



Services to People Stockport Family

Stockport Youth Offending Service and Children's Social Care

Principles of Working

Agreed: 20th March 2019

Review date: 20th March 2021

1 INTRODUCTION

- 1.1 This formal agreement between the Youth Offending Service (YOS) and Children's Social Care (CSC) is a statement around the principles of working between the two agencies which both sit within the Integrated Service of Stockport Family and are governed by the Greater Manchester Safeguarding Policies which can be found at:
<http://greatermanchesterscb.proceduresonline.com/chapters/contents.html>
- 1.2 Both agencies are committed to working in partnership towards the prevention of offending by children and young people as detailed by the Crime & Disorder Act 1998 and to safeguard and promote the welfare of children in need as detailed by the Children Act 1989.
- 1.3 This agreement looks at the main principles of working and is not designed to cover every eventuality. There will be issues that arise that are not covered by this document and reference should be made to the section on 'Dispute Resolution'.

2 INFORMATION SHARING

- 2.1 Information will be shared for the purpose of preventing offending and/or the safeguarding of children and young people in the spirit of working in partnership. YOS staff will provide copies of information e.g. Pre-Sentence Report (PSR) and risk assessments etc. to the designated social worker.
- 2.2 YOS staff will share minutes of relevant Case Planning Forum's (CPF's) on the Children's Social Care system (EIS/Liquid Logic.)
- 2.3 YOS staff have access to EIS/Liquid Logic to allow sight of social work assessments, plans and reviews to assist in undertaking effective case and risk management decisions of children and young people.
- 2.4 Social Workers will be responsible for inviting the relevant YOS staff to all social care meetings pertaining to young people's care planning.
- 2.5 YOS practitioners will be responsible for inviting relevant social workers to all sentence planning meetings and Case Planning Forum's as appropriate.
- 2.6 Any relevant change in circumstances, in relation to a young person, who is an open case to either service, must be communicated to Social Care by YOS and vice-versa at the earliest opportunity. Consultation must take place between the agencies if the change in circumstances, such as an accommodation move, will have a significant impact on agreed supervision requirements.

- 2.7 All staff must be aware of Stockport Council's Data Protection Guidance, Policies and Procedures which can be found on the intranet page: <http://connect.stockport.gov.uk/kb/Pages/ITDP-DP-Guidance-Policies-and-Procedures.aspx>
- 2.8 YOS and Social Care have a responsibility to inform the Virtual School Team (VST) of any out of area LAC who has moved into or out of Stockport.

3 REFERRAL / INTERVENTION PROCESS

3.1 Referrals to YOS

- 3.1.1 The entry routes for young people into the YOS are via the statutory criminal justice route and the early intervention route, including Targeted Youth Support (TYS.) In addition some cases are allocated through the Early Help Hub meeting held every Tuesday at the MASSH (Multi-Agency Support and Safeguarding Hub.) Entry to the YOS via the criminal justice route is via the Police and the Courts (Magistrates and Crown).
- 3.1.2 Young people who are deemed to be 'at risk' of offending or associated behaviour can be referred into the YOS by partner agencies. A copy of the Referral Form can be obtained by contacting (0161) 474 4744. As this will be voluntary engagement professionals must seek consent from the family and young person before referring.
- 3.1.3 The YOS operates in line with the Youth Justice Board (YJB) Management Guidance, using a targeted approach and approved assessment tools to assess the support required by young people.
- 3.1.4 Once a young person has been identified at being 'at risk' of offending or associated behaviour and their referral has been accepted by YOS Team Leaders, the young person will be allocated a case manager who will subsequently complete an assessment and individual plan in conjunction with the young person and their parent / carer(s) to determine the programme of intervention required to challenge and reduce the risks of re-offending.
- 3.1.5 The ethos of Stockport Family supports 'whole family' working and therefore, if a Social Worker is working with a family and identifies that any of the children/young people within the family are deemed to be 'at risk' of offending then they will refer through to the YOS.

3.2 Referrals to Social Care

- 3.2.1 During any interventions with young people, both on voluntary and statutory programmes, consideration will be given to the welfare, safety and vulnerability of that young person, and whether a referral to Children's Social Care is needed. If additional needs are identified, the YOS practitioner will respond in line with the Early Help Strategy and case manager will respond in line with the EHA (Early Help Assessment, CAF

(Common Assessment Framework) and TaC (Team Around the Child) procedures (which can be found under the greater Manchester Safeguarding Policies link above.)

- 3.2.2 Similar to the responsibilities of Social Workers, YOS Officers have a responsibility to consider the needs of siblings under the 'whole family' approach. Consideration should be given to making a referral where there are either support needs for those siblings or where there are child protection concerns as a result of the risk that the young person may present to them.
- 3.2.3 The need for support shall be openly discussed with the parent / carer(s) and their consent for a referral sought. If the parent / carer(s) refuse consent and the worker believes that a referral to Children's Social Care is necessary to safeguard that child's welfare, then the worker must consult with their line manager and make the referral and inform the parent / carer(s) of that action. If there is evidence of significant harm to a child then a referral should be made without consent and contact should be made with Children's Social Care and Police as required.

4 SERVICE PROVISION

4.1 Appropriate Adults

- 4.1.1 Appropriate adult services for 10-17 year olds are provided by Child Action North West (CANW) on behalf of Stockport. The police contact CANW directly and make the necessary arrangements with them.
- 4.1.2 Where a young person is arrested and charged and needs to attend court the following day a 'transfer under PACE (Police and Criminal Evidence Act) arrangement' must be considered rather than detaining the young person overnight in police custody. Guidance re: local authority responsibilities and transfer arrangements under PACE can be found at: [..\GM Protocols & Guidance\GM Accommodation \(PACE\) protocol \(v Sept 2018\).docx](#)

4.2 Looked After Children

- 4.2.1 Where a looked after child / care leaver is arrested or prosecuted Children's Social Care can contact YOS staff for advice / support where the young person is not already subject to YOS intervention.
- 4.2.2 Where a risk of offending is identified then a member of the YOS team must be invited to statutory reviews to consider possible input.
- 4.2.3 Where a young person is subject to supervision from the YOS and may require accommodation for welfare reasons, the YOS will refer to Social Care and housing protocols and will provide support and information to the relevant services. The Homelessness Reduction Act introduces a new duty on YOS to notify Local Housing Authority of service users they think may be homeless or threatened with becoming homeless in 56 days.

- 4.2.4 Once a young person becomes 'looked after' responsibility for placement planning, supervision and reviewing rests with Children's Social Care whilst the YOS retains statutory responsibility for core youth justice services. YOS has responsibility to follow safeguarding procedures.
- 4.2.5 The 10 Point Plan has been devised by the Crown Prosecution Service (CPS) to ensure that young people who are looked after are not disadvantaged by the criminal justice system process for offences committed within their care home environment. The 10 Point Plan ensures that only offences of sufficient seriousness or that are in the public's interest are brought to Court. The Police and CPS must refer to the 10 Point Plan prior to charging any young person with an offence. In cases where a young person appears before the court and the 10 Point Plan has not been followed, an adjournment will be requested and the case will be referred back to the Police for this to be undertaken.
- 4.2.6 The national protocol on reducing unnecessary criminalisation of looked-after children and care leavers (November 2018) sets out considerations that should be adhered to when dealing with children/young people in the care system who offend.

4.3 Changes in Placement for Looked After Children

- 4.3.1 It is the responsibility of the designated Social Worker to inform the relevant YOS officer, who will then inform their line manager, regarding any changes in placement. Where the change in placement could potentially impact significantly upon the young person's risk of harm, re-offending and / or safety and well-being a joint home visit, where possible will be undertaken by the designated Social Worker and YOS Officer.
- 4.3.2 In such cases, discussions should take place between the line managers from both services to ensure appropriate risk management procedures are put in place.
- 4.3.3 The YOS Officer will be responsible for amending YRO (Youth Rehabilitation Order) requirements or custodial licence conditions in line with the change of placement and will notify the designated Social Worker.
- 4.3.4 Any issues regarding placements can be raised at the Integrated Education Panel (IPEP) for resolution/ full discussion.

4.4 Care Leavers

- 4.4.1 For young people who are moving into adulthood and have previously been in the care / criminal justice system this can be a turbulent time in terms of the risk they present to others as well as their safety and wellbeing.
- 4.4.2 As such it is vital that there is a clear plan to assist and manage these young people and that the YOS Officer and Leaving Care worker (social worker or personal advisor), work together to promote independence and risk management.

- 4.4.3 YOS will ensure that a representative attends the Integrated Placement and Education Panel (IPEP) and the 16+ accommodation panel. A YOS representative will attend the MAARS (Multi-Agency Adults at Risk) panel where there is an open YOS case being discussed.
- 4.4.4 The Personal Advisor will attend CPF's and planning meetings as relevant and it is the responsibility of the YOS Officer to ensure that they are invited.
- 4.4.5 There is a link YOS Personal Advisor in the Leaving Care Team who will hold a large proportion of cases that are also open to the YOS and will be invited to YOS Team Meetings, as appropriate, to ensure good communication between the two services.

4.5 Prevention for Care Leavers at Risk of Offending

- 4.5.1 The YOT will provide an enhanced service for any care leavers who are deemed to be at risk of offending even if they have turned 18. These referrals will be made by the Personal Advisor to a YOS Team Leader. It is likely that intervention will be time limited to address any offending risks.

4.6 Joint Risk Assessments

- 4.6.1 For young people who are placed in residential placements for a considerable period of time prior to their 18th birthday it is agreed that a joint risk assessment can be undertaken prior to their return into the community. This is particularly relevant for young people where the YOS may have undertaken a specific assessment e.g. AIM (Sexually Harmful Behaviour Assessment) previously and therefore, this risk assessment should jointly be reviewed to determine how they will be best managed and supported in the community.

4.7 Transitions to Adult Criminal Justice Agencies

- 4.7.1 The YOS works to a national model to support young people in the criminal justice system who are transferring, or likely to transition, to adult criminal justice services; National Probation Service (NPS) or Community Rehabilitation Company (CRC). Some of these young people are also care leavers and therefore, it is imperative a manager from the Leaving Care Team to be involved in these discussions in order to forge better links with adult services (NPS / CRC). The YOS Team Leader will set up these meetings and invite leaving care.

5 COURT WORK (MAGISTRATES AND CROWN)

- 5.1 The YOS provides an officer at sittings of the Stockport Youth Court and will attend Crown Court. On days when the youth court is sitting elsewhere in Greater Manchester, the YOS will contact the court where they are appearing and liaise with the local YOS who are present in court. Following consultation with a YOS Team leader a decision will be made

regarding whether or not there is a need for a Stockport YOS Officer to attend court. This decision will be based on knowledge of the case and a range of complexities e.g. frequent episodes of missing from home.

- 5.2 A YOT practitioner will always attend court for any young person in custody where the CPS is opposing bail to assess suitability for a robust bail package. Additionally the YOT provides an officer for Saturday and bank holiday courts with associated on-call management cover.
- 5.3 Where a Looked After Child (who is open to Stockport MBC) appears at court then CSC should provide an appropriate person to attend Court with them or arrange for a suitable responsible family member to be present.
- 5.4 Where a Looked After Child appears in Court the YOS will ensure that the outcome of the case is communicated to the Social Worker if they are not present at court on the same day.
- 5.5 The YOS will inform the Court of the views of Children's Social Care as appropriate when a looked after child appears in court for a remand hearing or sentence.

5.6 Remands to Local Authority Accommodation (RiLAA)

- 5.6.1 It is the responsibility of the YOS Officer in court to notify Children's Social Care as soon as a RiLAA has been ordered and where possible as soon as it becomes apparent in court that it may be the likely outcome.
- 5.6.2 It is the responsibility of CSC, after notification that the Court has ordered a RiLAA, to identify a placement.
- 5.6.3 The YOS will carry out an AssetPlus (bail and remand module) assessment to assist in planning of placements.
- 5.6.4 Once a placement has been sought it is the responsibility of the YOS to arrange transport for the young person to the remand placement and fund the transport. Whilst the placement is being sought the young person will remain either within the Court House, Police Station or at Central House and will be supervised by a member of YOT staff.
- 5.6.5 Every young person who is made subject to a RiLAA will be allocated a YOS Officer and a Social Worker. A young person subject to a RiLAA becomes looked after for the duration of the remand period. Placements are funded by the LA.
- 5.6.6 Where a young person who is an open case or already looked after is made subject to a RiLAA then decisions on placement rest with the allocated social worker. The YOS will provide every assistance in the identification of suitable placement.

5.7 Youth Detention Accommodation (YDA)

- 5.7.1 If a young person is remanded it is the responsibility of the YOS to complete an AssetPlus (bail and remand module) and liaise with the Youth Custodial Service (YCS) to arrange a suitable placement.
- 5.7.2 The YOS will notify Children's Social Care of all YDA's. Every young person who is made subject to a YDA will be allocated a YOS Officer and a Social Worker. A young person subject to a YDA becomes Looked After for the duration of the remand period.
- 5.7.3 The funding of YDA placements lies with the YOS as budgets have been devolved to Local Authorities. The YOS keeps track of young people who are subject to a YDA and track bed nights and budgets.

5.8 Custodial Sentences

- 5.8.1 The YOS will inform the Social Worker of any Looked After Child who receives a custodial sentence and will provide details regarding where they have been placed, safety and wellbeing concerns etc.
- 5.8.2 The YOS will invite the designated Social Worker/Personal Advisor to any sentence planning meetings in relation to the young person.
- 5.8.3 The YOS will provide details in writing, to the designated Social Worker and line manager in relation to expected release dates and when accommodation decisions will need to be made.
- 5.8.4 Where a looked after young person is to have a new placement upon release a visit should be undertaken by the designated Social Worker and YOS Officer prior to the final release meeting to ensure suitability and assess that risk / safety and wellbeing can be managed within any such placement. This must be done in a timely manner to ensure that it is reflected within licence conditions.

5.9 YRO (Youth Rehabilitation Order) with Local Authority Accommodation (LAA) requirement

5.9.1 YOS Responsibilities

If the court are considering a YRO with a LAA requirement the YOS Officer in court will request a 3 week adjournment period (15 working days) for a full PSR to be prepared and an assessment of the suitability of the LA accommodation requirement to be considered.

Where this is not an open case to Children's Social Care the YOS will refer through to the MASSH within one working day of the court hearing. This should be completed by the YOS Officer who took the request from the Court.

The allocated PSR writer for the case will ensure that Children's Social Care have all the relevant information that is required in order to undertake this assessment.

Where possible the allocated PSR writer will undertake joint visits with the Social Worker in order to assist in the completion of the initial assessment.

The PSR writer will provide the Social Worker with a copy of the PSR.

Stockport YOS will present the Pre-Sentence Report in Court and the views of both parties.

5.9.2 Children's Social Care Responsibilities

Upon receipt of the referral Children's Social Care will allocate the case for a Social Work assessment to be undertaken. The Social Worker should liaise with the PSR writer so that joint visits can be undertaken in order to complete this assessment.

The Social Worker will provide a copy of the initial assessment to the PSR writer at least 2 days prior to the court hearing sentencing date.

The Social Worker's attendance at court on the day of sentence will not normally be required however, this can be determined on a case by case basis.

6 ADOLESCENT SEXUALLY HARMFUL BEHAVIOUR

- 6.1 In cases where a child is 10 years or older and has been displaying sexually harmful behaviour, a joint AIM assessment will be carried out by the identified lead professionals from Children's Social Care and YOS.
- 6.2 The lead practitioner for the assessment will be dependent upon the referral route; the YOS Officer will lead for the criminal justice cases and Children's Social Care will lead for cases where there has been no police involvement.
- 6.3 Children's Social Care and YOS are committed to working with young people who display sexually harmful behaviour at the earliest opportunity and as such undertake assessments and deliver interventions in partnership.
- 6.4 The responsibility for completing the assessment and subsequent report will be jointly held and a strategy meeting will be convened to ratify the outcomes of the assessment. The meeting will be chaired by an Independent Reviewing Officer (IRO).

For the full policy please refer to:

http://greatermanchesterscb.proceduresonline.com/chapters/p_harm_sex.html

7 CHILD SEXUAL EXPLOITATION (CSE) / CHILD CRIMINAL EXPLOITATION/ MISSING CHILDREN (MFH)

- 7.1 YOTS and Children's Social Care are committed to working together to identify children at risk and reduce the prevalence of CSE and children who are missing from home (MFH.) They will attend relevant multi-agency meetings, including Multi-Agency Sexual Exploitation (MASE) and attend Missing From Home Strategy meetings at the MASSH as appropriate.
- 7.2 The YOS second a Social Worker into the Aspire based within the Complex Safeguarding Team for two days per week to focus on young people at risk of Criminal Exploitation, including Stockport LAC as well as out of area LAC placed in Stockport, who are open to the YOS.

8 DISPUTE RESOLUTION

- 8.1 This agreement is designed to minimise the likelihood of dispute arising between the two services and to provide a framework for a constructive relationship. However, it is acknowledged that it cannot cover every eventuality and wherever possible any disputes should be resolved in the spirit of co-operation and partnership at the level closest to the area of dispute. In the event that it cannot be resolved at that level it should be referred to the YOS Team Leader and relevant Children's Social Care Team Leader and finally, if required, the relevant Service Managers.

This protocol is formally reviewed on a regular basis but the signatories below:

Signed:

Jeanette Warburton: Principal Lead: Children's Social Care

Jacqui Belfield-Smith: Service Lead: Boroughwide Services (Youth Justice, Targeted Youth Support and ASB)

Date: March 2019