and maintained
- ensure that transition planning considers protected characteristics, notably those included in the [Equality Act 2010](#)
- care experience must be communicated between youth and adult services before transfer
- youth and adult services will work together to achieve transfer outcomes, including maintaining interventions and progress
- the person and their families/carers will be actively involved in planning for their transition and understand and agree the plans in place. For care leavers, consider inviting the personal advisor
- probation link officers/seconded and receiving probation practitioners should use the 'Next Steps' transition programme to ensure that someone understands and engages with transition. This helps to demystify adult probation supervision, build relationships, and ensures timely and high-quality information exchange between youth and adult services
- each transition will be reviewed, and services will seek continuous improvement, facilitating the journey towards a positive future and desistance from offending, building on skills, strengthens and interests

What local authorities can do

- provide clarity and evidence about care status and eligibility for services
- ensure the local authority complies with regulations and guidance in relation to children in care and care leavers
- ask questions about the child's care, health, education and pathway / leaving care plan as would happen with any other child in care
- ensure the child has access to equal clothing allowances, pocket money and savings as they would receive in the community
- support contact with families as if the child were in the community
- use the period in custody to visit and write to the child regularly to strengthen the relationship

Resources

As well as the resources mentioned above the following should also be referred to:

- [The Transitions Protocol \(GOV.UK\)](#) includes reference to specific actions and support for care experienced young people
- The ["Working Together to Safeguard Children" guidance \(GOV.UK\)](#) provides instruction for working to support and safeguard children and young people under 18

11. Additional considerations for diversity and inclusion

Reference has been made in this document to the available support for those who may have additional needs: for example, women, young people and older people with care experience.

We are improving understanding of how other individual factors affect those with care experience and how we can support people with a range of needs. It is important that we recognise an individual may have multiple and complex needs and their circumstances need to be fully understood to enable support to be provided.

This guidance will be updated as we understand better how these factors might impact on people and what can effectively support them.

The following resources may be helpful:

- [Resources for LGBTQ+ young people in care - Become \(becomecharity.org.uk\)](https://becomecharity.org.uk)
- [LGBTQ+ Youth in Care \(lgbtyouthincare.com\)](https://lgbtyouthincare.com) - run by a team of social care professionals and care leavers with a wealth of experience working with LGBTQ+ young people in care. There are extensive resources and support networks on their website. They also provide advocacy
- [Effective practice guide: Black and mixed heritage boys in the youth justice system \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk)
- [Adultification bias within child protection and safeguarding \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk)
- [Hunter, K. \(2022\) 'Out of Place': The Criminalisation of Black and Minority Ethnic Looked After Children in England and Wales, Prison Service Journal, Issue 258 p.13-18.](#)
- [Inclusive Care Report on LGBTQ+ Youth in Care](#)

“It should be kept in mind that race identity isn’t as explored in the care community... and so it’s important to have intersectionality in mind as some LGBTQ+ BIPOC [black, indigenous and other people of colour] may not feel safe in white LGBTQ+ spaces”

Inclusive Care Report - LGBTQ+ Youth in Care

ANNEX A – Glossary of Terms

- **Assessment of Care in Custody Teamwork (ACCT)** is a case management tool used in prisons and young offenders' institutions to support those in custody who are at risk of self-harm or suicide. It aims to show risks and triggers and provides a support system using a multi-disciplinary approach, alongside other protective factors to help reduce the risk by providing a structured approach in terms of support with actions and expectations. More information can be found in the [Assessment, Care in Custody, Teamwork \(ACCT\) Version 6 \(2021\) – HMPPS Intranet \(gsi.gov.uk\)](#)
- **advocate** - young people in care are legally entitled to an advocate who will help make sure their voice is heard in decisions that affect them as well as help them to make a complaint and ensure that they are receiving the support they are entitled to. Advocates usually work for independent organisations, whereas children's rights officers work for the council. There are also advocacy services available for care leavers – [Home Page – Coram Voice](#)
- **corporate parent** – it is the local authority's role to be the corporate parent for care leavers. They should provide the child they are responsible for with the best possible support and care and safeguard them from harm. For care leavers this responsibility continues until their 21st birthday, continuing until they are 25 if required
- **community offender manager (COM)** handles management of the young person if they have less than 10 months to serve at sentencing or will liaise with the prison offender manager (POM) if they have more than 10 months to serve at sentencing. They will manage the young person when they are released in terms of managing their sentence plan, licence conditions and risk
- **key worker** - a prison officer who develops constructive motivational relationships with people in prison. Keyworkers help support those in custody to make appropriate choices and help them develop through their sentence by setting developmental goals. The [Offender Management in Custody page](#) has more information
- **local offer** - all local authorities must publish a 'Local Offer for Care Leavers' which details what support they are providing care leavers and how that support can be accessed. It should include who to contact to access support and where to go for support with health and wellbeing, relationships, education, employment, housing and finance. Most of these offers are published on-line in [Care Leaver Local Offer:: Home \(careleaveroffer.co.uk\)](#)
- **mother and baby unit (MBU)** - a mother and baby unit is appointed separate living accommodation within a women's prison, which enables mothers to have their babies with them in prison until the baby is 18 months old. The purpose of a MBU is to enable the mother / baby relationship to develop if it is in the child's best interest to do so, while safeguarding the child's welfare. MBUs are in Askham Grange, Bronzefield, Eastwood Park, Newhall, Peterborough and Styal prisons

- **nDelius** - a probation case management system which holds all information about their service users
- **National Offender Management Information System (NOMIS)** - a prison service case management system which holds information about all those serving custodial sentences. The system allows a record to be kept of case notes, legal information, contact addresses, information about establishment moves, alerts and many other ways of keeping information
- **Offender Assessment System (OASys)** - a risk assessment tool used for the purposes of risk management and sentence management planning.
- **Offender Management in Custody (OMiC)** is the model used to guide how those in custody are managed and progressed through their sentences. It ensures key work is implemented in the closed and women's estate, that prisons handle case management of the person, resources are distributed, and staff are suitably skilled and supported. It delivers bespoke women's offender management and features to support resettlement in the open estate (HMPPS Intranet: The [Offender Management in Custody page](#) has more information
- **pathway plan** - local authorities must develop a pathway plan with a young person in care, usually on or around their 16th birthday, to support them to develop skills to live in the community. This plan, which is based on a needs assessment, covers all aspects of a care leaver's life from relationships, health and identity to independent living skills, employment and housing. The plan should include details about how the personal advisor and care leaver will stay in touch. Much of the information included may help inform an individual's sentence and/or resettlement plan while they are in custody. The areas that must be covered in a pathway plan are set out in [The Care Leavers \(England\) Regulations 2010 \(legislation.gov.uk\)](#) schedule 1
- **personal advisor (PA)** - once a young person in care is over 16, or a care leaver, they will be appointed a personal advisor (PA). The PA will take over from social workers when the young person is 18 years old in supporting them to live independently, developing/reviewing pathway plans until the individual is 21 (and up to 25 if requested). In some cases, a young person's PA may also have been their social worker. PAs should stay in regular contact, and support young people with accessing education, training and employment and supply advice on things like housing, money, health, relationships and wellbeing. A young person can return to their local authority and request support from a PA up to the age of 25 even if their support stopped at 21
- **prison offender manager (POM)** can either be a non-operational or operational band 4 prison member of staff or probation officer. The POM handles categorisation, public protection screening, risk assessment, screening for interventions, Release on Temporary License (ROTL) assessments, Home Detention Curfew (HDC) and information sharing with the COM. The [Offender Management in Custody page](#) has more information
- **tier 2 activities/SOWA** are extra-curricular enrichment activities. Tier 2 activities are available to all people in prison, tailored to meet complex or emerging needs. Tier 2 activities are unpaid and voluntary, and can be delivered by staff, prisoners or third sector or a combination of, adding structure and opportunity to enrich the regime.

Tier 2 was originally called SOWA but has been broadened and is not limited to on-wing activities

(*Some definitions adapted from the HMPPS / Barnardo's Toolkit)

ANNEX B – Leaving care regulations

The Children (Leaving Care) Act 2000 sets out criteria for local authorities to identify when a young person is able to receive a service from a local authority and what support is provided for that young person up to the age of 25:

The four categories identified by the 2000 Act are:

- **Eligible (16 to 17 years of age: were looked after on their 16th birthday for 13 weeks)**
- **Relevant (16 to 17 years of age: not looked after)**
- **Former Relevant (18 to 25 years of age)**
- **Qualifying (were looked after on their 16th birthday but not for 13 weeks)**

The definition of these criteria is as follows:

Eligible children

Defined in paragraph 19B of Schedule 2 to the 1989 Act, and regulation 40 of the Care Planning Regulations as a child who is:

(a) looked after,

(b) aged 16 or 17, and

(c) has been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after reaching 14 and ended after reaching 16.

(d) looked after on or after their 16th birthday

Relevant children

Defined in section 23A (2) of the 1989 Act as a child who is:

(a) not looked after,

(b) aged 16 or 17, and

was, before last ceasing to be looked after, an eligible child.

Regulation 3 of the Care Leavers Regulations prescribes a further category of relevant child who is:

(a) not looked after,

(b) aged 16 or 17, and

At the time of reaching age 16 was detained (in a remand centre, a young offender's institution or a secure training centre, or any other centre pursuant to a court order), or in a hospital, and immediately before was detained; or in hospital had been looked after by a local authority for a period or periods amounting in all to at least 13 weeks which began after reaching age 14.

Former relevant children

Defined in section 23C (1) of the 1989 Act as a young person who is:

- (a) aged 18 or above, and either (b) has been a relevant child and would be one if under 18, or (c) immediately before ceasing to be looked after at age 18, was an eligible child.

Qualifying children (advice and assistance)

Defined in section 24 of the 1989 Act as a person who is:

- (a) aged at least 16 but is under 21, (b) with respect to whom a special guardianship order is in force (or was in force when they reached 18) and was looked after immediately before the making of that order, or (c) at any time after reaching the age of 16 but while still a child was, but is no longer, looked after or fostered.

A young person may have care experience but if they were not looked after on or after their 16th birthday then a local authority is not able to offer ongoing support under the Leaving Care Act 2000.

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Section 104)

There is also a group of young people who come into the care of the local authority as a result of being on remand and depending on how long (more or less than 13 weeks), can get support from their local authority. This group of young people may have never been involved with a local authority before they were placed on remand and so their looked after status may come as a surprise to themselves and their family.

Looked after child status

(1) A child who is remanded to youth detention accommodation is to be treated as a child who is looked after by the designated authority.

(2) The Secretary of State may by regulations provide for any Act or instrument made under an Act that applies to a child looked after by a local authority to apply with modifications, or not to apply, in relation to a child who is to be treated as looked after by a designated authority.

ANNEX C – Categories of young people leaving care in Wales

SOCIAL SERVICES AND WELL-BEING (WALES) ACT

HANDOUT

Categories of young people leaving care

Introduction

Section 104 of the Act defines six categories of young people leaving care. These categories replace those previously referred to under the Children Act 1989 of relevant, eligible, former relevant child and qualifying. A description of each category and the main statutory obligations for each is set out in the code of practice and outlined in the table below.

Main Statutory Obligations

Definition	Main Statutory obligations
<p>Category 1 young person</p> <p>Defined in Section 104 (2) of the Act as a child who:</p> <ol style="list-style-type: none"> a) is aged 16 or 17 b) is being looked after by a local authority, and c) has been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after he or she reached 14 and ended after he or she reached 16. <p>Known as a young person looked after aged 16 or 17</p>	<p>The local authority has the same statutory obligations in relation to category 1 young people as they do towards other children looked after by them, including a duty to maintain their care and support plan, carry out regular reviews of their case and appoint an independent reviewing officer for the child. In addition, they must:</p> <ul style="list-style-type: none"> • prepare an assessment of the child’s needs with a view to determining what advice, assistance and support it would be appropriate to provide him or her (both while he or she is still looked after and after they stop being looked after) – see Section 107 of the Act • as soon as possible after the assessment of needs is completed, prepare a pathway plan (which includes the child’s care and support plan and personal education plan) • keep the pathway plan under regular review • appoint a personal adviser for the child
<p>Category 2 young person</p> <p>Defined in Section 104 (2) of the Act as a child who:</p> <ol style="list-style-type: none"> a) is aged 16 or 17 	<p>Full duties are set out in Section 109 of the Act. The local authority that last looked after the child must:</p> <ul style="list-style-type: none"> • safeguard and promote the child’s well-being by providing or maintaining them in suitable

Definition	Main Statutory obligations
<p>b) is not being looked after by a local authority or local authority in England, and</p> <p>c) immediately before ceasing to be looked after, was a category 1 young person.</p> <p>Known as a care leaver under 18</p>	<p>accommodation, and providing assistance in order to meet their needs in relation to education, training or employment as provided for in their pathway plan</p> <ul style="list-style-type: none"> • as soon as possible after any assessment of needs is completed, prepare a pathway plan • keep the pathway plan under regular review • appoint a personal adviser for the child (unless already done when they were a category 1 child)
<p>Category 3 young person</p> <p>Defined in Section 104(2) of the Act as a young person aged 18 or over who:</p> <p>a) has been a category 2 young person (and would continue to be so if they were under the age of 18) or</p> <p>b) was being looked after by a local authority when they reached the age of 18 and immediately before ceasing to be looked after was a category 1 child</p> <p>Known as a care leaver aged 18 or over</p>	<p>Full duties are set out in Section 110 of the Act. The responsible authority for a category 3 young person must support that young person by:</p> <ul style="list-style-type: none"> • contributing as necessary for the young person's wellbeing to living expenses incurred when employed or seeking employment • contributing as necessary for the young person's wellbeing to living expenses incurred when receiving education or training • making a grant to the young person as required to enable them to meet expenses connected with education or training • doing anything else it considers appropriate to the extent that the young person's wellbeing requires it • if the young person has a post-18 living arrangement, monitoring and maintaining the arrangement by providing advice and support to the young person and the former foster parent • taking reasonable steps to stay connected with the young person, and re-establishing contact if they lose touch • continuing to keep the pathway plan under regular review • continuing the appointment of the personal adviser for the young person • if the young person pursues higher education in accordance with his or her pathway plan, paying a higher education bursary • providing the young person pursuing higher education with suitable vacation accommodation or paying the young person enough to secure accommodation.

Definition	Main Statutory obligations
	<p>The duties continue until the category 3 young person reaches 21, or where the programme extends beyond age 21, until the programme of education or training finishes. Where the young person ceases to pursue a programme of training or education in accordance with their pathway plan, the local authority may disregard any interruption if it is satisfied that the young person will resume the programme as soon as reasonably practicable.</p>
<p>A category 4 young person</p> <p>Defined as a person who:</p> <p>a) is a category 3 young person towards whom the duties under sections 105, 106, 107(3) and (10) and 110 of the Act have ceased to apply (see section 111 of the Act)</p> <p>b) has informed the local authority that he or she is pursuing, or wishes to pursue, a programme of education or training, and</p> <p>c) has not reached the age of 25 or any lower age specified.</p> <p>Known as a young person who reconnects to care for education or training purposes</p>	<p>Full duties are set out in section 112 of the Act. The local authority for a category 4 young person must support that young person to the extent that his or her educational needs require it by:</p> <ul style="list-style-type: none"> • contributing to expenses incurred by the young person in living near the place where they receive education or training • making a grant to the young person to enable them to meet expenses connected with education or training • if the young person pursues higher education in accordance with their pathway plan, paying a higher education bursary • appointing a personal adviser for that person • preparing a pathway plan <p>The duties continue until the category 4 young person reaches 25, or, where the programme extends beyond age 25, until the programme of education or training finishes. Where the young person ceases to pursue a programme of training or education in accordance with their pathway plan, the local authority may disregard any interruption if it is satisfied that the young person will resume the programme as soon as reasonably practicable.</p>
<p>Category 5 young person</p> <p>Defined as a person:</p> <p>a) who has reached the age of 16 but has not yet reached the age of 21</p> <p>b) with respect to whom a special guardianship order</p>	<p>Full duties are set out in Section 114 of the Act. The local authority must consider whether the young person needs support of a kind which it can give under Section 114. If the local authority is satisfied that the person who was looking after the young person does not have the necessary facilities for advising or befriending them, the local authority must advise and befriend the young person and support them:</p>

Definition	Main Statutory obligations
<p>is in force (or was in force when he or she reached 18), and</p> <p>c) who was looked after immediately before the making of that order.</p> <p>Known as a young person who left care under a Special Guardianship Order</p>	<ul style="list-style-type: none"> • in kind • by contributing to expenses incurred by the young person in living near the place where they are, or will be, employed or seeking employment • by contributing to expenses incurred by the young person in living near the place where they are, or will be, receiving education or training • by making a grant to enable them to meet expenses connected with education or training • by providing accommodation if support may not be given under the preceding three points • in cash <p>The local authority may also give support in certain circumstances if the young person is under the age of 25 and would be a category 5 young person if they were under the age of 21.</p> <p>In certain circumstances, the local authority may disregard any interruption in training or education if it is satisfied that the young person will resume the programme as soon as reasonably practicable. In these circumstances, it may provide the young person with suitable vacation accommodation or pay enough to secure accommodation.</p>
<p>Category 6 young person</p> <p>Defined as a person, other than a category 5 young person, who:</p> <p>a) at any time after reaching the age of 16 but while still a child was, but is no longer, looked after, accommodated or fostered</p> <p>b) if so accommodated or fostered is now within Wales, and</p> <p>c) has not yet reached the age of 21.</p>	<p>Full duties are set out in Section 115. The local authority must consider whether the conditions below are satisfied in relation to the young person:</p> <p>The young person needs support of a kind which the local authority can give, and the local authority is satisfied that the person who was looking after, accommodating or fostering the young person does not have the necessary facilities for advising or befriending him or her. If these two conditions are met, the local authority must advise and befriend the young person.</p> <p>Where the local authority, by virtue of Section 115, is under a duty or is empowered to advise</p>

Definition	Main Statutory obligations
<p>Known as a young person who did not qualify as a care leaver</p>	<p>and befriend the young person it may provide support:</p> <ul style="list-style-type: none"> ● in kind ● by contributing to expenses incurred by the young person in living near the place where they are, or will be, employed or seeking employment (this and the following two points are only available if the young person is in this category by virtue of falling within Section 104(3)(a) of the Act) ● by contributing to expenses incurred by the young person in living near the place where they are, or will be, receiving education or training ● by making a grant to the young person to enable them to meet expenses connected with education or training ● by providing accommodation if support may not be given in respect of the accommodation mentioned above ● in cash <p>The local authority may also give support in certain circumstances if the young person is under the age of 25 and would be a category 6 young person if they were under the age of 21.</p> <p>In certain circumstances, the local authority may disregard any interruption in training or education if it is satisfied that the young person will resume the programme as soon as reasonably practicable. The local authority may then provide the young person with suitable vacation accommodation or pay enough to secure accommodation.</p>

ANNEX D – Corporate parenting

Through provisions introduced in the Children & Social Work Act (2017), local authorities (including district councils) must have regard to a set of corporate parenting principles when designing and delivering services and support to children in care and care leavers. There are seven principles, which require local authorities:

- to act in the best interests of children in care and care leavers, and promote their physical and mental health and wellbeing
- to encourage them to express their views, wishes and feelings
- to take their views, wishes and feelings into account
- to help them gain access to, and make the best use of, services provided by the local authority and its relevant partners
- to promote high aspirations, and seek to secure the best outcomes for them;
- to ensure they are safe, and have stability in their home lives, relationships and education or work; and
- to prepare them for adulthood and independent living

There is statutory guidance on [putting the corporate parenting principles into practice](#).

The corporate parenting principles encourage a whole-council approach. This focuses on the role of children's services in supplying direct support to children in care and care leavers, but also considers how all the services delivered by the local authority, including housing services, can respond to the challenges that children in care and care leavers face. The principles encourage local authorities to think about how they can replicate the support that other parents support their children after age 18, to help them in making the transition to independence, guided by the question: **'Would the services and support being provided by the local authority be good enough for my child?'**

ANNEX E – Maintaining contact for Personal Advisors

Contacting prison offender management units

Prison offender management units can be contacted by using the OMU functional mailboxes using this structure: OMU.Prisonname@justice.gov.uk

For example, for Wandsworth – OMU.Wandsworth@justice.gov.uk

Contacting probation

If you have lost contact with your young adult and you suspect that they are under the care of the Probation Service, you can contact any probation office in England and Wales, and they will be able to identify someone's probation practitioner. Please note, that probation practitioners can only work to re-establish this contact with consent.

The probation practitioner will encourage the young adult to maintain a relationship with their personal advisor and can invite them, with consent, to key appointments in the probation journey.

Where facilities allow, the probation practitioner can allow the young adult to contact the personal advisor using a phone in the probation office or can work to arrange a suitable time for the personal advisor to call the young adult.

Contacting people in prison

Up to date information on contacting people in prison can be found at [Staying in touch with someone in prison – GOV.UK \(www.gov.uk\)](http://www.gov.uk)

As well as face to face visits, secure video calls and letters, contact can be maintained using the following options:

Telephone

In-cell telephony is being rolled out across the prison estate to support the communal phones already in place. These phones do not accept incoming calls.

To contact you, the person in prison must have the funds available and your contact number must be on their PIN account.

Email a prisoner

Most prisons operate the Email a Prisoner scheme. Some also allow those in prison to respond.

For more information on the scheme including which prisons operate it, costs and how to open an account please visit

[Email a Prisoner – the hassle free way to keep in touch](#)

Prisoner voicemail

Some prisons also run the Prisoner Voicemail service, where you can leave a voice message for your young person, and they can also reply.

For more information on the scheme including which prisons operate it, costs and how to open an account please visit

[Prison Voicemail. Your voice matters.](#)

NICCO website

Every prison has a Family and Significant Others strategy, which details local procedures and offers for people in that prison as well as information about visits. These can be found by typing the name of the prison into the search bar at [NICCO](#).

ANNEX F – Identification: asking the question differently and good practice

On arrival in prison, care leavers may experience anxiety on a variety of levels, and they may find it difficult to trust adults. This is often an unconscious safety mechanism resulting from repressed childhood experiences.

This creates a filter, within us, for our interactions with these young people, where we consider any presented behaviour or responses as the result of their deletion, distortion or generalisation of their experience, confirming their biases from childhood.

A key element of communication in these situations is ‘out-framing’. This is a process where we ‘plant the seeds’ for what we want to discuss while insinuating the meaning we want care leavers to attach to the discussion.

For example, if our outcome is to identify care experience on arrival, we could out-frame this by saying: “There are going to be some questions we will ask to make sure you get the right financial entitlements when you leave.” If we give a frame of reference that is positive and attractive for prisoners to identify with, we are likely to get honest answers as they will understand this is in their best interests. Without thoughtful outframing, care leavers may attach their own meaning to identification questions, such as: “Why are they asking me this? Will they watch me more because they think I’m troublesome?”

If we use professional jargon, care leavers may not understand and may not be able to consider all options. Using open questions helps open a world of potentially rich information. Instead of asking: “Were you a looked after child?” you might choose to ask: “While growing up, did you ever live away from home?” The second question increases the opportunity to gather information and then create further questions to focus on what you need to know.

It’s important to think about disassociating people from their experience, using language that avoids making their care experience their identity. Instead of asking: “Which local authority were you looked after by?” a useful question could be: “Have you ever had a social worker? What council did they work for?” This question gets the same information but focuses on someone else.

(From Becomes Passport to Parliament Project)

ANNEX G – Statutory Support from PAs

(Produced by NEPACS)

Former relevant children are entitled to full support from their local authority. This may include:

- **a personal advisor** – a member of staff who is their single point of contact and acts as a corporate parent. They are entitled to contact with this personal

advisor on a regular basis, normally every 6-8 weeks (regardless of whether they are in custody or not)

- **accommodation support** – local authorities should support young people to find suitable accommodation and may even have their own care leaver-specific supported housing. Care leavers under 21 are also prioritised for emergency housing
- **financial support** – they will be given a ‘Setting up Home Allowance’ when they secure suitable accommodation. This is usually around £2,000 (exact figures can vary in different local authorities) used to buy furnishings and white goods. Other financial support available includes clothing grants, monthly/weekly allowances when in education, employment, or training and bursaries for those in higher education
- **employment, education and training support** – the local authority should support young people with finding employment or education opportunities. They may also offer financial support such as buying equipment and books or helping to access university. Some local authorities offer schemes such as free haircuts or dry cleaning before interviews
- **community and lifestyle support** – most local authorities will offer young people opportunities to become part of a care leavers community, whether this is through organised committees, or providing them with a hub to spend time at. They may be given gym passes or other vouchers for activities. Support for any health issues, including physical health, mental health or substance misuse is also available
- **pathway plan** – This is a document completed by the young person and their personal advisor which explores where the young person is currently at and what goals they have for the next 6 months. These goals are usually across different areas of life including:
 - health and wellbeing (for example: reducing alcohol intake)
 - identity and culture (for example: going to mosque more often)
 - employment, education and training (for example: starting a college course)
 - money (for example, starting a savings account)
 - accommodation (for example: moving from supported to independent housing)
 - relationships (for example: maintaining positive relationships with family members)

Further information can be found here [Leaving foster or local authority care - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/organisations/leaving-foster-or-local-authority-care)

ANNEX H – Accessing social care files

Later life letter

If the care leaver wants to know specific information, then most local authorities offer the production of a ‘summary’ – for example, of why they went into care, or answering specific questions. The local authority will write a letter about the person’s history summarising their experience, using the information from the file. This can be generally a quicker process than the formal full disclosure process.

Submission to local authority

This must be sent to the local authority where the care leaver was placed into care; this is in some cases different to where they previously or currently live. In all cases, proof of identity is needed when sending the application. Previously a payment of £10 might have been required upon application. Under the General Data Protection Regulation (GDPR), this has now been removed and there is no charge for this request.

Processing of care file

Due to the rules around Subject Access Requests (SARs), the local authority have the right to refuse if it feels it would be detrimental in any way to disclose information for that person. So, it is good practice to contact the leaving care manager upon conducting an application on behalf of a care leaver.

The local authority has one calendar month to process the application. Redaction of all documents needs to take place so in some cases it may take longer than one calendar month. This should be explained to the care leaver upon application.

If physical copies are sent, it should be marked for the attention of the specific offender supervisor and a process must be put in place whereby establishment post room staff do not open or intercept the case file.

Disclosure

The care leaver should be the first person to access the file once it is received by the prison. The offender supervisor or probation officer must be present during disclosure, to ensure that the member of staff can help the care leaver go through the record and explain any terms that are unclear. Under no circumstances should the care leaver review their case file alone. The case file should not have been opened prior to disclosure.

Consider the environment where disclosure takes place – this should be private.

Under no circumstances must the copy of the case file be kept in a prisoner’s possession. It must be secured in the OMU department. A disclosure log must be kept and recorded by the OS / PO each time a case file is shown to the care leaver.

Support

Support will need to be on an individual basis. Based upon the information contained with the case file and the reaction to the case file:

- consider if an Assessment, Care in Custody and Teamwork (ACCT) review needs to be opened
- for an open ACCT, update the trigger section and observation section immediately and inform the ACCT case manager
- consider other specific support such as peer support groups or the Samaritans
- ongoing support will be needed, and the care leaver should be closely watched. The local authority, who completed the case file, can provide support up until the age of 25



HM Prison &
Probation Service

Application to access your personal social care information

Under the Data Protection Act 2018 and the General Data Protection Regulation, you are entitled to access your personal information held by social care services within one calendar month of the local authority receiving the completed application. This is known as your right of “subject access”. Subject to certain exemptions, you are entitled to have access to your personal information which usually means copies of documents.

Your Full Name (including previous names):
Address:
Post code:
Date of Birth:
Your social work office (if applicable):
Name of your most recent social worker (if known):
Please give brief details of the information you are seeking:

Do you wish to apply for a later life letter or your full social care record case file? (Please tick one option)

- Later Life Letter
- Full social care record case file

Please address this form to the relevant local authority, addressed to:

Children’s Services Department

C/O The Data Information Manager

ANNEX I – Information sharing consent form



HM Prison &
Probation Service

CONSENT TO SHARE DATA WITH PEOPLE INVOLVED IN MY CARE AND SUPPORT AS A PERSON WITH EXPERIENCE OF THE CARE SYSTEM




- I understand that HMP/YOI has a duty of care to me. I agree that information about me can be passed onto the relevant staff involved in my care and recorded on prison systems, as per the HMPPS Data Privacy Notice.
 - This may include prison staff, probation staff, healthcare staff (including those in the prison and outside of it in the local hospital trust), local authority staff (including personal advisors), law enforcement, housing authorities, and voluntary organisations. It does NOT include family members.
 - I understand that ‘information’ means information that staff require in order to be able to safeguard and support me in accordance with my needs. This includes information relating to my location, significant dates (for example release dates) and issues which my personal advisor in their role of corporate parent can support me with. It also includes information relating to planning for my resettlement into the community, which may include any release or sentence plans.
 - I understand that if there is a concern that I may be at risk of harm, information about me may be shared with the relevant people concerned with my welfare including my personal advisor, without my consent. This is to ensure the relevant professionals know how to support me. It does NOT include sharing with family members.
 - As per the Data Protection Act 2018 and UK General Data Protection Regulation, I understand that data sharing will be securely processed and retained for a period of 6 years, and securely destroyed thereafter.
- I agree to the information sharing described above
- I agree to the information sharing only with my personal advisor
- Other (*please specify*):




Signed by:



Name: _____



Signature: _____
Date: _____

ANNEX J – Support organisations

Organisation	Contact details
 <p>The Care Leavers Association is a national user led organisation which aims to improve the lives of care leavers of any age. In particular they provide help and advice for accessing social care files <u>Accessing your file – The Care Leavers Association</u></p>	<p>http://www.careleavers.com/</p> <p>Mail The Care Leavers' Association First Floor, Swan Buildings, 20 Swan Street, Manchester, M4 5JW</p> <p>Phone 0161 826 0214</p> <p>Email info@careleavers.com</p>
 <p>The Rees Foundation are a national organisation offering help, signposting and advice to care experienced individuals of all ages. They run several projects that they hope make a real difference to care experienced people of any age. They may also offer financial support and a small number of housing opportunities with mentors in Worcestershire</p>	<p><u>Rees Foundation – The Rees Foundation Life-long support for care leavers</u></p> <p>Advice Line: 0330 094 5645 (available Monday – Friday 9-5 excluding bank holidays)</p> <p>Email: contactus@reesfoundation.org</p> <p>Mail: Enquiries, The Rees Foundation, Craftsman House, Dr Salis Drive, Hampton Lovett, Droitwich, Worcestershire, WR9 0QE</p>
 <p>Coram Voice maintains the national database of local authority advocacy services for Care Leavers. They also provide advice for children in care and care leavers and information about rights</p>	<p>https://coramvoice.org.uk/</p> <p>Advocacy Helpline: 0808 800 5792 Text: 07758670369</p> <p>Mail: Coram Voice Coram Campus 41 Brunswick Square London WC1N 1AZ</p> <p>Info@coramvoice.org.uk 020 7833 5792</p>

Organisation	Contact details
<p>and entitlements can be found on their website</p>  <p>Become provide help and advice for children in care and care leavers as well as advice and information for professionals.</p> <p>They also produce <u>free factsheets for children in care and care leavers</u> <u>Become (becomecharity.org.uk)</u> about entitlements and support</p>	<p><u>Become Charity website</u></p> <p>Care Advice Line You can call us on 0800 023 2033 between 10am and 5pm, Monday to Friday, or email us at advice@becomecharity.org.uk</p> <p>General Enquiries Email mailbox@becomecharity.org.uk with a general query.</p> <p>Mail: Become 15-18 White Lion Street, London N1 9PG</p>
 <p>The Care Leavers Covenant is a national inclusion programme that supports care leavers aged 16- 25 to live independently. There are exclusive opportunities available through the covenant for care leavers which include mentoring, discounts and career opportunities</p>	<p>https://mycovenant.org.uk/</p> <p>Phone: <u>0800-077-3557</u></p> <p>Email: info@mycovenant.org.uk</p> <p>To keep up to date with the opportunities sign up to <u>CONNECTS Connects Sign-up – Care Leaver Covenant (mycovenant.org.uk)</u></p>
<p>Care Leavers Foundation</p>  <p>The Care Leavers Foundation makes small grants to care leavers up to age 26</p>	<p>http://www.thecareleaversfoundation.org/</p> <p>Phone: 01678 540598</p> <p>Email: through website</p> <p>Mail: Care Leavers Foundation PO Box 202 Bala LL23 7ZB</p>

Organisation	Contact details
<p>(or 29 if funding is for education or training) who have no access to statutory funding. The application form for these grants can be found on the website About Grants : The Care Leavers Foundation</p>	
<p>Standalone</p>  <p>StandAlone support people who are estranged from their family or children. Their primary objective is to break down the stigma around support for estranged people in their daily lives</p>	<p>Depending on the support needs, various options for contact are available through the website Where can I turn for help with my family estrangement? (standalone.org.uk)</p>
 <p>Further resources and information to support those in custody with care experience can be found as part of the Toolkit for Supporting Care Leavers in Custody on the Nicco Website</p>	<p>5d356df6f345a-toolkit-for-supporting-care-leavers-in-custody.pdf (nicco.org.uk)</p>
 <p>LGBTQ+ YOUTH IN CARE</p> <p>Run by a team of social care professionals and care leavers with a wealth of experience working with LGBTQ+ young people in care. There are comprehensive resources and support networks on their website. They also provide advocacy</p>	<p>Website LGBTQ+ Youth in Care (lgbtyouthincare.com)</p>

Organisation	Contact details
 <p>NATIONAL LEAVING CARE BENCHMARKING FORUM</p> <p>This national forum is a network of over 100 local authorities promoting the development of quality leaving care services with member authorities and partner organisations. This is done through a process of benchmarking and shared learning on a national scale, to enrich outcomes for our nation's care leavers. NLCBF share good practice and run training events</p>	<p>Email nlcbf@catch-22.org.uk</p> <p>Website <u>National Leaving Care Benchmarking Forum – Catch22 (catch-22.org.uk)</u></p>
 <p>nyas national youth advocacy service</p> <p>NYAS Cymru help care experienced children and young people across Wales. They champion their rights and work to make sure their voices are heard</p>	<p>Website <u>NYAS Cymru Children's Rights in Wales NYAS</u></p> <p>Helpline number – 0808 808 1001 Freephone Helpline Open 9am-8pm 0808 808 1001</p> <p>England NYAS, Tower House, 1 Tower Road Birkenhead, Wirral Merseyside, CH41 1FF</p> <p>Wales NYAS Cymru, Canton House Suite E1 435-451 Cowbridge Road East Cardiff, Wales CF5 1JH</p>

ANNEX K – Advocacy

CORAM VOICE

Advocacy is available for care experienced people up to age 25. The services will assist people in gaining their entitlements and provide advice to care leavers and professionals.

To find out which advocacy service will provide an advocate for the young person / adult visit the Coram Voice website and search using the name of the local authority where the person was in care.

My local advocacy service - Coram Voice

For young people in YOIs or the Secure Training estate, advocates can be accessed here:

My Advocate in 'Secure' - Coram Voice

The Coram Voice website provides further information [What is an Advocate and how can they help me? - Coram Voice](#)

They have also produced a poster for use in custodial settings which can be obtained from the Operational Lead for Care Experienced People in Custody

The advice line is **0808 800 579**

THE CHILDREN'S COMMISSIONER

The Children's Commissioner advocates for all children and young people, ensuring their views are taken into account when policy decisions are made about them.

The Commissioner also provides advice to children and young people in or leaving care through the advice line Help at Hand. This can be accessed via the website [Help at Hand | Children's Commissioner for England \(childrenscommissioner.gov.uk\)](#) which also provides useful information about rights and entitlements.

Advice line Telephone number: 0800 5280731

Address – Children's Commissioner for England, Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT

ANNEX L – Shannon Trust

What is the link between care experienced people and lower literacy levels?

There is little data available regarding the dual challenges of low literacy and being care experienced. However, we do know that:

- 50% of people in prison have low literacy levels
- nearly 50% of young men (21 and under) in prison are care experienced
- 24-27% of people in prison of all ages and genders are care experienced
- almost 40% of 19–21-year-old care leavers aren't accessing education, employment or training opportunities and 30% of children leaving care have no qualifications
- 27% of care experienced prisoners have experienced more than six different placements while in care, disturbing their education

These statistics indicate an overlap between people in prison who are care experienced, and those who also have low literacy levels

Why is this the case?

People who have experienced care have often had their education interrupted or cut short. Leaving or moving between schools, having difficulties outside of school that impact on their ability to concentrate, not having the family support structures to thrive in educational environments, or entering the criminal justice system at an early age can all lead to a person entering adulthood with low literacy.

Who is Shannon Trust?

Shannon Trust is named as a key stakeholder within HMPPS' Care Experienced People strategy, acknowledging literacy as a fundamental need for this group. We are the leading provider of peer-led literacy support, working with over 3000 people a year in every prison in England Wales and Northern Ireland.

"Now I can read I'm looking forward to joining college or starting my first job. I actually can't wait. " - Shannon Trust Learner

The benefit of a peer led approach

Our approach centres on the understanding that learners have often had poor or interrupted experiences of formal education and are less likely to engage in formal classroom learning. By offering informal, one-to-one support at the learner's own pace, Shannon Trust can engage with 'hard to reach' learners. Learning takes place via confidential sessions outside of a classroom, through peer mentoring or self-study. Learners grow in confidence and often make the decision to move into more formal learning. In 2019 Shannon Trust worked with 3200 people; 90% of their learners progressed onto other educational courses after improving their reading with the programme, and 60% saw an increase in their self-confidence. Shannon Trust's 'Turning Pages' method has been positively evaluated by Birmingham City University and was highlighted as good practice in the 2016 Coates Review of prison education.

Why is literacy important?

Literacy is the first stepping-stone to a life of connection, education, employment and meaning. With effective literacy skills, people develop the ability and confidence to navigate day-to-day life with more ease (form filling, benefits claims, understanding letters from doctors, housing) and can begin imagining a different future. It provides the ability to connect with friends and family and equips people with the basic skills and confidence to be able to access other support services. Without reading, it is hard to sign a consent form, fill in an application form or even read the posters and leaflets advertising other support services. People with low literacy experience stigma, often not wanting to disclose this out of embarrassment or shame. These feelings are magnified in those who are also care experienced. Shannon Trust's aim is to reduce the stigma and support people to gain the skills that provide the first step to other opportunities.

"Because of the Shannon Trust I have been able to get my English and Maths Level 1" - Shannon Trust Learner

How can you help? Things to consider in your prison

- **contact your Shannon Trust lead.** If you can't find them in your prison, email communications@shannontrust.org.uk
- **use Nomis and Curious:** care experience people are identified on Nomis, and people with a literacy level below level 1 are identified on Curious. Find out how to run these reports from the two systems, comparing the lists to find out which of the care experienced people also have support needs around their literacy
- **use the keyworker role:** keyworkers are often well placed to identify if someone is struggling with their literacy. In their 1-1 sessions they are able to work on Turning Pages. Sessions only take 20 minutes and are easy to follow
- **involve care experienced peer mentors:** if you have specialist mentors dedicated to care experienced people in your prison, let them know about Shannon Trust and how to refer into it. Even better, arrange for them to be trained in the Shannon Trust approach so they can support their mentees with their literacy themselves. Training is free and only takes a few hours
- **use support groups:** if you have support groups or services directed at care experienced people, invite Shannon Trust to come and present to these to raise awareness and encourage referrals. Put up posters and leaflets where you can
- **be an advocate:** remember that 50% of people in prison have low literacy levels or struggle to read with confidence. Think about the people you see in the prison, and notice any signs to suggest they could benefit from some support in this area

"I have been learning to read for 4 months. I only had a small grasp of reading but have been able to read letters from my children and family since having lessons. I feel proud of myself as I didn't leave school with any exams or prospects. Shannon Trust have been great as it is done in my cell without all the fuss of going to classes."

Contact communications@shannontrust.org.uk for more details

ANNEX M – Additional resources

FOR HMPPS STAFF

- [HMPPS Strategy for Care Experienced People \(PDF\)](#)
- [e-learning package for civil service staff to better understand care experienced people in custody \(My Learning\)](#) and what can be done to support them
- [My Learning for resources for staff for care experienced young adults including the latest good practice guide](#)
- [Young Adults site on My Learning](#) provides resources and awareness training around trauma informed practice and adverse childhood experiences
- [Barnardos / HMPPS Toolkit for supporting Care Leavers in Custody](#) contains useful information about working with this cohort
- [special edition of the Prison Service Journal focused on Care Experienced People.](#)
- [7 Minute Briefing for Probation Practitioners outlining the key actions to be taken with the care experienced cohort](#)

Further information about how to support the safety needs of care experience people is included in the [Cohorts Awareness Guide February 2022](#)

FOR THOSE IN OUR CARE

[BECOME](#) produce several [factsheets](#) about rights and entitlements for care leavers.

[The BECOME website](#) contains a variety of different resources and helpful guidance

The **Young Justice Advisors** have produced a set of guides written by people with experience of the care and criminal justice system for their peers. They are on the following topics:

- Through the Gate (For young adults)
- The Care System
- Transitioning to the adult female estate for young women

They can be found at [Resources – Young Justice Advisors](#)

The **Department for Education** has recently published a factsheet for care leavers and professionals who support them, which summarises the support available from local and central government. A copy of the factsheet is available on the Care Leaver Covenant website. There is also information about apprenticeships and employment as well as opportunities for eligible care leavers:

Care Leaver FAQs - Care Leaver Covenant (mycovenant.org.uk)

Wales –

- [Information about Welsh care leavers](#)
- [Briefing on support for Welsh Care leavers \(PDF\).](#)

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