

# Joint Working Protocol Children Social Care & Croydon Youth Justice Services



## Introduction

The vision of both Children's Social Care and the Youth Justice Service is to ensure that children are at the centre of practice and the practice model is underpinned by the application of a Child First Approach. A Child First Approach ensures that practitioners and managers deliver practice that promotes positive outcomes for children and where children are open to both services this is undertaken collaboratively.

The Crime and Disorder Act 1998 sets a legal framework that requires both Children's Social Care (CSC) and the Youth Justice Service (YJS), as a part of Children's Services to work together to prevent and reduce offending. Equally the Children Act 2004 requires us to work together to promote the safety and well-being of children and young people who we are responsible for. Recognising that the welfare of children and young people is a shared responsibility, all involved must aim for a consistent, continuous service underpinned by strong partnership working - within which resources are effectively managed. This protocol promotes best practice and provides a framework for its delivery.

Croydon Youth Justice Service is a specialist service within Croydon Children Social Care. This protocol operates within the YJS and other Children's Social Care Services. This protocol applies all Social Care teams including Early Help. The purpose of this protocol is to identify the framework within which the YJS and CSC jointly manage their respective responsibilities for children and young people involved in the Criminal Justice System and those at risk of offending by pooling resources, knowledge, and skills. The protocol does not override the statutory duties and responsibilities of services but seeks to clarify the roles and responsibilities to enhance effective partnership working.

### Working together, our goals are:

- To recognise that the young people we are working with are likely to have experienced significant trauma and adverse childhood experiences including domestic abuse and violence. Therefore, staff from both services will approach our joint work via a **systemic** and **trauma informed approach** that places the child at the centre of practice.
- To ensure children and young people at risk of entering, or already within, the Youth Justice System are as **safe as possible** and to **reduce the risk of further offending**, risk to self and risk to others within in the context of their own vulnerabilities. When increased vulnerabilities / risks are identified, they are jointly addressed without delay taking account of safety planning and contingency planning.
- To **reduce the likelihood of young people entering the youth justice system** or reoffending.
- To support young people to develop resilience and enable them to make safer choices and reach their potential.

The interests of children and young people open to both services will always be a priority. There are some children and young people who need to be given additional resource and support. As such, it is even more important that the local authority and



key partners take extra care to reduce the unnecessary criminalisation of young people who are Children Looked After and those who are Care Experienced. Evidence and research show that these groups of young people are over-represented in the criminal justice system at a national level, and this needs to be tackled and addressed directly. Additionally, both Services should recognise that young black males and children of a mixed heritage are overrepresented within the Criminal Justice System and therefore this must also be considered and addressed in partnership.

### **Key Principles**

CSC and YJS staff will work to achieve these goals by:

- Working collaboratively to achieve the very best outcomes for our Children and young people by sharing our experience, knowledge, and skills to achieve positive outcomes.
- Working in the best interests of children and young people, ensuring they are not lost in transition between services or professional disputes.
- Taking joint responsibility in working collaboratively with children and young people using a relationship, child-first, and trauma informed approach.
- Recognising the impact of the young people's experiences, particularly in relation to separation, loss, trauma, transitions, and harm outside the home on their presentation and emotional needs.
- Ensuring that all forms of exploitation and serious youth violence are treated as safeguarding matters and utilising the London Child Protection Procedures and relevant local processes such as YJS Risk and Vulnerability Panel, Complex Adolescent Panel and Vulnerable and Safety Planning case discussions for 16+.
- Clarify roles and responsibilities, to ensure an effective multi-agency team around the child/ young person that complies with statutory responsibilities and best practice.
- Holding each other to account, to ensure young people get the right services at the right time taking into account their individual and diverse needs.
- Providing a targeted and joined up service to Children in Care and Black and other minorised groups who are recognised as being at greater risk of entering the Criminal Justice System.<sup>1 2</sup>

### **Legislation**

This protocol is underpinned by a range of legislation and statutory guidance:

- **Crime and Disorder Act (1998)**, section 17<sup>3</sup>, requires both CSC and YJS to work together to prevent offending and reduce reoffending and the appropriate sharing of information.

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### **Lammy Review**

<sup>3</sup> <http://www.legislation.gov.uk/ukpga/1998/37/section/17>

- **Children Act (2004)**<sup>4</sup> requires the YJS to work with CSC to safeguard and promote the wellbeing of children and young people.
- **Children and Young Person Act (2008)**<sup>5</sup>
- **Legal Aid, Sentencing and Punishment of Offenders Act (LAPSO, 2012)**<sup>6</sup> requires that children who are remanded into secure accommodation either by way of secure training centre or YOI or remanded into local authority care receive LAC status.
- **Police, Crime, Sentencing and Courts Act 2022.**
- The Statutory Guidance **Working Together to Safeguard Children (2018)**<sup>7</sup> emphasises the necessity for interagency working to safeguard and promote the welfare of children.
- **Standards for Children in the Youth Justice System (2019) from the Youth Justice Board for England and Wales.**

### Joint working and Information sharing

Professionals working with children and young people should share information as necessary and in accordance with agreed protocols.

#### **YJS and CSC workers should:**

- Work together to ensure that children and young people have meaningful plans that children and young people contribute to, are clear about outcomes, reflect the roles of all professionals involved and the range of support services being offered and that they avoid duplication and include sequencing.
- Hold joint supervision regularly (**at least every 2 months and more regularly in complex cases**), to reflect together on effective practice, and areas of practice development, reducing duplication where possible whilst working jointly to provide the most effective support to the young person. The aim to gain shared understanding and to apply solution focused methods to reach best outcomes for children and young people.

Work together effectively to manage the young person's needs through joint visits as necessary, invitation to and attendance at all relevant meetings and statutory reviews and supporting each other in ensuring effective analysis of risk and care and sentence planning.

- Record joint working and decision making in all assessments, records, and plans, on both information sharing systems, demonstrating the collaborative working and information sharing, and ensuring effective shared management of risk and safeguarding need is identified.

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<sup>4</sup> <http://www.legislation.gov.uk/ukpga/2004/31/contents>

<sup>5</sup> <http://www.legislation.gov.uk/ukpga/2008/23/contents>

<sup>6</sup> <http://www.legislation.gov.uk/ukpga/2012/10/contents/enacted>

<sup>7</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/592101/Working\\_Together\\_to\\_Safeguard\\_Children\\_20170213.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/592101/Working_Together_to_Safeguard_Children_20170213.pdf)

- Agree how any risks will be managed, what escalated vulnerability and/or risk might look like and what the contingency plan is to address this, should it emerge.
- Ensure it is clear on the child's case notes what other services are working with the child and the named case worker from those other services and inform each other of any changes in workers.
- Only close the young person's case in consultation with all services involved. If there is any disagreement about this decision, then Service Managers should be consulted in line with Section 3.1 of this policy. For independent views to be ascertained where necessary from Safeguarding and Quality Assurance as directed by the Head of this Service
- Share information in a timely way that demonstrates an escalation of risk or significant change in circumstances, and contribute to each other's risk assessments, interventions or decisions being made.

### **Relationship management between CSC and YJS**

#### **Conflict resolution and escalation where there is a disagreement or case concern between Services.**

Where there are concerns about service delivery or disagreements about practice which can happen when views may differ, the aim should be to resolve these matters at the lowest possible level, and initially escalate via line managers as necessary. The aim is to resolve matters at a practice level, ensuring that the child(s) best interests are fundamental. Where issues are more complex these should be raised with respective Service Managers. In the unlikely event that resolution cannot be sought at this level the matter should be escalated to Heads of Service for overall decision making.

For further detail on escalation Practitioners and Managers should refer to:



SQA Resolution  
Framework - January ;

### **Role of Managers**

**Team Managers** – in each service a designated Team Manager will champion Youth Justice and Social Care partnership work.

The YJS/CSC Champions will ensure:

- relevant updates are shared across the teams, including practice and policy updates.
- Lead in the implementation of this protocol.
- Be the point of contact within the service area on YJS issues and the fostering of partnership working.
- Tracking and supporting joint supervision and information sharing.

- Our Champion's will lead on raising awareness of and where relevant challenging disproportionality in the criminal justice system and our response and challenge.

**Service Managers will:**

- Service Managers have a key role in supporting their respective CSC/YJS Team Manager champions in ensuring effective partnership working across services. This includes supporting in the escalation of concerns and embedding this protocol into practice.
- Arranging and attending quarterly Practice and Partnership updates including Service Managers and CSC/YJS champions.
- The YJS Service Manager will attend Heads of Service Meetings as required to provide updates to be communication to respective service areas and YJS will also regularly attend Service Meetings to provide updates including the Induction meeting for new staff.

**The Head of Service, will:**

- Act as the designated lead for ensuring that the services are working together effectively to achieve the best outcomes for children known to Youth Justice.
- Strategically resolve issues that impact on the ability to comply with statutory responsibilities and best practice, affecting the effectiveness and efficiency of joint working.

**Roles and Responsibilities when there is YJS/CSC involvement.**

<b>Worried about a safeguarding concern in relation to a child</b>
<b>YJS role and actions</b>
<ul style="list-style-type: none"> <li>• Follow safeguarding procedures, ensuring workers inform their line manager immediately.</li> <li>• Contact Children's MASH immediately if the child is not already known to CSC.</li> <li>• If the child is known to CSC, contact the young person's allocated social worker or in their absence Line Manager and Duty Worker. This should be done by phone if urgent and followed up by email.</li> <li>• Provide information in line with best practice.</li> <li>• Attend strategy meetings, child protection conferences, core group meetings and children in need meetings where appropriate. If it is not possible for the case worker to attend, their line manager should attend in their place. Where no worker or manager is available to attend, the YJS Service Manager should be notified, and a written report must be signed off by YJS Team Manager and submitted.</li> <li>• Attend Team Around the Family Meetings when young people are support by Early Help services.</li> </ul>

- Invite the social worker to attend compliance panels, resettlement meetings, Risk and Vulnerability Management Panel and other important meetings that influence the plan around the child.

#### **CSC role and Action**

- Keep the YJS worker updated on decision making and any outcomes.
- Organise Strategy Meetings and s47 child protection enquiries, in accordance with Pan London Child Protection Procedures when required.
- Invite all relevant professionals including YJS and relevant professionals working with children and young people, to all multi-agency meetings.
- Where Serious Violence occurs ensure a Strategy meeting is held within 72 hours of incident (aim to be within 24 hours i.e., as soon as possible).

### **What to do when a young person is arrested including arrangement for an Appropriate Adult to attend the police station**

#### **YJS role and actions**

- Police will notify Social Care and YJS and where an appropriate adult cannot be identified will contact commissioned Service the Appropriate Adult Service (TAAS)
- The child's parent/carer or a trusted member of the extended family network will be invited to attend as the first point of call, if appropriate to do so.
- If the child is looked after by the Local Authority and their foster carer or residential keyworker should attend
- In the event that the parent/carer/residential worker is unable to attend and/or are the victims of the offence, the allocated Social Worker should attend as the appropriate adult where possible.
- If the child is a looked after child and placed out of borough, and the carer/keyworker is unable to attend, the Police will also contact TAAS and notify YJS and CSC.
- In the event an Appropriate Adult is required out of hours and a parent/carer/keyworker is unable to attend then the Police can rely on TAAS.

#### **CSC role and Actions**

- Police will Inform Social Care that the young person has been arrested if there isn't an allocated worker by way of Police Report (Merlin Form 78)

- Where allocated, the Social Worker should attempt to visit the young person at the Police Station or arrange for the most appropriate person to visit in accordance with the young person's needs.
- The Social Worker will liaise with the YJS and police to ensure that the young person's needs are being met and that appropriate plans are being made for when they leave the police station or attend Court.

## Court Hearings

### YJS role and Actions

YJS staff cannot act in 'loco parentis' when a child appears in court or at point of arrest. The child/ young person should be accompanied by their parent, carer or residential keyworker.

YJS staff will:

- Liaise closely with the allocated social worker and/or Social Care as soon as a court date is set to ensure the Social Worker is aware of the court date, venue, and time.
- Attend court and provide information as requested by the court.
- Liaise with the local YJS representative if the child appears in a court outside of the borough to ensure they have all the relevant information to support the hearing.
- In cases where bail support is required, the YJS case manager should liaise with the parents/carers and allocated SW regarding suitability of addresses, the engagement of family with any current plan to support recommendations of conditions to the bench. The YJS Worker will also discuss management of risk with Social Care including any safeguarding concerns to consider that may implicate bail decisions/conditions.

### CSC role and Action

For children who are **CIN or CP**, their Social Worker is expected to:

- Prioritise attending court hearings, particularly in cases at Crown Court or where child protection procedures are likely to be initiated.

For children who are **CLA**, their Social Worker is expected to:

- Prioritise attending all court hearings especially where the Child is subject to a Full Care Order.
- Always attend court hearings as corporate parent for any children looked after under s31<sup>8</sup> or s38 of Children Act 1989

<sup>8</sup> <http://www.legislation.gov.uk/ukpga/1989/41/section/31>



- Always accompany a child to a hearing in Crown Court
- Where the social worker/foster carer may be the victim of the crime or in other exceptional circumstances, the social worker's line manager should attend with the child or alternative Social Worker (Duty Worker).
- Provide YOS court staff with up to date and relevant information.
- Liaise with the carer/residential worker to arrange transport to and from the court and ensure that legal aid has been arranged.
- Notify YJS where a child has received a sentence outcome outside of the borough and has not previously been known to the YJS

**Provision of Accommodation under Police and Criminal Evidence Act 1984 (PACE) If the police believe that between the child's arrest and attendance at Court there is sufficient risk within s38(1) PACE 1984, the police can ask for Local Authority accommodation or in exceptional circumstances Secure Accommodation**

#### **YJS role and Actions**

- The allocated worker should provide all relevant assessments and risk information to assist in identifying an appropriate placement. All staff should work in accordance with the ethos that children should not be in police custody overnight whether they meet the criteria of Concordat or not.
- The PACE champion should conduct quality assurance of the circumstance that led a child to be kept in custody overnight and challenge CSC and other agencies if necessary for future learning. The Croydon PACE champion is the YJS Service Manager.

#### **CSC role and Action**

- The allocated Social Worker or duty Social Worker should liaise with the police about the type of accommodation that they are requesting. The Social Worker should gain a detailed rationale of why the young person cannot have bail, return home or be placed in non-secure accommodation overnight.
- If the police are requesting Secure Accommodation, the Social Worker should establish the risk of serious harm that the officer has identified as the reason for making such a request.
- The Social Worker needs to follow practice guidance in relation to decisions for children to become Looked After i.e., discussions with the child, family and line management.

- In normal working hours the Social Worker should liaise with the placements service about ensuring that a referral is completed for appropriate placement searches to be undertaken.
- For out of hours requests, the EDT Social Worker should liaise with suitable accommodation providers, including where appropriate Secure Accommodation provisions. The on-call Senior CSC Manager should be contacted.
- All children who have become Looked After without advance notice and planning need to be presented to Care Panel as soon as possible.
- The PACE champion should conduct quality assurance of the circumstance that led a child to be kept in custody overnight and challenge YOS and other agencies if necessary for future learning.

### **Croydon Child Looked After who offends and lives out of borough**

#### **YJS role and Actions**

##### **YJS case manager should:**

- Oversee the transfer/caretake of the case to the out of Borough (Host YJS) counterparts and manage the caretaking request.
- In instances where the child is looked after by the Local Authority, Croydon YJS will retain overall responsibility for the case, including any enforcement action and Court report requests.
- Provide support, advice and consultation to the allocated social worker.
- Liaise with the local host YJS (if required) to ensure clear communication, clarity of roles and plan of support for the child.
- Provide any information held regarding the child to the host YOS as required inform the allocated social worker of agreed care taking provision out of borough.
- Notify local Police that the young person/child is in their locality supplying all relevant information in relation to status/needs/risk.

##### **The Social Worker/Young Person's Adviser must:**

- Notify Croydon YJS if a child placed out of borough is involved in offending behaviour, as soon as possible after they become aware to ensure Croydon YJS liaises with local/host YJS.
- Notify YJS as soon as they become aware that a pre-sentence report is required for a CLA placed out of borough.
- Attend all relevant meetings and court hearing as they would if the young person was placed within the borough

<b>Out of Court Disposals</b>
<b>YJS role and Actions</b>
<ul style="list-style-type: none"> <li>• Seek to utilise the range of out of court disposal options for child (particularly children looked after) who commit low gravity offences and admit guilt.</li> <li>• Seek to offer restorative mediation in appropriate cases to divert entry to the criminal justice service.</li> <li>• Liaise with the young person's allocated Social Worker for pre panel checks and once an out of court disposal has been decided upon.</li> <li>• Inform allocated Social Worker of outcome and provide details of intended work, noting any existing plans that are in place by social care to avoid duplication or conflict with objectives.</li> </ul>
<b>CSC role and Action</b>
<ul style="list-style-type: none"> <li>• Alert YJS to cases where Croydon Children and young people who are Looked After and placed out of the Borough are arrested so that all opportunities can be taken to support appropriate disposals and sentencing at the earliest opportunity and at the lowest level, so that out of court disposals are achieved wherever possible in order to reduce the criminalisation of our young people.</li> <li>• Ensure an appropriate adult attends the out of court disposal meeting with the child. If this is a child Looked After it will be their carer, residential keyworker or social worker. If the child is in need (CIN) or in need of protection this should be the child's parent or carer or another appropriate adult in the child's network. In exceptional circumstances the CIN social worker will attend.</li> </ul>

<b>Community Orders</b>
<b>YJS role and Actions</b>
<ul style="list-style-type: none"> <li>• To ensure Social Worker is informed of involvement and provided with copy of sentence paperwork and where available assessment and pre-sentence report.</li> <li>• To share a copy of YJS Plan and to ensure it accounts for any pre-existing plans and avoids conflict or duplication.</li> <li>• To regularly share information on attendance, engagement, content.</li> <li>• To notify Social Care with any safeguarding concerns or disclosures.</li> <li>• To attend meetings as required and requested on allocated young person.</li> </ul> <p>To ensure Social Care are embedded within YJS processes including discussions around enforcement should it arise.</p> <p>Where required to undertake joint home visits.</p> <p>To work together to promote the best interests of the child</p>
<b>CSC role and action</b>

- To ensure information is shared and updates are provided.
- To ensure YJS has a copy of all relevant and active plans in place.
- To attend YJS meetings as requested including compliance panels.
- To invite YJS to all relevant Social Care meetings held on a child known.
- To work together to promote the best interested of the child.

### **Child made subject to Remand in Local Authority Accommodation (RILAA)**

RILAA decisions are made in court are often after the YJS has enquired and confirmed there are no other suitable family addresses for the child to reside for bail purposes and where remand to custody is the likely alternative. The Court may use this form of remand where they feel home or suggested alternative arrangements are not suitable.

#### **YJS role and Actions**

YJS Court Manager or Case Manager should:

- Put forward a range of bail packages in an attempt to divert from a child needing to be RILAA.
- Notify CSC (or the child's allocated Social Worker if they have one) and the Placements Team at the earliest opportunity to notify there could be a potential Remand to LA
- If RILAA is granted inform Social Worker and Placements Team
- Provide CSC with timely information to inform the search for an appropriate placement, including any current assessments on the range of risk concerns, behaviors and protective factors to support identification of suitable placements Ensure Crown Prosecution Summary is shared when available.
- Discuss possible remand condition recommendations with the Social Worker
- Send the remand information (including conditions) and a copy of the bail assessment to Social Worker via secure email.
- If the child already has a YJS case manager, they should accompany the child and the Social Worker to the placement, particularly where the child does not have an allocated Social Worker at the point of remand.
- Social Care to complete an assessment and pathway plan for the child during the remand period. In the event that the child is placed outside the borough for the duration of the remand, liaise with the YJS in the borough in which the child is placed to ensure the child receives the services required as part of their conditions of remand. This will be managed in line with Pan London YJS Protocol and agreements regarding care taking between YJS's.
- In some instances, the RILAA is not accompanied by a requirement to engage with YJS. In these situations, the YJS will still allocate the case to ensure there



is YJS oversight and where there is attached conditions the YJS will ensure that appointments are being held and national standards are followed.

**For CIN children, YJS staff should:**

- Liaise with Social Worker to identify if there are any other suitable address options for the child to reside.
- Notify the Social Worker, deputy and team manager.
- Notify the Social Worker of any conditions of the remand and explain what the YJS role (if any) will be.
- Notify the Social Worker of the next court appearance.
- Ensure all relevant information is shared with the Placements Team

**CSC role and Action**

If the young person is already allocated as CIN, the Social Worker should:

- Notify the Children's placements team and complete the placement request form by triggering the Becoming Looked After (BLA) process on CRS.
- Notify the Safeguarding and Quality Assurance Team within 24 hours as an IRO will need to be allocated.
- Facilitate a transfer to CLA if the remand period is to be greater than 12 weeks. Otherwise, CIN will remain responsible for this looked after period and follow CLA procedures.

If child is not known to CSC should:

- YJS to make contact with MASH and complete referral paperwork.

**CIN/CLA allocated, or duty Social Worker must:**

- Collect the child from court and transport them to their placement.
- Comply with care planning regulations.
- Assess the placement required, involving YJS in this planning – the responsibility for final placement decision rests with CSC. Complete the placement specification form and submit to the placements team.
- Involve YJS if any proposed change to placement during the remand period, especially in consideration of increased risk of reoffending. This is essential where there are conditions attached to the RILAA to engage in YJS packages.
- Consult with Croydon YJS if there are gang or Serious Youth Violence concerns and it is deemed necessary in safeguarding the child or others, to request a police officer check on any proposed new placement addresses.

- Arrange and where necessary fund escorts for the transportation to the placement and future court hearings when the child is subject to RILAA.
- Carry out a children and family assessment to consider the needs during and beyond the end of the remand period and complete the **Care Plan** and **Placement Plan** within 5 working days of the child being remanded.
  - Where the child is Looked After only by reason of being RILAA, the Care Plan does not need to include the plan for permanence/long term plan for the child's upbringing. Otherwise, the care planning arrangements are the same as for all other looked after children.
- Review the Care Plan in line with procedures for all children looked after.
- [Please see Croydon's Children's Services Procedures Manual](#)

**Child made subject to remand into Youth Detention Accommodation – often referred to as the Secure Estate - (YDA) where the child was NOT already looked after**

**YJS role and actions**

- Notify CSC (or the child's allocated Social Worker if they have one) as soon as a remand into the Secure Estate looks likely to be considered or is made and confirm details of secure estate.
- YJS Court Support to notify Social Care of remand to update status on system and to ensure the financial element is accounted for.
- Provide CSC with timely information to inform their assessments, including any current YOS assessments on the range of risk concerns, behaviours and protective factors.
- Send the remand to YDA information (including conditions) and a copy of the bail assessment to CSC or SW via secure email. Also email any other relevant information to CSC if the child is already known to YJS.
- Send all up-to-date paperwork to the Youth Custody Service (YCS) regarding risks, safety and needs.
- Make clear and defensible recommendations regarding placements in the secure estate via the Youth Justice Placements Team.
- Attend the initial review remand meetings chaired by the secure establishment and notify and invite the social worker to attend within 10 working days.
- Coincide YJS visits with Children's Social Care CLA meetings (e.g., CLA Reviews, Pathway Plan reviews) wherever appropriate. On occasions when the

YOS case manager is unable to attend and meetings their line manager should attend in their absence.

- Produce and submit a written report for all remand and CLA reviews.
- Provide information about subsequent court appearances and other relevant information to the allocated social worker as soon as the information is available to assist planning.
- Liaise closely with the social worker regarding potential sentence outcomes and what support will be offered (if any) following remand to inform defensible sentencing recommendations in addition to any potential bail applications.

#### **CSC role and Action**

- Notify the Safeguarding and Quality Assurance Team within 24 hours, for allocation of an IRO by triggering the BLA (Becoming Looked After Process on Information System). A Placement Request must also be completed.
- Complete a child and family assessment considering the needs both during the period of remand to YDA and following the Court hearing, unless completed within the preceding 12 weeks in which case it will be updated via a Looked After Child Review.
- Visit the child within 5 working days and whenever reasonably requested to do so by the Governor, Director, or Registered Manager of the Youth Detention Accommodation.
- Prepare a **Detention Placement Plan** (DPP) within 10 working days of the remand. Please

#### **Child made subject to remand into the Youth Detention Accommodation - where the child is already looked after**

##### **YJS role and Actions**

- Send the remand information (including conditions and details of secure estate) and a copy of the bail assessment to the SW via secure email. Also email any other relevant information to if the child is already known to YJS.
- Send all up-to-date paperwork to the YJB regarding risks, safety and needs.
- Make clear and defensible recommendations regarding placements in the secure estate via the Youth Justice Board.
- Attend the initial and review remand meetings chaired by the secure establishment and notify and invite the social worker to attend.

- Coincide YJS visits with Children’s Social Care CLA meetings (e.g., CLA Reviews, Pathway Plan reviews) wherever appropriate. On occasions when the YJS case manager is unable to attend their line manager should attend.
- Produce and submit a written report for all reviews.
- Provide information about subsequent court appearances and other relevant information to the allocated social worker as soon as the information is available to assist planning.
- Liaise closely with the social worker regarding potential sentence outcomes and what support will be offered (if any) following remand to inform defensible sentencing recommendations.

**CSC role and Action**

- Ensure change of circumstance is recorded onto system and that the Independent Reviewing Officer is notified including placement details.
- Ensure Looked after reviews are organized and YJS are notified of intended dates.
- Prepare a **Detention Placement Plan** (DPP) within 10 working days of the remand. The DPP will replace the Placement Plan. ensure the DPP is agreed, and signed by, the Governor, Director or Registered Manager in the secure estate.
- Ensure that the child is provided with appropriate health care services, in accordance with the DPP, including mental and dental care and treatment, and advice and guidance on health, personal care and health promotional issues. This information should be submitted to the designated doctor for looked after children. NB. The provisions as to Health Assessments do not apply.

**Custodial Sentences**

**YJS role and actions**

- Ensure Social Care are informed of sentence details and location.
- Ensure that Social Care are added to contacts within the secure estate.
- To ensure that Social Care are aware of planned visits.
- To invite Social Care to planning review meetings chaired by the secure estate where discussions on resettlement are had.
- To ensure that Social Care are invited to RVMP and/or the Resettlement Panel to discuss release and licence conditions.
- To ensure that all resettlement plans are jointly worked upon and agreed.

**CSC role and Action**

- Attendance at YJS and Secure Estate meetings.
- To ensure that plans are made for release at earliest opportunity in consultation with the YJS.



- Where the young person is CLA to ensure that allowances are provided or saved for, and the basic needs of the young person are considered both whilst in custody and as part of resettlement.
- Please see Croydon Children’s Services Procedures Manual  
[https://www.proceduresonline.com/croydon/cs/p\\_rem\\_la\\_yth\\_det\\_accomm.htm](https://www.proceduresonline.com/croydon/cs/p_rem_la_yth_det_accomm.htm)  
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<b>Resettlement</b>
<b>YJS role and actions</b>
<ul style="list-style-type: none"> <li>• To jointly plan with Social Care at the earliest opportunity release plans particularly where accommodation may be a difficulty.</li> <li>• Ensure there is a joined-up approach with risk management and other aspects of release support planning.</li> <li>• To ensure that young people are consulted with on their resettlement plans, using a strength-based approach and plans are clearly communicated with young people in advance of their departure from the secure estate.</li> <li>• To ensure that children exiting custody are provided with follow up appointments in areas such as health and education.</li> </ul>
<b>CSC role and Action</b>
<ul style="list-style-type: none"> <li>• To liaise with YJS on placement referrals and considerations including location</li> <li>• To work jointly with YJS to devise the license and consider resettlement plans, in consultation with the young person.</li> </ul>

### **Court Sentences**

<b>Court Outcome</b>	<b>YOS Actions</b>	<b>CSC Actions</b>
<p><b>Community Sentence</b> where the Child is CLA to Croydon but placed outside of the borough.</p> <p>Where a Child who is Looked After is placed outside of the borough and is sentenced to a community-based youth order, Croydon YJS remain responsible for that young person as the ‘home’ YJS.</p>	<ul style="list-style-type: none"> <li>• Monitor and track the child’s progress and compliance with that order and record this on the YJS database.</li> <li>• Liaise with the allocated social worker periodically on any potential placement changes, progress or further reoffending.</li> <li>• Prosecute any breach, in line with YJS breaching</li> </ul>	<ul style="list-style-type: none"> <li>• Work closely with the allocated YJS case worker in the local area and be involved in a plan of support to prevent further offending.</li> <li>• Notify home YJS worker of any breakdown in placements or further concerns.</li> </ul>

	<p>protocol, in the event the child breaches that order.</p> <ul style="list-style-type: none"> <li>• Prepare a pre-sentence report for any further offending</li> </ul>	
<b>Referral Orders</b>	<ul style="list-style-type: none"> <li>• Make every effort to convene the panel in accordance with National Standards at a time and place convenient for the child and their representative, although the wishes and needs of the victim take priority.</li> </ul>	<ul style="list-style-type: none"> <li>• In the event that a CLA under s31/s38 is sentenced to a Referral Order the court will direct a representative from CSC (SW or carer) to attend the Referral Order Panel alongside the parent if appropriate. For a child under s20 or a child is CIN a parent must attend alongside the carer or social worker where appropriate.</li> </ul>
<p>Youth Rehabilitation Order (YRO) – Residence Requirement</p> <p>The Criminal Justice and Immigration Act 2008 introduced the YRO. The YRO contains up to 18 requirements, three of which relate directly to joint work between YOS and CSC. The residence requirement (for 16- and 17-year-olds) and local authority residence requirement can be made by the Court on the recommendation of the YJS.</p>	<ul style="list-style-type: none"> <li>• Complete an assessment.</li> <li>• Liaise with the allocated Social Work team or CSCT to ensure that a referral for a placement is identified at the earliest possible stage.</li> <li>• Consult fully with the allocated social worker regarding any recommendation for Local Authority Residence requirement.</li> <li>• Be responsible for the monitoring and enforcement of the Requirement.</li> <li>• In the situation that a Local Authority Residence Requirement is put in</li> </ul>	<ul style="list-style-type: none"> <li>• Provide the child with a CLA Service when they are subject to an YRO with a Local Authority Residence Requirement, as the young person will be considered a Looked After Child for the duration of the Requirement and whilst the young person is in a placement.</li> <li>• The Social Worker must therefore follow all procedures for Children Looked After.</li> <li>• Identify suitable accommodation for the child and inform the YJS of the address.</li> </ul>

	<p>place, then the young person will be considered a Looked After child for the duration of the Requirement.</p>	<ul style="list-style-type: none"> <li>• Under s23 CA 1989, the Local Authority has a duty to assess the young person's needs, create a plan and then review the young person's ongoing care and accommodation for the duration of the order.</li> </ul>
<p><b>Child not CLA -</b> assessment decision to continue support as a CiN case</p>		<ul style="list-style-type: none"> <li>• The Social Worker will:</li> <li>• Visit the child every 4 weekly.</li> <li>• Work with the child and family on a CIN basis and provide intervention, support and planning in line with CIN procedures.</li> <li>• liaise with criminal justice services to support the young person emotionally, practically, and financially whilst in custody.</li> </ul>
<p><b>Child is not CLA –</b> assessment decision to end support</p>	<p>YJS case manager should:</p> <ul style="list-style-type: none"> <li>• Make a referral to Social Care if there are concerns during the child's custodial sentence where there are safeguarding concerns that require a reassessment of need.</li> <li>• Refer the young person to MASH 6 weeks prior to the end of the sentence to enable a threshold decision around services to be made.</li> <li>• Refer relevant qualifying cases to</li> </ul>	<p>Service Manager for CIN/CLA/should:</p> <ul style="list-style-type: none"> <li>• Agree any recommendation not to continue to offer support.</li> <li>• If continuing support will not be provided, the designated CSC Team Manager will inform the following:</li> <li>• the child's case manager in the YJS.</li> <li>• the Governor or Manager of the custodial establishment.</li> <li>• the child/young person</li> </ul>

	MAPPA 6 months prior to release, notify CSC and ensure they are invited to attend.	<ul style="list-style-type: none"> <li>• their parents and others with parental responsibility</li> </ul>
<p><b>Custodial Sentence</b> – expectations by child’s status</p> <p>Child Protection Plan or Child in Need</p>		<p>When a child on a <u>Child Protection Plan</u> enters custody, <b>the SW should:</b></p> <ul style="list-style-type: none"> <li>• Bring forward their Review Child Protection Conference date to a date agreed with the CP Coordinator</li> <li>• Complete an updated C&amp;F assessment that complies with the regulations.</li> <li>• The Review Child Protection Conference will decide whether to continue the Child Protection Plan or whether it should end.</li> <li>• If a child was on a <u>Child in Need Plan</u>, <b>the SW should:</b></li> <li>• Complete an updated C&amp;F assessment.</li> <li>• Organise a Child in Need Meeting within 4 weeks to decide as to whether the CIN Plan will continue or end</li> </ul>
<p><b>Custodial Sentence</b> – Care Order</p>		<ul style="list-style-type: none"> <li>• If the child is subject to a care order s/he remains looked after and care planning and review will continue whilst the young person is in custody.</li> </ul>



<p><b>Custodial Sentence - 'Relevant'<sup>9</sup> and Former Relevant<sup>10</sup> children</b> (See Appendix E)</p>		<ul style="list-style-type: none"> <li>• Those children who become 'relevant' children on receiving a custodial sentence will receive services in accordance with the Children (Leaving Care) Act 2000. This includes the period whilst the child has been on remand.</li> <li>• It is required that continuing leaving care support is available to relevant or former relevant children if they are convicted and sentenced to a community sentence, or imprisonment.</li> </ul>
<p><b>Custodial Sentence – Qualifying Children <sup>11</sup></b> (See Appendix E)</p>		<ul style="list-style-type: none"> <li>• If a child becomes looked after for a period after the age of 16 as a result of being remanded and then receives a custodial sentence before they become an Eligible<sup>12</sup> child, they are likely to become a Qualifying child.</li> <li>• The CLA team responsible for supporting the child during the remand period will need to</li> </ul>

<sup>9</sup> Relevant child - YP aged 16 or 17 no longer looked after, who were looked after for a total of 13 weeks after reaching the age of 14, including at least 1 day while they were 16 or 17.

<sup>10</sup> Former Relevant - YP aged 18-21 who has been an eligible and/or relevant child in care.

<sup>11</sup> Qualifying YP – YP who has been looked after at any time after reaching the age of 16 but was not looked after for 13 weeks or more, so neither Eligible nor Relevant.

<sup>12</sup> Eligible child is a child still in care aged 16 and 17 who has been looked after for (a total of) at least 13 weeks from the age of 14.

		<p>follow the provisions of the Visits to Former Looked After Children in Detention Regulations (2010). As part of the assessment the <b>SW should:</b></p> <ul style="list-style-type: none"> <li>• Consider whether the child (if not relevant) may need further support. If required, the child should be referred to IF for support as a Qualifying child.</li> </ul>
<p>Children not deemed as 'Relevant' on being sentenced to custody. (See Appendix E)</p>		<ul style="list-style-type: none"> <li>• If the child was accommodated under s20 or was RILAA s/he ceases to be looked after on being sentenced to custody. However, regardless of how long the child was a CLA prior to the sentence, the Former Looked After Children in Detention (England) Regulations (Nov 2010) apply.</li> </ul> <p><b>The Social Worker must:</b></p> <ul style="list-style-type: none"> <li>• Visit the child within 10 working days to assess their needs.</li> <li>• Make recommendations about any appropriate advice, support and assistance the child needs which, where necessary, could include arranging for their accommodation on release, which might involve planning for</li> </ul>

		them to be Looked After again.
On release from prison Resettlement planning within the custodial estate will commence at the start of sentence.	<p>YJS Team Manager should:</p> <ul style="list-style-type: none"> <li>• Call a Resettlement Planning Meeting (in the community) three months prior to release.</li> <li>• Ensure the meeting follows the 7 pathways to resettlement as per best practice guidance (see separate policy on resettlement). This will seek to explore licence conditions, and the plan for release to enable a smooth transition. A review of the YJS pathway plan should take place followed by the resettlement planning meeting in order to give sufficient time. Effective planning should take place to ensure the young person is able to move into suitable accommodation.</li> </ul>	<p>Social Worker (and Placements Team where appropriate) should:</p> <ul style="list-style-type: none"> <li>• Attend the Resettlement Planning Meeting and reviews hosted by Secure Estate and YJS</li> <li>• In the case of Relevant and Former Relevant care leavers, the Social Worker should inform a care leaver no later than 14 days before release, notifying them of who is collecting them; where they will be living; the reporting arrangements; sources of community support; arrangements for education and employment and meeting their health needs and finances. The Social Worker should inform them when they will next see their Social Worker and the roles and responsibilities of the respective leaving care and YJS/Probation staff.</li> <li>• Arrange a joint meeting with the young person and supervising YJS/Probation officer to share information and</li> </ul>

		<p>ensure the young person receives an integrated service.</p> <ul style="list-style-type: none"> <li>• Ensure that where accommodation is a consideration a placement referral is completed in timely advance of release.</li> </ul>
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### **Risk Management and Safety Planning Panels**

The relevant YJS or CSC worker (or their manager) should attend relevant **Panels** (e.g., RVMP and MAPPA). Where cases are jointly held across CSC and YOS both workers may be required to attend.

<b>Meeting Name and Purpose</b>	<b>YJS workers roles and responsibilities</b>	<b>Allocated Social Worker's roles and responsibilities</b>
<ul style="list-style-type: none"> <li>• Risk Vulnerability Management Panel</li> <li>• This is a YJS Panel to ensure multi agency oversight of children on a YJS order or disposal to ensure effective management and monitoring where risks are identified as high.</li> </ul>	<ul style="list-style-type: none"> <li>• Invite social worker from Social Care to attend RVMP meetings where their child is being discussed.</li> <li>• Attendance and contributions</li> </ul>	<ul style="list-style-type: none"> <li>• Attend RVMP where a child on their caseload is being discussed, to feed into the process for ensuring that any risks to the child or risks the child poses to others are being effectively managed and monitored. If in exceptional circumstances the SW cannot attend, their line manager should attend, and a written update should be submitted.</li> </ul>
<ul style="list-style-type: none"> <li>• Multi Agency Public Protection Arrangements MAPPA</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure MAPPA are notified within 5 working days following sentence where eligibility is met (any young person made subject to custody for a period of 12 months or more</li> </ul>	<p>Social Worker should:</p> <ul style="list-style-type: none"> <li>• To co-attend RVMP to jointly screen for MAPPA levels.</li> <li>• Where MAPPA level 2 or 3 is decided to ensure attendance at all MAPPA hearings</li> </ul>

	<p>for a sexual or violent offence).</p> <ul style="list-style-type: none"> <li>• To ensure all eligible cases are brought to RVMP 6 months prior to release.</li> <li>• To complete all screening paperwork to consider the MAPPA Level (Level 1 is retained by YJS)</li> <li>• To notify MAPPA admin that we are agreed to retain risk management where level 1 is endorsed.</li> <li>• Where MAPPA Level 2 or 3 is agreed to complete referral paperwork and notify the MAPPA admin or our decision requesting a case hearing.</li> <li>• Level 1 cases will remain to be oversighted via RVMP.</li> <li>• Level 2 and above will be coordinated by the probation and police – the police will chair at MAPPA and only removed when risk is viewed as reduced. In these instances, MAPPA will notify YJS that a decision has been made for them to resume risk management at Level 1.</li> <li>• YJS Staff and YJS MAPPA Lead to ensure that there is attendance at all young people's hearings at MAPPA</li> </ul>	<p>and to ensure preparation has been completed.</p> <p>CSC Deputy or Team Managers should:</p> <ul style="list-style-type: none"> <li>• Attend all Level 3 MAPPA meetings (highest risk – typically cases where there is imminent risk to public or media coverage).</li> <li>• Attend Level 2 meetings if possible.</li> <li>• To ensure all MAPPA attendance and minutes are recorded onto Social Care IT system.</li> </ul>
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	<p>and that preparation has been completed.</p> <ul style="list-style-type: none"> <li>• To ensure in all MAPPA eligible cases the Victim Liaison Unit is notified of agreed MAPPA levels, suggestion licence conditions.</li> <li>• To ensure MAPPA attendance and minutes are recorded onto YJS system.</li> </ul>	
<ul style="list-style-type: none"> <li>• Complex Case Panel (CAP)</li> <li>• Social Care led panel: Reviewing children where sexual and/or Criminal Exploitation is evident and making decisions on National Mechanism Referrals (NRM) for children criminal exploited via county-lines</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure there is no duplication of discussion at RVMP.</li> <li>• To send information held by YJS in advance of weekly panel.</li> <li>• To ensure there is YJS Management representative at Panel to provide Operational updates.</li> <li>• To ensure YJS staff attend discussions if known.</li> <li>• Ensure all minutes are transferred to YJS IT system.</li> </ul>	<ul style="list-style-type: none"> <li>• SW to refer into CAP and notify YJS Officer</li> <li>• Consult with YJs on NRM</li> <li>• Jointly attend CAP with YJS t present joint work</li> <li>• Ensure Actions are clearly assigned between SW and YJS Officer</li> </ul>

### Key Contacts

#### **Youth Justice:**

Direct telephone number: 020 8404 5800

Generic email address: [croydonYJS@croydon.gov.uk](mailto:croydonYJS@croydon.gov.uk)

Secure email - [croydonyos@croydon.gov.uk.cjism.net](mailto:croydonyos@croydon.gov.uk.cjism.net)

YJS Court number: 0208 255 2777

#### **MASH:**

Direct telephone numbers: 020 8255 2888

Generic email address: [childreferrals@croydon.gov.uk](mailto:childreferrals@croydon.gov.uk)



**Placements:**

Direct telephone number:

Generic email address: [ChildrenPlacementsTeam@croydon.gov.uk](mailto:ChildrenPlacementsTeam@croydon.gov.uk)

**Croydon Council main number:** 0208726 6000

Version	Author	Name	Approved By	Signature	Date	Review Date

## **Appendix A: Legal and Policy Framework**

This Protocol is informed by: -

- Children Act 1989
- Crime and Disorder Act 1998
- Data Protection Act 1998
- Guidance for Youth Offending Teams on Information Sharing (Youth Justice Board 2000)
- Legal Aid, Sentencing and Punishment of Offenders Act 2012Children (Leaving Care) Act 2000
- Children Act 2004
- Common Assessment Framework. Department for Children, Schools, and Families 2004
- Every Child Matters. Department for Children, Schools, and Families 2005
- Sharing Personal and Sensitive Personal Information on Children and Young People at Risk of Offending (Youth Justice Board (2005)
- Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children Department for Children, Schools, and Families (2013)
- Court - Ordered Secure Remands and Remands to Prison Custody Guidance note to youth offending teams and Secure Establishments (*Youth Justice board 2008*)
- Information Sharing: Further guidance on legal issues Department for Children, Schools, and Families
- HMIP Core Case Inspection Criteria 2009
- Former Looked After Children in Detention (England) Regulations (Nov 2010)
- London Child Protection Procedures (Dec 2010)
- Placement and Case Review
- Care Planning Regulations 2010/ 2013
- Planning transitions to Adulthood for Care Leavers
- Statutory Guidance on Care Leavers Regulations 2010
- National Standards for Youth Justice Services, 2022
- YJB Case Management Guidance October 2022

## **Appendix B: Detention Placement Plans**

The Detention Placement Plan must:

Set out how the Youth Detention Accommodation will contribute to meeting the child's needs.

Include the address of the Youth Detention Accommodation.

Be agreed with, and signed by, the Governor, Director, or Registered Manager of the Youth Detention Accommodation.

Include:

- How, on a day-to-day basis, the child will be cared for, and the child's welfare, will be safeguarded and promoted.
- Any arrangements made for contact between the child and parents/persons with Parental Responsibility/[Connected Persons](#) including, if appropriate, the reasons why contact would not be reasonably practicable or would not be consistent with the child's welfare; details of any orders made under sections 8 or 34 of the Children Act 1989;
- The arrangements made for the child's health (including physical, emotional, and mental health) and dental care including any arrangements for the giving or withholding of consent to medical or dental examination or treatment.
- The arrangements made for the child's education and training.
- The arrangements made for social worker visits, the frequency of visits and the arrangements made for advice, support and assistance to be available to the child between visits.
- If an [Independent Visitor](#) is appointed, the arrangements made for them to visit the child
- The child's personal history, religious persuasion, cultural and linguistic background, and racial origin.
- The name and contact details of:
  - The [Independent Reviewing Officer](#);
  - The Independent Visitor (if one is appointed).
  - The social worker.
  - The [Personal Adviser](#) appointed if the child is an [Eligible](#) child;
- The responsible authority must ensure:
  - That the child's wishes and feelings have been ascertained and given due consideration.
- New Reg 39.

In any case where young person is not in the care of the responsible authority and is not likely to be an eligible child when the local authority cease to look after him, the care plan (or where regulation 47B(4) applies, the detention placement plan) must include details of the advice, assistance and support that the responsible authority intend to provide for the young person when they are no longer looked after by them

## **Appendix C: Initial Sentence Planning Meeting**

The Initial Sentence Planning Meeting takes place within **10 days of sentence**. It looks at the support the child requires during the sentence and sets targets for successful resettlement.

### **YJS case manager should:**

- Arrange with the case manager at the secure establishment the date of the Initial Sentence Planning Meeting
- Ensure the allocated social worker and parents (if appropriate) are invited.
- Attend the Initial Sentence Planning Meeting

### **SW should:**

- Attend the Initial Sentence Planning Meeting

The Initial Sentence Planning Meeting will cover the following areas:

- Is there a risk of self harm?
- What is the child's emotional state?
- Does the child need money, clothes, books or other practical support?
- Are education staff aware of, and able to meet, the child's educational needs, including any special needs or abilities?
- Are the health unit and wing staff aware of, and able to meet, the child's health needs?
- Are staff aware of, and able to meet, the child's religious and cultural needs?
- Is the child worried about anything? If so, what? Does the child understand how they can access advocacy and other services to express any concerns and make their views known?
- Are the child's parents able to fulfil their parental responsibility to the child whilst in custody?
- Has there been a change in the parents' capacity to enable them to resume care of the child on his release in a way that will meet the child's needs? If not, might additional support be provided to enable the parents to be able to resume care of the child?
- If it is not appropriate for the child to return home or to become looked after again, what alternative arrangements need to be made?
- The wishes and feelings of the child's parents', or others with parental responsibility, must be sought.