

Youth Offending Service and Children's Social Care Joint Working Protocol

1. Introduction

- 1.1 The protocol outlines the joint working practices required by Youth Offending Service (YOS) and Children's Social Care (CSC) in order to safeguard the welfare of young people living in Hammersmith and Fulham to reduce their risk offending and re-offending. The following operational guidance aims to capture the necessary requirements to ensure that there is a clear understanding of each other's roles and responsibilities.
- 1.2 All services within the borough are governed by the same principles set out in Hammersmith and Fulham Practice Standards for Children's Services. At Hammersmith and Fulham our vision is to improve the lives and life chances of our children and young people; intervene early to give the best start in life and promote wellbeing; ensure children and young people are protected from harm; and that all children have access to an excellent education and achieve their potential.
- 1.3 The purpose of this protocol is to set out the shared responsibilities and agreed ways of working to achieve better outcome for the children and young people living in the borough.
- 1.4 This protocol should be read in the context of relevant legislation, national guidance and local policy and protocols including:

Children Act 1989, Children Act 2004 and Children and Social Work Act 2017
Children Leaving Care Act 2000
Standards for Children in Youth Services 2019
Case Management Guidance 2019
Risk Assessment and Risk Management Plan
Hammersmith and Fulham Adolescence Strategy
H&F Children's Procedures (tri.x)

London Child Protection Procedures
Working Together to Safeguard Children
Systemic Practice Model
Crime and Disorder Act 1989
Legal Aid Sentencing & Punishment of Offenders Act 2012 (LASPO 2012)
The Criminal Justice and Immigration Act 2008
Social Work Practice Standards

2. Shared principles

- 2.1 Young people come to the attention of CSC for a variety of reasons, but most referrals can be broadly defined as welfare or justice concerns. Welfare concerns cover a range of issues from safeguarding and child protection to general support to young people and/or their families. Justice concerns are the result of offending/anti-social behaviour by young people.
- 2.2 Some children and young people have complex needs and difficulties, which may require a joint response from the YOS and the CSC. It is these cases where case responsibility, identification of the lead professional and management need to be clear as effective joint working improves the outcome for children and young people.
- 2.3 The Family Assist Service provides an early intervention to vulnerable young people in need and their families through the Out of Court Disposal Panel to prevent further criminal activity. The Family Assist Service also provides support to those young people where a support is required.
Assist Service provides
- 2.4 Children in Care are at a greater risk of entering the Criminal Justice System, particularly custody, than similar aged young people in the general population. It is therefore a shared responsibility to provide a targeted and joined up service to this particular group
- 2.5 The LAC Assist service provides an intensive support to those looked after children and care leavers predominately provides a support around placement stability and where there is an element of crime and ASB, which could potentially have an impact on placement sustainability. to the age of 25 who are vulnerable and who are at risk of offending or have offended.
- 2.6 Central to the protocol is the need to ensure that all services are delivered according to anti-discriminatory practice and take into account the ethnicity, gender, sexuality and diverse needs of young people.

3. Information Sharing

- 3.1 Senior social care and YOS managers will contribute to the development of each other's strategies within the context of attendance and participation in the YOS Management Board, YCPP, LSCB subgroups, MARAC, MASE, SARP, YRWP, Corporate Parenting Steering Group and other meetings where representation is needed.
- 3.2 The Hammersmith and Fulham is committed to information sharing in accordance with agreed protocols and legislation related to data sharing and protection. This

includes the Freedom of Information Act 2000 and General Data Protection Regulation (GDPR) 2018.

- 3.3 The Head of YOS and the Head of Contact and Assessment and Early Help, Head of FSCP and Head of LAC and Care Leavers are the designated leads to manage the relationship between services and share all the relevant information accordingly.
- 3.4 YOS and CSC staff should ensure a good exchange of information including the sharing of assessments, records, minutes and reports, and joint attendance at meetings and statutory reviews. All forms of communication should be recorded on MOSAIC and Careworks to evidence what information was shared and why. Shared action plans and agreed targets, with the owner of each action clearly noted, should also be documented on MOSAIC and Careworks.
- 3.5 Case closures by either service will be discussed and agreed between the managers.
- 3.6 Case audits of joint cases will take place periodically in order to identify good joint practice but also to highlight areas requiring further development. The findings and proposed actions will be jointly presented to the DLT, LSCB, YCPP. Youth Justice Management Board. Team managers from both social care and YOS will be responsible for overseeing their completion.

4. Children in Care

- 4.1. In order to ensure we are looking after the right children at the right time there is a need to fully explore all available options for teenagers and their families before a decision is made to accommodate under Section 20. Before decision to accommodate can be reached, the social care team will consider the following:

- Support into the home/Family Assist intervention - this can vary according to families' needs.
- Possibility of young person staying with a relative/family friend under a private arrangement.
- Mediation arrangements
- Family Group Conference
- Financial support.

There must be a clear record that all options have been considered and where appropriate the reasons why they may or may not work. A decision to accommodate a young person is made by the Operational Director of Children and Young People's Service.

- 4.2 When a young person has to appear in a Police Station or court their parent, carer, residential worker or social worker should accompany the young person. In the event of difficulties then social care should contact the YOS manager to discuss whether any other options are available.
- 4.3 When a young person is sentenced to a court disposal then the YOS will liaise with the social worker in relation to their attendance and for support with the assessment process, as well as any subsequent intervention planning. The aim should be for staff from both teams to target the key risk and protective areas and to establish an achievable intervention plan which both Services then have a shared responsibility to

action. The social worker will retain responsibility as the Lead Professional. The YOS will have access to MOSAIC and will also ensure that YOS assessments are shared with the social worker and vice-versa.

- 4.4 The YOS case manager and CSC Social worker should work together and ensure that they attend all reviews and planning meetings, including those for young people in custody. CSC are responsible for informing the YOS of placement changes as soon as possible. This is important for assessing risk and ensuring that relevant YOS is notified if the child or young person moves out of borough.
- 4.6 Young people who are remanded will by default become looked after children. The young people will be subject all looked after procedures. The full guidance is available on [tri.x](#)
- 4.5 Young people who are subject to Care Orders (s.31) who are remanded and subsequently receive custodial sentence, will remain open to CSC and subject to looked after procedures and care planning. They will continue to be supported by the Looked After Children and Care Leavers team until the age of 25 if necessary.
- 4.6 Young people who were subject to Section 20 prior receiving custodial sentence, will cease LAC at the point of sentence. If the remand lasts for 13 weeks or longer, the child becomes eligible for leaving care services. This means that they will get advice and support for particular needs including accommodation and financial assistance (including for higher education) by the responsible local authority. The full care leavers offer is available on: [H&F care leavers offer \(lbhf.gov.uk\)](#)

5. Early Help and Children in Need

5.1 Early Help

The Early Help delivers improved outcomes through the provision of high quality effective whole family early intervention, delivered in the community, and which will drive through significant delivery efficiencies. Prevention and early intervention are built into the core of the model, along with the importance of working in partnership with families and local communities. The approach is collaborative and based upon the belief that early help is best addressed by integrated practice and an integrated workforce amongst all those supporting families across the borough.

6. Preventative Services (LESLEY B)

- Early Help offer
- OOCB multi-agency panel -
- NFA panel
- school inclusion project
- integrated key working service

7. Appropriate Adults

- 7.1.1 Where the Police seek an Appropriate Adult they are required in the first instance to make contact with ICAT and should the young person be already allocated in CSC, it is the responsibility of the allocated CSC social worker to act as an Appropriate Adult. If the request is made outside of working hours, an EDT will arrange for an Appropriate Adult to attend.
- 6.7. It is, however, the responsibility of parents and carers to attend the police station where at all possible and it must be established that this has been pursued first.
- 6.8. Should an Appropriate Adult be required to attend a police station for a Looked after Child, it is expected that in the first instance the young person's parent or carer will be approached to determine whether they can attend if appropriate. Where the child is in residential care, their key worker might act as the appropriate adult. If neither is available to attend, CSC social worker will be responsible to attend.
- 6.9. If, after initial interview, the young person is bailed to return to the police station for charge or to be issued with a Youth Caution or a Youth Conditional Caution pre-court disposal, a foster carer, keyworker, CSC social worker or if out of hours representative of the Appropriate Adult scheme must accompany them. The allocated CSC worker is responsible for organising the child's or young person's attendance.
- 6.10. It is the expectation that the child has an Appropriate Adult when a child or young person appears in court. The foster carer, keyworker, CSC social worker or duty worker must accompany them.

7. Provision of accommodation under PACE

- 7.1. Children and Young People who require an immediate placement as a result of arrest and/or charge, where the Police requests for an accommodation, the CSC will ensure that an appropriate placement that will meet the young person's needs is sourced.

8. Remand to Youth Detention Accommodation

- 8.1. The Hammersmith and Fulham is committed to ensure that whenever possible, charged children and young people are released on bail. This is the most preferable option and YOS are committed that children and young people spend as little time as possible in custody. When a young person is in custody the YOS will alert ICAT as early as possible in order to provide notice to CSC and enable them to arrange a support package for that young person upon release. ICAT is responsible for alerting the appropriate CSC team where the young person is not already subject of a plan; or will provide the information directly to the relevant CSC team member where there is an existing social worker assigned to the case.
- 8.2 Both YOS and CSC staff will ensure that CareWorks and MOSAIC are updated accordingly with the relevant discussions and decision that have been made to ensure the young person is safeguarded.

9. YROs

- 9.1 The YOS will cross reference all new cases against MOSAIC and in the event that the young person is LAC, they will liaise with the allocated social worker accordingly. If the young person is residing outside of Hammersmith and Fulham, or subsequently moved out of borough during the course of the court order, then the case management responsibility of the court order will remain with Hammersmith and Fulham YOS. The YOS will oversee the transfer of the case to its out of borough counterparts and it will manage the caretaking request. The YOS from Hammersmith and Fulham will retain overall responsibility for the case, including any enforcement action.
- 9.2 In order to facilitate the smooth transfer of the court order and to ensure that the appropriate risk management measures are in place it is important that the allocated social worker from Looked After Children Team communicates with the YOS and provides the details of the new placement in advance of the young person being moved. It will be the responsibility of the allocated social worker to ensure that YOS is informed of any placement change. The YOS worker will also be invited to any disruption meetings related to placement.
- 9.10 It is expected that YOS case manager will continue to attend LAC reviews and feedback information and minutes to the host YOS.

11. Homelessness and housing

- 11.1 The primary duty to a homeless 16 or 17 year old is under the Children Act and the ongoing duty to accommodate and support that young person will normally fall to the Children and Young People's Service authority. The full guidance can be found [here](#).

12. Escalation

- 12.1 In the event of a difference of opinion between YOS and Social Care then the expectation is that in the first instance the practitioners should attempt to resolve this in a positive way themselves with the assistance of the team manager. If they are unable to resolve the issue, the worker should refer this matter to the relevant Head of Service. In an emergency or serious case, the matter should be escalated to the Assistant Director.