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1.0 Introduction and Background

1.1 This document outlines the joint policy and procedures between Nottinghamshire Youth Justice Service (YJS) and Nottinghamshire Local Authority to reduce the numbers of children and young people who have offended who are not in Education, Training or Employment (NEET). It supports Target 3 of Nottinghamshire YJS Strategy 2020-2023.

“Every child and young person in contact with Nottinghamshire YJS has appropriate education, training and employment provision in place”

and supports the local authority response to reducing the numbers of young people 16 – 18 who are not in education, employment, or training (NEET).

1.2 The successful engagement of children and young people in Education, Training or Employment (ETE) contributes towards achieving the overall aims of the YJS which is to.

- Reduce the number of young people entering the criminal justice system.
- Reduce the frequency and rate of re-offending by children and young people who are already within the youth justice system
- Keep the numbers of young people experiencing custody – either on remand or as a sentence of the court – to a minimum.,

1.3 This document outlines:

- The joint policy of the YJS and the Local Authority.
- The procedures and practice to be followed, to reduce the numbers of children and young people who not in Education, Training or Employment.
- How performance will be monitored, evaluated, and reported.
- The role of staff within the YJS in working towards the reduction of young people supervised by the youth justice system who are NEET.
- The role of partners in the delivery of the policy, procedures, and practice.

2.0 YJ Guiding Principles for Education and Training

2.1 The YJS works under common shared principles in relation to the education, training and employment needs of those children, young people and families who participate in the service whether through voluntary or statutory contact. There are seven common themes and are grouped together as the *YJ Guiding Principles to Education and Training*.

2.2 The YJ Guiding Principles to Education and Training

1. All Nottinghamshire children and young people of compulsory school age (and who are not Electively Home Educated) should have a nominated school roll.
 2. Long-term part-time education is never satisfactory for a Nottinghamshire child/young person unless there is a clear medical¹ reason why.
 3. Nottinghamshire families and education providers will be challenged where a child/young person is not attending education for at least 85%² of their full time equivalent.
 4. Children and young people who are looked after by Nottinghamshire County Council will have full time access to education and are supported by The Virtual School.
 5. All Nottinghamshire children and young people of compulsory school age, who are Electively Home Educated, can expect the Local Authority to check that their education is of a good standard and is an appropriate choice of their parents or carers.
 6. All Nottinghamshire children and young people will have the opportunity to continue to participate in education and training past their compulsory school age.
 7. All Nottinghamshire children and young people who have an education, health, and care plan (EHCP) will have the support to continue in their education, training, or employment until they are 25.
- 2.3 The Youth Justice Education, Training and Employment Team (YJ ETE Team) will have due regard for the guiding principles and all interventions will be assessed against the above.

3.0 Policy: Aim and Purpose

- 3.1 The purpose of this policy is to ensure that YJS, together with its partners, put appropriate strategies in place with a view to increasing the percentage of children and young people in suitable full time ETE during and at the end of any statutory court order
- 3.2 It also aims to increase effective communication across the partnership including:

¹ Multi-agency team around the child can agree part time packages where a medical reason is available from a health professional, or Educational Psychologist, or is written in an Education, Health, and Care plan

- Regular liaison between all nominated managers in Nottinghamshire County Council and the Futures Group.
 - Regular review of policies contained in this document and consistent application across YJ.
 - Regular monitoring of ETE performance measures with feedback to partners through the Youth Justice Partnership Board.
 - Implementation and adherence to the contract agreement between Nottinghamshire YJS and the Futures Group regarding the commissioned Futures staff.
- 3.3 The YJS will ensure equity and equality of access to placements for all children and young people who are NEET.
- 3.4 All interventions will consider the specific circumstances and individual needs of the child/young person. This consideration will cover the type of placement, expected outcomes, and realistic progression pathways.
- 3.5 The YJ ETE Advisors will ensure the local authority, relevant education providers³, and the Coordinator of the Virtual School are aware of all individuals made subject to custody. This ensures that early consideration is given to planning for children and young people to transition back into the community and what is required to support their re-integration into ETE.

4. Procedures: Referral, Assessment and Planning Interventions

- 4.1 All children and young people made subject to an Out of Court Disposal (OOC), statutory order, Bail Supervision and Support (BSS) programme, or allocated for a Pre-Sentence Report (PSR) or OOC assessment will be secondary allocated to the YJ ETE Team. The YJ ETE Advisor will assess all children and young people, using the ETE Checklist (see appendix i); this will determine their individual circumstances and if any action needs to be taken. Children and young people will either become an 'open and active case', or they will be monitored for any emerging needs whilst they are working with the YJS.
- 4.2 All secondary allocated cases are assessed through a second screening phase which includes: relevant exclusions and Special Educational Needs information from the Children and Young Peoples Capita One system, the current Education, Training or Employment status of the young person, and school attendance data. Discussions will also take place with the YJ Case Managers. All education providers retain the duty to cooperate with the Youth Justice System under The Children's Act 2004 clause 10 and 11. All children of statutory school age, who are missing education, persistently absent, or without suitable full-time education will be deemed as an appropriate 'open and active case' (for post 16 young people this includes those in any NEET category and those not accessing at least 16 hours of ETE per week).
- 4.3 Open and active cases for children and young people of statutory school age (SSA) are made on the following basis:
- Attendance at designated education provider is below 85%
 - Access to a full-time package of statutory education is not available⁴
 - The young person is deemed to be at risk of exclusion

³ Education Providers are defined as any provider of statutory or post 16 provision, for example schools, academies, Further Education Colleges, Independent Schools, Free Schools, or private training provider (as contracted through the Education, Skills & Funding Agency).

⁴ Full time provision for SSA is 380 sessions per academic year

- In Year 11 and planning for post 16 education (commencing from January onwards)
- 4.4 Where a child or young person is above statutory school age (above SSA) to be an 'open and active case' they must:
- Not be in Education, Employment or Training (NEET) or
 - On a full time⁵ package of education or training, but are at risk of being excluded, or require information, advice, or guidance to find additional part-time work or support to look at their next career steps.
- 4.5 All open and active cases will have:
- A planned ETE intervention, taking into consideration the views of the child or young person and the most recent YJ assessment and plans of support.
 - ETE Advisers will complete an 'assessment of need' using and identifying strengths/areas for improvement and where they are in terms of progression into meaningful ETE. This will be attached to Capita in "Documents" (mainly post-16)
 - ETE Advisers will complete an Action Plan (mainly post-16) in conjunction with the client to agree steps and actions which will be attached to Capita in "Documents".
- 4.6 All work undertaken can be coordinated by the YJ case manager and delivered as part of a multi-modal package of support. All ETE Action Plans will be regularly reviewed to ensure progress towards a positive outcome classified as 1) SSA accessing 25+ hours of provision or hours deemed suitable for individual need, 2) Above SSA 16+ hours of provision or hours deemed suitable for individual need.
- 4.7 The YJ ETE Advisers will have due regard to the child or young person's views when agreeing which ETE intervention is the most appropriate. This should include any barriers to learning (identified through any completed assessments e.g. SLCN (Speech, Language and Communication Needs) screening, SEN information and EHCP's that may impact on their ability to access, participate, and progress in ETE during, and beyond their statutory court order.
- 4.8 The YJ ETE Advisor will ensure accurate recording of all work undertaken on all open active or open monitored cases using the YJS electronic case recording system. Also, where appropriate, basic data records to be maintained on the Futures Insight database.
- 4.9 Secondary allocations are closed to our ETE Advisers at the end of their OOC/ statutory order. Where a young person remains NEET at the end of their order, and consents to voluntary intervention, a referral will be made to our Life Chance Fund Employment Coaches (until July 2023) or to our local NEET services (Futures) within the relevant locality area.
- 4.10 Where a young person is NEET, and transitioning to the Probation Service, our Life Chance Fund Employment Coaches (until July 2023) will offer continued support with identifying suitable education, training, and employment opportunities.
- 4.7 The YJ ETE Advisor must ensure that all up to date ETE information is correctly recorded on Capita at point of closure (see Appendix i) This includes those cases which were not active to the YJ ETE Advisor but who remain within Youth Justice A

⁵ Definition of full time at post 16 is students studying for at least 540 guided learning hours (this can be between 12 – 16 hours per week over an academic year)

monthly closure list will be available to all YJ ETE Advisors through the Senior Practitioner (SP) as a backup to normal YJ closure procedures.

- 4.8 Cases which are not 'open and active' at the point of secondary allocation, but who subsequently become NEET or require ETE support, should be referred directly to the relevant YJ ETE Advisor through their Case Manager. The YJ ETE Advisor will assess the relevance of the case following the procedures outlined in 4.2.

5.0 Education, Health, and Care (EHC) Plans in Custody

5.1 Custody Cases

- 5.1.1 New legislation introduced on the 1 April 2015 means that young people up to the age of 18 can apply for an EHCP whilst in custody. The ETE team will lead on all Custody EHC requests, and in consultation with the EHCP assessment team will:

- Complete the request for assessment document (where we are the most appropriate organisation to do so)
- Consider all custody cases along with EHCP pre/post 16 team, to consider if an EHCP assessment is suitable for the young person.
- Where an assessment is agreed, meet with the young person to ascertain their views and opinions.
- Liaise with the relevant EHCP assessment team and attend multiagency meetings to contribute towards the EHCP.
- Work with the young person and their parents/carers to implement the plan on release.
- Chair any EHCP reviews within the custodial setting on behalf of the EHCP assessment team.

5.2 Non-Custody Cases

- 5.2.1 For non-custody cases the ETE team will.

- Check any EHCP's of young people allocated, to inform the most appropriate way of working with them, and to ensure Youth Justice staff or their educational setting are aware of the plan.
- Where there is no other relevant referral organisation involved, make a referral to the relevant EHCP assessment team (where this is appropriate*) by completing the request for assessment document.

*Further information on SEN and Nottinghamshire's Local offer and when an EHC Plan referral is appropriate, can be found at the following: [SEND \(Special Educational Needs or Disability\) Local Offer | Notts Help Yourself](#)

- 5.3 Please note; for a child or young person to be eligible for an EHCP they must be willing to attend and engage in ETE provision.

6.0 Practice: Role of YJ ETE Team

6.1 *The YJ Senior Practitioner for ETE Coordination (YJ ETE SP) will undertake the following roles and responsibilities on behalf of Nottinghamshire YJ Service:*

- 6.1.1 Develop policies and services to increase the participation of children and young people in the YJ service with meaningful education, training, or employment opportunities.
- 6.1.2 Ensure liaison with education providers, other support services and education strategic planning and placement takes place regarding the suitable provision for those being people supervised by YJ service.
- 6.1.3 Responsible for sharing all relevant YJ ETE information and data with partners, providing timely analysis of the learning needs of young people in the YJ service, appropriate allocation of resource, and relevant performance information.
- 6.1.4 Line management responsibility for staff commissioned from Futures to the YJ ETE Team.
- 6.1.5 Ensuring adherence to the Apprenticeship, Skills, Children and Learning (ASCL) Act 2009 in relation to the transfer of individual young people into custodial establishments, between custodial establishments, and to the community on release; and have delegated responsibility for the education of Looked After Children (LAC) in custody, with direct reporting to the Coordinator of the Virtual School.
- 6.1.6 Designated officer for the Local Authority regarding consultations of proposed Education Requirements when attached to a Youth Rehabilitation Order made by Her Majesty's Court Service.
- 6.1.7 Provide the first point of escalation regarding ETE practice where, despite good efforts, the YJ Guiding Principles (2.2) can't be met and referral to the Vulnerable Children Education Committee (VCEC) or CME committee is required.
- 6.1.8 Provide quality assurance and performance monitoring and provide timely information (when required) to partners. This includes regular quarterly reporting mechanisms.

6.2 *The YJ ETE Advisors will undertake the following roles and responsibilities on behalf of Nottinghamshire YJ service:*

- 6.2.1 Act as a broker for all open and active cases. This includes having, and maintaining, specialist YJ ETE knowledge to enable and realise bespoke packages of support for individual cases.
- 6.2.2 Network effectively with multi-agency partners across the voluntary, community and statutory sectors to access the most appropriate support for young people and their individual needs.
- 6.2.3 Provide effective and accurate information, advice and guidance to young people and their families regarding realistic progression pathways in their locality areas. Helping young people to clarify their own learning and developmental needs, (this will include, for example, details about relevant labour market information, current training opportunities and careers guidance), and agreeing with them a joint planned course of action

- 6.2.4 Provide up to date and accurate information to young people and their families regarding individual criminal records, rehabilitation of offender's act, and how to disclose convictions to employers and other relevant authorities and provide information and advice to support Case Managers to provide this to non-active cases.
- 6.2.5 Provide information, advice, and guidance (face to face, and through agreed reporting mechanisms) to education providers regarding relevant risk information, including specific learning needs and difficulties, to enable providers to support young people to achieve course outcomes, whilst having due regard for public protection.
- 6.2.6 Attend all relevant meeting forums (ICPC, LAC reviews, Case Management Meetings held by YJ, DTO (Detention and Training Order) (Detention and Training Order) planning meetings, case conferences etc.) where appropriate or necessary. Attend OOC panels and provide an update in relation to a young person's ETE status in advance of OOC panels.
- 6.2.7 Use relevant assessment tools to identify barriers to learning and access to further specialist support where needed. For example, RAG work/training readiness assessment.
- 6.2.8 Provide specialist information and advice, including development of resources, to YJ Case Managers and colleagues regarding the ETE needs of young people in the YJ service and be the first point of contact relating to any ETE matter within the service.
- 6.2.9 Responsible for the continued development of YJ ETE knowledge and learning for self, team, and service. This will include attendance at regular YJ ETE team meetings, sourcing relevant training opportunities and adherence to NSCP (Nottinghamshire Safeguarding Children Partnership) guidelines relating to safeguarding and child protection.

7.0 Monitoring and Accountability

- 7.1 Monitoring of the YJ ETE policy will occur between Nottinghamshire YJS, and Futures. ETE Performance figures will be provided on a quarterly basis to the YJ Partnership Board.
- 7.2 Performance is routinely monitored by the YJ ETE SP through quality assurance activity (for example case studies, supervision practice sharing) etc. Operational related concerns will be addressed through the YJ Interventions Team Manager who has line management responsibility for the YJ ETE SP.

8.0 Partnership Contributions

8.1 The YJS in partnership with Futures will contribute to the YJ ETE Policy by undertaking the following:

- 8.1.1 Implementation of the YJ ETE activity as written in this document.
- 8.1.2 Provide line management responsibility of the YJ ETE SP through the YJ Interventions Team Manager and Futures Business Manager for Nottinghamshire
- 8.1.3 Provide regular supervision and guidance to the YJ ETE SP by using the policies and practices in this document as guidance, to support professional and personal development whilst in the YJS.

8.1.4 Provide access and support as appropriate and access relevant training

8.2 Futures in partnership with the YJS will contribute to the YJ ETE Policy by undertaking the following:

8.2.1 Implementation of the YJ ETE activity as written in this document

8.2.3 Provide line management responsibility of the YJ ETE Advisors through the YJ ETE SP including regular supervision and guidance, and arrangements for absence monitoring, staff leave returns, disciplinary and grievance procedures, and performance monitoring.

Appendix i



**Nottinghamshire
County Council**

YJS ETE Process & Checklist Tool

Name:

ETE Initial Checks	
Tasks	
On receipt of a new case: Create Initial ETE Information event on Capita using our standard template and update	
Pre-16: Request Attendance Certificate from relevant school / provider (attach to Capita documents) Post-16: Confirmation by phone/email acceptable	
Update Capita with current situation and hrs of education offered & attending, SEN, EHCP, LAC in YP (Young People) Characteristics	
Check other databases Mosaic, LRS and attach qualifications report	
Attendance check: If below 85% assess what is/can be done to improve, attach certificate	
Full time provision? (25hrs pre16, 16hrs post 16) or appropriate hours being offered. If hrs are not appropriate or a part-time timetable is in place, challenge the provision, ensure a plan to increase is in place and inform Fair Access.	
Check documents tab for other relevant info, SLCN assessment, OOCOD assessment etc	
Check Asset+, intervention plan, other relevant documentation in assessment & documentation for additional information	
Talk to YJ Case Manager and record contact on Capita	
Talk to relevant school/education provider if required and record on Capita	
Request EHC Plan/other relevant reports & attached to documents tab	
Case Active	
ETE Adviser to change Insight adviser and team to YJS County brief note of reason	
RAG or ETE assessment to be completed and attached to Capita (NEET) Post 16	
ETE intervention/action plan completed and attached to Capita	
ETE intervention/action plan regularly reviewed	
Record all contact on Capita, record on Mosaic if significant	
Education details are up to date and correct	
Disclosure Session completed in person on all Court Orders before the end of the order	

Check all information correct at point of closure and if NEET, refer to LCF project or if not eligible refer to intensivesupport.referrals@futuresforyou.com Change Insight back to previous team and adviser.	
Create ETE Closure Summary in events on Capita (confirm hrs offered by provision, hrs attending, start & final attendance % and if NEET a brief explanation).	
Case Non-active but monitored	
Recorded your decision in events on Capita and request Case Manager to inform you of any change to ETE that requires your intervention (follow-up with a brief conversation with Case Manager Monthly to prevent any miscommunication)	
Record and keep on individual ETE spreadsheet until the order/OOCD is closed.	
Check all information correct at the point of closure and if NEET, refer to LCF project or if not eligible refer to intensivesupport.referrals@futuresforyou.com	
Create ETE Closure Summary in events on Capita (hrs offered by provision, hrs attending, start attendance % vs final attendance %) and a brief explanation	