**Secure Accommodation Reviews: Practice Guidance**

Quality Assurance Service Manager: Children Looked After and Advocacy

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| **Version number** | **Date updated** | **Updated by** | **Review date** |
| Version  | December 2022 | Rachel Bovingdon | January 2024 |

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# What is Secure Accommodation?

Secure Accommodation is a place for a young person under the age of 18, where they live in a home which is secure. For example: the home that the young person lives in will have all doors locked. This is a significant decision for a young person as it restricts their liberty to ensure their safety. When a young person lives in Secure Accommodation, they have a professional network who provide expertise, assessment, and intensive programmes to address risks and needs identified. This can include a focus on: education, physical and mental health and substance misuse.

A decision to place a young person in Secure Accommodation is a very serious decision and can only be used when the legal test has been met [see legal framework below] and when all other alternative options have been explored. The Director of Children’s Services must give approval for a young person to be placed in Secure Accommodation.

# The Legal Framework

**Section 25 of the Children Act 1989** sets out the criteria which must be met before a Local Authority can consider placing a young person in Secure Accommodation:

*“...a child who is being looked after by the local authority may not be placed, and, if placed, may not be kept in accommodation provided for the purpose of restricting liberty (secure accommodation) unless it appears that:*

*[a] He has a history of absconding and is likely to abscond from any other description of accommodation, and*

*If he absconds, he is likely to suffer significant harm Or*

*[b] If he is kept in any other description of accommodation he is likely to injure himself or other persons”.*

**Secure Accommodation Regulations 1991** [Regulation 11 and 12] dictate:

*The maximum period a court may authorise a young person to be kept in secure accommodation on welfare grounds is:*

*[a] Three months on the first application to the court, or*

*[b] Six months in respect of any further application to the court to continue to keep that young person in secure accommodation.*

The Director of Children’s Services can approve for a young person (with their parent’s consent) to be placed in Secure Accommodation for a period of 72 hours. Beyond this time, the Local Authority must make an application to the Court. The Local Authority’s legal department will need to apply for a Secure Accommodation Order and upon this application being made to the Court, a Children’s Guardian will be appointed. A Court can only make a Secure Accommodation Order when the above criteria within Section 25 of the Children Act 1989 applies.

If the young person is under 12 years old, approval is needed from the Secretary of State. On these occasions, the Director of Children’s Services will communicate with the Secretary of State for approval for a young person under the age of 12 to be placed in Secure Accommodation.

# What is a Secure Accommodation Review?

A Secure Accommodation Review is different to a Child Looked After (CLA) Review. Each meeting is held separately and they do not replace one another. Upon the young person being placed in Secure Accommodation, they are identified as a ‘Child Looked After’ and will have an Independent Reviewing Officer (IRO) allocated to them. The IRO will be responsible for chairing the young person’s CLA review and for monitoring the care plan throughout their time in our care. A Secure Accommodation Review will specifically assess whether the young person continues to meet the criteria for Secure Accommodation.

A Secure Accommodation Review must take place within one month of the date that the young person moved to the secure home. Following this, reviews take place every three months.

A Secure Accommodation Review covers the young person’s views, parent’s views and views of professionals around the young person. Based on everyone’s views and the progress that is discussed within the Secure Accommodation Review, **the panel members will decide** whether the young person continues to meet the criteria of requiring Secure Accommodation.

# Who attends a Secure Accommodation Review and what are their roles?

A Secure Accommodation Review must have three panel members. These include the Chair and two independent panel members.

The Chair must either be an Independent Reviewing Officer or a Senior Manager within Somerset Children’s Social Care. The Chair must not be the allocated IRO or a decision maker within the young person’s care planning. For example: the area Operations Manager could not chair the Secure Accommodation Review, but this could be chaired by an alternative Operations Manager.

The other panel member is usually a manager within Children’s Social Care, who similarly is not involved in the decision making for the young person. For example: the allocated Team Manager could not be part of the panel, however another Team Manager could be from an alternative area.

The independent person will either be an advocate from Route 1 or an advocate from an alternative service such as Coram Baaf. The independent person must not have provided advocacy to the young person before and needs to be someone independent to them and their planning.

Alongside the panel members, the Secure Accommodation review attendees should include – the young person, an advocate if the young person wishes, parents/ carers of the young person, allocated social worker and/ or team manager, the children’s guardian, staff at the Secure Accommodation and any other significant person who can contribute to the young person’s Secure Accommodation Review.

# How the young person is involved in their review

The young person should be supported by either the allocated social worker or a member of staff at their secure home to understand their review. Guidance for young people to understand a Secure Accommodation review is [attached here](https://proceduresonline.com/trixcms2/media/17387/secure-accommodation-reviews-a-young-persons-guide.pdf).

The young person should be supported to attend their review and have their views heard by the panel members and other attendees. The young person can have an advocate at their Secure Accommodation Review. The advocate can either support the young person to share their views or share them on behalf of the young person.

It is the responsibility of the Chair of the meeting to ensure that the young person understands what each person says within their Secure Accommodation Review and that appropriate language is used. An interpreter must be provided for young people and their parents if their first language is not English. Additional requirements should also be made for those that require this i.e., hearing loss, adults who require advocates.

# Organising the review and guidance for the Chair

It is the responsibility of the allocated social worker to inform Central CLA with required attendees and their postal and email address so invites can be sent to them. This must be requested as soon as an agreed date for the Secure Accommodation Review has been agreed. Upon a young person moving to Secure Accommodation, the first review must take place within a month and should therefore be organised as soon as possible. Arranging a Secure Accommodation Review flowchart can be found in triX [Local Resources Library](https://www.proceduresonline.com/somerset/cs/local_resources.html), under “Decision to Look After and Care Planning”.

The primary role for the Chair is to hold the meeting, ensuring that the meeting hears all information provided, including written reports. 5 working days before the Secure Accommodation Review takes place, the panel members and attendees must have access to the following,:

* The young person’s chronology
* The social work report which includes the background for the young person, specific work that is being undertaken, a recommendation and an exit plan
* The report from the secure home which includes the profile of the young person, their needs, intervention programmes identified for those needs and engagement with these, the justification for whether a Secure Order should continue and a recommendation
* Any further expert reports
* Any written report from the young person (or via their advocate)

The Chair will request for attendees to introduce themselves, explaining their role within the review.

The Chair will lay out the structure of the meeting – this will include hearing from the young person and parents/carers, the social worker and staff at the secure home. The staff at the secure home will often share professionals’ opinions attached to the secure home if they do not attend themselves.

Once all information is heard, the panel will break separately to discuss their findings and **decide whether the young person continues to meet the criteria for Secure Accommodation or not**.

The Chair will be clear to panel members and those attending the meeting that their role is to make no other decisions. The outcome will be shared with the young person and all attendees by the Chair.

The Chair of the meeting will send a record of the meeting to the Director of Children’s Services within five days of the meeting.

# Decision making and future planning

**Secure Accommodation Regulations 1991** 16 [1] states that the review panel must satisfy themselves with the following:

*“a. The criteria for keeping the child in secure accommodation continues to apply, and*

*b. The placement in such accommodation continues to be necessary, and*

*c. Any other description of accommodation would be inappropriate for him; and in doing so they shall have regard to the welfare of the child...”*

The primary role of the Secure Accommodation Review panel is to decide if the current Court Order remains appropriate and that the Secure Accommodation criteria continues to be met. The panel do not make decisions regarding future care plans for the young person, and this remains the responsibility of the social work team.

When a young person no longer requires a Secure Accommodation Order, it is the social work team’s responsibility to seek alternative accommodation for the young person if they are unable to return to the care of their family. Within Somerset, this would need to be reviewed by a Senior Manager via Legal Gateway panel. This does not mean that the young person must be immediately removed from the Secure Accommodation. The social work team and staff at the Secure Accommodation must create an exit plan for the young person to enable this to be a successful transition.

# Further information

For further information, please follow the link below which will take you to Coram BAAF good practice guidance:

[2020-CV-Secure-Acc-Reveiws-Guide4.indd (coramvoice.org.uk)](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcoramvoice.org.uk%2Fwp-content%2Fuploads%2F2021%2F10%2F2021-CV-Secure-Acc-Reveiws.pdf&data=05%7C01%7Crachel.bovingdon%40somerset.gov.uk%7C83071bb356db40869b8408daab6b2297%7Cb524f606f77a4aa28da2fe70343b0cce%7C0%7C0%7C638010773901888784%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=ielB67AudCLuQljcvJRf%2BfU02ab9w8VqP28l%2BBq8P7U%3D&reserved=0)