**Joint Working Agreement between Lancashire Children's Social Care and Lancashire Child and Youth Justice Service.**

* **Child First**
* **Restorative**
* **Trauma-Informed**

The Crime and Disorder Act 1998 places a statutory responsibility on Youth Justice Services and all Local Authority Directorates to consider the implications for crime and disorder reduction in their policies and service provision.

The service has embedded a child-first, trauma informed and a restorative approach ethos into its work. In Lancashire we believe it is the responsibility of all services within the authority, as well as our partners to enable holistic support for children at risk of prolonged contact with the criminal justice system, and their families.

The central aim of this working agreement is to ensure children within Lancashire, where appropriate, are not criminalised. Where this is not possible the key aim will be to ensure that the intervention is focused at the least level of intervention but with the most appropriate level of support, and that this intervention and ongoing interventions successfully reduce the risk of re-offending.

1. **The legal and policy frameworks that guide this document**
   1. Children's Social Care (CSC) and Child & Youth Justice Service (CYJS) have a working agreement which will operate within the legal and policy framework of the below, though this list is not exhaustive:

* Children Act 1989,
* Children (Leaving Care) Act 2000,
* Children Act 2004,
* The Criminal Justice and Immigration Act 2008,
* The Assessment Framework for Children in Need and their families,
* Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO),
* The statutory responsibilities of the Local Authority for children looked after,
* The Lancashire Safeguarding Children Procedures
* The Prison Reform Trust's *In Care out of Trouble* report.
* The National Policy on reducing the unnecessary criminalisation of children looked after and care leavers (2018).
* Working Together to Safeguard Children 2023
* Antisocial Behaviour Crime and Policing Act 2014.

1. **Guiding Principles of this agreement**
   1. First and foremost, it is the responsibility of all professionals in Lancashire to ensure that children are kept safe, and that their needs are met. This should be at the forefront of all professionals involved. Lancashire Child & Youth Justice Service (CYJS) and Children's Social Care will take a Trauma-Informed, Restorative and Child-First approach in supporting children who offend or are at risk of doing so.
   2. Adolescence, by its nature as a discreet stage of development, leads to children experiencing various transitions. These may be more normalised transitions, such as that between a Primary and Secondary school, however as children known to CYJS regularly have additional vulnerabilities, their experiences of change and disruption are likely to be more acute. Such transitions can include but are not limited to:

* Changes in care arrangements, including moving placements as a Looked After Child
* Transitioning between different schools, including reduction in timetables or exclusions
* Entering and leaving a secure setting
* Transitioning to adult services including adult social care, adult health services and Probation services.
* All of the above may involve changes in professionals, presenting a disruption in professional relationships for children.
  1. It is recognised that given the nature of the presenting needs of children who come into contact with criminal justice agencies, specialist knowledge is needed. Children's Social Care and CYJS will work closely together to ensure a holistic response to these children and their families. Where case responsibility is to be determined, this will be done through a recognition of the presenting needs of the child and family in order to ascertain the most appropriate lead agency.

**Children's Social Care processes**

1. **Safeguarding and ensuring children's needs are met.**
   1. Working Together to Safeguard Children clearly defines that it is everyone's responsibility to safeguard children. Services must work closely together in order to ensure a joined-up response to children who are at risk of committing offences. This cohort of children are particularly vulnerable and often need a co-ordinated response from agencies to ensure they and their families are supported to avoid the risk of prolonged contact with the criminal justice system.
2. **Child Protection** 
   1. If CYJS staff considers that a child is suffering or at risk of suffering significant harm and/or at risk of causing significant harm to others, CYJS staff must alert their CYJS manager immediately. The CYJS manager will evaluate the assessment and give advice, on the appropriateness of a referral to CSC, following Lancashire's Safeguarding Children Procedures. If immediate protective action is required, a child protection referral must be made by telephone; if the child is open to CSC to the relevant CSC Manager; if not open to CSC, the referral needs to be made directly to the MASH (0300 123 6720).
   2. It is an expectation that the CYJS Practitioner informs the child / parent / carer that a referral has been made to CSC, unless to do so places anyone at risk of significant harm or risks compromising a police investigation.
   3. Where there is a risk to the life of a child or a likelihood of immediate significant harm, CSC and the Police will act quickly to secure the immediate safety of the child. However, on occasions, CYJS staff may need to use their judgement to take protective action themselves; this should be done in consultation with a manager. Consideration must always be given to safeguarding any other children in the household.
   4. Following this, a strategy discussion must be considered. This includes where the risk to life is as a result of harm caused by others to the child, or where the child may have harmed themselves. CYJS will be expected to be involved in the multi-agency strategy discussion, section 47 investigation and attend all relevant meetings.

* 1. In all instances where a child who has displayed sexually harmful behaviour comes to the attention of CYJS and/or CSC a level 4 referral must be generated.  Lancashire MASH will undertake initial enquiries and consider if thresholds have been met for safeguarding, this could be a section 17 assessment, strategy discussion or section 47 enquiry as per the Children’s Act 1989. Children should not be closed to MASH in instances where the police are yet to undertake a PACE interview and the enquiries should be mindful of this so as not to interfere with any criminal investigation. When assessed as necessary, CSC will convene a strategy discussion/meeting within 24 hours of disclosure in relation to the alleged abusing child and the child victim where there is reasonable cause to suspect that the child concerned is suffering or at risk of suffering significant harm. Where a strategy discussion relates to an alleged abusing child who is over the age of 10, a representative from the CYJS to be invited.
  2. For further information regarding children who have displayed sexually harmful behaviour please refer to the Pan Lancashire Procedure for Children Who Display Sexually Harmful Behaviour and CYJS's AIM assessment and Intervention process.



* 1. Where CYJS/CSC become aware of a child alleging to have committed a serious violent offence, this must be viewed through a risk but also welfare lens. Such offences include but are not limited to Section 18 Grievous Bodily Harm, Rape, Manslaughter and (Attempted) Murder. If CYJS are the first agency to become aware of the violent or sexual offence taking place, they must ensure a referral is sent into MASH at Level 4 on the Lancashire Continuum of Need. MASH will complete their initial enquiries and determine if thresholds have been met for additional safeguarding actions.
  2. If a child is arrested under the Terrorism Act (2000), CSC and CYJS must work together to consider the specific risk and safeguarding concerns. A Strategy Discussion must be convened and CYJS must attend. Agencies will endeavour to share any information they are able to, mindful of the information restrictions that often surround these types of offences. See also paragraph 12.8.
  3. Empower and CYJS must work together to safeguard children experiencing or at risk of criminal exploitation. Empower should alert the CYJS Team Manager where a child known to their service requires a strategy discussion so that a representative from CYJS may attend.
  4. When there is follow up safeguarding activity, or continued involvement from Children's Services, the Lancashire Children's Social Care Procedure Manual must be followed. Further information can be found by following this link –

[Welcome to the Lancashire Children's Social Care... (trixonline.co.uk)](https://lancashirecsc.trixonline.co.uk/)

* 1. All children open to the CYJS will be reviewed in line with the Effective Case Management Oversight (ECMO) procedures. This includes a case planning meeting, chaired by a Team Manager. If the child is open to CSC, the manager and Social Worker involved may be invited to this, however this will be agreed between the CSC and CYJS Team Manager prior to the meeting taking place. CYJS practitioners must follow the Keeping Children and People Safe Procedure.

[Keeping Children and People Safe Procedure](file:///R:\Child%20&%20Youth%20Justice%20Service\2.%20General\Effective%20Case%20Management%20Oversight\3.%20policies%20and%20procedures\Managing%20Risk%20and%20MAPPA\Keeping%20Children%20and%20People%20Safe%20Procedure%20Nov%202024%20.docx)

1. **Exploitation** 
   1. Where children have been identified as being at risk or suffering Child Sexual or Child Criminal Exploitation, additional considerations may be given to safeguard individuals and families. The CYJS practitioners should share their concerns with a CYJS Manager and follow the process identified in paragraph 4.1.
   2. For children who are suspected of being exposed to Child Criminal Exploitation, additional processes can be followed to submit a National Referral Mechanism (NRM). The attached documents will explain the Lancashire County Council Child NRM process, with a video including wider information. For children who are not currently receiving statutory support from Lancashire Children's Services, the person identifying concerns must submit a request for support/referral, including the concerns around Modern Day Slavery/Child Criminal exploitation.



1. **Domestic Abuse and MARRAC**
   1. When responding to incidents of domestic violence, the practitioner should always find out if there are any children in the household or any children who would normally live in the household (even if they are not present). The Police or other agencies should ensure the children are seen and their safety established whenever they attend a domestic abuse incident.
   2. Where possible and safe to do so children should be spoken to directly. The younger the children in the family, or the presence of special needs, the higher the risk to their safety. The practitioner should consult with their manager/designated safeguarding lead within their agency to decide if a referral to Early Help or Children's Social Care is required.
   3. Where there are concerns for the welfare of a child a referral should be made to Children's Social Care in accordance with the Making a Referral to Children's Social Care Procedure.
   4. If a victim is high risk of serious injury or murder a referral to MARRAC (Multi Agency Risk Reduction and Assessment Conference) should be made. At this point immediate safety plans should be put in place and if there are children in the household a safeguarding referral to Children Social Care should be made. If the victim is an adult at risk under the Care Act 2014 referrals should also be made to Safeguarding Adult's Social Care.
   5. Where a referral is made for a Multi-Agency Risk Reduction and Assessment Conference (MARRAC) to plan intervention in relation to a high risk domestic abuse situation, if there are children in the family, a referral must be made to Children's Social Care. Even though a case has been referred to MARRAC a separate multi agency response will be required to safeguard the children.
   6. Further information can be found on the following link to the Lancashire Safeguarding Assurance Partnership (CSAP) Procedures Manual. [5.16 Domestic Abuse (proceduresonline.com)](https://panlancashirescb.proceduresonline.com/chapters/p_domestic_violence_abuse.html). The MARRAC referral form is included below.



1. **Serious Incident Briefing** 
   1. Events that are classed as Serious Incidents will be reported on the day of incident via the full line management route, to their Head of Service and the Directorate Safeguarding Manager.
   2. Where the child is known to the CYJS only then it will be the responsibility of the CYJS social worker to complete the notification and submit, in line with the guidance. CYJS should liaise with colleagues in MASH for consideration of threshold as appropriate. Where the child is also known to CSC, it should be the CSC Social Worker who completes the notification.
   3. If the child is not known to either agency, CYJS should ensure colleagues in MASH have the information (usually via the CYJS PC) but MASH will take the lead in terms of completing a serious incident briefing and considering thresholds for the child. This process must be cross-referenced with the above processes for children where the serious incident constitutes an alleged serious violent or sexual offence.



**8. Assessment for children where significant harm threshold is not met (including Children in Need)**

* 1. Any discussion about a child's welfare should be recorded on Core+ by the CYJS practitioner. This should include a note of the date and who took part in the discussion. At the close of a discussion, there should be clear and explicit agreement about who will be taking what action, or that no further action will be taken. However, such discussion should never delay emergency action to protect a child.
  2. If after the discussion with the CYJS manager and in consideration of the ‘Lancashire's Continuum of Need', CYJS staff consider a child's need is complex and requires an assessment from CSC, information will be shared with MASH using the most recent CYJS Assessment. The same process is applicable for homeless 16/17-year-olds. The documents should be sent electronically to the Customer Access Team who will forward to MASH [cypreferrals@lancashire.gov.uk](mailto:cypreferrals@lancashire.gov.uk).
  3. Equally, if the MASH receives a referral for a child aged 10+ from a source external to CYJS, they will check with CYJS if the child is known to their service. If a child is known (or has been known within the past six months), CYJS will complete the CYJS section of the MASH assessment on LCS, in order to share information.



* 1. If the child is currently open to CSC the CYJS practitioner, in discussion with the CYJS Team Manager should discuss the concerns with the relevant CSC Manager, recording the discussion and agreed outcome on LCS and Core+.
  2. The MASH or relevant CSC team will inform the CYJS of the outcome if CYJS have not heard within 3 working days then CYJS are responsible to follow up.
  3. If CYJS do not agree with a response from MASH, the CYJS Manager should follow the MASH escalation process (see paragraph 19)
  4. As with children subject to Child Protection, CYJS must attend all Child in Need meetings and related professionals meeting, ensuring that the child's CSC and CYJS assessments and plans are clearly reference one-another and promote joint-working throughout.

1. **Children in our Care Looked After (CIOC)**
   1. The expectations around children in our care are woven throughout relevant sections of this document. However, recommendations from the Prison Reform Trust's report *In Care out of Trouble* specifically highlight:

* A requirement for local authorities to hold regular senior-level, strategic meetings with their multiagency partners with the common aim of improving outcomes for looked after children, including protecting them from criminalisation. This must provide a commitment to share information, promote good practice and make joint decisions about matters affecting looked after children locally. This recommendation will be met through attendance at the Youth Justice Management Board by multi agency partners including CSC and the Police and the Strategic In Care out of Trouble meeting.
* Local authorities must always notify criminal justice agencies promptly (youth justice services, the police, the Crown Prosecution Service, the courts, and custodial establishments) when a looked after child comes into contact with the criminal justice system.
* There must be short time limits within which information about a looked after child must be communicated to other agencies at each stage of the criminal justice process, including when a looked after child is placed in a custodial setting.
* Every effort must be made by the local authority to facilitate family support for the child at all stages of the criminal justice process where this is safe and, in the child’s, best interests, and in accordance with the child’s wishes and feelings.
  1. Lancashire's CYJS Prevention and Diversion service's offer targeted intervention to children to avoid them becoming First Time Entrants into the Criminal Justice System. Where a Child in our Care comes to the attention of Police, diversion away from formal processes should be utilised wherever possible. The commitment to this is vocalised in the Pan-Lancashire Reducing Criminalisation of Looked After Children and Care Leavers document and is overseen by the C.A.R.E. (Children are Respected Everywhere – Reducing the Criminalisation of Children in our Care and Care Experienced Young People.
  2. Where diversion is not possible, it is a requirement that when child in our care appears before a criminal court, that the CSC Social Worker attends the Court appearance with the child. The CYJS case manager must ensure that they provide the CSC Social Worker with the details of the court appearance as soon as possible to enable the CSC Social Worker to attend.
  3. Children who are Looked After are likely to undergo more transitions than the wider cohort of CYJS children. These transitions are also more likely to equate to significant life events. CSC and CYJS practitioners should work together to ensure all transitions, including changes of care arrangements, transitions into and out of custody and transitioning into adult health, social care and justice systems are appropriately supported.
  4. Children may become Looked After by virtue of being remanded into the Care of the Local Authority or into Youth Detention Accommodation. See sections 16 and 17 for more guidance around the procedures required in this instance.
  5. CYJS should be aware that if a child is placed by parents with extended family or friends, CSC must be informed. Private Fostering Regulations must be followed, and relevant assessment and support processes applied.

**CHILD & YOUTH JUSTICE SERVICE PROCESSES**

1. **Children detained by Police** 
   1. When a child is arrested and taken into Police Custody, Lancashire Constabulary should consider completing a Police Safeguarding Report, which would trigger a MASH contact or information sharing with the relevant CSC for open children. In addition, the child should be seen by the Liaison and Diversion service whilst in custody. Liaison and Diversion is a health service which assesses the physical and emotional health and well-being of the child whilst in custody. They also provide key information relating to their care and share information with relevant agencies. Liaison and Diversion also acts as a point of referral and assertive follow up for these children to ensure that they can access and are supported to attend, treatment and rehabilitation appointments.
   2. Where the Liaison and Diversion Service have had contact with a child in Police or Court Custody, due diligence should be given to ensuring this information is shared appropriately with MASH/ allocated social worker in CSC where appropriate.
2. **Appropriate Adults in Police Custody**
   1. The Crime and Disorder Act 1998 (section 38) specifically places a duty on Local Authorities, via their CYJSs, to ensure the provision of Appropriate Adults to safeguard the interests of Children detained or questioned by Police officers. Lancashire CYJS currently commission this service to Child Action North West. The service is available to all children up to their 18th birthday where a parent/carer is not available to act as their Appropriate Adults. Appropriate Adults will also attend whenever a Looked After Child is in Police Custody.
   2. Where significant safeguarding concerns are raised whilst the child is in Police Custody, the Appropriate Adult must ensure this is shared with the Custody Sergeant. It is the responsibility of the Custody Sergeant to ensure MASH/EDT are alerted. Appropriate Adult's may also share these concerns if their level of concern warrants this.
   3. Following attendance at the police station, the Appropriate Adult will complete an Outcome form and send to the CYJS Secure Mailbox. A CYJ worker will then screen the form for any safeguarding concerns which should trigger a referral into MASH. Any potential safeguarding concerns will be discussed with a CYJ Manager prior to referral into MASH. Equally, if the child is found to be known to CSC, CYJS will ensure that the information about the child's detention is shared promptly. If the screening identifies potential safeguarding concerns, there should be a professional discussion between the CYJS manager and a MASH Team Manager to discuss whether an assessment/strategy discussion is necessary. Procedures noted above in relation to serious violent and sexual offences should be followed in all instances.

****

1. **PACE accommodation processes**
   1. Where accommodation issues arise following a Police PACE interview (e.g., parents refuse to have the child home) Police will inform the local CYJS. If this is out of hours, then Police will inform EDT. During office hours a CYJS worker will attempt to resolve the family issues so that the child may return home or find an alternative suitable placement; if this is not possible, a referral to CSC should be made.
   2. If the criteria for PACE accommodation are met, CSC will accommodate unless it can be shown that it is impracticable to do so. The CYJS Team Manager with lead responsibility for PACE bed transfers should be advised of any child being held inappropriately in Police custody.
   3. Additional information regarding LCC, and Pan-Lancashire PACE procedures can be found in the following documents:



1. **Prevention Service** 
   1. The Prevention Service offers early support to prevent children aged 8-17 from entering the criminal justice system. It seeks to achieve this through a stepped approach, offering a range of targeted intervention, group work, bespoke pieces of support and professional consultation. In addition, the prevention service is able to offer support, consultation, assessment and intervention to Children's Social Care for children that may be displaying Harmful Sexual Behaviour.
   2. Community Support- CYJ Prevention service works with our wider partners across the County to ensure community-based support, in places that are accessible for children and families. CYJ Prevention service can offer bespoke and targeted pieces of work in communities and schools to respond to identified need in that particular area. The service runs a 'Your Choice' groupwork programme, providing education and support around a range of topics including knife-crime, exploitation and anti-social behaviour.
   3. Consultation and Intervention-Where preventative support is requested regarding a child that is already open to CSC with case management oversight, CYJ Prevention service will provide a consultation. If there is an identified additional need for specialist CYJ intervention, this will be provided by a CYJ Worker, utilising the information gathered from the completion of a CYJ screening document. The lead agency for the child remains CSC and CYJS will bolt-on to this support, contributing towards CSC's assessment and/or plan. The intention of this model is to complement the established professional relationships already in place for the child and avoid duplication of assessments and plans between agencies. The responsibility for safeguarding and risk management remains that of CSC. 'Moving On' planning is an important component of this approach and CSC will remain involved whilst CYJS complete their intervention. Continuation of involvement with appropriate services are to be agreed jointly with services and the child and family.
   4. Assessment and intervention- Children can be referred to CYJ Prevention Services by external agencies. If the screening highlights that no other services are involved and CYJS specialist input is required, an assessment into the child's needs will be completed. The assessment will be completed by a CYJ Prevention Social Worker/ Senior CYJ Worker. These assessments will draw conclusions as to most appropriate next steps and most likely lead to a co-created plan with the child and family. The Child's intervention should be completed with clear moving on planning present throughout the input.

****

* 1. Specialist support: The CYJ Prevention Service offers specialist support to Children's Social Care for children who display harmful sexual behaviours. CYJS are to attend all strategy discussions for children who display harmful sexual behaviours to ensure the children and practitioners are provided with appropriate support and guidance.



1. **Diversion Service** 
   1. Referrals into CYJS's Diversion service come from Police following the commission of an offence, CYJS Diversion Service aims to divert children from formal criminal justice processes. The Diversion Service will initially complete a screening to decide whether children need support and which service is best placed to deliver this. In some instances, where a child is supported by a CSC practitioner and there is an established relationship, this practitioner may be better placed to offer this support. The following document will provide additional information about the feedback process when such a decision has been taken.

****

* 1. In addition, the screening may indicate a piece of work where a whole-family working is required. Where this is identified CYJS will liaise with the child and family and gain consent for a referral to be made to CSC, a request for support form should then be completed.
  2. When children are diverted into CSC service, the assessment and plan will be held by this agency, although CYJS can suggest pieces of work which may support desistance moving forward (see above feedback process).
  3. CYJS Diversion also includes the Child Resolution Panel. Referrals are received by the police following a commission of an offence. These children may or may not already have received an input from CSC at the point of referral. Where CSC are already involved, CYJS will ensure close alignment of assessment and planning to ensure families have a coherent support package.
  4. Where children are not open but it is felt further support is needed from CSC a request for support form would be completed.
  5. The CYJS Prevention and Diversion service's also have a key role to play in supporting children who may be at risk of radicalisation. This vulnerable cohort of children are likely to require a multi-agency response, which may include referrals into Prevent and Channel processes. CYJS can contribute to this response where appropriate via either a referral into the Prevention service or as part of a package of support following a Police/Court outcome.

1. **Community Orders**
   1. When a child is made subject to a Court Order, services must work in partnership to ensure holistic and co-ordinated packages of support for children and their families. Offending behaviour by children is first and foremost a safeguarding need. Where children are already open to CSC (Child In Need, Child Protection, Looked After) the allocated social workers in CSC and CYJS should liaise at the earliest possibly opportunity to co-ordinate assessments, plans and intervention support. CYJS should attend CIN reviews, CP conferences, Core Groups and CLA Reviews. Children's plans both within CYJS and CSC should reflect the involvement of the other agency and children's files in both services should evidence the joint work being completed to support a child's desistance and safety.
   2. When a child's involvement with either CYJS or CSC is due to cease, clear exit planning should take place which reflects the work completed by both services thus far and any persisting unmet need for the child.
2. **Criminal Behaviour Orders, Sexual Risk Orders, Sexual Harm Prevention Orders**
   1. The above orders are orders which can be pursued by the police (or in specific circumstances local Councils) in respect of children whom they deem to be persistently offending/behaving anti-socially or at risk of perpetrating sexual harm to others. Prior to making an application for any of the above orders, Police should request a consultation with CYJS. CYJS are of the opinion that such consultations should be multi-agency to consider a holistic response to the child and their family and to ensure procedures around children who exhibit sexually harmful behaviour are followed. Where there is an allocated social worker for the child, they should be included in any such consultation. Where the child is not known to CSC, CYJS should request a consultation with MASH to see whether additional support from CSC or CFW services would support the child to avoid further criminalisation and offer safeguards to themselves and any potential victims.
3. **At Court – Bail Supervision and Support (Crime and Disorder Act 1998)** 
   1. The CYJS is responsible for providing Bail Information and Supervision. The principle aims of Bail Information and Supervision are:-

* To provide information to assist the Court in the Bail and Remand decision making process.
* prevent offending on bail.
* To ensure the appearance of the child at court to reduce delays in the court process.
* To reduce the potential for inappropriate remands to Local Authority Accommodation and remands to Youth Detention Accommodation.
  1. All children who are at risk of being refused bail from court are assessed for appropriateness of Bail Supervision and Support by CYJS. CSC must be informed at the earliest opportunity if a child is at risk of being remanded to Local Authority or Youth Detention accommodation. Where the child is remanded to Local Authority Accommodation further joint assessment will be undertaken by CYJS and CSC.

1. **Bailed to reside/remands to Local Authority Accommodation** 
   1. The CYJS and CSC will work together to prevent children being accommodated by the Local Authority.
   2. The CYJS must inform CSC at the earliest opportunity of children at risk of being remanded to Local Authority accommodation or 'bailed to reside'.A joint CYJS/CSC discussion of the child's immediate needs and risk should be completed by telephone or in person so a suitable placement can be identified.
   3. During the joint CYJS/CSC discussion the following options should be considered:

* foster care.
* Placement with a connected person. This would constitute a regulation 24 placement and all due process need to be followed.
* children’s residential unit.
* supported lodgings (with support for children remanded to the care of the local authority – Bail Supervision / Family Support).
  1. If these placements are not available, case decision making processes must be followed to gain authorisation for an agency placement.
  2. In the event it is considered appropriate for the child to live at home, a joint assessment should be undertaken between CYJS and CSC. Home Placement Procedures will be applicable, and CSC Senior Managers will consider all relevant risk factors.
  3. When a child is remanded to Local Authority accommodation the Local Authority has the same powers and duties to the child as for any other child whom the Local Authority is looking after. CYJS will attend relevant meetings to jointly work with the child.
  4. Any child who becomes subject to a 'bail to reside as directed' or is Remanded to Local Authority accommodation will become open to CYJS and will be allocated to a CYJS practitioner. The child will be managed through the team’s case management procedures. Children will be continually assessed for appropriateness of Bail Supervision.
  5. The primary responsibility for a child who becomes a ‘child looked after’ due to being remanded or bailed to reside as directed by the Local Authority lies with CSC. CSC as the lead agency for Children Looked After are responsible for ensuring the completion of all CLA documents.

* 1. If a child is ‘bailed to reside as directed by the local authority’ the child may become a 'child looked after'. This will be the case in the event the Local Authority determines where the child should be placed. It is the responsibility of CSC in consultation with CYJS to decide where the child is placed and to determine the subsequent legal status. CSC and CYJS will work together to determine the best placement for the child. As in the case of a child being remanded to local authority accommodation they may be placed at home unless other bail conditions do not permit this. Practice Guidance regarding the process for placement requests is available.
  2. When a child becomes Looked After, the relevant Health CLA team, the Lancashire education pupil access team and the IRO service will be notified within 5 working days, following receipt of an LCS alert.
  3. For children already known to CSC, the allocated CSC social worker will hold responsibility for all children becoming looked after subject to remand or bailed to reside. The allocated CSC and CYJS practitioners should agree and record the allocation of tasks at a Care Planning meeting to avoid duplication of work.
  4. When the child leaves court the CYJS practitioner will escort the child to either the CSC, CYJS office or the identified placement, if available and in accordance with the assessment of risk. The CYJS practitioner and CSC Social Worker will agree supervision of the child until a suitable placement is identified. CSC and CYJS will liaise in relation to who takes the child to the placement and who subsequently transports to and from Court for further appearances. This applies to a child bailed to reside as directed or remanded to Local Authority accommodation and when parents or carers are unable, unsuitable or unwilling to take responsibility. As the child becomes 'looked after' it is a requirement that the 'child looked after' will be supported by the residential worker, foster carer or childcare Social Worker.
  5. A Placement Planning Meeting will be convened within a **maximum of 5 working days** to review the placement and establish the future Care Plan. The meeting will be chaired by the allocated CSC social worker. The roles and responsibilities of the workers from CSC and the CYJS will be agreed at this meeting.
  6. LCS placement documentation will need to be completed for all children deemed to be looked after.
  7. The allocated CSC Social Worker is responsible for convening the Statutory Review meeting. This will be chaired by an Independent Reviewing Officer.
  8. Further information can be found in the Children's Social Care Procedures Manual. [Welcome to the Lancashire Children's Social Care... (trixonline.co.uk)](https://lancashirecsc.trixonline.co.uk/)
  9. When a child has been remanded to the Care of the Local Authority and achieved Child Looked After Status, consideration must be given to leaving care entitlements. The CSC procedures contain the duty of the Local Authority and role of the allocated case worker.
  10. Further information can be found in the Children's Social Care Procedures Manual [Welcome to the Lancashire Children's Social Care... (trixonline.co.uk)](https://lancashirecsc.trixonline.co.uk/)
  11. The Coram Voice website is an excellent resource to use when supporting a child towards leaving care ([Home Page - Coram Voice](https://coramvoice.org.uk/)).

1. **Remands to Youth Detention Accommodation** 
   1. The Court may, in certain circumstances, impose a remand to Youth Detention Accommodation (YDA) to children who are not granted bail or remanded to Local Authority Accommodation. These children become Looked After by virtue of their secure remand status (Legal Aid, Sentencing and Punishment of Offenders Act, 2012).
   2. All children subject to YDA are placed in either a Young Offenders Institutions, Secure Training Centres or Secure Children's Homes. The child will become open to CYJS and will be allocated a CYJS Social Worker. The child will be managed through the CYJS's effective case management procedures. Children will be continually assessed for appropriateness for a community-based bail package. This should be considered in conjunction with CSC, particularly if the bail package proposes alternative Local Authority accommodation or where there are potential safeguarding implications for the child and/or siblings if they were to return home. Issues around accommodation should not be the sole reason for children entering or remaining on secure remand. Any such issues must be escalated to senior managers in both CYJS and CSC.
   3. Looked After Reviews must be held in accordance with statutory timescales and chaired by an Independent Reviewing Officer.
   4. When a child has been remanded to Youth Detention Accommodation and achieved Child Looked After Status, consideration must be given to leaving care entitlements. The CSC procedures contain the duty of the Local Authority and role of the allocated case worker.
   5. Further information can be found in the Children's Social Care Procedures Manual [Welcome to the Lancashire Children's Social Care... (trixonline.co.uk)](https://lancashirecsc.trixonline.co.uk/)
   6. The Coram Voice website is an excellent resource to use when supporting a child towards leaving care ([Home Page - Coram Voice](https://coramvoice.org.uk/)).
2. **Detention and Training Orders and Section 250 Orders (Powers of Criminal Court (Sentencing) Act 2020)** 
   1. The case management of children subject to Detention and Training Orders and Section 250 orders are the responsibility of CYJS.
   2. Where a child under 16 who has previously been accommodated as a result of a voluntary agreement under section 20 of the Children Act enters custody to serve a custodial sentence, they do not remain a looked after child. However, a responsible CSC officer has a duty to visit all children and young people who have ceased to be accommodated (Children Act 1989 s.23ZA).
   3. CSC will attend pre and post release meetings as required and contribute to relevant assessment processes for all Children Looked After and Care Leavers who are subject to a custodial sentence. All relevant information will be shared and considered by the CSC Social Worker and Team Manager in deciding what further actions are appropriate.
   4. If a child is subject to a Care Order whilst placed in custody, CSC statutory responsibilities remain during the child's time in custody. In such instances, CSC will undertake the range of duties and statutory responsibilities commensurate with a Child Looked After and ensure attendance and relevant planning at pre and post release meetings.
   5. When there has been significant involvement from CSC prior to a child receiving a DTO or Section 250 Order, CSC will remain open for 3 months and will attend pre and post resettlement meetings.
   6. The CYJS, through the AssetPlus assessment will consider planning for the child's release and whether prior to release, a referral to CSC is needed to update the C&F assessment and consider if the child needs support under a Child's Plan or to become a Child Looked After. This assessment will be a joint assessment between CYJS and CSC, but led by CSC. The outcome of the C&F assessment and planning for release are to be discussed at an Internal Care Planning Meeting prior to the final Remand Planning Meeting before release.
   7. CYJS will provide services to all children subject to a custodial sentence through local case management. CYJS must ensure all relevant health and education processes are followed, including notifying virtual school of the child's detention.
   8. Resettlement planning, including obtaining appropriate post-release accommodation, must be completed 21 days before a child’s release from custody (regardless of whether they are Looked After or not) when the period of time in custody allows this. The establishment's governor, director or head of the secure establishment must notify the Director of Children’s Services when resettlement planning has not been completed within this time period. Where this does not occur, CYJS must escalate to the FAAS Head of Service and Director of Children's Services via internal line management structures.
   9. The transition out of custody and into the community is a critical one and failure to plan appropriately is known to have significant implications for detained children. All agencies must ensure clear resettlement planning, commenced at the earliest possible opportunity, utilising CYJS's resettlement tools.
3. **Joint-Working and Escalation**
   1. Throughout these procedures, the importance of joint working between CYJS and CSC is highlighted. Agencies working together will support children and families to navigate through complex systems which can have significant impacts on their future. Which agency takes lead responsibility is likely to vary from child to child dependent upon a number of factors. This decision should always be taken following discussion between professionals. Where there is a lack of shared consensus, this should be escalated through the usual line management structures in both services.

****

* 1. These procedures set out the basis for joint working arrangements between CSC and CYJS, in order to best meet the needs of children who come to the attention of the police and Courts. In adopting shared principles of being Child-First, Trauma-Informed and Restorative, both services contribute to supporting children to avoid entering and there-after becoming entrenched in criminal justice processes. In continuing to work together to view children who offend through a welfare rather than criminal lens, key professionals can ensure children and families have access to child-focused support to move away from the criminal justice system.