



**WOKINGHAM
BOROUGH COUNCIL**

Wokingham Prevention and Youth Justice Service

Case Management Guidance

Youth Cautions and Youth Conditional Cautions

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Owner: **Kelli Scott**, Service Manager CWD, Early Help and Prevention and Youth Justice Service

Bea Nigolian, Team Manager Prevention and Youth Justice Service

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Important Note: Outcome 22 as an Out of Court Disposal is not yet embedded within Thames Valley Police. This case management guidance will be amended to encompass all OOCDD options in due course. We also acknowledge that the outcome of a Joint Decision-Making Panel could be to issue a Community Resolution, in which case the relevant Community Resolution case management guidance will apply. The new Youth Justice Board Out of Court Disposal Assessment Tool is due to be released in April 2024. Training to use this tool will only be available in July 2024 and the tool will be embedded in the PYJS case management information system (IYSS) in September 2024. Until the tool is not embedded in our system, the PYJS will continue to use “mini-assets” for Community Resolution and the first Youth Caution assessment; and AssetPlus for second Youth Cautions and Youth Conditional Cautions.

Acronyms

YOT1: Police document which captures the details of the offence (child, offence and date, victim consent)

IYSS: case management information system utilised to record our work

PYJS: Wokingham Prevention and Youth Justice Service

TVP: Thames Valley Police

ATM: Assistant Team Manager

TM: Team Manager

YC: Youth Caution

YCC: Youth Conditional Caution

YJU: Youth Justice Unit

OOCDD: Out of Court Disposal

PYJS PC: Police Constable seconded to PYJS

Legal Framework

This document should be read in conjunction with the following guidance, which is saved on Z:\Waterford Hub\PYJS Legislation, Guidance and Frameworks.

- Standards for children in Youth Justice Services 2019 (Youth Justice Board)
- Thames Valley Protocol to reduce offending and criminalisation of children in care 2020
- The National Protocol on reducing criminalisation of LAC and Care Leavers
- OOCDD Decision Making Guidance 2023 (TVP)

- Child Gravity Matrix, v.2023
- Youth Justice Board Case Management guidance (2024)

Youth Cautions and Youth Conditional Cautions as Out of Court Disposals: Both Youth Cautions (YC) and Youth Conditional Cautions (YCC) are formal Out of Court Disposals (OCCD). A YC is a formal out of court disposal that can be used as an alternative to prosecution. It may be given for any offence where the child admits the offence, there is sufficient evidence for a realistic prospect of conviction, but it is not in the public interest to prosecute. YCCs are intended as a more robust response to offending than a YC. When a child is given a conditional caution for an offence, criminal proceedings for that offence are halted while the child is given an opportunity to comply with the conditions. Where the conditions are complied with, a YCC is applied. However, where there is no reasonable excuse for non-compliance, criminal proceedings may be commenced for the original offences.

Admission of guilt: For both YC and YCC there must be an admission of guilt by the child, or at least it should not be denied, or a legal defence be raised when interviewed. In the case of YCC, whilst admission is not required at point of police interview (although there remains the condition of no denial or legal defence being raised), the offence must be admitted at point of the YCC being administered. Any general or specific defence raised by a child or denial will preclude the issuing or consideration of an OCCD.

Previous Disposals: Previous convictions, cautions or OCCD do not preclude the use of any OCCD if it is appropriate. The decisions must be made on a case by case basis by the Youth Justice Unit in applying the evidential and public interest tests and taking the case to a decision-making consultation with the PYJS.

Completion timeframes: For summary offences, these conditions should be completed within 16 weeks of the date of the offence. For either way or indictable only offences, conditions should be completed within 16 weeks of date of the YCC being issued. This period may be extended to 20 weeks in exceptional circumstances.

The PYJS Offer

Wokingham PYJS will offer a 16-week OCCD programme to any child that has been issued with a YC or YCC by TVP. They are both formal out of court disposals although the implications of no compliance will vary from YC to YCC (see below, non-engagement section). The OCCD programme will consist of an assessment, a plan underpinned by the assessment and the delivery of tailored and targeted interventions.

A closure interview with the child and parent/carer will identify any ongoing support that may be required and allow us to obtain feedback about PYJS work.

OOCD programmes are subject to the same level of quality assurance than statutory interventions, including quality assurance of assessment and plans and monthly line supervision of the case. Where applicable, the case worker should also consult with CAMHS about the Trauma Recovery Model support.

Overarching principles underpinning OOCB programmes

First and foremost we should always remember that we are working with children. Our practice is driven and underpinned by Child First practice.

- 1. Engagement:** case workers will seek to engage with the child and parents/carers throughout the duration of our involvement with them and will work to ensure their meaningful participation, including the co-production of plans.
- 2. Trust:** case workers will seek to establish meaningful and trusting relationships with the children they work with, adopting a trauma informed approach to their practice.
- 3. Diversity:** case workers will take into account the diverse needs of each child and will promote equality in access and engagement. Case workers will be culturally aware of children's cultural and ethnic background and consider how they may impact on the child's engagement.
- 4. Identity:** intervention plans should contribute to building a child's a pro-social identity, underpinned by the Good Lives Model.
- 5. Understanding:** case workers will ensure that the child is aware of their rights and responsibilities throughout their involvement with the service. Language and communication should adapt to meet the child's needs and level of maturity. Where the case worker identifies some barriers with language and communication they should consult with the speech and language worker for support and guidance in working with that child.
- 6. Effective intervention:** case workers will consider targeted interventions based on the predisposing, precipitating, perpetuating and protective factors of case formulation. Within the time constraints of an OOCB programme, interventions will also be prioritised based on where the child is within the cycle of change. The role of other agencies that might be involved with the child and their scope to deliver some of the identified interventions should also be considered.
- 7. Effective multi-agency work:** case workers will co-ordinate interventions with any other relevant specialist agencies with specified intended outcomes, and prioritise

based on needs. Where a child is known or becomes known to Children Social Care, the case worker will be expected to attend and participate in relevant meetings (i.e. LAC reviews, CIN Reviews, ICPC, etc). **All relevant partners should be consulted and their views in regard of OOCB captured within the screening document.**

8. Consistency in practice: case workers will ensure that cases are managed and supervised in line with the relevant Wokingham Borough Council Practice Standards, as well as the Youth Justice Board's National Standards, where relevant.

9. Safety: case workers will ensure that any risk to the public and the child's safety and well-being are assessed and managed effectively.

Referrals in and Allocations

- TVP sends YOT 1 to PYJS via secure email and requests a consultation to assess the child's suitability for an OOCB and the PYJS recommendation.
- The PYJS conducts a screening for every child referred in. The screening will include a consultation with partners and the views of the child and parent. In respect of victims, prior to the issuing of an OOCB the consultation is made by the Decision Makers at YJU.
- Allocations are promptly made on the day of referral and communicated via email. The screening must be completed within 10 working days.
- Admin creates the IYSS file and uploads documents to multimedia and Z drive YOT1 Folder.
- The allocation will be recorded on IYSS as a "OOCB Assessment" programme and this same programme will be updated to reflect the final outcome (Youth Caution, Youth Conditional Caution, Community Resolution, or relevant Court outcome).
- The resulting OOCB should be allocated to the same case worker that conducted the screening. The case worker should make every attempt to be present when the OOCB is administered.
- The start date of the intervention should be the date that the OOCB is delivered.

OOCB Screenings

Purpose: The purpose of the screening is to identify the most suitable OOCB considering the offence, the child, their context and circumstances, and the victim's views. As part of the screening process, partners will be consulted and the child's and their parents/carers views considered to inform the PYJS recommendation. Thames Valley Police oversee the pre-outcome consultation with

the victim although if there is an opportunity for the PYJS to engage with the victim at this stage, they should be consulted as well.

Proposal: The screening should include the proposal for the most appropriate OOC, where more than one is possible.

Content: Although a screening will become the inception of an assessment; it does not have the rigour of a mini-assessment or an AssetPlus assessment given the high turnaround that it requires. All screenings must include.

1. A minimum of one session with the child and their parents/carers, if possible as a home visit.
2. The initial screening information received by specialist workers.
3. MOSAIC checks and any additional information provided by the relevant social worker (or absence thereof).
4. Consultation with partners regarding the proposed outcome.

Timeframe: A screening document must be completed within **8 working days** of allocation and sent to a manager for their oversight. The document signed off by a manager must be sent to the Youth Justice Unit by the **tenth working day**.

Initial Contact: In order to meet the above deadline, contact with the child and their family must take place within **1 working day** of the allocation. An appointment with them should be scheduled for within **3 working days** of the allocation.

Quality assurance: All screening documents must be quality assured by a manager, who sends them off to the YJU.

Joint Decision-Making Panel

This meeting will take place between the Prevention and Youth Justice Service (PYJS) and the Thames Valley Police Youth Justice Unit (YJU). It will be chaired by a YJU Police Sergeant and attended by the YJU Decision Makers and the PYJS Assistant Team Manager. Other practitioners that will be invited to attend on a case-by-case basis will be the PYJS Restorative Justice worker; Health Justice practitioners, Social or Youth workers, etc. This is because PYJS is a very small service and partners availability is limited and cannot fit within the constraints of a fixed and set date and time. For this reason, it is imperative that partners' views are adequately embedded in the OOC Screening document. The meeting will be held fortnightly on a Friday, via MS Teams. The outcome of the meeting will be recorded on IYSS.

The Out of Court Disposal

If an OOCB has been agreed at the Joint Decision-Making Panel, the following will apply.

Delivery: The YJU will send an updated YOT1 with the OOCB outcome. The PYJS PC will schedule a delivery date. Where possible, the case worker will attend the delivery of the OOCB by the PYJS PC.

Assessment type: An assessment will have to be completed for every child that receives an OOCB. For a first YC the assessment will be a mini-asset. For second YC and any YCC the assessment will be an AssetPlus.

Victims: At point of the OOCB allocation if there is consent to contact the victim, the Restorative Justice worker must do so.

Generic guidance on attendance and compliance

- There will be an expectation for a **minimum 10 supervision sessions** to be delivered to every child, which will include the reparation sessions and the planning meeting.
- All appointments must be given in writing (reminders are always a good idea, and these could be in text, WhatsApp, phone call etc).
- Appointments for at least the month ahead should be scheduled at the beginning of the month (the case worker can then decide whether the letter goes out weekly, monthly or one letter for the whole order).
- Appointment letters must be sent out to the child, and it is good practice for parents/carers to also receive a copy of appointments. The case worker may also want to consider sharing their appointments with the network, particularly if it is a large one, to avoid clashes with other professionals.

Week 1-4 Assessment and QA

- A home visit first appointment must be scheduled within one week of the delivery of the OOCB. The appointment letter **must** be handed to the child at the OOCB delivery session or sent out in the post that same day. This appointment will allow to continue with the assessment process initiated with the screening.
- If the child/parent do not keep the home visit, the non-engagement process identified in the “non-engagement” section must be followed.
- The assessment must include the views of the victim (where one has been identified), to which effect the case worker must consult with the Restorative Justice worker.
- The assessment (mini-asset or Asset Plus) must be completed within **3 weeks** of allocation (with acknowledgement that for part-time workers, this will be a **4 week** process instead).
- Quality Assurance: On **week 4**, the assessment must be QA'd by a line manager and finalised by the case worker. The QA will include oversight of the proposed

intervention plan, which should be informed by the factors for and against desistance identified in the assessment.

- The case worker will upload the final mini-asset to IYSS multimedia or the manager will “complete” the relevant AssetPlus.

Week 5 – 6 Intervention Plan and Behaviour Contract

- The case worker co-produces the plan with the child/parent/carer using the intervention plan template and the identified areas for intervention. For YCCs, the plan should include the goals necessary to meet the YCC conditions. The plan must be signed by the child (and parent/carer) and uploaded to IYSS multi-media.
- If the parent/carer was not present when the plan was co-produced, a copy of the plan must be posted to the parent/carer and this must be evidenced on IYSS as a case note.
- The case worker must complete the Process tab on IYSS indicating the date that the Intervention Plan has been completed.

Week 7 – 16 Programme Delivery

- **Recording:** The case worker must record all supervision sessions (and contacts) on IYSS and within **2 working days** of occurrence. For supervision sessions, the relevant template must be used.
- **Serious incident:** Where the case worker becomes aware of a serious incident involving or linked to the child (for example being the victim/perpetrator of serious violence; school exclusion; homelessness; serious family incident) the recording of the event must be done by the end of that working day.
- **Frequency of contact:** Most children will need to be seen weekly to ensure all sessions are delivered within the 16-week programme duration. There may be children whose context or needs may require they are seen less frequently. This variation will require management oversight by way of discussion in supervision. There will be an expectation for a **minimum of 10 supervision sessions** to be delivered to every child, including reparation sessions and the intervention planning session.
- **Risk Levels:** It is anticipated that all OOCs will present low-medium risk of serious harm and/or likelihood of re-offending. If during the course of the programme a change of circumstances indicate a variation in risk levels, it must be raised with the line manager within **2 working days** to assess, discuss and implement the risk management plan variation. Where the child has been assessed as presenting high safety and well-being concerns (or circumstances change to this effect during the delivery of the programme) this should also be raised with the line manager within **2 working days** to assess, discuss and implement the safety and well-being management plan variation. It is expected that a child who presents as high safety and well-being concerns would have an allocated social worker who would lead on their safeguarding. Where this is not the case and the concerns are high, the concerns must be documented in a MARF sent to the Front Door for safeguarding screening.

- **Victim work:** All OOCB programmes should include at least **one session** to discuss victim impact and awareness. Where relevant, it may also include direct or indirect restorative work. If no direct victim has been identified, the relevance of this intervention should be determined by the assessment.
- **Inappropriate sexual behaviour:** If the offence relates to inappropriate sexual behaviour or communication, there **must** be a referral to and an intervention by the PYJS nurse around consent and healthy relationships.
- **Substance Misuse:** If substance misuse has been identified in the assessment as a risk factor to further offending, a consultation should take place with Cranstoun to identify the best way to support the child (directly or indirectly). However, for an offence of Possession with Intent to Supply Class A or B drugs, there must always be direct intervention from Cranstoun as part of the plan.
- **Reparation:** All OOCB programmes should include 2-4 hours of indirect reparation unless it is assessed inappropriate given the specific circumstances of the child and the offence. The decision to not include reparation hours must be signed off by a manager and explained in the assessment document. The absence of direct victims is not in itself a reason to exclude the indirect reparation requirement.

Closure/Exit Interview

- **Booking the exit interview:** It must be booked with the child and parent with 3-week notice. The exit interview must take place **within 5 days** of the final session with the child. The worker will also invite a PYJS manager to the meeting, who will conduct the exit interview.
- Further guidance on this process can be found on the “Exit Interviews: Guidance for workers and Managers” document saved on the Z drive.
- **FOR YCC:** The line manager will close the intervention and the case worker role on IYSS. The line manager will also inform via email to the YJU and the seconded PC about the completion of the intervention.

NON-ENGAGEMENT

Generic notes on compliance

- **Rescheduled appointments:** Appointments can be “rescheduled” “before they take place and the reasons for rescheduling should be clearly indicated. Missed appointments **should not** be recorded as “rescheduled” appointments.
- **Recording Absences:** If a child misses an appointment the absence must be recorded as either “Not Kept Sufficient Explanation” or “Not Attended OOCB” (YC) or “Incident of failure to Comply” (YCC). There must be evidence to support a “sufficient explanation” decision.

- **Judgement on absences:** When making a judgement about an absence where no evidence is provided, it is imperative that the assessed levels of risk are borne in mind. Consideration should be given to the possibility that the child could have been at risk or have put others at risk/caused harm to others when the appointment was missed. Exceptionally, only once during the O OCD, and where children have an otherwise good record of attendance, an absence can be accepted without written evidence. In such cases, the absence must be noted with a “verbal warning” that must be recorded in writing, and where the child is also made aware that further absences without evidence will be recorded as unacceptable and result in a formal warning. The rationale for this exceptional approach must be clearly recorded.
- **Home visit:** It is good practice that if a child misses an appointment at the office or at school, a home visit follows to check on the reasons for the absence and on the child’s wellbeing.

Compliance and Enforcement

- **First missed appointment:** Missed appointments without an explanation should be followed up with a phone call or home visit to explore the reasons of the absence. The explanation provided will allow the case worker to decide whether it is an acceptable explanation. Whether the explanation is not acceptable and/or if the case worker is unable to contact the child, a first warning letter must be sent to the child, including the next appointment.
- **Second missed appointment:** As above. If the absence is deemed unacceptable, the case worker should send a “second warning” letter to the child, which would include the date of a compliance meeting.
- **Compliance meeting:** The child, their parent/carer, the PYJS PC, and the case worker’s line manager should be invited to attend. The compliance meeting should be held within **10 working days** of the last missed appointment. If ongoing engagement is agreed at the meeting, the case worker must also offer the child the opportunity to make up for the missed sessions, initially by increasing the frequency of the sessions (rather than extending the term of the intervention).
- **Non-engagement:** If non-engagement continues the case worker will discuss with the line manager, based on the specifics of the case, whether a Disengagement letter should follow or further engagement attempts will be considered. Where agreed, for both O OCD the YC/YCC Closure Disengagement letter will be sent to the child. For YCCs only, the line manager will inform the YJU Sergeant of the child’s disengagement for them to proceed with Court summons where applicable.