

Secure Accommodation Review Criteria – Practice Guidance

Contents

1. **Purpose of Secure Accommodation Reviews**
2. **Timing of Secure Accommodation Reviews**
3. **Chairing of Secure Accommodation Reviews**
4. **Secure Accommodation Review Panel**
5. **Arranging a Secure Accommodation Review Panel**
6. **Preparation for Secure Accommodation Reviews**
7. **Conducting the Secure Accommodation Review**
8. **After the Secure Accommodation Review**

This guidance applies to children placed in secure accommodation.

The requirement for clear separation of reviews (for clarifying whether the criteria for keeping a child in secure accommodation are met, and the child's Looked After Review) has been emphasised. Clarifying whether the criteria for keeping a child in secure accommodation are met must come before a Looked After Review so the decision can inform the Looked After Review and they must be chaired by different individuals.

2. Purpose of Secure Accommodation Reviews

The Purpose of a Secure Accommodation Review is to consider the following:

- Whether the criteria for keeping a child in secure accommodation continue to apply, on the day of the review (see '**Placements in Secure Accommodation on Welfare Grounds Guidance, Secure Accommodation Criteria**');
- Whether such a placement continues to be necessary; and
- Whether or not any other form of accommodation would be appropriate.

There are separate and different processes for reviewing a young person's case if they are remanded to secure accommodation by the courts or detained under the Mental Health Act.

2. Timing of Secure Accommodation Reviews

Secure Accommodation Reviews must be convened within 28 days of a child being placed in secure accommodation, and then held at intervals not exceeding 3 months.

Where it is determined by the social worker and their manager that a further application should be made to the Court to keep the child in secure accommodation beyond the expiry of the current Secure Accommodation Order, then the social worker must request that the Secure Accommodation Review Panel meets to consider the application.

3. Chairing of Secure Accommodation Reviews

The Secure Accommodation Panel should be chaired by a person independent of the care planning and placement arrangements for the child, including line managers and the Independent Reviewing Officer (IRO). Given the need to focus on the Section 25, Children Act 1989 criteria issues, the chair should also be independent of any resource allocation, etc. but have sufficient experience and knowledge to carry out the task.

4. Secure Accommodation Review Panel

The Secure Accommodation Panel is responsible for listening to the views of those who attend/contribute and coming to a decision about whether they believe the criteria for secure accommodation are still met. The Panel cannot come to a decision about whether the child should remain or leave secure accommodation; it can only make a recommendation on this to the Executive Director of Children, Young People and Learning. (Secure Accommodation).

The Panel consists of the Chairperson and two other people, one of whom will be independent of the local authority.

An IRO may sit as one of the other two Panel members (not as part of the IRO function). **4.14 IRO Handbook and the Practice Standards.**

The composition of the Panel should seek to be sensitive to issues that may be relevant to the child, e.g. ethnic background and gender.

5. Arranging a Secure Accommodation Review Panel – Management responsibility

The team who holds the child/ young person must ensure that all relevant arrangements are made 5 days before the meeting.

The chair (Service Lead or above) will identify the second Local Authority panel member and the Independent Panel member. The Review Panel will meet at the secure unit where the child is placed.

The Secure Accommodation Review is separate to a Looked After Review and is not a substitute for it. It must be held first, so the recommendations and subsequent decisions made can inform the Looked After Review.

6. Preparation for Secure Accommodation Reviews - Social Worker responsibility

Prior to the Secure Accommodation Review, the social worker will ensure the following are undertaken:

- A report for the Review is prepared (**see Appendix A**), which has been endorsed by their manager and incorporates the views of all those consulted about the placement (see **Consultation, in the Secure Accommodation Guidance**), the Children's Guardian and the provider of the secure accommodation;
- Written invitations are sent to the parent and those with Parental Responsibility, and any other persons whose attendance is agreed;
- The child and parent(s) are clear about the purpose of the Secure Accommodation Review. The social worker should go through the contents of the Report and proposed Care Plan with them;
- The parents and child are given adequate support to prepare for the Review, which may include arranging for an interpreter and/or advocate to assist them;
- The secure unit is aware of the Review date and arrangements have been made for the staff in the secure placement to prepare a report, taking account of the progress made with the child and stating their view as to whether the criteria for secure accommodation (see Placements in Secure Accommodation on Welfare Grounds Procedure, Secure Accommodation Criteria) still apply and whether any other description of accommodation would be appropriate rather than remaining in secure accommodation.

The social worker should ensure that their Report is circulated to the secure unit and to the Panel Chairperson and other Panel Members at least 1 week before the Review date.

7. Conducting the Secure Accommodation Review

The Secure Accommodation Review, and the Panel's members, must focus on the questions and issues around the criteria for secure accommodation (Section 2, Purpose of Secure Accommodation Reviews) within the context of the child's specific circumstances.

In considering these matters, the Panel must have regard to the child's welfare.

Nevertheless, the Secure Accommodation Review does not take the place of a Looked After Child Review; it is distinctly different.

In all cases, the outcome of the Secure Accommodation Review must be reported to the IRO.

The Independent Panel member should see the young person before the Secure Accommodation Review.

It is good practice for the Chair of the Secure Accommodation Review to see the child before the meeting.

The Review must be formally recorded and, once agreed by all panel members; a copy of the minutes placed on the child's social care record (MOSAIC).

The Secure Accommodation Review Panel will consider the social worker's report, the notes and decisions of the most recent Looked After Review and the views of the following:

- a. The child, the parent(s) and those with Parental Responsibility;
- b. The child's social worker and manager;
- c. Those who previously have had or may have care of the child upon discharge;
- d. The Children's Guardian;
- e. The child's Advocate;
- f. The Link/Keyworker for the child from the Secure Unit together with other services provided by the Secure Accommodation, e.g. Education and Health and feedback with regard to the young person's mobility plan;

- g. Any specialist assessments that may have been commissioned e.g. psychological;
- h. The local authority managing the secure accommodation in which the child is placed if different to the Placing Authority. (The decision for ending or continuing is the decision of Executive Director of Children, Young People and Learning)

The Review Panel is responsible for listening to the views of those who contribute and coming to a recommendation about whether they believe the criteria for secure accommodation (**see Placements in Secure Accommodation on Welfare Grounds Procedure, Secure Accommodation Criteria**) are met.

The Review Panel will also consider any proposals for mobility of the child while in the secure accommodation.

The Review Panel can make relevant recommendations to inform exit planning for the child. The Secure Order is a permissive Order and the child can be moved to a community placement prior to the scheduled expiry of the Order if they cease to meet the criteria before the end of the Order. ** The service responsible must ensure contingency planning in advance of the SAR in the event that either the legal criteria (Section 25, CA 1989) is found no longer to be met, or where the legal criteria is met but secure accommodation is no longer considered necessary.*

A further Secure Criteria Review does not need to be held in these circumstances.

It is not sufficient, simply, to retain a child in secure accommodation to complete an assessment or treatment programme or whilst other accommodation is sought. Regard must be given to the fact that it is unlawful for the liberty of a child to be restricted unless the criteria are met, no matter how short the period of security.

Once the Panel has made a recommendation as to the child's continued placement in secure accommodation, it should be communicated to the young person and other participants at the Review meeting. The recommendation may be accompanied by other recommendations on related issues, for example as to mobility and visiting arrangements. The Child Looked After Review may take place immediately after the Secure Accommodation Review. In all cases, the outcome of the Secure Accommodation Review must be reported to the Child Looked After Review.

Where relevant, a date for the next Review Panel should also be fixed.

Minutes will be prepared and sent to all those in attendance.

8. After the Secure Accommodation Review

The recommendation of the Panel will be submitted immediately to the Executive Director of Children, Young People and Learning for consideration and decision as to whether the secure placement remains appropriate. **See scheme of delegation.*

The IRO should be advised of the outcome of the Secure Accommodation Review.

The social worker will also inform all those whose views have been taken into account of the outcome of the Review, what action, if any, the local authority proposes to take in relation to the child in the light of the Review, and their reasons for taking or not taking such action.

The minutes of the Secure Criteria review should be completed within one working day. They should detail the reasoning behind the decision.

It should be borne in mind that the Executive Director of Children, Young People and Learning, the Children’s Guardian and /or the court may need to have the minutes as evidence for decision making.

If the Panel concludes that the criteria for restricted liberty no longer apply, the placement is no longer necessary or another type of placement would be more appropriate, the local authority must effect the ‘exit’ or contingency plan which should already have been outlined at the secure criteria review and considered at the most recent Looked After Child Review. The IRO should be kept updated.

Review / Contacts / References	
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