**Rotherham Looked After Team and Rotherham Youth Offending Team Joint Protocol**

 **Purpose of the Protocol**

1. The purpose of this protocol is to identify the framework within which the Rotherham Social Care and the Youth Offending Team (YOT) manage their respective responsibilities for Looked After Children who commit offences and those at risk of offending and how they will work together in partnership to provide a high quality service which is consistent and seamless, in order to reduce the criminalisation of LAC, and reduce any risk of further offending.

**For All Young People who Offend:**

1. In all cases where a young person is open to the YOT, the YOT worker must proactively check if a young person they are working with is known to Social Care via liquid logic on a regular basis and during the assessment review cycle period.

If the young person is known to Social Care then contact must be made with the allocated Social Worker or Team Manager and this must be recorded on the YOT case recording system.

1. In cases where a young person is not already known to Social Care, and YOT practitioners identify a very high level of safety and wellbeing concerns in ‘Assetplus’ (Youth Justice Assessment/Risk Assessment tool), a Risk Strategy Meeting should be held and a referral made to the Multi Agency Safeguarding Hub (MASH) where this is deemed appropriate.

**Sharing Information:**

1. It is essential to both the welfare planning and youth justice intervention planning for the child/young person and that information is appropriately shared.

YOT ASSETPLUS assessments, Intervention Plans and young people's Social Care Care Plans/LAC Plans must inform each other and joint working should be evidenced on respective recording formats.

**Meetings/Reviews:**

 **Responsibilities of the Youth Offending Team:**

1. The YOT will invite the allocated Social Worker (and Social Care will seek to attend) to any Review meetings, Risk Strategy Meetings, custodial Initial Planning/Early Release application/Final Review meetings or any relevant and appropriate discussions. If a Social Care representative is unable to attend a report should be supplied prior to the meeting/discussion.
2. In the event that a child in care is sentenced to a Referral Order, the expectation for LAC will be that a representative from Social Care will attend the Referral Order Panel, in the absence of a primary carer / parent. The YOT will make every effort to convene the panel at a time and place convenient for the representative (although the wishes of the victim take priority). Social Care must ensure that someone attends the panel with the young person (parent, key worker, carer, allocated Social Worker).
3. The YOT worker will contribute to and attend any Children's Social Care meetings/statutory reviews/conferences. If a YOT worker is unable to attend then a report must be supplied prior to the meeting/statutory review/conference.

**Responsibilities of Social Care:**

1. Social care will ensure that the YOT worker is invited to all relevant Social Care meetings (LAC/Case Conferences, Strategy meetings etc). If the YOT worker or a representative is unable to attend, the YOT must supply a report/relevant information.
2. Social care will ensure that statutory reviews for children looked after, are conducted within statutory timescales and that the YOT is invited to all statutory reviews. If the YOT is unable to attend then a report must be supplied prior to the review to either the allocated Social Worker or the Independent Reviewing Officer.

**LAC/Young people placed Out of Rotherham:**

**YOT Responsibilities:**

1. The YOT will nominally allocate a LAC/Young person who has moved out of area to a YOT worker whose role will be to monitor the young person and be the link worker for the ‘Host’ YOT (out of area YOT), attending relevant meetings/Reviews if distance allows.
2. In addition, the YOT link worker will provide support, advice and consultation about these young people to the allocated Social Worker.
3. The YOT will let Social Care know if any young offender, who is a LAC, is placed in Rotherham by another local authority via a referral to the MASH. However, Social Care will then be responsible for liaising with the other local authority.

**Social Care Responsibilities:**

1. Social Care will ensure that the YOT (Rotherham) are informed about any concerns about offending or the risk of offending in LAC/young people, *as soon as possible*.
2. Social Care will ensure that Rotherham YOT and the ‘Host’ YOT are made aware of any actual offending (charge/arrest) by a LAC /young person, *within 24 hours*.
3. Social Care should consult with the YOT if a case is to be either transferred into or out of the Rotherham area to ensure that the young person and their placement comply with any expectations of the Court Order or custodial licence conditions and/or there are safeguarding issues to be considered.
4. Social Care will consult with the YOT prior to any change of placement and inform the YOT *within 24 hours* regarding any changes of placement of children known to Social Care to ensure that any move does not place the young person in danger or breach any bail/licence conditions and will provide the YOT with full details of any new placement.

**LAC/Young person appearing in (criminal) Court:**

**YOT Responsibilities:**

1. Where a child/young person is known to Social care, the YOT will inform the Social Worker of the outcome of any court hearings and adjournment dates *within 24 hours*.

1. In cases of emergency or where the Social Worker / foster carer may be the victim of the crime, the relevant Social Care managers will be contacted by YOT duty manager to discuss who attends Court with the young person.
2. The YOT will provide information about subsequent Court appearances and other relevant information to the allocated Social Worker *as soon as possible* to assist in planning.

**Social Care Responsibilities:**

1. Social Care will ensure that all LAC should be accompanied by their parent, carer, residential worker and/or Social Worker when they appear in court.
2. The expectation of the Court is that YOT workers do NOT act as a responsible adult when children or young people appear in Court. The young person should be accompanied by their parent, foster carer, residential worker or Social Worker.
3. Unless there is a Remand to Youth Detention Accommodation, the expectation is that foster carers, Residential Staff and Social Workers are responsible for arranging transport to and from Court and for ensuring that legal representation matters have been arranged (Social Care to contact the YOT if advice is needed).

 **Remands to Local Authority Care and to Youth Detention Accommodation**

1. The requirements for a young person remanded to the Care of the Local Authority are the same as for any young person who becomes a ‘Looked After Child’, with the exception of the requirement to plan for permanency.

**YOT Responsibilities:**

1. Young people who are dealt with by a court by way of a Remand to Local Authority Accommodation or a Remand to Youth Detention Accommodation are ‘Looked After’. This will include both children who were already Looked After, and those who become Looked After by virtue of the remand. Where a young person is already Looked After and is remanded, the Social Worker will be notified by the YOT as soon as the young person is remanded and as soon as they are sentenced to custody, including the details of where s/he is placed and the relevant order.
2. YOT staff will attend Court and provide information as requested by the Court.
3. In cases where a Remand to Youth Detention Accommodation is made the responsibility rests with the YOT to arrange the young person's attendance at Court.
4. The YOT Court Officer will contact the MASH Team /Duty Social Work Manager where there is no allocated Social Worker as soon as a Remand into Local Authority Accommodation seems likely or is made and will forward the court result to Social Care along with any other relevant information, if the young person is already known to the YOT.
5. Where required, the YOT will provide a support programme for the young person during the remand period. This could consist of managing any reporting requirements agreed with Social Care.
6. In the event that the young person is placed outside the borough for the duration of the remand, Rotherham YOT will liaise with the local YOT in the area (Host YOT) in which they are placed to see if any negotiated support can be offered by the Host area with a view to ensuring that the young person receives the services identified.
7. All arrangements for the placement of a young person in secure accommodation, following a Remand to Youth Detention Accommodation, will be carried out by the YOT in liaison with the Youth Justice Board (who are responsible for the identification of the placement).

**Social Care Responsibilities:**

1. Where the court remands a young person into Local Authority Accommodation it is implicit that they do not consider it appropriate for the placement to be at home or with family members. Social Care may consider the feasibility of placing a child at home but this should not be done without the explicit authority of a senior officer and only after an assessment is made of the suitability and of their care capacity. Such a decision must also be communicated to the court on the next appearance. For children/young people who are known to YOT and not to Social Care at the time of the remand, the YOT Accommodation Officer will be expected to provide information that assists in the search for a placement.
2. In cases where a court ordered remand to Local Authority Care is made the responsibility rests with Social Care to arrange the young person's attendance at Court.
3. In cases where a child is in Secure Accommodation under welfare grounds, the onus is on Social care to work with the YOT to facilitate attendance for any criminal proceedings.
4. Any change in placement during the remand period should be notified *immediately* to the YOT.

**LAC sentenced to custody (Detention and Training Order)**

**YOT Responsibilities:**

1. The YOT worker will follow YJB National Standards regarding frequency of contact and attendance at all Reviews in custody in order to plan successfully for release into the community.

**Social Care Responsibilities:**

1. For LAC/young people in custody, Social care will ensure that the YOT is provided with full details of the intended placement for release *one month* prior to the young person's release from custody.
2. The Social Worker will endeavour to attend all Reviews in custody to contribute to the plans for release.

We agree with and accept the above;

Signed: ………………………………………………………

 LAC Service Manager (Ian Walker)

Signed: ………………………………………………………

 YOT Manager (Paul Grimwood)