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Havering Youth Offending Service

Risk Policy

July 2018

**CONTENTS**

1. [Havering Youth Offending Service Risk Policy](#HaveringYOSRiskPolicy)
2. [Purpose](#GovernanceandLeadership) and Framework
3. [Partnership Working](#PartnershipWorking)
4. [Safeguarding](#Safeguarding)
5. [Child Criminal and Sexual Exploitation (CSE)](#CSE)
6. [Holiday Requests](#HolidayRequests)
7. [Information Sharing Procedures](#InformationSharingProcedures)
* [GDPR](#GDPR)
* [Gang association and offensive weapons](#Gangassociationandoffensiveweapons)
* [Community safeguarding and public protection incidents (CSPPI)](#CSPPI)
1. [Types of Risk](#TypesofRisk)
2. [Defensible Decision-Making](#DefensibleDecisionMaking)
3. [Assessment](#Assessment)
* [National Standards for Havering YOS](#NationalStandardsforHaveringYOS)
1. [Risk Panel Guidance](#RiskPanelGuidance)
* [Terms of Reference](#TermsofReference)
* [The Risk Panel Contributes to](#TheRiskPanelContributesTo)
* [The Purpose of the Risk Panel](#ThePurposeOfTheRiskPanelIsTo)
* [Cases That Require Risk Management Panels](#CasesThatRequireRiskManagementPanels)
* [Criteria for Risk Panel](#CriteriaForRiskPanel)
* [The Initial Risk Management Panel](#TheInitialRiskManagementPanel)
* [Who Chairs the Meeting?](#WhoChairsTheMeeting)
* [Who Must Attend?](#WhoMustAttend)
* [What Information is Required at the Meeting?](#WhatInfoIsRequiredAtTheMeeting)
* [The Following must be Provided for the Panel:](#TheFollowingMustBeProvidedForThePanel)
* [Standing Agenda for Risk Panels](#StandingAgendaForRiskPanels)
* [Risk Management Review Panels](#RiskManagementReviewPanels)
* [Pre-Sentence Reports and Risk Management Panels](#PreSentenceReportsAndRiskManagementPanel)
* [Urgent/Rapid Response Situations](#UrgentRapidResponseSituations)
1. [Case Discussion](#CaseDiscussion)
2. [Risk of Re-offending](#RiskOfReOffending)
3. [Risk of Harmful Behaviour and Safety and Well-being](#RiskOfHarmfulBehaviourandSafetyAndWellbe)
4. [Risk of Serious Harm to Others](#RiskOfSeriousHarmToOthers)
5. [Multi-Agency Public Protection Arrangements (MAPPA)](#MAPPA)
* [MAPPA risk management levels](#MAPPARiskManagementLevels)
1. [Assessments of Dangerousness](#AssessmentOfDangerousness)
2. [Management Oversight](#ManagementOversight)
* [Live Tracker](#LiveTracker)
* [Internal Audits](#InternalAudits)
1. [Safety at the YOS – Risk from Others](#SafetyAtTheYOSRiskFromOthers)
2. [Risk to Staff](#RiskToStaff)
3. [Home Visits](#HomeVisits)
4. [Youth Offending Service Risk Registers](#YouthOffendingServiceRiskRegisters)
5. [Custody and Resettlement](#CustodyandResttlement)
6. [End of Order](#EndOfOrder)
7. [Case Transfers and Working with Others](#CaseTransfersAndWorkingWithOthers)
8. [Staff Competencies](#StaffCompetencies)
9. [MAPPA Process](#MAPPAProcess)
10. [Summary of Statutory Risk Process in Havering YOS](#SummaryOfStatutoryProcess)

**HAVERING YOUTH OFFENDING SERVICE RISK POLICY**

**Risk - ‘the probability that an event or behaviour carrying the possibility of an adverse or negative outcome will occur’**.H. Kemshall (1997) Good practice in risk management and assessment, vol. 1 JKP

**Purpose and Framework**

The purpose of the risk policy is to provide a framework within which to manage risk when working with young people who have come to the attention of the Criminal Justice System. Risk assessment and management are the responsibilities of the agency as a whole and should always reflect effective practice. This includes active involvement of young people and their carers. Practice should be both risk and needs led in terms of prioritising needs to be addressed and based on specific descriptions of risk in terms of behaviour and circumstances rather than generalised labelling.

The policy takes into account Ministry of Justice MAPPA guidance 2012, Criminal Justice Act 2003, the sexual offences Act 2003, the Youth Justice Board Key Elements of Effective Practice and the YOS Inspection framework and criteria and National Standards for Youth Justice.

The policy is also to be read alongside the Youth Justice Board guidance on case management and MAPPA guidance issued by the Ministry of Justice.

It is noted that in all cases the YOS is under a duty to promote and safeguard the well-being of children young people.

**Partnership Working**

* + The YOS Manager/Service Manager will maintain and review Service level agreements with partners that are in place to govern the Youth Offending Service’s relationships with partners.
	+ The YOS manager will hold partners to account for their obligations under these Service Level Agreements.
	+ With partners the YOS Manager will:
	+ define and review objectives and priorities;
	+ information exchange protocols;
	+ reciprocal contributions;
	+ joint training opportunities;
	+ early warning systems;
	+ ensure Youth Offending Service representation at the MAPPA level 2 and 3 meetings.
	+ YOS Management Team will use the YOS quality assurance system for risk- based work to oversee the work of YOS Practitioners and Targeted Support work.
	+ YOS Practitioners and Targeted Support Workers will ensure that all assessments are (as far as possible) based upon verified information from a variety of sources, making full use of partner agencies information systems, this should include young people and parents/carers feedback and involvements and all stages of assessments.

**Safeguarding**

Child protection (risk *to* children and young people from others). Where a child or a young person is identified as being at risk of harm from others i.e. where there are child protection concerns, the [London Child Protection Procedures](file:///S%3A%5CPortman_House%5CLONDON%20CHILD%20PROTECTION%20PROCEDURES%5CFull%20London%20Child%20protection%20Procedures%20v4%202011.pdf) must be followed. These concerns **must** be discussed **without delay** with a manager from YOS and MASH/Assessment team and a referral made to the Multi Agency Safeguarding Hub (MASH) within Social Care. This must be followed up by a written referral made to MASH immediately.

The nature of the concern, the discussion and verbal and written referrals to the MASH must be recorded on the YOS case management system.

**Missing or Child Criminal and Sexual Exploitation (CSE)**

In the event that a child or young person is at risk of sexual exploitation or is being sexually exploited you must use Havering LSCB's Child Sexual Exploitation Toolkit and complete the local CSE risk assessment which gives you guidance on how you should respond. If the risk is immediate, you must make a referral to Havering’s Children’s Social Care Triage MASH & Assessment Team.

In cases where young people are reported as missing or have CSE concerns, YOS should include missing episodes in Asset Plus (Significant life events) and add ‘Missing or CSE’ characteristics to the YOS Information system so that the risk missing icon is flagged up on the system.

If the young person is open to CYPS but the concerns of missing/CSE are new; the YOS practitioner should ensure that either they and/or the allocated social worker arrange a case consultation with the CSE & Missing Coordinator so that the young person can be tracked, outcomes monitored and reviewed at the Missing or CSE Panel.

Where child exploitation has been identified then a National Referral Mechanism (NRM) should be considered. If it is advised by a manager or CSE & Missing Coordinator that a referral needs to be sent to the home office, then it should be completed jointly with a social worker if there is one allocated to the case. This is deemed as good practice and to support with a more analytical assessment/referral on risk and need. CYPS and YOS Line managers should jointly quality assure the NRM form before it is sent to the home office.

If the home office decides that there are reasonable grounds to believe that the child/young person is a victim of modern slavery then a 45 day reflection period will be issued as part of the positive decision notification to the referring YOS practitioner or social worker. After the 45 day reflection period you should receive a notification from the home office with a formal decision. The referring YOS Practitioner or Social Worker is required to follow up any notifications that have not been sent after the 45 days reflection period by the home office.

The YOS Practitioner will be expected to complete CSE awareness work with the child/young person if sexual exploitation is a concern.

**Holiday Requests**

When a holiday has been requested the following guidance should be applied:

**Required details:**

* Address and contact details where young person is staying
* Who they will be travelling with
* Passport photocopy if travelling abroad
* Copy of travel details, flight or other
* Assessed level of risk of reoffending, harm and safety and well-being
* Letter of request from parent carer, under 18 year olds

**Checked whether:**

* Is he/ she a priority case, ( high risk, LAC CIN, CP, MAPPA, Gang nominal, MISPER)
* Known to police since index offence
* Electronic Curfew can be amended within time scales
* Communicated that missed appointments to be covered/ made up for on return
* Level of compliance – current
* Communicated clear notification of consequences of failure to return - resulting in breach action
* All Childview records to be updated to reflect whether holiday request has been accepted by YOS manager and National Standards suspended where required

**Information Sharing Procedures**

Staff have a responsibility to familiarise themselves fully with the YOS information sharing procedures in order to:

* Safeguard young people
* Protect the public and others
* Prevent re – offending

By staff this includes permanent, temporary, flexible workers, students, volunteers and sessional workers, mentors and panel members.

Sharing of information, where there is an identified risk of harm to others or where there is a high risk of offending, is permitted under section 115 of the Crime and Disorder Act 1998 for the purposes of preventing offending. The information shared between agencies under this section belongs to the primary agency (i.e. the agency who originally disclosed the information) and may **not** be further disclosed or used for other purposes without the primary agency’s express agreement.

Information sharing with regard to the safeguarding of children and young people is permitted under section 11 of the Children Act 2004 which requires local authorities and other organisations (including YOS’s) to make arrangements to safeguard and promote the welfare of children. ([Confidentiality, Public Interest and Proportionality](#appendixE))

In cases where young people are habitual knife carriers, sex offenders, MAPPA etc. YOS should include the relevant characteristics to the YOS Information system so that the risk missing icon is flagged up on the system. This will support with risk information being shared when anyone whom accesses a young person’s case in the YOS case management system.

**GDPR**

Organisations which process personal data must follow GDPR data protection principles that set out the main responsibilities for organisations in terms of data protection. The principles are similar to those in the DPA, but with added detail at certain points and a new accountability requirement. GDPR requires you to show **how**you comply with the principles, for example by documenting the decisions you take about a processing activity.

GDPR requires data to be: processed lawfully, fairly, and in a transparent manner in relation to individuals, collected for a specific purpose, be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed, accurate and, where necessary, kept up to date, kept in its most clear and concise form, and should be kept no longer than is necessary for its purpose and be processed in a manner that ensures appropriate security of the personal data.

All YOS staff must have a CJSM secure account and all sensitive information should be sent securely. Its staffs responsibility to ensure that CJSM secure accounts active to avoid account being locked.

**Gang association and offensive weapons**

In the event that staff is aware of a child/young people carrying weapons then this must immediately be bought to the attention of managers and the YOS police representative so that police can be put an alert on the police systems.

Any gang associations including status within gang, street names, associates, conflicts must be recorded on the YOS case management system and passed to the line/ duty manager and included in Risk Management panel discussions with a clear safety plan. Intelligence should be shared with the tri borough gangs unit and Havering community safety team so information is fed into the Serious Group Violence Panel.

As part of the preventative agenda and knife crime strategy for Havering it has been decided that all young people that are subject to an OOCD will have a mandatory requirement to attend a weapons awareness/first aid workshop facilitated by the YOS. The YOS Police Officers will also be involved in the workshops to support with the preventative agenda.

### Community safeguarding and public protection incidents (CSPPI)

Previously it was a requirement that all YOS’s had to report serious incidents to the YJB but this has changed since May 2018. The YOS will now follow the Children Services serious incidents processes and are no longer required to report to YJB. There will be oversight of all serious incidents at the YOS Chief Officers Group (YOS Management Board).

All matters that meet the CSPPI will automatically be flagged to the YOS Head of Service and Assistant Director of Children and young people service (CYPS), and all service managers must be informed in the event of a Community safeguarding or public protection incident occurring. Initial notification of the incident will be made by the YOS Manager by way of briefing report. In the event that the incident is a discretionary one a decision will be made as to whether the case will be subject to full CYPS/YJB CSPPI procedures as per the standard operating procedures for Youth Offending Services or considered for internal scrutiny purposes for localised learning and development.



Types of Risk

* **Re-offending** – the likelihood that an individual will commit further offences.
* **Safety and Well-being** – the risk that a young person might be harmed in some way, either through their own behaviour or because of the actions or omissions of others.
* **Serious Harm to Others** – the risk that a young person might inflict serious harm on other people (e.g. serious violent or sexual offences).

The focus of engagement should be the reduction of risk and the safeguarding of victims, both current and future. Internal and external controls to be used to support in managing the risk including increasing supervision contact with the YOS where required.

Defensible Decision-Making

When working with risk, undesirable outcomes and serious incidents will sometimes occur, despite best endeavours. It is, therefore, important to be able to account for decisions made and the process gone through to arrive at those decisions. Defensible decisions are those for which it is possible to demonstrate that:

* All cases have gone through the MASH or Havering’s Children and Young People’s service case management system in order to gather all available information
* Consideration was given to all the information available at the time and to well established research findings
* There was a clear link between the evidence available and the conclusions reached
* Organisational procedures were correctly followed
* All management decisions clearly recorded

Assessment

All young people entering the Youth Justice System will be assessed using the AssetPlus which is a new assessment and planning interventions framework developed by the Youth Justice Board (YJB) to replace Asset and its associated tools. AssetPlus has been designed to provide a holistic end-to-end assessment and intervention plan, allowing one record to follow a child or young person throughout their time in the youth justice system. **Youth Justice Board approved ASSETPlus comprehensive assessment tool is devised to ensure the risk assessment is evidence based and properly recorded and reviewed**.

AssetPlus focuses on professional judgement of practitioners and will enable better-focused intervention plans to improve outcomes for children/ young people and their families.

AssetPlus Supports practitioners to identify outcomes and plans that link to risks and positive factors identified in the Explanations and Conclusions section:

* outlines judgements made in the assessment alongside an indicative Scaled Approach Intervention Level
* frames the young person’s intervention plan around what can or needs to be done to deliver 5 key outcomes:
	+ repairing the harm (Restorative Justice)
	+ not reoffending
	+ not hurting others
	+ goals and life opportunities
	+ safety and well-being
* outlines targets and actions that will seek to deliver the intended outcomes
* highlights areas where there is a need for referral and gives consideration to engagement, risk, safety management and changing circumstances

**All assessments and plans should be reviewed and updated as per** (National Standards for Youth Justice Services and local arrangements as per the risk and vulnerability minimum standards tables within this document.

**AIMS:**

The Aims model was designed to assist early stage assessments of young people between the ages of 12-18 years, who are known to have exhibited harmful sexual behaviour(s) on one or more occasions.

The model is based on the understanding that any young person who sexually harms another requires an assessment and subsequent intervention in order to try and ensure that their behaviour does not continue or escalate.

The AIM2 assessment model has been designed to help front line professionals identify the appropriate level of risk and nature of interventions.

Aims2 assessment consent letter should be completed with the child/young person and their parent carer.

If the YOS forms the opinion that a full psychiatric or sexual harmful behaviour assessment is required, the YOS will advise the court at the earliest opportunity, and set out clear instructions for the preparation of the report and specify a timeframe for its completion. The court will cover the cost of such an assessment through the funding streams available to them.

If the court makes an Order for a full psychiatric or sexual harmful behaviour report then the defense solicitor or YOS will make arrangements for this to take place and inform the Court of this arrangement for the purposes of a PSR.

**National Standards for Havering YOS**

As per the Youth Justice Board national standards national guidance for YOS.

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/296274/national-standards-youth-justice-services.pdf>. All orders, ensure that a formal review of progress, including a review of the assessment and Intervention Plan is held at a maximum of Six – monthly Intervals, or if any of the following apply:

* Where, in the judgement of the YOS Practitioner, any identified changes in the young person’s life are so significant as to warrant a revision to the plan prior to any decision to vary levels of contact in line with the scaled approach/Asset Plus models, and at the conclusion of the YOS supervision as part of the case closure process.

Significant Events/Changes:

* Following a request for a PSR or if young person is returned back to Court for Breach
* Change of education provision
* If young person is sentenced/resentenced without a report
* Changes in living arrangements
* If young person is suicidal or self-harms
* If in custody, at the start of transfer to community
* If in custody following all scheduled review meetings
* At any transition points, such as transfer to another YOS area or transfer to the local probation area.
* If young person becomes a LAC/CIN or CP concerns
* Increase in missing episodes
* Criminal or Sexual Exploitation
* Any disclosures by young person
* Concerns/issues raised at YOS risk management panel or other professional meetings that link to actions

|  |  |  |
| --- | --- | --- |
| **Table 1: Scaled Approach model Intervention level**  | **Minimum contact\* for first 12 weeks (per month)**  | **Minimum contact\* after 12 weeks (per month)**  |
| Intensive  | 8  | 4  |
| Enhanced  | 4  | 2  |
| Standard  | 2  | 1  |

**Risk Panel Guidance**

**Terms of reference:**

A Risk Management Panel is one of the YOS’s mechanisms for planning and reviewing how risk will be managed while a young person is involved with the YOS with an emphasis on key outcomes for young person and families.

**The Risk Panel *contributes to:***

* *Havering YOS overall strategy to manage and reduce the risk of re-offending and anti-social behavior*
* *Protect the public, victims and staff working within the YOS and to*
* *Safeguard children and young people*

**The purpose of the Risk Panel**

* + To achieve a consistent oversight of cases involving risk of serious harm and safety and well-being, all cases where a medium, high or very high risk of serious harm or Safety and Well-being is identified will be referred to be discussed and reviewed at the fortnightly Youth Offending Service multi-agency risk panel meeting.
	+ The Panel will be chaired by a YOS Manager or Head of Service.
	+ The Panel will be formed of staff from within the Youth Offending Service, drawn from staff with a variety of multi agencies (CAMHS, SALT, Substance Misuse Service, Police, and Parenting) to reflect the range and complexity of issues and needs that will arise.
	+ YOS Practitioners will be asked to present their case to the Risk Panel following completion of an initial Risk Management Panel referral form
	+ The purpose of the Risk Panel is the assessment and management of risks to staff and public; maintenance of the risk register; oversight of Level 1 MAPPA cases
	+ Any changes identified by the Risk Panel that are required to the Plan will be completed by the YOS Practitioner following the Panel meeting
	+ Notes of the Risk Panel meeting and a risk register will be kept on the shared drive under ‘risk management policy’
	+ The individual notes for each child / young person considered at the Risk Panel will be noted directly onto the young person’s file via the case management information system

**Cases That Require Risk Management Panels**

Risk Panels must be held for all young people that either present a medium, high or very high risk of harm to others or are at a medium, high or very high risk of Safety and Well-being.

**Criteria for Risk Panel**

There are three types of Risk Management Panels for Risk of Serious Harm and Safety and well-being:

Process stages

* Initial stage
* Review stage, following/ post initial referral
* Resettlement Panel

**The Initial Risk Management Panel**

This is the first Risk Panel to be held within the required timescales following a Safety and Well-being or ROH assessment indicating ‘Medium’ ‘High’ or ‘Very High’ status.

This meeting will consider –

* The nature and the level of risk
* The need for further assessment

And

* Agree/Amended Pathways and Planning

##### Who Chairs the Meeting?

##### The meeting will be chaired by the YOS manager or Head of service.

##### Who Must Attend?

The following YOS staff should attend:

* Allocated YOS Practitioner
* YOS Principal Practitioner
* YOS Police Officers/Gangs Unit
* Other YOS staff undertaking direct work/interventions where appropriate e.g. YOS CAMHS nurse, SALT, YOS Substance Misuse worker, YOS Parenting, YOS Careers advisor etc. (if required)
* It is a requirement to invite a representative from another agency involved with the young person and family e.g., Children’s Services, Early Help with.

The Young Person or his or family/carers will not attend the meeting**.**

##### What Information is required at the Meeting?

The Risk Panel needs access to appropriate and sufficient information so that the level and nature of risk can be identified and an effective Risk/Safety-Wellbeing Management Plan established.

***The following must be provided for the panel:***

##### YOS Practitioner to Risk Management Coordinator/Chairperson In Advance of Meeting

•Risk Management Referral Form

•MAPPA threshold screening form (where required)

**YOS Police to the Risk Panel (to Chairperson as Agreed Before Meeting)**

•Up-to-date PNC

•Police update on gangs matrix (where applicable)

•Up-to-date Police Intelligence

• Record of preventative orders (e.g., ASBO or SOPO)

**Standing Agenda for Risk Panels**

All risk management panels employ the following agenda.

* *Introduction*, Attendances, and Apologies
* *Profile of Young Person* – Personal Details
* *Details of Cause Of Concern* – Current and Previous, and Partner Agency (YOS Specialists) Information, Victim Information
* *Update on young person engagement* – any breaches, reoffending, , Partner Information
* *Decision* – Agreement on Risk Level, Amended Risk/Safety Well-being Plan, Links with Any Other Risk Management Processes and Necessary Actions
* *Agree Action Plan/Outcomes* –Referrals, Information to be shared and gained, other contingency Actions
* *Review –* Seriousness and imminence of risks to be considered when planning for review.

**Risk Management Review Panels:**

##### Frequency of Review Meetings

Where high or very high safety and Well-being or high or very high risk of causing harmful behavior to others has been identified, Risk Management Review Panels must be held monthly, unless the meeting agrees otherwise.

For all other levels of risk, risk panel reviews should be agreed by the panel depending on the assessed level of risk. This must not interfere with minimum reviews noted which can occur at or outside of panel.

##### Content of Review Panels

The Review panels will review and up-date current risk indicators, evaluate both internal and external interventions and controls, where relevant, identify necessary communication, (including MAPPA), identify named staff to carry out specified tasks, revise the risk status of the young person, if appropriate, and set the date for the next review meeting.

The Chairperson has responsibility for convening this meeting. Attendance at the meetings will be the same as for the Initial RMP unless stated otherwise by Chairperson.

***Final Review Panel***

The final review panel should assess the degree to which the plan has been successfully implemented, evaluate the level of risk, and consider recommendations for further action by other agencies.

##### Content of Resettlement Risk Panels

These panels should be held throughout sentence and at three month and 6 week before release from custody. Review panels will review and up-date current risk indicators, evaluate both internal and external interventions and controls as part of resettlement, where relevant, identify necessary communication with services (including MAPPA), identify named staff to carry out specified tasks, revise the risk status of the young person, if appropriate, and set the date for the next resettlement panel.

The Chairperson has responsibility for convening this meeting. Attendance at the meetings will be the same as for the Initial RMP unless stated otherwise by Chairperson.

**Pre-Sentence Reports and Risk Management Panels**

An initial/review RMP may need to be held during the period that a PSR is being prepared for court, and the Risk panel may inform the recommendation for sentence and the supervision plan for young person.

**Urgent/ rapid response situations**

Where there is an urgent need to take action to manage risk, verbal and written contact should be made immediately with all YOS staff likely to have contact with the young person.

An interim Risk Management Plan should be agreed between the YOS Practitioner and Principal Practitioner, (ideally line manager).

The Principal Practitioner should convene a Risk Management meeting at the earliest opportunity.

In less urgent situations, staff and managers should follow the usual procedures as outlined above.

Outcomes for the panel could include:

* Information sharing with partnership professionals
* CRIS/ CRIMINT recording
* Convening a professionals, (with all involved),strategy or case meeting
* Referral on e.g.; Social Care, ASB team, MAPPA, ISS, other specialist service(s)
* Recommendation for Breach Proceedings to commence or other enforcement action
* Increased management overview of case

**Case Discussion with Manager**

Cases requiring more detailed discussion should be referred through for a case discussion meeting if there is not one already scheduled. In the event that this applies to new cases details arising from existing assessments, (PSR, bail or remand) should be presented at the case meeting. Newly allocated community and custodial orders requiring discussion will require **initial assessments and intervention plans, to be discussed**. High Risk cases and those where there is an identified risk of Serious Harm to Others or Safety and Well-being should also be brought to the Case Discussion for periodic review (in addition to the usual review process).

Risk of Re-Offending

**Intervention Plans** must be completed **with the input of young person and parent/carer** for all young people we work with and the targets should reflect the issues identified in the **ASSET Plus** as most associated with the likelihood of further offending. **Intervention Plans** must be reviewed and **ASSET Plus** updated in line with National Standards and localised agreements. It is the **responsibility of the YOS Practitioner** to arrange reviews at the appropriate intervals and to ensure that all relevant parties are invited (young person, parent(s)/carer(s), specialist staff and other agencies). Reviews must be recorded on the YOS case management system in assessment and intervention, and where necessary further Intervention Plans should be drawn up and saved to the system.

**Scaled approach Intervention levels** this will follow the ASSET Plus assessment this also allows managers to override the scale approach level with clear evidence. Staff should use the scaled approach framework, see YJB scaled approach guidance.

**Professional judgement** consideration should be given to factorswhich indicate that the intervention level should be increased or decreased. Any changes to the original assessed intervention level should be defensible, discussed and agreed with a YOS manager with the reasons clearly recorded.

Risk of Harmful Behaviour and Safety and Well-being

Risk of Harmful Behaviour and Safety and Well-being will be indicated by the completion of the **ASSET Plus**, in particular The **Indicators within the risk matrix** sections will act as a trigger highlighting cases where further investigation is needed. The Matrix of impact / likelihood professional judgements risk must be classified in terms of ‘**impact’** (slight, minor, medium, major, critical), **‘Likelihood’** (unlikely, possible, likely, very likely, almost certain/certain). YOS Practitioners are to state the assessed level of risk in the evidence boxes within the future behaviour and safety behaviour sections. There should be particular attention to:

* Assessed as risk to children
* Risk Of Serious Harm judgement
* YOGRS
* Indicative Likelihood of Re-offending
* Likelihood of Re-offending
* Overall Safety and well-being

A young person may be vulnerable due to a number of reasons and could include:

* mental health needs
* physical health issues
* the behaviour of other people (e.g. bullying, abuse, neglect, intimidation, exploitation), gang affectedness
* events or circumstances (e.g. family separation, anniversary of loss, change of care arrangements, poor housing),
* the result of their own behaviour (e.g. substance abuse, acting out, inappropriate responses to stress).
* being gang affected

Of particular concern will be child protection issues and the risk of self-harm and suicide. All YOS staff should be familiar with and operate in accordance with Havering **Safeguarding Procedures**. Vulnerability concerns resulting in high risk classification must be referred appropriately; this will for example include referrals to:

* Social care
* Mental Health CAMHS nurse / CAMHS Services
* YOS Risk Management Panel
* MASE

List not exhaustive

It is important that YOS Practitioners refer to and consider related systems and plans of partner agencies as part of their risk assessment and management process. Examples include Social Care information system and Looked After Children and Child Protection and Children In Need Plans. It is also important that the YOS is represented at associated planning, review and or professionals meetings.

In the event that a serious harm case is re-classified as low risk and revocation is being considered this must involve consultation with other involved agencies. Revocation decisions must also give consideration to the impact on any victims.

Risk of Serious Harm to Others

**Definition** – serious harm is defined as death or injury (either physical or psychological) which is life threatening and/or traumatic and from which recovery is expected to be difficult, incomplete or impossible.

1. **Low Risk** – no evidence at present to indicate likelihood of serious harmful behaviour in the future. No specific risk management work needed.
2. **Medium Risk** – some risk identified but the offender is unlikely to cause serious harm unless circumstances change. Relevant issues can be addressed as part of the normal supervision process. A medium risk or above rating will require a more detailed risk management plan to be completed.
3. **High Risk** – risk of harm identified. The potential event could happen at any time and the impact would be serious. Action should be taken in the near future and the case will need additional supervision and monitoring (e.g. local registration, oversight by middle/senior management).
4. **Very High Risk** – imminent risk of harm identified. The young person will commit the behaviour in question as soon as they are able to or as soon as an opportunity arises and the impact would be serious. Immediate action is required and is likely to involve intensive multi-agency support and surveillance.

It is also necessary when completing the **ASSET Plus Risk of Serious Harm** to indicate if the case meets the MAPPA criteria, see below. In the event that it does indicate the action taken, MAPPA referral and resulting MAPPA level ascribed.

Multi-Agency Public Protection Arrangements (MAPPA)

1. The following procedure relate to
* anyone newly sentenced (see 4 below)
* anyone released from custody who falls into category 4 below
1. The MAPPA takes place within the framework of the Criminal Justice and Court Services Act 2000 (s67/68) and other relevant legislation.
2. Police, probation, prison and other relevant agencies are required to establish arrangements to manage and assess risks posed by relevant offenders. In addition, these agencies (and the YOT is specifically identified) have a duty to cooperate.
3. Criteria for MAPPA Offenders are:
	* ***Anyone required to register as a Sex Offender***
	* ***Those convicted of a sexual or violent offence who receive a sentence of 12 months custody or longer***
	* ***Other offenders that do not fall into the above categories but where the risks to the public are considered to require consideration and management.***
4. Any young offender in the criteria above must be identified and discussed with a Senior Officer prior to referral to the YOS risk panel and MAPPA. Nb categories 1 and 2 being automatic/ compulsory referral and, (in the case of category 3 cases) for consideration prior to a referral decision being made. Referrals are to be made using the MAPPA ‘A referral form’ available on the shared drive risk and MAPPA section.
5. The allocated YOS Practitioner will be responsible for making referrals through to the risk panel, within **3** working days of sentence, in the case of sentenced cases category 1 and 2.
6. It is usual practice for offenders referred to the MAPPA panel to be made aware that this will take place although there may be occasions when this is not appropriate (e.g. for the purposes of detection of crime). On the same basis it may not be appropriate to share the outcome note with the offender. Please discuss the particular circumstances of any offender who fits the referral criteria with your line manager and the MAPPA lead. See also MAPPA flowchart.

**MAPPA risk management levels:**

1. **Level 1** – risk management by the **YOT** through normal supervision procedures (normally “medium risk” and possibly some “high risk” cases)
2. **Level 2** – local inter-agency risk management meetings with representation from appropriate agencies **(local MAPPA meeting** **or Local Inter-Agency Risk Management Meeting).** Usually appropriate for some “high risk” cases and occasionally “very high risk” cases.
3. **Level 3** – referral to **Multi-Agency Public Protection Panel (MAPPP)** where a detailed and structured risk management plan is developed. Normally only appropriate for “very high risk” cases and occasionally “high risk” cases due to unusual circumstances (e.g. intense media interest). MAPPP should only deal with the **“critical few**”.

**\*Risk Management Plans must be shared with involved agencies.**

**Risk Management Plans must also incorporate plans from other involved agencies, e.g. Looked After Children Plans, Child Protection Plans.**

In the event that a case meets the fixed MAPPA criteria, (registered sex offender or 1 year + custody for sexual or violent offence) or assessed as MAPPA relevant, (potentially dangerous other), the **Risk Management Plan must detail who is responsible for referring the case to the local Pre MAPPA meeting** (usually the case manager).

Assessment of Dangerousness

When a young person has been convicted of a specified offence, an assessment of dangerousness must take place. Such an assessment is the responsibility of the court, but YOT’s have a significant role in contributing to this assessment.

\* A list of specified offences is located on the shared drive in the risk folder, under dangerousness.

The CJA 2005 defines a dangerous offender as someone to whom both of the following apply:

1. Convicted of an offence “specified” in schedule 15 of the Act (all of which are sexual or violent offences carrying a maximum penalty of two years or more).
2. Assessed by the court as posing a “significant risk to members of the public of serious harm by the commission of further such offences”.

PSR’s should provide detailed information to courts with regard to the level of risk and dangerousness to the public posed by the young person. Information relating to the assessment of dangerousness should be included within the “Assessment of Risk” section of the PSR, which, in cases involving specified offences in the Crown Court, should be renamed “Assessment of Risk and Dangerousness”.

Dangerousness must always be addressed with regards to Crown Court cases meeting the criteria.

Suggested wording for the opening of this section in a PSR would be:

*This offence(s) is a specified offence under schedule 15 of the Criminal Justice Act 2003, which requires the court to make an assessment of Dangerousness (if also a serious offence , say: “The offence is also considered to be a serious offence since it carries a sentence of 10 years or more”). The following information has been provided to assist the court with the assessment of dangerousness.*

**Management Oversight**

Management of all cases shall involve regular management oversights, discussions at supervision meetings between the YOS Practitioner and their line manager. The manager providing supervision must record a note of the discussion on the YOS case management system. Where additional meetings take place between supervision, e.g. because of an identified change in the potential risk these must also be noted by the manager on the case record including actions required of the YOS Practitioner, including timescales for completion.

**Live Tracker:**

As part of the management oversights, the YOS will also use the *‘live tracker toolkit’*. Havering YOS has agreed to be part of a Youth Justice Board (YJB)

Reoffending Project which sought to:

* gain a greater understanding of the reoffending cohort and
* Subsequently reduce reoffending across England and Wales

The current live cohort enables us the opportunity for practice improvements through improved assessments and interventions to challenge and confront offending.

Strategic improvements by having timely information on youth crime trends of those young people we are working with and the characteristics that underpin youth crime for example numbers in public care, NEET, etc.

The business and performance team produces a report from the live tracker tool:

Characteristics include - Identifying all the young people in the cohort with start of order, order type, age, ethnicity etc. Each young person is RAG rated; a report is then used in two ways: discussion with team and discussion within management group which has centred around resource allocation, needs and impact.

**Internal Audits:**

* Cases identified under one of the three domains of risk will be tracked at the relevant risk management panel by the YOS Management team.
* Cases will be audited at least every three months to identify that work is being undertaken to the standards / quality required. This will include identifiable and defensible decision making within the case record, along with the line manager clear and identifiable involvement in providing management oversight.
* Cases that are within the first 6 weeks of the order may be audited by the management team to ensure that the initial contact with YOS to ensure standards and quality is high from the onset
* As part of the Children and Young People’s Services (CYPS) ‘Practice week’ senior managers will be auditing a selection of YOS cases per quarter with a focus on themed areas of practice.

**Safety at the YOS – Risk from others**

In the event that a young person informs a staff member that they feel unsafe coming to the YOS the following actions must be taken:

* Gather and record full detailed information regarding their perception of the concern in YOS Case Management System updating notes, ASSET PLUS/Plan.
* Liaison with YOS police to carry out a related intelligence check
* Contact made with parents/ carers, education provider, other involved agencies to verify information and to inform of concern(s).
* Liaise specifically with those officers involved with known conflicting individuals.
* Liaise/ consult with line manager

**Options to be explored in response to concern**

1. Sensitive Scheduling of appointments at times which may minimise risk, e.g early mornings.
2. Scheduling appointments at different times to those the young person is known to be in conflict with.
3. It is to be noted that young people will be expected to attend appointments at the YOS except for those situations where there is ‘well evidenced’ indicators of extreme safety and well-being/ risk from others, e.g.
* Presence of extreme violence, directly or indirectly through associates or conflicts/ ongoing feuds, assault, stabbing or shooting. Threats of reprisals, especially suggested imminent threats
* Presence of complex risk factors
* not in school education or training
* high visibility street presence, suspected dealing.
* Reputation name, high order status
* Suspected active gang or peer group foot soldier
* Presence of concerning police or other intelligence

**\*list not exhaustive**

Having assessed that the extreme and high safety and well-being threshold applies and scheduling appointments is not feasible or sufficient to reduce the risk appointments will be required to be made outside of the YOS. This may include a range of sites agreed by partner agencies. These venues should in themselves be subject to a risk assessment of the location as part of the risk management process.

In the most extreme cases indicating life is in danger across the Borough and no alternatives can be devised to manage the risk a manager may endorse case transfer or caretaking arrangements by another YOS, subject to negotiation.

Please ensure:

1. Those individuals with safety concerns are particularly seen promptly as should apply to all young people.

**Risk to staff**

In the event that a young person is assessed as presenting a risk to staff there is a requirement on YOS Practitioners to record risk concerns on YOS Case management system including:

* Flagging up characteristics
* case notes
* ASSET Plus
* ROSH
* Inform Managers of concerns
* Notify all other staff of high risk concerns especially duty and reception staff, those staff specifically linked to concern, e.g case holder(s) of those were conflict exist between individual(s), gang or group and other agencies
* For managers or seniors to be involved in assessing a risk including lone working, home visits and recording on YOS case management system and in risk plans decisions made and taken in response to the concerns.
* Be sensitive and alert to associated triggers and inform relevant staff of any concerns and required actions.

The tri borough gangs unit will also complete adhoc weapons sweep around the YOS building and also implement portable knife arches at entry of the YOS building.

**Home Visits**

Staff are required to familiarise themselves with the home visit guidance for personal safety and to understand the importance of planning and preparation with regards to home visits. If you have concerns regarding home visits a colleague can be arranged to accompany you. Discuss your concerns with your line manager a manager to determine the most appropriate course of action.

All staff should adhere to the YOS Home visit/Lone working procedure.

Lone workers must identify their named manager of the team, to be the one who they remain in correspondence with for the duration of the contact

Mobile contact numbers for the following managers are as follows;

Matthew Knights 07773201793

Jonathan Grant 07790911688

Trevor Stephenson 07970208356

Karen Livingstone 07813 343409

The lone worker is responsible for ensuring all the details of their contact are correct and up to date on their outlook calendar for their named manager or any other manager/staff to view at any time.

If the named manager is not available then it is also the responsibility of the manager to inform the staff member who the next available manager should be, for them to make contact with and who to contact if any issues arise.

**Staff to ensure that all their emergency contact details on Oracle and the YOS Mobile Telephone numbers list are updated.**

Weekend visits need to be agreed by a manager and that all staff should adhere to the YOS Home visit/Lone working procedure.

**Youth Offending Service Risk Registers**

The YOS holds a register of Risk classified cases including Serious Harm and Vulnerability. The register will be referenced for and risk management panel processing and general risk management purposes.

**Custody and Resettlement**

Particular attention will be given to effective resettlement with regards to custodial cases in order to:

* Allow sufficient time for a risk management plan, (where triggered) to be drawn up as part of an appropriate proactive response to ensure.
* Ensure adequate levels of supervision and support, including consideration to additional license conditions intended to manage and reduce risk.
* Ensure that YOS risk management panel is held 6 weeks before release from custody to support with resettlement plan and focus on outcomes.
* Ensure smooth transition from the custodial to the community element of the order. To conduct a resettlement planning meeting within 10 working days on release from custody.

**End of Order**

All cases where required will have a clear exit plan, which must be completed through a multi-agency meeting outlining how identified risks/needs will be effectively managed identify gaps/ concerns. ‘Refer on’ agencies must be informed of risk concerns and plans shared with relevant parties.

**Case Transfers and Working with Others**

Consideration is to be given to information sharing and who should be informed in accordance with the YJB information sharing guidance.

High risk case transfers are to be brokered through a manager, this will include initial contact and oversight of the transfer. All agreed plans for individual cases need to be clearly recorded on the YOS case management system.

**Staff Competencies**

All YOS staff are to be made aware of this risk policy as part of their induction or otherwise for existing staff. All staff must be equipped and or trained in the following required areas, through induction, ongoing and refresher training, briefings, supervision and team and practice development meetings:

* Appropriate Use of ASSET and YOS information management systems
* Risk management induction
* Modelling pro social behaviour
* Engagement with young people and their families
* Reflective practice
* Effective practice
* Resilience and persistence/ having an ability to cope with repeated offending and chaotic lifestyles and coping with the demands of working with those young people who pose a risk of serious harm
* Risk to children and safeguarding and child protection
* Working with mentally disordered offenders
* Working with young people who sexually harm





**SUMMARY OF STATUTORY RISK PROCESS IN HAVERING YOS**

**CASE**

**ALLOCATED DATE FOR**

**RISK PANEL**

**WITHIN 10 DAYS**

**OF REFERRAL BEING RECEIVED**

****

**RISK OF HARM & SAFETY & WELL-BEING PLANS SIGNED/AMENDED BY CHAIR/PANEL**

**SIGNED ASSET PLUS AND P&P**

**RISK OF Safety and Well-Being**

**COMPLETE ROSH IF ANSWER ‘YES’ TO INDICATORS OF SERIOUS HARM IN ASSET PLUS**

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**COMPLETE RISK PANEL REFERRAL FORM/MAPPA SCREENING & PASS TO OPS manager**

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**Emergency risk management panel to be convened where serious incident or swift increase in risk of harm/ vulnerability**

**SIGNED ASSET PLUS AND P&P**

**MED/HIGHOR VERY HIGH RISK**

**RISK OF SERIOUS HARM**

**MED/HIGHOR VERY HIGH RISK**

**COMPLETE S&W IF ANSWER ‘YES’ TO INDICATORS OF SAFETY/WELL-BEING IN ASSET PLUS**

**If MAPPA Category is met then MAPPA threshold form is to be completed. (Please see attached for guidance)**

**NO FURTHER ACTION. REVIEW ASSET WHERE REQUIRED.**

**LOW**

**RISK**

**Appendix 1: Information Sharing – relevant legislation**

**The Children Act 1989**

Section 47 of the Children Act 1989 places a duty on Local Authorities to investigate and make enquiries into the circumstances of children considered to be at risk of ‘significant harm’ and where these enquiries indicate the need, to decide what action, if any, it may need to take to safeguard and promote the children and young people’s welfare. Section 47 states that unless in all the circumstances it would be reasonable for them to do so, the following authorities must assist a local authority with these enquiries if requested, in providing relevant information: any local authority, any local education authority, any housing authority, any health authority, and any person authorised by the Secretary of State.

**The European Convention on Human Rights Act 1998**

European Convention on Human Rights Act 1998, suggests that the right to private life can be justified under Article 8.2 and proportionate. The right to a private life can be legitimately interfered with where it is in accordance with the law and is necessary, for example, for the prevention of crime or disorder, for public safety, for the protection of health or morals, or for the protection of the rights and freedoms of others.’ *(HM Government Information Sharing: Further guidance on legal issues, April 2006)*

**Crime and Disorder Act 1998**

The Crime and Disorder Act 1998 provides a statutory authority, under Section 115, enabling the disclosure of personal information to be considered whenever it is necessary or expedient to the successful implementation of the Act and for the purpose of the prevention or detection of crime.

The information needs regarding this protocol arises under Section 37 of the Crime and Disorder Act 1998: “to prevent offending by children and young people.”

**General Data Protection Regulations (GDPR) 2018**

Organisations which process personal data must follow GDPR data protection principles that set out the main responsibilities for organisations in terms of data protection. The principles are similar to those in the DPA, but with added detail at certain points and a new accountability requirement. GDPR requires you to show **how**you comply with the principles, for example by documenting the decisions you take about a processing activity.

GDPR requires data to be: processed lawfully, fairly, and in a transparent manner in relation to individuals, collected for a specific purpose, be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed, accurate and, where necessary, kept up to date, kept in its most clear and concise form, and should be kept no longer than is necessary for its purpose and be processed in a manner that ensures appropriate security of the personal data.

**The Children Act 2004**

Section 10 of the Act places a duty on each children services authority to make arrangements to promote co-operation between itself and relevant partner agencies to improve the well-being of children and young people in their area in relation to: physical and mental health, and emotional well-being; protection from harm and neglect; education, training and recreation; making a positive contribution to society; social and economic well-being.

**The Working Together Guidance and Information Sharing 2018**

applies to all organisations and agencies who have functions relating to children. Specifically, this guidance applies to all local authorities, clinical commissioning groups, police and all other organisations and agencies. This document replaces Working Together to Safeguard Children (2015). This guidance focuses on the core legal requirements, making it clear what individuals, organisations and agencies must and should do to keep children safe. In doing so, it seeks to emphasise that effective safeguarding is achieved by putting children at the centre of the system and by every individual and agency playing their full part.

**The** **Local Safeguarding Board** (**LSCB**)

The LSCB is the key statutory mechanism for agreeing how the relevant agencies in each **local** area will co-operate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do.

**Review of Policy**

This policy was first established in 2015. Any on-going areas of development or difficulties need to be reported to the appropriate YOS Manager or Heads of Service in the first instance. The review of this protocol will be in July 2019.

This policy will be distributed by management to all relevant staff.

**Completed by Matthew Knights**

**Signed:**

**YOS Operations Manager: Matthew Knights**



**Head of Service for Child Protection and YOS**



**Gary Jones**

**Date: 12/09/18**