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# National Standards for Youth Justice Services

## Ministerial foreword

These National Standards for Youth Justice Services are statutory guidance<sup>1</sup> set by Secretaries of State on the advice of the Youth Justice Board for England and Wales (YJB). The National Standards are published jointly by the Ministry of Justice, Department for Children, Schools and Families, and the YJB. The National Standards set out the minimum requirements for relevant organisations providing youth justice services.

**Rt Hon Jack Straw, MP**  
**Lord Chancellor and**  
**Secretary Of State for Justice**

**Rt Hon Ed Balls, MP**  
**Secretary Of State for**  
**Children, Schools and Families**

Ministry of  
**JUSTICE**



department for  
children, schools and families

<sup>1</sup> Crime and Disorder Act 1998 s 41(5)(b)(iii)

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# Introduction

The principal aim of the youth justice system is to prevent offending by children and young people. The National Standards for Youth Justice Services are set by the Secretary of State for Justice and the Secretary of State for Children, Schools and Families on advice from the Youth Justice Board for England and Wales (YJB), and provide a set of minimum requirements for those organisations providing youth justice services. They are effective from 30 November 2009.

The National Standards outline the minimum standards for youth offending team (YOT) managers, YOT practitioners and other relevant partners delivering youth justice services within the youth justice system. The standards primarily focus on youth justice services in the community and the interface between YOTs and the secure estate. Standards for regimes within the secure estate, as well as being specified by the YJB in agreements with providers, are included in primary and secondary legislation.

The National Standards aim to prevent offending by children and young people by ensuring that:

- ✦ there is effective governance, planning and performance management within YOTs to support the delivery of youth justice services
- ✦ all children and young people entering the youth justice system benefit from a structured needs assessment to identify risk and protective factors associated with offending behaviour to inform effective intervention
- ✦ court orders are managed in such a way that they support the primary aim of the youth justice system, which is to prevent offending, and that they have regard to the welfare of the child or young person
- ✦ reports prepared by the YOT for courts and youth offender panels are effective and of a high quality
- ✦ the needs and risks of young people sentenced to custodial orders (including long-term custodial orders) are addressed effectively to enable effective resettlement and management of risk

- ✦ services provided to courts are of a high quality and that magistrates and the judiciary have confidence in the supervision by YOTs of children or young people who offend
- ✦ those receiving youth justice services are treated fairly regardless of race, language, gender, religion, sexual orientation, disability or any other factor, and actions are put in place to address unfairness where it is identified
- ✦ strategies and services are in place locally to prevent children and young people from becoming involved in crime or anti-social behaviour
- ✦ out-of-court disposals deliver targeted interventions for those at risk of further offending
- ✦ comprehensive bail and remand management services are in place locally
- ✦ restorative justice approaches are used, where appropriate, with victims of crime and that restorative justice is central to work undertaken with young people who offend
- ✦ all relevant information is captured and recorded accurately on the YOT case management information system.

YOTs shall use all aspects of new technology and information technology, including those delivered through the Wiring Up Youth Justice programme, in accordance with the Data Protection Act 1998 and other relevant legal requirements, to assist, support and ensure local accountability and governance arrangements.

As a set of minimum requirements, the National Standards should be used alongside both the YJB's *Case Management Guidance*, which identifies how to deliver youth justice services in the community, and the *Key Elements of Effective Practice* publications, which outline the evidence base for effective interventions in youth justice.

In setting these standards it is recognised that children and young people within the youth justice system have complex risks and needs. Research suggests that young people coming to the attention of the youth justice system may have low educational attainment, communication difficulties, mental health problems and learning disabilities and learning difficulties. An effective response to youth crime and anti-social behaviour involves both youth offending teams and partner agencies delivering universal and specialist services. While these National Standards relate in the main to the operation of YOTs, there are some standards that have been agreed by other partners where they relate to the direct operation of the youth justice system.

The National Standards, *Case Management Guidance* and *Key Elements of Effective Practice* together provide the foundation on which effective youth justice services are delivered in order to prevent offending and reoffending by children and young people.

## Transitional arrangements

Following the implementation of the Youth Rehabilitation Order (YRO) as part of the Criminal Justice and Immigration Act 2008, there will be a period of time where the old and new sentencing frameworks will need to be managed concurrently. The following principles will apply during this transitional period:

- ✦ For offences committed and sentences passed before the implementation of the YRO, a young person will be sentenced to orders made under the Powers of Criminal Courts Act 2000 (e.g. Supervision Order). Their order will be managed according to 2004 National Standards for Youth Justice Services. The Scaled Approach will not apply in these cases.
- ✦ For offences committed before the implementation of the YRO but sentenced post-implementation, a young person will be sentenced to orders made under the Powers of Criminal Courts Act 2000 (e.g. Supervision Order). The new National Standards for Youth Justice Services apply from 30 November 2009. The Scaled Approach may be used to determine the level of supervision but YOTs will have to ensure that the restrictions on an offender's liberty for a person sentenced to an old order post 30 November 2009 are no more than would have been the case prior to that date, bearing in mind that the 2004 National Standards set minimum contact requirements.
- ✦ The exception to this is for curfews subject to electronic monitoring. Enforcement of curfews has been brought in line with the new National Standards for all requirements of the YRO. Therefore, two warnings for less serious violations should now normally be given prior to breach action being commenced in the courts. Young people can still be breached immediately following a more serious violation, e.g. strap cutting or being out for a full curfew. The new standards will apply to any curfew given for offences committed prior to 30 November 2009 and sentenced under old legislation.

Further information can be found on the YJB website in the sections on the Scaled Approach and the YRO. There is a useful Frequently Asked Questions page on the Scaled Approach.

# National Standard 1: Preventing offending

## Outcome

Local strategies and services are in place to prevent children and young people from becoming involved in crime and/or anti-social behaviour, and to support their parents/carers and families.

### YOT manager responsibilities

1.1 Support the development and implementation, with partners, of a local youth crime prevention strategy that:

- ✦ contains stated objectives of preventing youth crime and anti-social behaviour, and reducing the number of first-time entrants to the youth justice system, including the provision of relevant data and information to achieve reductions against nationally published statistics
- ✦ demonstrates how and where prevention fits into the overall youth justice plan formulated by the local authority under section 40 (1) of the Crime and Disorder Act 1998, and how it links in with other prevention services and initiatives at strategic and operational levels (e.g. children and young people's plan and community safety partnership strategies)
- ✦ integrates fully and coherently with, and builds upon, existing local children, young people and families' early intervention and prevention services (e.g. nurse family partnerships, Sure Start, children's centres and family intervention programmes, etc.)

- ✦ integrates fully and coherently with, and builds upon, existing local youth crime prevention services and integrated youth support services (e.g. integrated youth support/targeted youth support, community safety partnership initiatives) to maximise benefits
- ✦ demonstrates that prevention services target those at highest risk of criminal or anti-social behaviour and that there is effective partnership working with other agencies targeting the same children and young people
- ✦ ensures that details of any substantive contact between a child or young person and the police are forwarded to the YOT (in line with local preventative services) to assist the targeting of at-risk young people for intervention
- ✦ identifies the key stakeholders and demonstrates how the objectives and outcomes will be communicated to them in order to establish and sustain partnership support

- ✦ demonstrates how prevention services will be accountable to the local community for delivery and outcomes
- ✦ demonstrates that prevention services are evidence-based and tailored to address specific community needs and concerns
- ✦ demonstrates that in cases where a young person is subject to another YOT or partner agency intervention, that these interventions are complementary
- ✦ ensures the delivery of relevant Youth Crime Action Plan initiatives through work with other stakeholders.

1.2 Ensure that YOT prevention services comply with relevant YJB guidance and the *Key Elements of Effective Practice*, and that the following key stages in targeted preventive practice take place:

- ✦ multi-agency identification and information sharing
- ✦ engage those who are most socially excluded and at risk of involvement in crime and anti-social behaviour
- ✦ assessment of risk and protective factors related to offending through the use of the YJB-approved assessment tool (currently *Onset*)
- ✦ deliver appropriate interventions based on individual assessment and knowledge of community needs and concerns that:
  - engage the optimum number of young people at high risk of offending (defined as proportionate to the scale of the youth crime and anti-social behaviour in a particular area and what is required to meet national, regional or local targets)
  - are of a level of intensiveness proportionate to the assessed level of risk and protective factors
  - obtain and accurately record all sufficient and relevant data as required by the YJB and other relevant partner agencies
  - monitor, evaluate and review the effectiveness and efficiency of interventions, with a particular emphasis on preventing offending.

## **YOT practitioner responsibilities**

1.3 Actively encourage children and young people to engage on a voluntary basis, and make persistent efforts to encourage those identified as being at the highest risk of offending and anti-social behaviour to engage.

1.4 Actively involve young people and their parents/carers in the design and review of individual programmes, and with the wider prevention services and interventions being delivered.

1.5 Formally assess all children and young people using the YJB approved assessment tool (currently *Onset*) within four weeks of initial referral to identify the risks and needs associated with potential offending and anti-social behaviour.

1.6 Undertake/contribute to Common Assessment Framework (CAF) assessments (also applicable to Wales if/when available) in line with locally agreed procedures and YJB guidance, and contribute to targeted youth support services as appropriate.

1.7 Formulate all intervention plans as a result of the assessment using the YJB-approved assessment tool (currently *Onset*) and record information accurately and effectively using the stated management information systems.

1.8 Offer evidence-based and outcome-focused interventions, and review progress against clear timelines (including updating the YJB-approved assessment tool, currently *Onset*).

1.9 Support children and young people in accessing universal and specialist services as appropriate.

1.10 When a child or young person leaves a targeted prevention programme, update the YJB-approved assessment tool (currently *Onset*) and identify and put in place ongoing sources of support, along with clear exit strategies.

1.11 Align all prevention services and intervention plans with any court orders and relevant partner agency plans that children, young people and parents/carers may be subject to, such as looked-after children care plans.

1.12 Encourage consent from parents/carers for their child's participation, and enable them to contribute to achieving the outcomes agreed for their child.

## National Standard 2: Out-of-court disposals

### Outcome

Out-of-court disposals are robust and deliver targeted and tailored interventions for those at risk of further offending.

### YOT manager responsibilities

2.1 Establish a protocol with the police on the operation of out-of-court diversion disposals that covers:

- + any circumstances in which the police will issue Warnings without prior assessment by the YOT
- + the police notifying the YOT of suitable cases for Warnings and arrangements for bailing them for assessment
- + the police notifying the YOT of all young people receiving a Reprimand, Warning, Penalty Notice for Disorder or Fixed Penalty Notice or any other disposal within one working day
- + the YOT notifying the police of the outcome of the *Asset* assessment within 15 working days of the date of bail
- + identification of victims who consent to their details being provided to the YOT
- + arrangements for victims to be informed of the outcome
- + joint training arrangements for police and YOT staff
- + any other exchange of information arrangements, including YOT notification to the police of the conclusions of their involvement with the child or young person.

## YOT practitioner responsibilities

2.2 Undertake an assessment of the child or young person within ten working days of referral from the police. The assessment must be completed using the YJB-approved assessment tool (currently *Asset – Final Warning Profile*) and must include a home visit, where possible. Any decision to discontinue the assessment as a result of non-compliance must only be taken after two failed appointments.

2.3 Following assessment, offer interventions in any of the following circumstances:

- ✦ the *Asset – Final Warning Profile* (dynamic factors) is greater than or equal to 12
- ✦ the *Asset – Final Warning Profile* is less than 12 but any sections score 4
- ✦ the *Asset – Risk of Serious Harm* is medium or above
- ✦ other exceptional circumstances with the agreement of the YOT manager.

2.4 Ensure the assessment informs the intervention programme, which will include the following, as appropriate:

- ✦ a restorative approach where the victim wants to become involved or suitability for reparation to the community where this is appropriate
- ✦ a one-off session if the assessed likelihood of reoffending is low
- ✦ a brief programme of activity to address the assessed needs.

2.5 Ensure that intervention programmes consist of a minimum of one (post-assessment) contact.

2.6 Align the intervention programme with any relevant partner agency plans and interventions such as looked-after children care plans.

2.7 Undertake/contribute to CAF assessments (also applicable to Wales if/when available) in line with locally agreed procedures and YJB guidance, and contribute to targeted youth support services (or Wales equivalent) as appropriate.

2.8 Support children and young people in accessing universal and specialist services as appropriate.

2.9 Conclude all Warning assessments and inform the police of the conclusions and recommendations within 15 working days from the date of bail.

2.10 Review and update the YJB-approved assessment tool (currently *Asset – Final Warning Profile*) where an intervention programme has concluded.

2.11 Make information about the outcome of the Warning available to the court where the young person reoffends.

2.12 Ensure that all relevant Warning information is recorded accurately on the YOT case management information system within one working day of it being received from the police.

2.13 Refer any notification that has been received from the police for children and young people residing outside the YOT area onto the home YOT within 24 hours of receipt, preferably via Secure eMail.

## Local police responsibilities

2.14 Notify the YOT within 24 hours of:

- ✦ all cases where a young person has been charged
- ✦ all cases where a Reprimand, Warning, Charge or Penalty Notice for Disorder has been issued or a decision has been made to issue one of them and the young person has been bailed for the purpose of delivery, or a YOT assessment is required to help inform the police disposal decision (local discussion may take place between the police force and YOT/s on whether No Further Actions, Summonses, Penalty Notices for Disorder or other relevant disposal should be notified in the same way); secure electronic means of transmission should be used within the police force areas with access to the Police Electronic Notification to YOTs (PENY) process
- ✦ the arrest of any young person who is suitable for receiving a Warning and bail them, if appropriate, for assessment by the YOT.

2.15 Issue all Warnings within 20 working days from the date of bail. Reprimands and Warnings must be given in the presence of the child or young person's parents/carers or other appropriate adult where the child or young person is aged 16 or under.

# National Standard 3: Bail and remand management

## Outcome

A comprehensive local remand management strategy is in place to ensure provision of appropriate adults, facilities to accommodate young people under section 38(6) of the Police and Criminal Evidence Act (PACE) 1984, bail information, supervision and support, liaison with the local authority regarding appropriate accommodation and mechanisms for reviewing young people remanded into the secure estate.

### YOT manager responsibilities

3.1 Ensure a protocol with the police is in place regarding the provision of the appropriate adult service.

3.2 Ensure the appropriate adult service:

- + covers police stations in their area (regardless of the home address)
- + is provided in line with the requirements of PACE
- + follows the PACE codes of practice
- + provides an appropriate adult within two hours of a request if required
- + provides all appropriate adults with training (to include awareness of speech, language, communication needs and learning disabilities and difficulties), guidance and support
- + undertakes enhanced Criminal Records Bureau (CRB) checks on all appropriate adults provided by the YOT
- + informs the parents/carers within 24 hours, subject to any safeguarding concerns, where a young person is charged and the parents/carers are not in attendance

- ✦ has a range of appropriate adults available to take into account diversity issues including ethnicity, gender, language (e.g. Welsh-speaking children and young people should have access to a Welsh-speaking appropriate adult where this is available and practicable), etc.

3.3 Following arrest, ensure that young people and parents/carers have ready access to relevant information (taking into account speech, language, communication needs and learning disabilities and difficulties) about YOT services, the youth justice system, obtaining legal representation and the responsibilities of parents/carers.

3.4 Provide comprehensive Bail Supervision and Support (BSS) services.

3.5 Ensure bail and remand services are in place for young people appearing at youth, magistrates' or Crown Courts, and before a judge in chambers, during weekdays, weekends and bank holidays, and that these arrangements are outlined in the youth justice service agreement between the YOT and courts.

3.6 Ensure that established processes are followed and that high standards are adhered to in respect of completeness, format and secure transfer of information requirements when communicating with the YJB's Placement Service.

## YOT practitioner responsibilities

3.7 Where there is a possibility that bail may be refused, assess young people on their first court appearance using *Asset – Bail Supervision and Support Profile*.

3.8 Where the young person is from out of the area, liaise with the home YOT prior to the court appearance.

3.9 Consult with the defence solicitor and the Crown Prosecution Service (CPS) regarding the prosecution's intended application, undertake an assessment and prepare a report for court outlining BSS where appropriate.

3.10 Provide bail information or BSS where a child or young person is at risk of being:

- + unnecessarily or inappropriately remanded into custody or secure local authority accommodation
- + offending on bail
- + breaching bail conditions
- + failing to return to court.

3.11 Give consideration to providing Bail Intensive Supervision and Surveillance Programme (ISSP) where a child or young person is at risk of being remanded into the secure estate.

3.12 Align any BSS programme with any relevant partner agency plans and interventions, such as looked-after children care plans.

3.13 Undertake/contribute to CAF assessments (also applicable to Wales if/when available) in line with locally agreed procedures and YJB guidance, and contribute to targeted youth support services (or Wales equivalent) as appropriate.

3.14 Support children and young people subject to bail or remand in accessing universal and specialist services as appropriate.

## Bail Support and Supervision

3.15 Prior to the court having made BSS a condition of bail, hold an interview with the young person to provide full details of the scheme, the programme and compliance procedures.

3.16 Ensure the initial BSS programme is understood (taking into account speech, language and communication issues, learning difficulties and disability), agreed and signed by the young person and countersigned by parents/carers for those under 16. Any changes to the initial programme must be agreed and signed within two working days of the court hearing.

3.17 Make contact with young people and, if under 16, their parents/carers within one working day to explain the obligations and requirements of BSS and to ensure that these are understood (taking into account speech, language, communication needs and learning disabilities/difficulties). Support this with appropriate written information.

3.18 Ensure that the BSS programme consists of a minimum of three contacts per week, with at least one specifically focused on issues raised in *Asset – Bail Supervision and Support Profile*.

3.19 Where a young person is subject to another YOT (or partner agency) intervention and is being seen on a regular basis, then following appropriately recorded authorisation from the YOT manager, these contacts may count towards BSS where they support the aims of the BSS programme.

3.20 Undertake home visits or visits to residential homes on a monthly basis unless the child or young person is assessed as being at risk of harm to themselves or from others, in which case they should be visited weekly.

3.21 Address failure to comply with the instructions of the BSS by:

- ✦ making an initial follow up within 24 hours by phone/visit to determine whether an acceptable/unacceptable reason is given. If following the phone/visit there has been no contact then a letter outlining the failure to comply should be sent to the young person
- ✦ issuing a written warning for the unacceptable failure to comply where it has been established that it was an unacceptable failure to comply
- ✦ informing the police and taking appropriate action if a bail condition has been breached.

3.22 In the event of a second unacceptable failure to comply then breach proceedings must be instigated immediately.

## Bail Intensive Supervision and Surveillance Programme

3.23 Where Bail ISSP has been made a condition of bail, provide a minimum of 25 hours programmed contact time each week, including support during evenings and weekends, which can be reduced to a minimum of five hours a week where the following criteria have been met:

- + there has been no offending on bail or breaches of bail conditions
- + the programme elements have been successfully implemented and completed
- + the court has approved the variation in contact levels.

3.24 Ensure the Bail ISSP has the following core elements:

- + education, training (especially basic literacy and numeracy) and employment appropriate for the child or young person's needs
- + interventions to tackle offending behaviour (taking into account that the child or young person may not yet be convicted)
- + assistance in developing interpersonal skills
- + family support
- + curfew supported by electronic monitoring plus two surveillance checks a day; the existence of a tag may count as one of these contacts.

In addition, programmes should include access to support for individual problems, for example homelessness, substance misuse or mental health problems, learning disabilities or special educational needs.

3.25 Hold the first contact with the child or young person who is subject to Bail ISSP on the same day as the court appearance.

3.26 Finalise a signed programme plan that is agreed by all parties within two working days of a bail condition being imposed.

3.27 Ensure the plan is reviewed by the YOT case manager at monthly intervals; the review will be informed by the current *Asset*.

3.28 Enforce the ISSP in line with the requirements under National Standards 3.21 and 3.22.

## Remands into the secure estate

3.29 Follow up on young people remanded into custody or secure accommodation and together with the young person, their legal representative and the secure establishment, actively consider a BSS or Remand to Local Authority Accommodation package and, if appropriate, present it at the next court appearance or before a judge in chambers.

3.30 When there is a strong likelihood that a custodial remand will be ordered or where one has been made, a Placement Alert form and the following mandatory documents must be sent to the Placement Service:

- + *Asset – Core Profile* (less than one month old) or *Asset – Bail Supervision and Support Profile*
- + *Asset – Risk of Serious Harm*, if applicable
- + post-court report (completed and sent after remand decision).

These documents should be sent in XML format, and whenever possible:

- + 24 hours in advance of likely remand (not post-court report)
- + electronically, either by Secure eMail or Connectivity (depending on YOT technology).

3.31 For unscheduled cases appearing on Saturdays, bank holidays or in cases of overnight arrests, handwritten copies may be faxed on the day, but the *Asset* (and *Asset – Risk of Serious Harm*, if applicable) should be sent electronically as soon as possible, and no later than the next working day, to the Placement Service. Handwritten post-court reports can be scanned and sent via Secure eMail or faxed.

3.32 Inform the Placement Service immediately electronically or by phone when the outcome of the case is known. Where possible, the Placement Service will send a placement confirmation electronically within one hour.

3.33 Where the young person has been assessed as exhibiting specific and definable risk factors that cause an immediate concern to the placement of the young person in custody or a risk of serious harm to others, notify the Placement Service, secure establishment and secure escorts immediately.

3.34 Notify the home and host children's services department (education) of the placement within five working days of the placement being made.

3.35 Where the child or young person is moved within the secure estate, notify the home and host children's services department (education) of the move within five working days of being notified of the move by the secure estate.

3.36 In conjunction with the secure estate, set up and undertake a remand review within five working days of the initial remand. Where a young person appears in court prior to the initial remand meeting, a remand review must be undertaken prior to the court appearance. The remand review must determine whether a programme could be offered in support of a bail application at the next court appearance. The remand review does not require a physical meeting to take place.

Where either the secure establishment identifies a child or young person as being at risk of harm to themselves or from others, or a risk of serious harm to others within the secure estate, or where the YOT assess the child or young person as exhibiting specific and definable risk factors that cause an immediate concern to the placement of the young person in custody, or a risk of serious harm to others, then this remand review should be attended in person by the YOT and should take place at the earliest opportunity (i.e. sooner than five working days).

3.37 In conjunction with the secure estate, attend in person a remand planning meeting within 10 working days of the initial remand. The remand planning meeting must include a consideration and review of bail options and a review of the *Assef*. In line with identified risks and needs, a remand plan must be prepared which sets out the programme of services to be offered to the child or young person by the secure establishment and the YOT during the period of remand.

Where the secure establishment identifies a child or young person as being at risk of harm to themselves or from others or a risk of serious harm to others within the secure estate, or where the YOT assess the child or young person as exhibiting specific and definable risk factors that cause an immediate concern to the placement of the young person in custody, or a risk of serious harm to others, then this remand planning meeting should take place at the earliest opportunity (i.e. significantly sooner than 10 working days).

In circumstances where a young person is sentenced and also remanded to secure/custody the remand management process should run in parallel with the sentence planning process thus ensuring each status, and its impact on the young person's individual situation, is given due consideration by the practitioners and the young person.

3.38 Ensure the young person is visited by YOT staff or partner agencies at least monthly and that this visit takes place separately (but can be on the same day) to the monthly remand planning meeting.

3.39 Ensure monthly remand planning meetings take place. Review the remand plan and give consideration to bail applications/alternative arrangements to be made, taking into account the views of secure estate staff. With the exception of the initial remand planning meeting these planning meetings can be undertaken via video link where available.

3.40 At any point during the remand where the secure establishment identifies a child or young person as being at risk of harm to themselves or from others or a risk of serious harm to others within the secure estate, attend the secure estate-led meeting which addresses risk management.

## Placement Service staff responsibilities

3.41 On receipt of the documentation from the YOT, the Placement Service will undertake a check of that documentation's completeness.

3.42 On notification of a custodial remand order being made, the Placement Service will:

- + review the assessment information
- + make a decision<sup>2</sup> on the most appropriate placement, based on the individual needs of the young person and the availability of spaces and resources in the secure estate in accordance with the Placement Service placement protocol
- + issue a Placement Confirmation form to the YOT, court, escort provider and secure establishment
- + forward all available assessment information to the receiving secure establishment
- + in the event that assessment information is not received from the YOT, the Placement Service will request the missing information as per the Missing Electronic yellow envelope (Eye) documents procedure and inform the receiving establishment of this.

<sup>2</sup> Where young people are made subject to a secure remand to the local authority, the Placement Service act as a broker by making the placement on the behalf of the local authority and will be referred to either a secure children's home or secure training centre. The local authority remains responsible for the placement of that young person.

## Secure estate staff responsibilities

3.43 Contact the Placement Service to alert them and request missing documents. The *Asset – Core Profile* or *Asset – Bail Supervision and Support Profile*, Placement Alert form and post-court report (after the court order has been made) must be completed in all cases, and *Asset – Risk of Serious Harm*, vulnerability management plan, risk management plan and pre-sentence report when relevant to the circumstances of the individual. If they are unavailable, then treat as missing in line with the Eye documents procedure in the Operations Manual/Placement Protocol and the Interchange and Benefits Agreement for Sharing Information.

3.44 Ensure all information from the *Asset* is uploaded and/or entered into local sentence management systems (currently eAsset).

3.45 Treat the young person as at risk of harm to themselves or from others until *Asset* and post-court report is received from the Placement Service.

3.46 T1:V assessments are completed for each newly arrived young person before they are locked in their room for the first night. This includes young people who have been transferred from another establishment.

3.47 Where there are concerns about a child or young person being at risk of harm to themselves or from others, take all necessary actions to safeguard the young person. Where self-harm concerns exist, develop relevant targeted intervention and ensure appropriate documentation is opened and communicated to all necessary personnel in the secure establishment.

3.48 Undertake a full assessment of each young person admitted to custody within 10 working days of admission. The assessment should cover the health (including consideration of speech, language, communication needs and learning disabilities/difficulties), social, educational, vocational and any other needs of the young person.

3.49 Ensure all young people are assessed on reception by a qualified nurse or doctor. This will include an assessment of mental health needs as well as an assessment for substance abuse. The assessing nurse or doctor must evidence that they have read the young person's Asset prior to undertaking the assessment. Where withdrawal treatment is needed, the young person must be referred to a specialist doctor or nurse and a drug or alcohol worker, who may be based in the secure establishment or the community.

3.50 Contribute to the remand review where a young person will appear in court prior to the initial remand meeting.

3.51 Ensure that a remand planning meeting takes place within 10 working days of the initial court hearing. The YOT supervising officer must be invited to this meeting.

3.52 Where a child or young person is identified as at risk of harm to themselves or from others, or at risk of causing serious harm to others within the secure estate, a meeting that addresses risk management issues must be held. The YOT should be invited to attend the meeting. If it is not possible for the YOT to attend, the establishment must inform the YOT supervising officer of the outcome of the meeting within 24 hours. Meeting minutes should be circulated to all invitees within 24 hours.

3.53 Provide programmes linked to the assessed needs of the young person as agreed at the remand planning meeting, and, where the young person is assessed as being at risk of harm to themselves or from others, or a risk of serious harm to others, implement measures for managing this risk.

3.54 Assist the YOT in their review of the remand plan on a monthly basis. This review must give consideration to bail applications/ alternative arrangements to be made.

3.55 Where children and young people are remanded to local authority accommodation with a security requirement (becoming looked-after children), support the relevant local authority in undertaking reviews in accordance with the Children (Secure Accommodation) Regulations 1991 and the Review of Children's Cases Regulations 1991.

3.56 Where a child or young person is subject to an emergency transfer to a young offender institution (YOI), the Placement Service must be notified, as soon as possible after the event, which in most cases is expected immediately. A retrospective transfer request form must also be submitted to the Placement Service, who will then re-assess the ongoing suitability of the young person's placement and issue a Placement Confirmation form accordingly.

3.57 All other transfers across the estate must be made in line with the Placement Service transfer protocol.

3.58 Where the child or young person is transferred between establishments, send all sentence management information (including wing files) using eAsset and other electronic systems to the receiving establishment, where possible in advance of the transfer but no later than one hour after the transfer takes place.

## **Police staff responsibilities**

3.59 When it is necessary to detain a child or young person overnight in accordance with PACE 1984 s 38(6), transfer the child or young person to local authority accommodation in line with the PACE Code of Practice unless impractical to do so as per PACE 1984 s 38(6).

3.60 Following charge, bail and before leaving the police station, give the young person (and appropriate adult) verbal and written information on what will happen next.

3.61 Inform YOTs within one working day about young people under the age of 18 who have been charged with an offence or bailed for the delivery of a Reprimand or Warning or for a decision to be made about disposal where YOT assessment is required. Secure electronic means of transmission should be used within the police force areas via the PENY process.

3.62 Inform the YOT as soon as possible of all young people detained in police custody for production in court.

### **Local authority staff responsibilities**

3.63 Put in place arrangements for managing requests from the police for PACE beds and for receiving children and young people transferred from the police as per PACE 1984 s 38(6).

3.64 To ensure that the young person's status as a looked-after child is recognised, put in place formal arrangements in agreement with the YOT regarding the local authority's duties towards young people remanded to non-secure local authority accommodation.

# National Standard 4: Assessment for interventions and reports

## Outcome

All children and young people entering the youth justice system benefit from a structured needs assessment (using the relevant YJB-approved assessment tool) designed to identify risk and protective factors associated with offending behaviour, likelihood of reoffending and risk of serious harm to others, and to inform effective intervention programmes.

## YOT manager responsibilities

4.1 Record and analyse (including breakdown of looked-after children, by ethnicity and other key criteria) *Asset* data (including, at a minimum, initial and final assessment scores) at least quarterly, and report the data on the risks associated with offending to the YOT management board.

4.2 Put in place effective and rigorous quality assurance systems (in line with the *Key Elements of Effective Practice – Assessment, Planning, Intervention and Supervision*) to ensure assessments are completed and specifically that *Asset* assessments are completed/updated in all cases at the following points:

- ✦ at any point when a significant change in the young person's circumstances has occurred
- ✦ following a request for a court report (pre-sentence report and specific sentence report).

For community disposals (Final Warnings, Referral Orders and community penalties) at the following points:

- + at the start of an intervention (unless a pre-sentence report related to the community disposal has been completed within the last three months and there has not been a significant change in circumstances or new information received since the pre-sentence report *Asset* was completed)
- + at the three-monthly review
- + at the closure stage.

For custodial sentences at the following points:

- + at the start, transfer to the community and closure stages
- + at all scheduled review meetings
- + where there has been a significant change in circumstances or new information received
- + at any transition points, such as transfer to another YOT area or transfer to the local probation area/trust
- + where none of the above apply at the three-monthly review.

*Asset – Risk of Serious Harm* assessments are completed in all relevant cases specifically when there is a 'yes' answer to any of the questions in the 'Indicators of serious harm to others' section of the *Asset – Core Profile* and *Asset – Final Warning Profile*.

CAF assessments (also applicable to Wales if/when available) are undertaken by YOT practitioners in line with locally agreed procedures.

Assessments are completed to a high standard of quality and are informed by the collation, analysis and verification of information gained from a range of sources, which should at a minimum include:

- ✦ interview with the child or young person
- ✦ interview with the parents/carers (unless the young person is over 16 and estranged from their parents/carers)
- ✦ existing assessments, court or other reports, previous convictions, etc.
- ✦ information from other agencies, including, as appropriate, social/ children's services, health, education/school/college, housing/ accommodation providers, Connexions/Careers Wales, prevention services, relevant voluntary or community sector organisation, etc.
- ✦ evidence boxes for *Asset* assessments should be completed fully and used to record all relevant information about the factors being examined. Where a 'don't know' response is recorded against any of the *Asset* questions, this should be explained.

4.3 Put procedures in place to identify and manage risk of serious harm to others, to fully inform practitioners and managers of these procedures and ensure there is robust YOT management oversight of these procedures. This should include raising YOT staff and operational managers' awareness of the YJB's *Serious Incidents* guidance and ensuring compliance with reporting requirements.

## YOT practitioner responsibilities

4.4 Complete *Asset* (or review and update where there is a current *Asset* that is less than three months old) and use it as the basis for all assessments for young people in the following instances:

- ✦ to assess for suitability/appropriateness of BSS (using *Asset – Bail Supervision and Support Profile*)
- ✦ to inform courts where the young person is assessed as being at risk of harm to themselves or from others to inform potential remand decisions
- ✦ to inform placement decisions about young people remanded and sentenced to the secure estate
- ✦ at any point when a significant change in the young person's circumstances has occurred or new information has been received
- ✦ following a request for a court report (pre-sentence report and specific sentence report).

For community interventions (Final Warnings, Referral Orders, Reparation Orders and YROs) at the following points:

- ✦ start of intervention (unless a pre-sentence report related to the community disposal has been completed within the last three months and there has not been a significant change in circumstances or new information received since the pre-sentence report *Asset* was completed)
- ✦ at the three-month stage
- ✦ at the closure stage.

For custodial sentences at the following points:

- ✦ at the start, transfer to the community and closure stages
- ✦ at all scheduled planning and review meetings
- ✦ at any transition points, such as transfer to another YOT area or transfer to the local probation area/trust
- ✦ when there are any significant changes in circumstances affecting the young person that would impact on the original assessment and/or the likelihood of reoffending, risk of harm to themselves or from others, risk of serious harm to others or their capacity to comply with the order
- ✦ prior to any Parole Board hearing.

4.5 Complete an *Asset* assessment to a high standard of quality, ensuring that it is informed by the collation, analysis and verification of information gained from a range of sources. These sources should include at a minimum:

- ✦ an interview with the child or young person
- ✦ an interview with the parents/carers (unless the young person is over 16 and estranged from their parents/carers)
- ✦ existing assessments, court or other reports, previous convictions, etc.
- ✦ information from other agencies, including, as appropriate, social/ children's services, health, education/school/college, housing/ accommodation providers, Connexions/Careers Wales, prevention services, relevant voluntary or community sector organisation, etc.

4.6 Use *Asset – Core Profile* to determine a child or young person's likelihood of reoffending and *Asset – Risk of Serious Harm* to determine risk of serious harm to others (in line with the Scaled Approach outlined within YJB guidance), in the following circumstances:

- ✦ at the pre-sentence report stage
- ✦ at the youth offender panel report stage
- ✦ when the *Asset* assessment is being updated/reviewed
- ✦ when there is any significant change in circumstances (including when the young person is released from custody).

4.7 Complete/update the *Asset* assessment prior to writing pre-sentence report/Referral Order report/specific sentence report/stand-down report.

4.8 Complete an *Asset – Risk of Serious Harm* assessment if there is a positive response in any of the ‘Indicators of serious harm to others’ section of the *Asset – Core Profile* or *Asset – Final Warning Profile*.

4.9 Share the *Asset – Risk of Serious Harm* information, as appropriate, with the police and other agencies (including the secure estate, where appropriate) and take action in line with local Multi-Agency Public Protection Arrangements (MAPPA) if the child or young person meets the MAPPA eligibility criteria.

4.10 At a minimum, invite the young person to complete the *Asset – What do YOU think?* self-assessment form at the beginning and end of the intervention and provide any necessary assistance they need to do so.

4.11 Undertake/contribute to CAF assessments (also applicable to Wales if/when available) in line with locally agreed procedures and YJB guidance and contribute to targeted youth support services as appropriate.

## **Placement Service staff responsibilities**

4.12 On notification of a custodial sentence being given, the Placement Service will:

- ✦ review the assessment information
- ✦ make a decision on the most appropriate placement, based on the individual needs of the young person and the availability of spaces and resources in the secure estate in accordance with the Placement Service placement protocol
- ✦ in the case of placements into secure children's homes and secure training centres, refer the young person to the most appropriate establishment
- ✦ issue a Placement Confirmation form to the YOT, court, escort provider and secure establishment
- ✦ forward all available assessment information to the receiving secure establishment
- ✦ in the event that assessment information is not received from the YOT, the Placement Service will request the missing information as per the Missing Eye documents procedure and inform the receiving establishment of this.

# National Standard 5: Reports for courts, youth offender panels and civil courts in Anti-Social Behaviour Order proceedings

## Outcome

Reports prepared by the YOT are balanced, impartial, timely, focused, free from discriminatory language and stereotypes, verified, factually accurate, understandable to the child or young person and their parents/carers, and provide the required level of information and analysis to enable sentencers to make informed decisions regarding sentencing.

## YOT manager responsibilities

5.1 Ensure effective quality assurance arrangements are in place (in line with the *Key Elements of Effective Practice – Assessment, Planning, Intervention and Supervision*) for monitoring, evaluating and improving the quality of pre-sentence reports, stand-down reports, specific sentence reports, youth offender panel reports and Individual Support Order/Parenting Order reports.

5.2 Ensure that all reports (written and verbal) are:

- + *Balanced* – they should be based on a range of different issues including risk, needs and protective factors, maturity and level of understanding, children or young people’s views, CPS information, assessment by the YOT, victim’s views and the court’s views of the seriousness of the offence, previous convictions, likelihood of reoffending, etc.
- + *Impartial* – they should not be solely based on one perspective or point of view, but should be based on an analysis of information from a range of sources.

- ✦ *Timely* – they should be ready in the timescales set out in the National Standards (or in shorter timescales if locally agreed).
- ✦ *Focused and analytical* – they should be succinct, well structured, logical, should not contain irrelevant or superfluous information but should draw out and explain salient features of the offence, the young person (including their maturity, level of understanding about their behaviour, and consideration of any speech, language, communication needs and learning disabilities/difficulties) and their circumstances.
- ✦ *Free from discriminatory language or stereotypes* – language within reports should not perpetuate stereotypes or contain discriminatory statements, and report authors should be aware of general and local diversity issues and the importance of ensuring that these are adequately addressed.
- ✦ *Verified and factually accurate* – information contained in reports, particularly sensitive or important information, should be verified to ensure its accuracy and the sources of information clearly referenced.
- ✦ *Understandable to the young person and his or her parents/carers* – prior to presentation at court or youth offender panel, the child or young person and parents/carers (if appropriate – safeguarding issues should be considered) should have had the opportunity to read the report and ask the author questions about it. The report should be clearly structured, focused, free from jargon, and the contents and reasoning should be presented in a way that can be understood by the child or young person and their parents/carers.

5.3 Ensure that pre-sentence reports assist courts in determining the most suitable method of dealing with a young person by ensuring that they are based on:

- + an *Asset* assessment
- + a minimum of one interview with the child or young person
- + an interview with at least one parent/carer, where possible
- + a home visit, where possible (if not possible give reasons why)
- + CPS advanced disclosure information
- + an assessment of the victim's wishes regarding, and willingness to engage in, reparation and restorative justice interventions
- + an assessment of the consequences of the offence, including what is known of the impact on any victim, either from the CPS papers or from a victim personal statement
- + information from other relevant sources such as YOT case records, specialist assessments, or information from other agencies.

5.4 Ensure that pre-sentence and stand-down reports are presented in the following format:

- + front sheet
- + sources of information
- + offence analysis, including impact of the offence on the victim/s
- + assessment of the young person, leading to a proposed intervention level
- + assessment of the need for parenting support
- + assessment of the risk to the community, including the likelihood of reoffending and risk of serious harm to others, and an assessment of dangerousness (as appropriate)
- + conclusion and proposal for sentencing.

## YOT practitioner responsibilities

5.5 Base all reports on:

- ✦ a minimum of one interview with the young person
- ✦ an *Asset* assessment, which must be completed prior to the report being prepared
- ✦ the *Asset – What do YOU think?* self-assessment form
- ✦ an interview with at least one parent/carer where possible
- ✦ a home visit where possible
- ✦ an assessment of the victim's wishes regarding, and willingness to engage in, reparation and restorative justice interventions. Information regarding the impact of the offence on the victim can be only taken from CPS papers or from victim personal statements
- ✦ information from all relevant sources including social/children's services – in all cases YOT staff must check whether a CAF assessment has been completed (also applicable to Wales if/when available) and/or other services that have been involved with the child or young person.

5.6 Ensure a copy of all reports (youth offender panel reports, stand-down reports, specific sentence reports, pre-sentence reports) is retained on the child or young person's case file.

## Youth offender panel reports

5.7 Complete the youth offender panel report in writing and provide a copy to the child or young person, their parents/carers (if appropriate in relation to child protection implications).

5.8 Make youth offender panel reports available to all panel members a minimum of two working days prior to the initial panel meeting.

5.9 Complete youth offender panel reports after an *Asset* assessment, highlight the key risk factors identified in *Asset* and inform the panel of the range of interventions available that may be appropriate for inclusion within the contract.

## Pre-sentence reports

5.10 Complete the pre-sentence report in writing and provide a copy to the child or young person, their parents/carers (if appropriate in relation to child protection implications), the court, CPS and the defence solicitor. In any case where a pre-sentence report relates to an offender under 18 years of age and the court is required to obtain and consider a pre-sentence report before the court forms an opinion as to whether a discretionary custodial sentence should be imposed, a pre-sentence report must be in writing.

5.11 Produce the pre-sentence report within 15 working days of request. Pre-sentence reports concerning those children and young people meeting the Intensive Supervision and Support (ISS) or other locally determined priority criteria (as agreed by the courts) must be produced within 10 working days of request. Where there are unusually extensive adjournment periods, ensure the pre-sentence report is updated prior to the sentencing date.

5.12 Complete the pre-sentence report using the following format:

- + front sheet
- + sources of information
- + offence analysis (information relating to the impact of the offence on the victim can be taken from CPS papers or from victim personal statements only as per Lord Chief Justice Practice Direction on Victim Personal Statements 2001)
- + assessment of the young person (based on *Asset* assessment and including health, mental health – including learning disability – speech, language and communication needs, and broader welfare considerations)

- ✦ assessment of the need for parenting support (and determining whether this should be as part of a Parenting Contract or Order)
- ✦ assessment of risk to the community, including the likelihood of reoffending, risk of serious harm to others and dangerousness where required
- ✦ conclusion, including proposal(s) for sentencing. Note: Where a YRO is recommended, not only should the appropriate requirement(s) be identified but, in addition, the level of intervention and supervision envisaged under the Scaled Approach should be made clear. This is so that both the defendant and the court are clear about the proposed restrictions on the defendant should the court make the order as recommended and so that the court can comment on that if it so wishes. Similarly, if a referral order is recommended, where possible the level of intervention and supervision envisaged should be spelt out in the report.

## Specific sentence reports

5.13 Specific sentence reports should assess the young person's suitability for a specific sentence (e.g. a Reparation Order or where the court has indicated that they wish to impose a YRO with one or more requirements, such as an Attendance Centre Requirement or Activity Requirement). They should:

- + be written reports, which may be presented verbally
- + be available on the day of request where a recent *Asset* (completed within the last three months) is available, unless exceptional circumstances apply
- + exceptionally be produced within five working days where there is no recent *Asset* available (i.e. an *Asset* that has been completed within the last three months).

5.14 In line with s73 (5) of the Powers of Criminal Courts (Sentencing) Act 2000, specific sentence reports in relation to Reparation Orders should indicate:

- + type of work suitable for the young person
- + attitude of the victim(s) to the requirements proposed for inclusion in the order
- + Individual Support Orders (ISOs)/parenting reports.

5.15 Complete ISO/parenting report to:

- + assess the suitability of an ISO or Parenting Order in preventing further anti-social behaviour and breach of the young person's Anti-Social Behaviour Order
- + offer consistent advice to the civil court on the desirability of an ISO/Parenting Order in preventing further anti-social behaviour.

## Stand-down reports

5.16 Prepare a report either verbally or in writing on the same day as a court hearing on a stand-down basis where it will facilitate the prompt conclusion of a case, where a recent *Asset* (completed within the last three months) and other relevant reports/information are available and where custody is not being considered.

5.17 Stand-down reports should contain at a minimum:

- + sources of information
- + offence analysis (information relating to the impact of the offence on the victim can be taken from CPS papers, or from victim personal statements only as per Lord Chief Justice Practice Direction on Victim Personal Statements 2001)
- + assessment of the young person
- + assessment of the need for parenting support (and determining whether this should be as part of a Parenting Contract or Order)
- + assessment of risk to the community, including the likelihood of reoffending and risk of serious harm to others
- + conclusion, including proposal(s) for sentencing
- + general requirements.

5.18 In exceptional circumstances, where it has not been possible to complete a specific sentence report or pre-sentence report for whatever reason, the report author should notify the YOT manager in advance and send the court written information explaining why the report has not been completed.

# National Standard 6: Work in courts

## Outcome

YOTs provide high quality services to courts, and magistrates and the judiciary have confidence in the quality of information and in the rigour of supervision of children and young people who offend.

### YOT manager responsibilities

6.1 Ensure that a youth justice service agreement is in place between the YOT and the area director or their nominated youth justice lead, and the local Crown Court manager. It should cover the following:

- + exchange of information regarding children and young people who offend
- + subject to judicial discretion, priority groups for timeliness
- + facilities for victims, witnesses and children and young people who offend
- + arrangements for making court-ordered secure remands direct to the secure estate
- + arrangements for the timely enforcement of court orders
- + the provision of court duty across the range of proceedings for children and young people under the age of 18, including adult magistrates' and Crown Courts
- + arrangements for services to unscheduled courts, including weekend courts
- + quality assurance and feedback processes.

6.2 Ensure that the youth justice service agreement is reviewed by all signatories at least once a year.

6.3 Provide the full range of youth justice services to all scheduled and unscheduled court hearings (including those falling on weekends and bank holidays, etc., as well as the occasions when young people appear in Crown Courts) within the YOT area.

6.4 Put in place arrangements for effective inter-agency liaison (commonly known as a youth court user group) for the YOT manager to use in order to monitor the impact of the local youth justice service agreement and undertake other tasks to ensure the judiciary (in both youth and Crown Courts) have confidence in the YOT.

6.5 Present an annual report to the YOT management board on the work of the YOT in courts relating to:

- ✦ use of custodial remands and sentencing; the report should contain a breakdown by key characteristics, including looked-after children and ethnicity
- ✦ local sentencers' confidence in the quality of information and service provided by the local YOT to the court, including the professionalism of YOT court staff as well as confidence in the rigour of supervision of children and young people who offend.

### **YOT practitioner responsibilities**

6.6 Provide the court with a service as agreed within the youth justice service agreement giving particular priority to:

- ✦ providing up-to-date and relevant information to the court
- ✦ engaging children, young people and their parents/carers and providing information on the court process
- ✦ ensuring accurate recording of court information
- ✦ presenting reports to the court
- ✦ developing the confidence of the court in the quality of services provided by the YOT.

6.7 Where there is a strong likelihood that a custodial sentence will be ordered, or where one has been given, the Placement Alert form and the following mandatory documents must be sent by YOTs to the Placement Service:

- + *Asset – Core Profile*
- + *Asset – Risk of Serious Harm*, if applicable
- + post-court report (completed and sent after custodial sentence).

These documents should be sent in XML format, and whenever possible:

- + 24 hours in advance of likely sentence (not post-court report)
- + electronically, either by Secure eMail or Connectivity (depending on YOT technology).

Other documents such as pre-sentence reports, risk management plans and vulnerability management plans should also be sent to the Placement Service. Handwritten post-court reports can be scanned and sent via Secure eMail or faxed. Prevailing YJB guidance should be followed at all times.

6.8 Ensure that the custodial warrant issued by the court is accurate for young people remanded in custody or sentenced to custody. The warrant checklist guidance should be followed and the warrant should contain accurate information such as:

- + full name of the young person
- + date of birth
- + sentence details
- + signature of the clerk or judge with correct date.

If the warrant is not accurate, the warrant must be referred back to the issuing court by the YOT.

6.9 Inform the Placement Service immediately by phone or Secure eMail when the outcome of the case is known. Where possible, the Placement Service will send a placement confirmation by Secure eMail within one hour.

6.10 When a young person is remanded/sentenced to the secure estate:

- ✦ transmit the post-court report at the time of sentence; the Placement Service will send the young person's supporting documents to the secure estate establishment via Secure eMail
- ✦ ensure the completed court warrant and placement authorisation form are placed in the Secure Escort Folder and given to the secure escort service
- ✦ visit the child or young person in cells after sentence, deal with any welfare issues and help the young person come to terms with the situation
- ✦ any extra or supporting documentation should be put in the Secure Escort Folder and given to the secure escort service for transmission to the secure establishment
- ✦ where a young person is assessed as at risk of harm to themselves or from others, notify the Placement Service and secure establishment immediately by phone and in writing, and inform the secure escort service within one hour of the court hearing
- ✦ inform the parents/carers of the remand/sentence decision, details of secure estate placement (including written information about the secure estate facility where available) and Assisted Prison Visit Scheme.

### **Secure escort services' responsibilities**

6.11 Treat the young person as at risk of harm to themselves or from others until *Asset* and post-court report is received from the Placement Service.

6.12 Where they receive notification that there is an enhanced risk of suicide, ensure immediate action is taken to safeguard the young person.

# National Standard 7: Work with victims of crime

## Outcome

YOTs have processes in place to ensure that victims of youth crime are involved, as appropriate, in a range of restorative processes that seek to put right the harm they have experienced.

### YOT manager responsibilities

7.1 Maximise victim involvement through a restorative justice strategy, which includes at a minimum:

- + an articulated YOT-wide commitment to improving outcomes for victims through the use of restorative justice (informed by the *Key Elements of Effective Practice – Restorative Justice*)
- + youth offender panels to operate on restorative justice principles with all involved having a strong commitment to involve victims in the process
- + the integration of restorative justice processes across all YOT interventions (during community and custodial elements and out-of-court disposals) to ensure that young people and parents known to the YOT are aware of the impact of crime on victims and take responsibility and make amends for criminal/anti-social behaviour
- + strategies that ensure restorative processes are fully available for children and young people with a speech, language, communication needs and learning disabilities/difficulties
- + the availability of a range of restorative justice processes to meet the varying needs of victims
- + processes to ensure that every effort is made to engage with victims and that victim involvement, participation and satisfaction is maximised
- + processes to ensure that any decision not to involve the victim is made and recorded by the line manager

- ✦ processes to maximise reparation to victims of crime
- ✦ the availability of varied and appropriate reparation opportunities to the community, which are meaningful and appropriate to the offence and are available out of school hours, including at evenings and weekends
- ✦ processes for obtaining the local community's views on the types of reparation opportunities available
- ✦ recognised and suitable training in restorative justice theory and practice for staff and volunteers who provide services to victims.

7.2 Ensure the YOT complies with all of section 9 of the *Code of Practice for Victims of Crime*.

7.3 Establish a protocol with the police, in consultation with other relevant agencies, for the exchange of information relating to victims of crime in accordance with the *Code of Practice for Victims of Crime*.

7.4 Establish a protocol with local victims' services specifying the circumstances in which information about victims will be shared, when joint work might be undertaken and how referrals will be made.

7.5 Ensure that in all MAPPA processes, the duty of care towards victims is discharged, all reasonable steps are taken to prevent re-victimisation and information from victims is used to assist risk management meetings.

7.6 Establish a protocol with the local probation area/trust to enable the local probation area/trust to discharge its duty to consult with victims under the Domestic Violence, Crime and Victims Act 2004 in relation to young people who receive a sentence of imprisonment of 12 months or longer or a Hospital Order after being convicted of a sexual or violent offence.

7.7 Make a range of reparation options available to allow selection of reparation activity which is suitable for the child or young person, the offence and, if appropriate, the victim's wishes.

7.8 Ensure all placements are appropriately supervised, assessed for health and safety in relation to the child or young person, assessed in relation to impact on likelihood of reoffending and risk of serious harm to others, conducted within the requirements of the Management of Health and Safety at Work Regulations 1999 (SI 1999/3242) and that appropriate levels of relevant insurance are in place.

7.9 Ensure staff who supervise reparation schemes are trained in risk assessment and health and safety issues, and that anyone involved in delivering or supervising reparation placements who has substantial access to children and young people, is subject to enhanced CRB checks.

7.10 Lodge the reparation programme, which lists all reparation activities available to the YOT, with court legal advisers in the YOT area and ensure the YOT updates the data on a quarterly basis.

## **YOT practitioner responsibilities**

7.11 Ensure that any reparation activity required of a child or young person under a court order or Warning is set out in writing specifying the type of activity, dates, times and duration. This must be explained fully to the child or young person and his or her parents/carers.

7.12 Consult with victims and the community (where appropriate) about reparation placements and obtain the written consent of victims willing to engage in direct victim reparation.

# National Standard 8: Planning and delivering interventions in the community

## Outcome

Court orders are managed in such a way that they support the principal aim of the youth justice system, to prevent offending, that they have regard to the welfare of the child or young person.

### YOT manager responsibilities

- 8.1 Put arrangements and local protocols in place within the YOT and with partner agencies to deliver all required elements of the YRO and other orders available in the youth court.
- 8.2 Put in place arrangements and local protocols with the primary care trust/s to ensure that a health care plan is fully incorporated into the intervention plan.
- 8.3 Put arrangements in place to ensure that interventions are case managed in accordance with the Scaled Approach.
- 8.4 Ensure contacts take place with each child or young person in the form of planned face-to-face meetings with the YOT case manager or another YOT practitioner or a member of another agency or a volunteer authorised to see the young person in respect of the supervision of court orders.
- 8.5 Agree local definitions of what constitutes unacceptable and acceptable failures to attend (to take into account the overall level of contact required, overall compliance with the order and its requirements, the maturity of the young person, the *Asset* and *Asset – Risk of Serious Harm* assessments, any other relevant factors, such as whether there are chaotic circumstances in the young person's life) and acceptable behaviour by children and young people subject to YOT interventions.
- 8.6 Put arrangements in place to ensure that every effort is made to support the child or young person in successfully completing an order.

8.7 Where there is unacceptable failure to comply, to ensure robust enforcement (in line with statutory requirements) and timely breach processes are in place and where, in exceptional circumstances, a decision is made to stay breach, to record this fully with justifying reasons on the child or young person's file.

8.8 Put in place arrangements for the ongoing management of young people under the local MAPPA and local YOT public protection policy.

8.9 Establish a protocol with the local probation area/trust in line with YJB guidance and joint YJB and NOMS case transfer guidance that covers:

- + arrangements for the transfer of community and custodial cases
- + the type and nature of information to be shared
- + timeframe for completing the transfer processes
- + arrangements for ensuring effective risk management during the transfer process
- + arrangements for ensuring continuity of interventions
- + processes for resolving disputes around transfers between the YOT and local probation area/trust.

## YOT practitioner responsibilities

8.10 On the making of an order, set out in writing the rights and responsibilities of the young person including:

- + acceptable and unacceptable absence criteria
- + acceptable behaviour
- + acceptable timekeeping.

The child or young person should be encouraged to sign this to confirm their understanding of these requirements.

8.11 Ensure that the child or young person (and parents/carers) have fully understood the requirements of the order (taking into account any mental health problems, learning difficulties or disabilities, speech, language and communication needs) and has the necessary information for carrying out the order, including details of the first appointment.

8.12 Follow relevant local and YJB guidance when transferring cases within the YOT, between YOTs or to the local probation area/trust (as outlined within the local YOT probation protocol).

8.13 Make initial contact with the child or young person within one working day of the court hearing to explain the nature of the order, how it will work in practice and the consequences of failing to comply (taking into account speech, language, communication needs and learning disabilities and difficulties). This applies to all orders including stand alone requirements such as YRO with stand-alone requirements where the YOT is not responsible for monitoring – curfew, curfew with electronic monitoring, unpaid work and attendance centre requirements.

8.14 Give written instructions to the child or young person (and a copy to parents/carers for those under 16 years old) and information about the order. Ensure that they understand what is required of them (taking into account any mental health problems, learning disabilities/difficulties, speech, language and communication needs).

8.15 Prepare the intervention plan within 15 working days of sentence for a YRO with any of the following requirements: Supervision, Activity, Programme, Intensive Supervision and Surveillance, Intensive Fostering, Intoxicating Substance Treatment, Drug Treatment, Drug Testing, Mental Health Treatment as well as for Supervision Orders, Action Plan Orders, Community Rehabilitation Orders and Community Punishment and Rehabilitation Orders (this does not apply to Curfew, Reparation and Attendance Centre Orders, or Community Punishment Orders).

8.16 Ensure that a healthcare plan is completed alongside the intervention plan as appropriate.

8.17 All contacts should be organised to take place at a time that does not conflict with the young person's school or work attendance, or religious observance, and should include home visits, involving parents/carers appropriately.

8.18 Ensure that every effort is made to support the child or young person in successfully completing an order and manage compliance and enforcement in line with the following standards for all YROs, Referral Orders, Reparation Orders, Supervision Orders, Action Plan Orders, Community Punishment Orders, Community Rehabilitation Orders, Community Punishment and Rehabilitation Orders:

- ✦ record any contacts where the child or young person fails to attend as either acceptable or unacceptable in line with the locally agreed definition
- ✦ follow up all failures to attend within one working day by telephone, home visit or letter to determine whether the reason is acceptable or unacceptable
- ✦ where a child or young person fails to attend and the explanation given is unacceptable (or no explanation is given within 24 hours), issue a formal written warning within 24 hours
- ✦ where two formal warnings are given (for YROs within the 12-month warned period) and a further unacceptable failure to attend takes place, then breach action must be initiated within five working days unless, in exceptional circumstances, breach action is stayed with the authorisation of the YOT manager

- ✦ where there is a single serious unacceptable failure to comply, breach action can be initiated immediately; however, this should only be considered in exceptional circumstances.

When managing compliance and enforcement of YRO treatment requirements, the following should also apply:

- ✦ ensure that the child or young person is willing to comply with the treatment requirement and be satisfied that they understand what is being proposed and the consequences of breach (taking into account any mental health problems, learning disabilities/difficulties, speech, language and communication needs the child or young person has)
- ✦ where a child or young person withdraws his/her willingness to comply with the requirement, then the YOT case manager should return the case to court for revocation/amendment as the requirement is unworkable. The court may consider, depending on the circumstances, that the unwillingness by the young person constitutes a breach of the requirement.
- ✦ it is important to note that 'willingness to comply with the requirement' and 'consent to treatment' are to be considered as separate issues – a lack of consent to treatment being provided by the medical practitioner, does not itself constitute an unwillingness to comply with the requirement and will not necessarily be reported to the YOT practitioner; the medical practitioner will deal with the issue of consent to treatment in accordance with Department of Health guidance and agreed practice.

8.19 Where YRO requirements are deemed to be unworkable then return the YRO to court to consider amending the order to replace or remove the requirement.

8.20 Where early revocation of a YRO is being considered it should only be where exceptional progress has been made and at no earlier than the half way point.

8.21 Align all interventions with any relevant partner agency plans and interventions such as looked-after children care plans, care plans or education plans (not an exhaustive list).

8.22 Undertake/contribute to CAF assessments (also applicable to Wales when/if available) in line with locally agreed procedures and YJB guidance and contribute to targeted youth support services as appropriate.

8.23 Support children and young people in accessing universal and specialist services as appropriate.

8.24 Supervise the following orders in line with Scaled Approach contacts as set out in the table below:

- ✦ YRO with a Supervision Requirement and other requirements where appropriate and as part of the intervention plan
- ✦ Referral Orders
- ✦ community element of Detention and Training Orders (DTOs) made on or after the commencement of the YRO provisions of the Criminal Justice and Immigration Act 2008
- ✦ Supervision and Action Plan Orders made on or after the implementation of the YRO provisions of the Criminal Justice and Immigration Act 2008.

Intervention level	Minimum contact* for first 12 weeks (per month)	Minimum contact* after 12 weeks (per month)
Intensive	12	4
Enhanced	4	2
Standard	2	1

\* A contact is a planned face-to-face meeting that takes place between the child or young person, the YOT case manager or another member of the YOT or a member of another agency or a volunteer approved to work with the young person in respect of the supervision of his or her court order.

8.25 Review and update *Asset* assessments, likelihood of reoffending level (for orders listed above), intervention plans and risk of serious harm to others status at a minimum of three-monthly intervals, or when there has been a significant change in circumstances, and record the outcome on the case file.

8.26 Undertake home visits (taking into account health and safety considerations) on a regular basis, both as part of reviewing/updating assessments and the contact requirements described above.

8.27 Meet regularly with the child or young person to discuss progress and monitor compliance with their order.

## Referral Orders

### YOT manager responsibilities

8.28 Comply with relevant legislation and *Referral Order Guidance* (Ministry of Justice, Department for Children, Schools and Families, YJB, 2009) in relation to the operation of Referral Orders.

8.29 Recruit, select and train an appropriate number of youth offender panel members, and ensure they are representative of the local community.

8.30 Put arrangements in place for convening and administering youth offender panel meetings.

8.31 Ensure that every panel comprises at least two youth offender panel volunteers and one YOT practitioner as required by statute.

8.32 Ensure that the panel is chaired by a youth offender panel volunteer.

8.33 Allocate a YOT officer to the case within one working day of the court hearing.

8.34 Ensure that the youth offender panel members understand the principles of the Scaled Approach and how these can be applied to Referral Orders.

## **YOT practitioner responsibilities**

8.35 Commence the young person's *Asset* assessment within five working days of the court hearing.

8.36 Contact the victim, if appropriate and known, within five working days of the court hearing (unless the victim has indicated that they do not wish to be contacted) to seek their views and discuss their possible involvement in a restorative process.

8.37 Hold an initial youth offender panel meeting within 20 working days of the court hearing in order to agree the contract.

8.38 Hold regular youth offender panel review meetings at least once every three months.

8.39 Commence actions contained within the contract within five working days of the contract being signed.

8.40 Provide the frequency of minimum contact with the child or young person in line with the assessed intervention level of the young person as outlined in the table in 8.24.

8.41 For Referral Orders made before the commencement of the Criminal Justice and Immigration Act 2008 (YRO provision) there must be a face-to-face meeting with a YOT practitioner and the young person who has offended, at least once every two weeks for the first half of the order and at least once a month thereafter.

8.42 Where exceptional progress has been made the youth offender panel may agree to refer the case back to court to consider early revocation.

8.43 Hold a youth offender panel meeting within the final month of the order.

8.44 Ensure all efforts are made to support children and young people in complying with their Referral Order and manage compliance and enforcement in line with the following points:

- ✦ record any contacts where the child or young person fails to attend as either acceptable or unacceptable in line with the locally agreed definition
- ✦ follow up all failures to attend within one working day by telephone, home visit or letter to determine whether the reason is acceptable or unacceptable
- ✦ where a child or young person fails to attend and the explanation is unacceptable (or no explanation is given), issue a formal written warning within 24 hours
- ✦ where two formal warnings are given and a further unacceptable failure to attend takes place, then convene a youth offender panel meeting within 10 working days to determine whether the young person will be referred back to court
- ✦ where there is a single serious unacceptable failure to comply, a panel meeting must be convened within 10 working days to determine whether the young person will be referred back to court.

8.45 Ensure that if a young person is referred back to court, that the referral takes place within 10 working days of the youth offender panel meeting.

8.46 Where a Referral Order is revoked by a court, inform the panel and victim/s (if appropriate) within 10 working days of the outcome.

## Reparation Orders

### YOT manager responsibilities

8.47 Designate a responsible officer for all Reparation Orders.

8.48 Deliver reparation to victims and communities in line with National Standard 7: Work with victims of crime.

8.49 Ensure that relevant personal risk assessments and health and safety requirements are met for all reparation activities provided by the YOT, local partner agency or external provider.

### YOT practitioner responsibilities

8.50 Make initial contact with the child or young person within one working day of the court hearing to explain the nature of the order, how it will work in practice and the consequences of failing to comply.

8.51 Give the child or young person instructions on when and where to carry out reparation.

8.52 Meet regularly with the child or young person to discuss progress and monitor compliance.

8.53 Arrange indirect or community reparation where the child or young person is suitable for reparation but the victim does not consent or it is not appropriate for the victim to be involved.

8.54 Contact the victim(s) within five working days of the order being made to discuss arrangements for reparation.

8.55 Obtain the consent of victim(s) willing to engage in reparation in writing.

8.56 Give a written copy of the arrangements for providing reparation to both the child or young person and the victim(s).

8.57 Ensure all reparation is supervised by a suitably trained YOT member, partner agency or volunteer.

8.58 Ensure all efforts are made to support children and young people in complying with their order and manage compliance and enforcement in line with the following points:

- ✦ record any contacts where the child or young person fails to attend as either acceptable or unacceptable in line with the locally agreed definition
- ✦ follow up all failures to attend within one working day by telephone, home visit or letter to determine whether the reason is acceptable or unacceptable
- ✦ where a child or young person fails to attend and the explanation is unacceptable (or no explanation is given), issue a formal written warning within 24 hours
- ✦ where two formal warnings are given and a further unacceptable failure to attend takes place, then breach action must be initiated within five working days unless, in exceptional circumstances, breach action is stayed with the authorisation of the YOT manager.
- ✦ where there is a single serious unacceptable failure to comply, breach action can be initiated immediately.

8.59 Where a young person fails to comply with reparation to victims, inform the victim of the action being taken to enforce the order within two working days.

# YRO specific standards

## YRO with Activity Requirement

### YOT manager responsibilities

8.60 For residential Activity Requirements, ensure that the residential activity provider complies with relevant quality standards and all health and safety requirements, and that the residential period does not exceed 90 days if given by the courts or seven days if the court deems appropriate for the YOT to arrange.

### YOT practitioner responsibilities

8.61 Where the Activity Requirement relates to reparation, deliver reparation to victims and communities in line with National Standard 7: Work with victims of crime.

8.62 When the Activity Requirement relates to a residential activity, provide the child or young person and parent/guardian with information about the arrangements for the residential activity including:

- + instructions on attending the residential Activity Requirement
- + the expectations and requirements regarding participation on the residential activity and the consequences of non-compliance
- + contact/emergency arrangements during the activity.

8.63 Obtain the written consent of victims willing to engage in direct victim reparation.

8.64 Contact the victim within five working days of the order being made to discuss arrangements for reparation.

8.65 Give a written copy of the arrangements for providing reparation to the victim and the child or young person.

8.66 Arrange indirect or community reparation where the child or young person is suitable for reparation but the victim does not consent or it is not appropriate for the victim to be involved.

8.67 Ensure all reparation is supervised by a suitably trained YOT member, partner agency or volunteer.

8.68 Where a young person fails to comply with the Activity Requirement (where the activity is reparation), inform the victim of the action being taken to enforce the order within two working days.

8.69 Meet the child or young person regularly to discuss progress and monitor compliance with the Activity Requirement.

## YRO with Unpaid Work Requirement

### YOT manager responsibilities

8.70 Put a protocol in place with the local probation area/trust regarding the operation of Unpaid Work Requirements that covers:

- ✦ local probation area/trust responsibility for management of Unpaid Work Requirement where this is the only requirement made in an order, and YOT responsibility for breaching an Unpaid Work Requirement (where the requirement is stand-alone or alongside other requirements)
- ✦ YOT responsibility for supporting the local probation area/trust where there are additional needs identified for children and young people subject to Unpaid Work Requirements
- ✦ arrangements for safeguarding and protecting children and young people assessed as being at risk of harm to themselves or from others who may come into contact with adult offenders through Unpaid Work Requirements
- ✦ local probation area/trust responsibility to ensure that all supervisors of Unpaid Work Requirements are trained to work with children and young people and are subject to CRB checks every three years.

### YOT practitioner responsibilities

8.71 Provide appropriate support to the local probation area/trust in addressing additional needs identified in a child or young person subject to an Unpaid Work Requirement.

8.72 Prosecute breach of the Unpaid Work Requirement in line with legislative requirements and local arrangements when notified by the local probation area/trust of breach occurring.

## **YRO with Programme Requirement**

### **YOT manager responsibilities**

8.73 Make arrangements for a range of programmes to be available based on the offending profile of children and young people in the YOT area, e.g. offending behaviour, life skills teaching, anger management, weapon awareness and alcohol awareness.

8.74 Ensure offending behaviour programmes are delivered in line with the *Key Elements of Effective Practice – Offending Behaviour Programmes*.

### **YOT practitioner responsibilities**

8.75 Ensure that relevant personal risk assessments and health and safety requirements are met.

8.76 Meet the child or young person regularly to discuss progress and monitor compliance with the Programme Requirement.

## YRO with Attendance Centre Requirement

### YOT manager responsibilities

8.77 Have a protocol in place with the local attendance centre regarding the management of Attendance Centre Requirements and Attendance Centre Orders, which includes:

- + following the making of an Attendance Centre Requirement/ Order or a referral to an attendance centre as part of another YOT intervention, prompt provision of information from the YOT to the attendance centre including, at a minimum, the name, address, offence details, *Asset* assessment and other assessments, risk assessments, details of co-defendants and information relating to any bail/licence conditions
- + arrangements for ongoing liaison and provision of information relating to programmes/interventions provided by the attendance centre in individual cases, which includes attendance, behaviour, programmes undertaken and achievements
- + arrangements for ongoing planning, review, risk management and intervention where a child or young person is subject to an Attendance Centre Requirement and other YOT interventions
- + access to YOT training opportunities for attendance centre staff
- + the role of the responsible officer:
  - for giving warnings for non-compliance
  - to stay breach in exceptional circumstances, with the line manager's approval
  - to prosecute breaches of Attendance Centre Requirements/ Orders on behalf of the officer in charge of the attendance centre (including for young people that reach the age of 18 years or over while subject to an Attendance Centre Requirement).

## **YOT practitioner responsibilities**

8.78 Be familiar with the attendance centre protocol and meet all relevant elements of the protocol that require action, including:

- + prompt provision of information
- + arrangements for ongoing liaison
- + arrangements for ongoing planning, review and risk management
- + prosecution of breaches on behalf of the attendance centre.

## **YRO with a Prohibited Activity Requirement**

### **YOT manager responsibilities**

8.79 Ensure that arrangements are in place with the police and other relevant local partnerships for monitoring compliance with this requirement.

## **YRO with Curfew Requirement (electronically monitored curfews)**

### **YOT manager responsibilities**

8.80 Agree a protocol with the local electronic monitoring provider regarding the use of electronic monitoring arrangements, which includes:

- + exchange of information
- + enforcement of Curfew Orders and Curfew Requirements, including stand-alone curfews
- + management of breach proceedings.

8.81 Implement a system for reciprocal information sharing with electronic monitoring providers using Secure eMail.

8.82 Ensure that the YOT carries out breaches of electronically monitored curfews in all cases except stand-alone curfews (Note: 'stand-alone curfew' means the Curfew Requirement is the single YRO requirement).

8.83 Where a decision is made not to instigate breach it must only be in exceptional circumstances. The approval of this action and the decision should be recorded by the YOT manager.

## **YOT practitioner responsibilities**

8.84 Follow the breach protocol agreed with the electronic monitoring contractor and carry out breaches of electronically monitored curfews in all cases except stand-alone curfews.

8.85 Inform the contractor of any change in the young person's circumstances within one working day.

8.86 Send a warning letter to the young person within two working days where they have received information from the contractor about a first 'less serious'<sup>3</sup> violation by a young person. Send a final warning letter to the young person within two working days where they have received information from the contractor about a second 'less serious' violation by a young person.

8.87 Instigate breach action within two working days where they have received information from the contractor about a first 'serious'<sup>4</sup> violation or a third 'less serious' violation by a young person.

8.88 Where, following consultation with the YOT manager, a decision has been made not to breach due to exceptional circumstances, inform the contractor within 48 hours of receipt of any violation/breach notification of the action decision made by the YOT.

## **YRO with Curfew Requirement (without electronic monitoring)**

### **YOT manager responsibilities**

8.89 Ensure arrangements are in place with the police and other relevant partners for monitoring compliance with this requirement.

<sup>3</sup> The definition of a 'less serious' violation can be found in section 6 of the *Case Management Guidance*.

<sup>4</sup> The definition of a 'serious' violation can be found in section 6 of the *Case Management Guidance*.

## **YRO with Exclusion Requirement**

### **YOT manager responsibilities**

8.90 Ensure that arrangements are in place for monitoring compliance with this requirement with relevant local partners, which may include the police.

## **YRO with Residence Requirement**

### **YOT manager responsibilities**

8.91 Make arrangements for YOT staff, where requested by the court as part of a pre-sentence report, to assess the appropriateness of a Residence Requirement.

### **YOT practitioner responsibilities**

8.92 Where directed by the court or deemed appropriate by the YOT, as part of a pre-sentence report assess the appropriateness of a Residence Requirement, confirm and make a recommendation to the court in relation to this.

8.93 Review and approve, where appropriate, requests from the child or young person for a change in residence to a place other than that specified in the order, subject to any limits in the court order.

8.94 Provide this approval in writing to the young person and update relevant partner agencies, as appropriate, as to change of residence and duration of change.

8.95 Manage compliance and enforcement in line with the requirements within National Standard 8.24 (substitute failure to reside at the address instead of failure to attend).

## **YRO with Local Authority Residence Requirement**

### **YOT manager responsibilities**

8.96 Ensure effective liaison between the local authority, court and young person, and his or her parents/carers.

### **YOT practitioner responsibilities**

8.97 Co-ordinate effective liaison between local authority, court and young person, and his or her parents/carers.

8.98 Consult with the parents/carers and local authority prior to recommending this requirement to court.

8.99 Manage compliance and enforcement in line with the requirements within National Standard 8.18 (substitute failure to reside at the address instead of failure to attend).

## YRO with Intensive Fostering Requirement

### YOT manager responsibilities

8.100 Allocate a YOT case manager to children and young people subject to an Intensive Fostering Requirement.

### YOT practitioner responsibilities

8.101 Make a referral to the Intensive Fostering team where there is a risk of custody, the requirements of Intensive Fostering are met and an Intensive Fostering Requirement is being considered by the court (or earlier if appropriate) by sending the following to the Intensive Fostering team:

- + completed/updated *Asset* (where applicable *Asset – Risk of Serious Harm* and any vulnerability management plans)
- + completed/updated CAF assessments, as appropriate (or equivalent in Wales)
- + recent pre-sentence reports (if available)
- + any specialist reports
- + chronology of previous involvement of children's services (if previous involvement)
- + educational statement (if applicable)
- + list of all professionals working on the case
- + court dates.

8.102 Attend multi-agency professionals' meeting co-ordinated by Intensive Fostering programme staff to determine suitability.

8.103 Following the imposition of an Intensive Fostering Requirement, attend initial Intensive Fostering planning meetings when placement is made.

8.104 Maintain, at a minimum, monthly contact with the Intensive Fostering team in relation to the child or young person's progress.

8.105 Attend and contribute to all Intensive Fostering and looked-after children review meetings for the duration of the Intensive Fostering Requirement.

8.106 Make arrangements for services to be provided on return to the home area at the end of the Intensive Fostering Requirement.

8.107 Undertake breach and enforcement if advised by the Intensive Fostering programme supervisor that the child or young person has breached the requirement of the order in line with the requirements within National Standard 8.18

### **Programme supervisor responsibilities**

8.108 Monitor and enforce the Intensive Fostering requirement in line with the programme compliance procedures outlined within the Intensive Fostering manual.

8.109 Advise the YOT responsible officer within one working day where non-compliance has led to a warning letter.

8.110 Advise the YOT responsible officer within one working day where non-compliance, including absconding, has led to a breach of the requirement.

## **YRO with Mental Health Treatment Requirement**

### **YOT manager responsibilities**

8.111 Ensure protocol is place with relevant local Child and Adolescent Mental Health Services (CAMHS) for the provision of mental health specialist assessment and treatment services that also provides for dual diagnosis for substance misuse and mental health, in line with the *Key Elements of Effective Practice – Mental Health*.

8.112 Ensure effective liaison with the relevant registered medical practitioner and/or chartered psychologist.

## **YOT practitioner responsibilities**

8.113 Ensure that a mental health assessment is carried out using *Asset* and associated screening tools when considering a Mental Health Treatment Requirement.

8.114 Make a referral to a specialist mental health practitioner and/or chartered psychologist where the initial assessment by a section 12 registered medical practitioner indicates there is a need for specialist assessment.

8.115 Include a recommendation for a Mental Health Treatment Requirement within the pre-sentence report where a specialist assessment, completed by a registered mental health practitioner approved under section 12 of the Mental Health Act 1983, indicates there is a need for it and where there is informed consent from the young person and their parents/carers (schedule 2 16 of the Criminal Justice and Immigration Act 2008).

8.116 Maintain contact and liaise with the specialist mental health treatment services throughout the duration of the requirement.

8.117 Ensure that the child or young person is willing to comply with a Mental Health Treatment Requirement and be satisfied that they understand what is being proposed and the consequences of breach (taking into account any mental health problems, learning disabilities/difficulties, speech, language and communication needs the child or young person has).

## **YRO with Drug Treatment Requirement**

### **YOT manager responsibilities**

8.118 Ensure that arrangements are in place for specialist young people's substance misuse assessments (for children and young people) to determine treatment needs and availability in line with the *Key Elements of Effective Practice – Substance Misuse*.

### **YOT practitioner responsibilities**

8.119 Make a referral to a specialist young people's substance misuse worker for assessment when considering a Drug Treatment Requirement.

8.120 Ensure that substance misuse treatment assessment is included within the pre-sentence report or within the Drug Treatment Requirement report where appropriate.

8.121 Maintain contact and liaise with the specialist young people's drug treatment services throughout the duration of the requirement.

8.122 Ensure that the child or young person is willing to comply with a Drug Treatment Requirement and be satisfied that they understand what is being proposed and the consequences of breach (taking into account any mental health problems, learning difficulties, speech, language and communication needs).

## **YRO with Drug Testing Requirement**

### **YOT manager responsibilities**

8.123 Ensure that arrangements are in place for appropriately trained specialist young people's substance misuse staff to administer drug testing for children and young people subject to a Drug Testing Requirement.

### **YOT practitioner responsibilities**

8.124 Make a referral to a specialist young people's substance misuse worker for assessment as part of assessment for drug treatment needs, when considering a Drug Testing Requirement.

8.125 Ensure that the Drug Testing Requirement is included within the pre-sentence report or within the Drug Testing Requirement report where appropriate.

8.126 Ensure that the child or young person is willing to comply with a Drug Testing Requirement and be satisfied that they understand what is being proposed and the consequences of breach (taking into account any mental health problems, learning disabilities/difficulties, speech, language and communication) and the need for testing at the specified times and place, and the consequences of failure to attend these appointments.

## **YRO with Intoxicating Substance Treatment Requirement**

### **YOT manager responsibilities**

8.127 Ensure that arrangements are in place for specialist young people's substance misuse assessments (for children and young people) to determine intoxicating substance treatment needs and availability in line with the *Key Elements of Effective Practice – Substance Misuse*.

### **YOT practitioner responsibilities**

8.128 Make referral to specialist young people's substance misuse worker when considering an Intoxicating Substance Treatment Requirement.

8.129 Ensure that substance misuse treatment assessment is included within the pre-sentence report or within the Intoxicating Substance Treatment Requirement report where appropriate.

8.130 Maintain contact and liaise with the specialist young people's drug treatment services throughout the duration of the requirement.

8.131 Ensure that the child or young person is willing to comply with an Intoxicating Substance Treatment Requirement and be satisfied that they understand what is being proposed and the consequences of breach (taking into account any mental health problems, learning difficulties, speech, language and communication needs).

## YRO with Education Requirement

### YOT manager responsibilities

8.132 Put arrangements in place for liaison with the local education authority for assessing the need for an Education Requirement and clear processes for accessing appropriate education provision in line with the *Key Elements of Effective Practice – Education, Training and Employment*.

### YOT practitioner responsibilities

8.133 Ensure that the pre-sentence report gives consideration to the Education Requirement, as appropriate, and where recommended, the requirement reads 'to comply with approved education arrangements'.

8.134 Liaise with the relevant children's services (education) department to agree an appropriate education placement.

8.135 Ensure that an individual learning plan is in place (and signed by the young person, their parents/carers, the education provider and responsible officer) and that it sets out the nature of the education placement, the Attendance Requirements and the consequences of breach.

8.136 Ensure that the child or young person and their parents/carers understand the requirement and the consequences of non-compliance.

## **Intensive Supervision and Surveillance (ISS) – YRO with ISS, DTO with ISS and Supervision Orders with ISS Programme (ISSP)**

### **YOT manager responsibilities**

8.137 Ensure that ISS is delivered as a rigorous non-custodial alternative to custody intervention as part of a co-ordinated framework of YOT interventions that responds to the needs of young people who offend or are on bail.

8.138 Put arrangements in place with local courts to fast-track breach proceedings for young people on ISS.

8.139 Ensure an electronically monitored curfew is implemented for all ISS and ISSP cases unless there is an exceptional and recorded explanation provided by a manager as to why this is not possible.

## YOT practitioner responsibilities

8.140 Where the custody threshold has been met, carry out an assessment in line with National Standard 4.6 to assist with determining the type of ISS to be proposed. For all Supervision Orders with ISSP, contact levels remain in line with Band 1 levels outlined below. However, if assessing a case for ISS as part of a YRO, undertake an assessment to determine ISS banding and supervise in line with levels outlined below.

ISS type	Contacts per week		
<b>Extended ISS (180 days)</b>	1–4 months	5–6 months	7–12 months
	25 hours	15 hours	5 hours
<b>Band 1 ISS (91 days)</b>	1–3 months		4–6 months
	25 hours		5 hours
<b>Band 2 ISS (91 days)</b>	1–2 months	month 3	4–6 months
	20 hours	10 hours	5 hours

8.141 Consider using ISSP during the post-release phase of a Detention and Training Order (DTO) or during the licence where the risk assessment indicates very high risk of serious harm to others or high likelihood of reoffending. Where ISSP is used it should be at Band 1.

8.142 Ensure the supervision element of the programme has the following features.

✦ *ISS extended version – 180 days specified activity*

Used in exceptional circumstances only.

Comprises a minimum of 25 hours programmed contact time each week for four months, followed by a minimum of 15 hours each week for the next two months, including support during evenings and weekends. During this period there must be two contacts with the young person per day, seven days per week. This must be followed by a minimum of five hours a week for the final six months, with support during evenings and weekends.

✦ *Band 1 – 91 days specified activity*

Comprises a minimum of 25 hours programmed contact time each week for three months, including support during evenings and weekends. During this period there must be two contacts with the young person per day, seven days per week. This must be followed by a minimum of five hours a week for the next three months, with support during evenings and weekends.

✦ *Band 2 – 91 days specified activity*

Comprises a minimum of 20 hours programmed contact time each week for two months, followed by a minimum of 10 hours each week for the next month, including support during evenings and weekends. During this period there must be two contacts with the young person per day, seven days per week. This must be followed by a minimum five hours a week for the next three months, with support during evenings and weekends.

Where a young person's assessment indicates high intensity ISS as appropriate, delivery can be adjusted to suit the following circumstances:

✦ *ISS – junior version (13 years or younger)*

Comprises 12.5 hours programmed contact time each week (of which seven and a half hours can be education) for three months, with support during evenings and weekends. This must be followed by a minimum of five hours a week for the next three months, with support during evenings and weekends.

✦ *ISS – education, training and employment version*

Comprises a minimum of one programmed contact each week day (Monday to Sunday) totalling seven hours of contact per week for three months, with support during evenings and weekends. This must be followed by a minimum of three hours a week for the next three months, with support during evenings and weekends.

8.143 Ensure all versions of ISS/ISSP have coverage of the core elements, which are:

- ✦ education, training (especially basic literacy and numeracy) and employment
- ✦ interventions to tackle offending behaviour
- ✦ reparation to victims or the community in conjunction with National Standard 8: Planning and delivering interventions in the community
- ✦ assistance in developing interpersonal skills
- ✦ family support
- ✦ a curfew supported by electronic monitoring plus two surveillance checks a day; the existence of a tag may count as one of these contacts.

In addition, programmes should include access to support for individual problems; e.g., homelessness, drug misuse or mental health problems.

8.144 See the child or young person who is subject to ISS/ISSP on the same day as the court appearance if on bail or subject to a community sentence.

8.145 See those children or young people subject to a DTO on the day of release.

8.146 Finalise a signed and agreed programme plan with all parties within two working days of a bail condition being imposed and five working days of an Intensive Supervision and Surveillance Requirement being made.

8.147 For those children and young people on ISS during the second part of a DTO, hold a final review meeting in custody with secure estate staff to identify the programme to be provided during the supervised part in the community, and the requirements on the child or young person during that period (including those to be included in the Notice of Supervision). Where it is agreed that a requirement to comply with the ISS is appropriate, then this must be contained within the Notice of Supervision from the Secretary of State.

8.148 Ensure the plan is reviewed by the case manager at monthly intervals, with the review informed by the current *Asset* assessment, which must be less than three months old.

8.149 Enforce the ISS requirement in line with the National Standards requirements relating to bail, community supervision or DTO as appropriate.

8.150 Before transfer to the community takes place, ensure the YOT case manager or a member of staff from the secure facility reads the Notice of Supervision to the child or young person and asks them to sign that the requirements are understood.

8.151 Forward electronically a signed copy of the Notice of Supervision to the Placement Service.

8.152 Inform the electronic monitoring contractor for the area in which the young person is to be released of the inclusion of ISS as a requirement of supervision prior to the young person's release.

## **Local child curfew schemes**

### **YOT manager responsibilities**

8.153 Establish a protocol between the police, local authorities and the YOT to determine roles and responsibilities in relation to proposing and administering child curfews.

### **Police and local authority responsibilities**

8.154 Inform the YOT within one working day of an application or order being made.

## **Anti-Social Behaviour Orders and Individual Support Orders**

### **YOT manager responsibilities**

8.155 Put a protocol in place between the YOT, police, local authorities, registered social landlords, housing action trusts and other partners, as appropriate, to determine roles and responsibilities in relation to proposing and administering Anti-Social Behaviour Orders in relation to children and young people.

8.156 Put a protocol in place with the local authority social/children's services in relation to establishing a responsible officer for ISOs.

8.157 Put arrangements in place for the YOT to co-ordinate ISOs.

### **YOT practitioner responsibilities**

8.158 Where a court has made an Anti-Social Behaviour Order under section 1A of the Crime and Disorder Act 1998 and the necessary conditions within sections 322 and 323 of the Criminal Justice Act 2003 are met, carry out an assessment using *Asset* to determine the suitability and possible programme content for an ISO.

8.159 Undertake and present the ISO assessment in line with section 4 of the YJB's *Case Management Guidance*.

8.160 Where the court is considering imposing a Parenting Order, undertake the pre-sentence reporting order assessment at the same time as the ISO assessment and include in a single report to court.

### **Police and local authority responsibilities**

8.161 Where an Anti-Social Behaviour Order in respect of a child or young person is proposed and the order made, inform the YOT within one working day.

## **Child Safety Orders**

### **YOT manager responsibilities**

8.162 Agree a protocol with the local social/children's services department covering:

- + the circumstances in which an application would be made
- + the appointment of a responsible officer
- + enforcement arrangements.

## Parenting Orders

### YOT manager responsibilities

8.163 Put arrangements in place with the local court regarding:

- + circumstances in which the court will adjourn for a written report regarding the suitability for a Parenting Order
- + arrangements to inform the YOT on the same day of an order being made in criminal cases
- + identification of a responsible officer.

8.164 Put arrangements in place with the director of social/children's services regarding:

- + joint working between the YOT and social/children's services with regard to Parenting Orders applied for by social/children's services staff
- + arrangements for social/children's services staff acting as responsible officers, as required.

8.165 Put in place arrangements for providing the full range of parenting interventions, including voluntary parenting support, as an alternative to a Parenting Order.

## YOT practitioner responsibilities

8.166 Where the YOT holds case management responsibilities, make first contact with the parents/carers within one working day of the court hearing in order to:

- ✦ explain the requirements of the order, check the parents/carers understand and are aware of the consequences of non-compliance
- ✦ agree a draft plan for meeting the requirements of the order
- ✦ make arrangements for other agencies, where involved, to be consulted if relevant.

8.167 Where the parents/carers are directed to programmes other than with the responsible officer, hold a pre-meeting not more than two weeks before the first session commences.

8.168 Hold group work sessions or parenting support contacts at least fortnightly.

8.169 Hold a meeting with the parents/carers to evaluate the order when the requirements have been met.

8.170 If the parents/carers fail to comply with a requirement, including missing an appointment, contact them within one working day by visit, telephone or letter to determine the reason for non-compliance.

8.171 If the reason for non-compliance is not acceptable, issue a formal warning in writing.

8.172 If there is more than one unacceptable failure in a period of three months, hold a meeting with the parents/carers and any other agency involved to review the order. This meeting should explore whether the order can be made to work, whether it should be returned to court to request an amendment or revocation, or whether the failure to comply should be reported to the police for enforcement action. The outcome of the meeting should be recorded.

# Transitional arrangements

## Action Plan Orders and Supervision Orders

8.173 For Action Plan Orders and Supervision Orders made prior to the commencement of the YRO provisions of the Criminal Justice and Immigration Act 2008 the minimum contact must be:

+ for a Supervision Order:

- twice a week for the first 12 weeks
- weekly for the next three months
- fortnightly thereafter.

Note: Any reduction in contact levels at the key review points stated above must be based on an *Asset* assessment. Where the young person presents a high level of risk, the contact should revert to at least twice weekly bearing in mind that these contact levels are minimums only.

+ for an Action Plan Order:

- a minimum of twice a week for the duration of the Action Plan Order.

## **Community Rehabilitation Orders, Community Punishment Orders and Rehabilitation Orders**

8.174 The standards for these orders are set out in Section D of (Probation Service) National Standards 2000, the National Standards for the supervision of adult offenders in the community (where they are referred to by their previous titles of Probation, Community Service and Combination Orders). The YJB requires that similar standards of compliance and enforcement are applied for young people subject to these orders when supervised by YOTs.

8.175 Community Punishment Orders are normally supervised by the National Probation Service and so are not covered here. However, the responsibility for prosecuting breach action is retained by YOTs where enforcement by the probation service has not been successful. A protocol should be drawn up between the YOT and the local probation service about how this is to be handled.

## **Standards for Community Rehabilitation Orders and the community element of Community Punishment and Rehabilitation Orders**

8.176 At least 12 appointments must be made within the first 12 weeks of supervision, normally scheduled to take place weekly.

8.177 Home visits need to be made on a regular basis and at least monthly.

8.178 Six appointments must be made within the second 12 weeks, after which appointments may reduce to monthly.

8.179 In Community Punishment and Rehabilitation Orders, the first work session must take place within 10 working days of the order being made.

8.180 An intervention plan must be drawn up in line with National Standard 8.15.

8.181 Enforce orders in line with National Standard 8.18.

## **Drug Treatment and Testing Orders**

8.182 YOTs should negotiate a local protocol with the National Probation Service for referring young people who have offended to the Drug Treatment and Testing Order scheme, where appropriate, and for liaison should an order be made. The Drug Treatment and Testing Order scheme needs to be responsive to the needs of 16 and 17-year-olds.

## **Detention and Training Orders – post-release supervision**

8.183 The young person must report to the YOT supervising officer on the same day as transfer to the community.

8.184 On transfer to the community, the training plan must be reviewed within 10 working days and subsequently on a three-monthly basis or at the end of the order, whichever is sooner. The supervising officer must chair the review meetings. The young person is expected to attend. A member of the secure facility staff must attend the first review and be invited to subsequent reviews, along with those invited to reviews held during the custodial phase. The parents/carers must be encouraged to attend and contribute. The final review must assess what has been achieved during the order.

8.185 A YOT member must make a home visit within five working days of transfer. Home visits must then be undertaken at least monthly.

8.186 Contact must be at least twice weekly for the first 12 weeks after transfer, then at least once every 10 working days. Enforcement of the DTO community supervision element is in line with the standards for community supervision outlined in National Standard 8.18.

8.187 The supervising officer must assess and monitor accommodation needs on transfer to the community and ensure that satisfactory accommodation is available.

8.188 The supervising officer must, where appropriate, monitor whether the home education authority provides a continuing programme of education for those of school age for at least 25 hours per week on transfer, and must inform the Chief Officers' Steering Group if this is not provided.

8.189 The supervising officer must monitor whether the home health authority provides planned services (including drug and mental health services) on transfer to the community, and must inform the Chief Officers' Steering Group if the services are not provided.

8.190 The supervising officer must ensure that links are developed for young people aged 13 or over with a Connexions personal adviser or other relevant adviser.

8.191 The supervising officer must respond to unexplained or missed appointments, including unauthorised absences from school or college, during post-transfer supervision.

8.192 If any failure to comply suggests, in the light of the risk assessment, an enhanced risk of harm to themselves or the community, the supervising officer must review the case with the YOT manager or their nominee as soon as possible and within one working day to decide what action should be taken. Where the enhanced risk is to the community, the YOT may consider breach action.

8.193 The supervising officer should ensure that all young people are reassessed to measure literacy and numeracy levels using the YJB-approved assessment tool within 10 days of the end of the sentence.

8.194 The supervising officer must provide the secure establishment from which the young person was discharged with an end of sentence report incorporating their education, training and employment performance as laid down in the *National Specification for Learning and Skills*.

# National Standard 9: Planning and delivering interventions in custody and resettlement into the community (Detention and Training Orders)

## Outcome

The needs of young people sentenced to DTOs are addressed in a co-ordinated and holistic way to enable effective resettlement.

## YOT manager responsibilities

9.1 Work with the full range of universal and specialist services to help deliver effective resettlement services for children and young people being released from custody.

9.2 Ensure strategic partnership working arrangements are in place between the YOT and secure establishments within their area to coordinate delivery of services across the whole order and to resolve disagreements arising from the management of young people.

9.3 Monitor the quality of assessments sent to the secure estate from the YOT and the compliance of practitioners with the relevant requirements in relation to the management of young people in secure establishments.

9.4 Ensure processes are in place to report on the provision of resettlement services within the YOT area (and in relation to specific children and young people) to the YOT management board, director of children's services and lead member for children and young people.

9.5 Allocate a case manager within one working day of sentence.

9.6 Put cover arrangements in place (e.g. a 'paired' officer) within five working days to cover the case in the absence of the supervising officer.

9.7 Ensure the home education authority provides appropriate information about the child or young person's educational history to the receiving secure establishment in a timely manner.

9.8 Monitor the home education authority to ensure it provides a continuing programme of education for those of school age of at least 25 hours per week on transfer from the secure estate to the community, and inform the YOT management board and director of children's services (in accordance with statutory guidance on their roles and responsibilities) if this is not provided.

9.9 Where appropriate, monitor the home health authority to ensure it provides planned services (including drug and mental health services) on transfer to the community, and inform the YOT management board and director of children's services (in accordance with statutory guidance on their roles and responsibilities) if the services are not provided.

9.10 Where appropriate, monitor the home accommodation/housing authority to ensure it provides planned services on transfer to the community, and inform the YOT management board (in accordance with statutory guidance on their roles and responsibilities) and director of children's services (in accordance with statutory guidance on their roles and responsibilities) if the services are not provided.

9.11 Where appropriate, monitor the home social/children's services department/children's trust to ensure it provides planned services on transfer to the community for looked-after children, and inform the YOT management board and director of children's services (in accordance with statutory guidance on their roles and responsibilities) if the services are not provided.

## Pre-sentence

### YOT practitioner responsibilities

9.12 Send the Placement Alert form, pre-sentence report, list of previous convictions, *Asset – Core Profile* and, if applicable, *Asset – Risk of Serious Harm*, to the YJB's Placement Service via Connectivity (preferably) or via the Eye process using Secure eMail as soon as possible, but no later than 24 hours before the child or young person is due to appear in court (except for short notice court appearances and other unexpected secure remands and custodial sentences).

## Post-sentence

9.13 Send by Connectivity (preferably) or the Eye process using Secure eMail, the post-court report and any late documents which were not sent under National Standard 9.12 above, within two hours of the child or young person being sentenced.

9.14 Notify the home and host children's services department (education) of the placement within five working days of the placement being made.

9.15 Notify the young person's parents/carers of the placement within 24 hours of the placement being made.

9.16 Within two working days of sentence ascertain the release date from the YOI casework department for young people serving sentences in a YOI or the Placement Service for those serving sentences in a STC or secure children's home.

## Reception

### Secure estate staff responsibilities

9.17 Where the placement is made without an *Asset* assessment, treat the young person as at risk of harm to themselves or from others until the *Asset* and post-court report are received from the Placement Service. A T1:VR form should be completed every 72 hours until the *Asset* arrives.

Note: The YJB is undertaking work to review and update existing case management and sentence planning processes for all young people. This work, when implemented, will replace existing sentence planning paperwork referred to in these National Standards.

9.18 Commence a reception interview within one hour (and complete within two hours) of the child or young person's arrival to assess their needs and level of risk of harm to themselves or from others. This interview must include the completion of first night and assess their risk of harm to themselves or from others (T1:V form) and cell sharing assessments in all relevant cases. Staff undertaking the interview must see written information about the child or young person that will have already been sent onto the secure establishment by the Placement Service.

When the young person arrives late (after 9pm) and it is not in their best interests to undergo a reception interview, they must be assumed as being at risk of harm to themselves or from others until the reception interview is undertaken. In these circumstances, the T1:V form must still be completed and the reception interview must be commenced within one hour of the next scheduled wake-up.

9.19 Undertake an initial assessment of health and mental health needs within 24 hours of arrival and undertake a full assessment within five days of arrival.

9.20 Where appropriate, complete a sex offender assessment within 28 days of sentence being passed (ideally prior to the sentence planning meeting).

9.21 Ensure that an initial assessment for literacy and numeracy attainment is carried out within 10 working days of admission.

## Assessment

9.22 Undertake a full assessment prior to the initial planning meeting. This assessment must incorporate:

- ✦ a full education assessment, including, but not limited to, literacy and numeracy levels and learning difficulties
  
- ✦ a full substance misuse assessment in line with the *National Specification for Substance Misuse Services in Custody*.

9.23 Where a young person has an index offence of a sexual nature, and a comprehensive assessment (such as AIM2 or equivalent) has not already been completed, the establishment should ensure that an AIM2 (or equivalent) assessment is conducted. Ideally this should be completed prior to the first review meeting.

9.24 Where secure establishment staff deem it necessary for the purposes of sentence planning, undertake further assessments (in addition to those mandated above) to supplement the information contained in the young person's *Asset*. Record additional information identified on the electronic case management system, and share with the YOT case manager prior to the initial planning meeting.

## Placement Service staff responsibilities

9.25 Where an *Asset* (or other mandatory Eye documentation) is not made available by the YOT at the point of placement, inform both the YOT and receiving establishment of this and request that the YOT supply the missing information to the Placement Service as soon as possible.

9.26 On receipt of the missing information from the YOT, immediately forward this to the establishment holding the young person.

## Initial planning meeting

### YOT practitioner and secure estate staff responsibilities

9.27 Hold and chair (unless agreed otherwise between the YOT case manager and the governor, directors or managers of secure establishments) an initial planning meeting to agree the sentence plan within 10 days of the custodial sentence being made.

9.28 Agree a sentence plan which is:

- + based on the *Asses*t and other information provided by the YOT together with information collected during the assessment phase of the custodial stay
- + contains SMART objectives and targets which are demonstrably linked to identified criminogenic needs
- + specifies review dates
- + contains actions to address resettlement/transfer issues in accordance with identified resettlement pathways
- + includes consideration of, and progress towards, suitability for the DTO early release scheme.

9.29 The sentence plan should include objectives and targets assigned to the young person, the YOT and secure establishment staff, to be achieved during the young person's custodial stay and post release.

9.30 Resettlement planning should cover arrangements for:

- + education
- + training
- + employment
- + offending behaviour work
- + accommodation
- + health and mental health provision
- + other relevant issues (including whether the child or young person should be assessed by children's services as a 'child in need' under s17 of the Children Act 1989)
- + engaging with parents/carers
- + managing any risk issues in relation to victims
- + managing any risk of serious harm to others/MAPPA issues
- + details of reporting arrangements on day of release.

9.31 Escalate disagreements in relation to the programme of work to senior management within the establishment and the YOT for resolution where appropriate.

## **YOT practitioner responsibilities**

9.32 Attend in person the initial planning meeting and invite the following to attend:

- + the child or young person's parents/carers
- + local authority social worker
- + Connexions personal adviser/Careers Wales adviser (or equivalent)/educational adviser if appropriate
- + Child and Adolescent Mental Health Services (CAMHS) or other health worker from the secure estate and community, as appropriate
- + housing/accommodation representative, if appropriate
- + independent visitor, as appropriate
- + other relevant partner agency, as appropriate.

9.33 Inform the secure establishment of the names of all those who will attend the meeting, at least 24 hours in advance of the meeting, whenever possible.

## **Secure estate staff responsibilities**

9.34 Ensure that the relevant secure estate staff attend the planning and review meetings in person as outlined in National Standard 9.50 and encourage the child or young person to attend.

9.35 Record in the sentence plan any disagreement about the programme of work it contains.

9.36 Where disagreements are recorded in the sentence plan, notify the YJB's secure accommodation monitor, for information gathering purposes.

## **Administration and dissemination of the sentence plan**

### **YOT practitioner responsibilities**

9.37 Ensure that the child or young person and their parents/carers understand the sentence plan and that the child or young person has indicated their agreement with the plan by signing a paper version.

9.38 Distribute the electronic copy of the sentence plan to all relevant parties external to the establishment, including parents/carers within five days of receiving it from the secure establishment.

### **Secure estate staff responsibilities**

9.39 Produce an electronic version of the sentence plan following the initial planning meeting using the appropriate sentence planning documentation held on eAsset. Distribute the plan to all individuals or agencies where a sentence plan target relates to their input within five working days of the meeting.

## Delivery and review

### YOT practitioner responsibilities

9.40 Contribute to the effective implementation of the sentence plan with a specific focus on planning for resettlement. Ensure that resettlement planning takes places across the life of the whole order.

9.41 Visit children and young people serving a DTO of 12 months or less at least monthly (must be separate/distinct from DTO planning/review meetings but can occur on the same day).

9.42 For children or young people subject to a DTO of longer than 12 months, the frequency of visits will be agreed as part of the sentence plan, but must not be less frequent than every two months.

9.43 Make regular contact with secure establishment staff, including health and mental health staff, to discuss progress (at a minimum prior to each review meeting or at a minimum of monthly for children and young people identified as being at risk of harm to themselves or from others or at risk of serious harm to others) and maintain regular contact with the parents/carers.

9.44 Exchange information about any change in circumstances or significant events regarding the young person whenever necessary between parents/carers, other relevant agencies and secure facilities staff working with the young person.

9.45 In conjunction with secure estate staff, identify key transition points (e.g. transfer to different establishments at 15-years old/18-years old) and ensure that these are planned for.

9.46 Where mobility/Release on Temporary Licence (ROTL) is being considered, undertake a full risk assessment to include consideration of victim issues (specifically communication to victims).

9.47 Review and update *Asset* in partnership with the secure establishment and in line with National Standard 4.4 and send to the secure estate within one working day of reviewing/updating *Asset* to ensure they have accurate and up-to-date information about the young person on e*Asset*.

9.48 Where the secure establishment identifies a child or young person as being at risk of harm to themselves or from others or at risk of serious harm to others within the secure estate, attend the secure establishment-led meeting to address risk management.

9.49 Where the child or young person is moved within the secure estate, notify the home and host children's services department (education) of the move within five working days of being notified of the move by the secure estate and the young person's parents/carers within 24 hours.

9.50 Within one month of the initial planning meeting, hold a case discussion to discuss progress at the secure establishment with the child or young person's key worker, personal officer, healthcare/mental healthcare staff as appropriate, and the child or young person to ensure that the sentence plan is being implemented as agreed. Hold a first review within four weeks and undertake subsequent reviews as shown in the table overleaf (these are minimum requirements and should be increased in line with any risk management plans).

Sentence length	Initial planning meeting	Case discussion	1st review meetings*	Subsequent reviews*	Release preparation meeting	Final release review meeting
4 months	Within 10 working days of arrival	Prior to review meeting	None	None	After 4 weeks (alongside final review)	After 4 weeks (alongside resettlement review)
6 months	Within 10 working days of arrival	4 weeks after initial planning meeting	None	None	1 month before release date	10 working days before release
8 months	Within 10 working days of arrival	4 weeks after initial planning meeting	If early release – none If not early release then 4 weeks before release	None	1 month before release date	10 working days before release
10 months	Within 10 working days of arrival	4 weeks after initial planning meeting	Within 3 months of case discussion	Every 3 months following 1st review	1 month before release date	10 working days before release
12 months	Within 10 working days of arrival	4 weeks after initial planning meeting	Within 3 months of case discussion	Every 3 months following 1st review	1 month before release date	10 working days before release
18 months	Within 10 working days of arrival	4 weeks after initial planning meeting	Within 3 months of case discussion	Every 3 months following 1st review	1 month before release date	10 working days before release
24 months or more	Within 10 working days of arrival	4 weeks after initial planning meeting	Within 3 months of case discussion	Every 3 months following 1st review	1 month before release date	10 working days before release

\* Review meetings can be undertaken by video link with the exception of the final release review where this must be attended by the YOT case manager.

9.51 Meet (either in person or via telephone or video conferencing) to discuss progress with the young person against their sentence plan prior to all review meetings to enable the review meeting to focus on their progress, and any changes to the sentence plan must be discussed with the young person and his or her parents/carers.

9.52 The YOT case manager must update *Asset – Core Profile* following the review meeting and send it to secure estate staff via Secure eMail within 10 working days so the secure estate has an accurate and up-to-date version on eAsset.

### **Secure estate staff responsibility**

9.53 Deliver the sentence plan with the active support of all appropriate agencies.

9.54 Instigate relevant procedures where self-harm concerns exist and/ or a care plan/vulnerability management plan where there are concerns about risk of harm to themselves or from others.

9.55 Where a child or young person is identified as a risk of harm to themselves or from others or posing a risk of serious harm to others within the secure estate, a risk management meeting must be held. The YOT should be invited to attend the meeting. If it is not possible for the YOT to attend, the establishment must inform the YOT supervising officer of the outcome of the meeting within 24 hours. Meeting minutes should be circulated to all invitees within 24 hours.

9.56 Meet (either in person or via telephone or video conferencing) to discuss progress with the young person against their sentence plan prior to all review meetings to enable the review meeting to focus on their progress, and any changes to the sentence plan must be discussed with the young person and his or her parents/carers.

9.57 Within one month of the initial planning meeting, host a case discussion to discuss progress at the secure establishment with the child or young person's key worker, personal officer, health care/ mental health care staff as appropriate, and the child or young person to ensure that the sentence plan is being implemented as agreed. Hold a first review within four weeks and undertake subsequent reviews as shown in the table (these are minimum requirements and should be increased in line with any risk management plans).

9.58 Support the young person with opportunities to maintain and develop appropriate community ties and to prepare for their release.

9.59 Support the young person in establishing or maintaining communication with those best placed to assist their successful release including liaison with the YOT and/or facilitating access to a member of the advocacy service and/or independent monitoring board of visitors as appropriate.

9.60 Exchange information about any change in circumstances or significant events regarding the young person whenever necessary with the YOT, including all incidents of restraint.

9.61 Contribute to the updating of *Asset – Core Profile* and *Asset – Risk of Serious Harm* at three-monthly intervals, prior to any Parole Board hearing, at other key transition points (e.g. transfer between establishments) and if there is any significant change of circumstance as per National Standard 4.6.

9.62 In conjunction with the YOT practitioner, identify key transition points (e.g. transfer to different establishments at 15-years old/18-years old) and ensure that these are planned for.

9.63 Where mobility/ROTL is being considered, in conjunction with the YOT case manager, undertake a full risk assessment to include consideration of victim issues, specifically communication to victims.

9.64 Where a child or young person is subject to an emergency transfer within the YOI estate, the Placement Service must be notified, as soon as possible after the event, which in most cases is expected immediately. A retrospective transfer request form must also be submitted to the Placement Service, which will then re-assess the ongoing suitability of the young person's placement and issue a Placement Confirmation form accordingly.

9.65 All other transfers across the estate must be made in line with the Placement Service transfer protocol.

9.66 Where the child or young person is transferred (planned or emergency) between establishments, send all sentence management information using eAsset and any other electronic system from the sending to the receiving establishment where possible in advance of the transfer but no later than one hour of the transfer taking place.

### **Placement Service staff responsibilities**

9.67 Send a Placement Confirmation form to the YOT, sending establishment and receiving establishment in the case of all transfers.

## **Release preparation meeting**

The purpose of this meeting is to identify any outstanding resettlement issues and to ensure that actions to address these are prioritised by the agencies responsible. Resettlement planning should include consideration of the areas listed at National Standard 9.30. A key task of the meeting is to consider the contents of the licence of Notice of Supervision and to reflect these in the T1:FR.

### **YOT practitioner responsibility**

9.68 If the young person is a looked-after child or without suitable supported accommodation, the local authority must make suitable accommodation arrangements for the young person in advance of the release into the community. It is the responsibility of the YOT to ensure that the local authority is aware of the release plans and, if the local authority is not in attendance, to provide an update in relation to these accommodation arrangements to the meeting.

### **Secure estate staff responsibilities**

9.69 Ensure the young person's views on their resettlement arrangements are considered. Review, as per the agreed sentence plan objectives/targets, progress in relation to resettlement arrangements and agree any further actions required.

## Final release review meeting

The purpose of this meeting is to ensure that resettlement arrangements are in place and that the contents of the licence or Notice of Supervision have been finalised. Where the release arrangements have altered since the release preparation meeting, these must be immediately reflected in the T1:FR and licence or Notice of Supervision.

9.70 Where a young person is under 16 years of age or at risk of harm to themselves or from others, the final release review meeting should confirm arrangements for him or her to get back to the home area on the day of release.

### YOT practitioner responsibilities

9.71 During the final release review meeting, confirm the final arrangements for release and resettlement.

9.72 Alert the YOT manager within one working day of circumstances where effective resettlement is being precluded by the lack of service provision by other agencies.

### Secure estate staff responsibilities

9.73 Ensure the young person understands all the resettlement arrangements that are in place (taking into account speech, language and communication issues). Record the outcomes of the meeting and related outcomes using eAsset and identify which objectives/targets require work to continue post release.

9.74 Before a young person in a young offender institution is released into the community, prepare a Notice of Supervision, have it authorised by the YOI governor or controller and signed by the young person at least seven days before release. Where the young person is in a STC or secure children's home then the Placement Service should prepare the Notice of Supervision.<sup>5</sup>

<sup>5</sup> If a young person refuses to sign the licence or notice of supervision, then a member of staff must read the licence to the young person and ensure that the young person understands the restrictions and requirements being placed upon them, then sign a declaration to that effect on the document, in place of the young person's signature.

## Post-release supervision

### YOT practitioner responsibilities

9.75 Ensure that the child or young person reports to the YOT case manager on the same day as their release to the community.

9.76 Review the sentence plan and attached health care plan within 10 working days of the date of transfer into the community, and subsequently on a three-monthly basis or at the end of the order, whichever is sooner. The case manager must chair the review meetings. The child or young person is expected to attend. A staff member of the secure facility from which they are released must attend the first review and be invited to subsequent reviews, along with those invited to reviews held during the custodial phase. The parents/carers must be encouraged to attend and contribute. The final review must assess what has been achieved during the order.

9.77 Undertake a home visit (taking into account relevant health and safety considerations) within five working days of transfer, and following that, at least monthly.

9.78 Review and update *Asset* in line with National Standard 4.4.

Provide frequency of minimum contact with the child or young person based on the intervention level assessed in accordance with National Standard 4.6, and following the requirements outlined in the table below.

Intervention level	Minimum contact* for first 12 weeks (per month)	Minimum contact* after 12 weeks (per month)
Intensive	12	4
Enhanced	4	2
Standard	2	1

\* A contact is a planned face-to-face meeting that takes place between the child or young person, the YOT case manager or another member of the YOT or a member of another agency or a volunteer approved to work with the young person in respect of the supervision of his or her court order.

9.79 Enforce DTO community supervision elements in line with the standards for community supervision outlined in National Standard 8.18.

9.80 As part of resettlement planning, assess accommodation needs prior to transfer to the community, ensuring that satisfactory accommodation is available prior to release, and inform the YOT manager if this is not provided.

9.81 Where appropriate, as part of resettlement planning, ensure that the home local authority children's services department (education authority if in Wales) provides a continuing programme of education for those of school age of at least 25 hours per week or appropriate education/training placement on transfer, and inform the YOT manager if this is not provided.

9.82 As part of resettlement planning, ensure that health needs are assessed prior to transfer into the community and that the home health authority provides planned services (including drug and mental health services) on transfer to the community, and inform the YOT manager if the services are not provided.

9.83 For a child or young person aged 13 years or older, ensure links are established with information, advice and guidance adviser/Careers Wales adviser or other relevant adviser.

9.84 Respond to unexplained or missed appointments, including unauthorised absences from school or college during post-transfer supervision.

9.85 If any failure to comply suggests an enhanced risk of serious harm to others, review the case with the YOT manager or their nominee as soon as possible and within one working day to decide what action will be taken. This may include enforcement action and breach. The decision must be noted in the file.

9.86 Provide the secure establishment from which the young person was discharged with an end of sentence report that incorporates their education, training and employment performance as laid down in *Offender's Learning Journey*.

## **Secure estate staff responsibilities**

9.87 Where deemed critical to the young person's successful resettlement by the secure establishment and the YOT, attend the first post-release review meeting in the community arranged by the supervising YOT officer.

## **Placement Service staff responsibilities**

9.88 The Placement Service is responsible for preparing the Notice of Supervision/Release Licence for young people who are accommodated in secure children's homes and STCs.

9.89 On receipt of the T1:FR/release information, the Placement Service will consider any addition conditions which have been requested to ensure they are lawful.

9.90 Once completed, forward electronically a copy of the Notice of Supervision/Release Licence to the establishment for the young person to sign.

9.91 On receipt of the signed Notice of Supervision or Release Licence the Placement Service will forward this to:

- + local YOT
- + National Identification Service
- + local police station where the young person will be released
- + electronic monitoring provider (where appropriate).

## Transfers to a secure hospital (sections 47 and 48 of the Mental Health Act 1983)

### YOT manager responsibilities

9.92 Ensure that a YOT case manager remains allocated where a young person transfers from the secure estate to a secure hospital under the Mental Health Act 1983.

### YOT practitioner responsibilities

9.93 Maintain a case management role for young people transferred from the secure estate to a secure hospital under the Mental Health Act 1983.

9.94 For children and young people discharged from hospital and returned to custody before the automatic release date of their custodial sentence, carry out case management responsibilities (including sentence planning, review and resettlement processes) as per the National Standards for the appropriate sentence.

9.95 For children and young people discharged from hospital after the automatic release date of their custodial sentence and within the supervision period of the sentence, undertake case management responsibilities (resettlement and supervision) as per the National Standards for the appropriate custodial sentence.

9.96 Inform the sending establishment (the last secure establishment that the young person was held at before being transferred to the secure hospital) and the Placement Service of the discharge date of the young person from the secure hospital to enable appropriate arrangements to be made for transfer back to the secure estate or preparation of a Release Licence/Notice of Supervision (whichever is appropriate to the circumstance).

9.97 Assist the prison governor (or the Placement Service for STCs and secure children's homes) in preparing the licence/Notice of Supervision by advising on the suitability of additional licence conditions in line with the YJB's *Release and Recall* guidance.

9.98 Supervise the young person in line with Scaled Approach intervention levels following release on licence/Notice of Supervision from a secure hospital.

### **Secure estate staff responsibilities**

9.99 If the young person was accommodated within a YOI prior to the transfer to a secure hospital and is now to be released from the secure hospital directly into the community, prepare and authorise a notice of supervision or Release Licence for the young person in liaison with the YOT.

### **Placement Service staff responsibilities**

9.100 If the young person was accommodated within an STC or secure children's home prior to the transfer to a secure hospital and is now to be released from the secure hospital directly into the community, prepare and authorise a notice of supervision or Release Licence for the young person in liaison with the YOT.

# National Standard 10: Long-term custodial sentences (section 90/91 of Powers of Criminal Court (Sentencing) Act 2000; section 226/228 of Criminal Justice Act 2003)

## Outcome

The needs of young people sentenced to long-term custodial orders are addressed in a co-ordinated and holistic way to enable effective resettlement and management of risk in line with YJB guidance.

This standard should be read in conjunction with National Standards 3, 4, 6 and 9 which detail the requirements for all custodial sentences. National Standard 10 details the additional requirements in relation to the management of young people serving long-term sentences.

### YOT manager responsibilities

10.1 Allocate a case manager to all long-term custodial sentences within one working day of sentence.

10.2 Put in place within five working days cover arrangements (e.g. a 'paired' officer) to cover the case in the absence of the supervising officer.

10.3 Put in place a protocol with the local probation area/trust's local office/area for the planned and agreed transfer of long-term sentences for young people approaching their 18th birthday.

10.4 Ensure the YOT does not withdraw case responsibility until a formal handover to the relevant local probation area/trust has been completed.

## Pre-custody

### YOT practitioner responsibilities

10.5 In line with, and in addition to, requirements covered in National Standard 6, complete a pre-sentence notification to provide the Placement Service with early warning of a possible long-term order being made.

## Following sentence

### YOT practitioner responsibilities

10.6 Visit the child or young person within five working days of sentence. Where appropriate also visit the parents/carers within five working days of sentence. Ensure that the child or young person and parents/carers fully understand the nature and implications of the sentence.

10.7 For young people serving determinate sentences, the frequency of visits will be agreed as part of the sentence plan, but must not be less frequent than every two months.

## Management of indeterminate sentences

### YOT practitioner responsibilities

10.8 For those serving an indeterminate sentence, including those detained at Her Majesty's pleasure, ensure that effective contributions from the following people are included in the life sentence plan (the *Asset* assessment: *Asset – Core Profile* and *Asset – Risk of Serious Harm* must underpin the sentence planning process):

- + YOT practitioner (required to attend in person and chair the meeting unless agreed otherwise between the YOT case manager and the governor, director or manager of the secure establishment)
- + secure estate staff (required to attend)
- + health and mental health staff from the secure estate
- + the child or young person
- + the child or young person's parents/carers
- + local authority social worker
- + Connexions personal adviser/Careers Wales adviser (or equivalent) or local authority education staff if appropriate
- + CAMHS staff as appropriate
- + housing/accommodation representative if appropriate
- + independent visitor, as appropriate
- + other relevant partner agency, as appropriate.

Note: The YJB is undertaking work to review and update existing case management and sentence planning processes for all young people on long-term sentences. This work, when implemented, will replace existing life sentence plan paperwork referred to in these National Standards.

### **Secure estate staff responsibilities**

10.9 Produce the life sentence plan in line with prescribed timescales and provide the YOT with a copy within five working days of production.

## **During sentence and reviews**

### **YOT practitioner responsibilities**

10.10 Attend the first month's review, all subsequent reviews and participate fully in sentence planning.

10.11 Visit the child or young person at least once every three months, and at least monthly for the three months prior to planned release. Contact the parents/carers after each visit made to the young person if the parents/carers did not attend.

### **Secure estate staff responsibilities**

10.12 Ensure that the life sentence plan is reviewed and updated in line with the specified timeframes and guidance.

## Pre-release and parole

### YOT practitioner responsibilities

10.13 Contact the victim liaison officer and ensure that the victim's views can be included in the parole report.

10.14 Provide the following information to the Parole Board, via the prison (or via the Placement Service for young people in STCs and secure children's homes), at least 18 weeks before the scheduled hearing date for indeterminate sentences (or 13 weeks before the parole eligibility date for young people serving extended sentences who were sentenced prior to 14th July 2008) and in line with the YJB's *Release and Recall* guidance:

- + parole report (including the home circumstances report and victims charter info)
- + *Asset – Core Profile* and *Asset – Risk of Serious Harm*
- + any reports from the victim liaison officer.

10.15 Assist the prison governor/controller (or the Placement Service in STCs and secure children's homes) in preparing the licence by advising on the suitability of additional licence conditions in line with the YJB's *Release and Recall* guidance.

## Secure estate staff responsibilities

10.16 Explain the criteria for parole and the young person's progress towards it at the initial planning meeting and all subsequent reviews.

10.17 Compile the parole dossier, which must include:

- + the young person's application
- + offence and sentence details
- + record of previous convictions
- + parole reports from both the secure establishment and YOT worker
- + any other relevant information.

Note: For young people in STCs or secure children's homes, compiling the parole dossier is the responsibility of the Placement Service.

10.18 Provide the young person with access to, and assistance in understanding, the parole dossier so that he or she has the opportunity to make representations to the Parole Board.

10.19 Forward the completed parole dossiers to the Parole Board 18 weeks before the scheduled hearing date for indeterminate sentences (or 13 weeks before the parole eligibility date for young people serving extended sentences who were sentenced prior to 14th July 2008).

10.20 Explain the contents of the parole licence to the young person and ensure that the young person understands the licence (taking into account any mental health problems, learning difficulties, speech, language and communication needs the child or young person has) and signs it.<sup>6</sup>

<sup>6</sup> If a young person refuses to sign the licence, then a member of staff must read the licence to the young person and ensure that the young person understands the restrictions and requirements being placed upon them, then sign a declaration to that effect on the document, in place of the young person's signature.

## **Secure estate staff (or Placement Service staff for STC or secure children's home) responsibilities**

10.21 Use opportunities under the ROTL arrangements to explore work and accommodation opportunities, and where possible, run pre-release courses to assist in resettling the young person.

10.22 Ensure that the parole licence is signed and issued.

## **Resettlement**

### **YOT practitioner responsibilities**

10.23 Put effective and robust plans in place to ensure resettlement into the community on release. The resettlement plan must:

- ✦ take account of the young person's experience and the programmes they've undertaken while in custody, including education and training programmes
- ✦ consider the likelihood of reoffending and address accommodation, education, mental health, physical health, substance misuse and any other risks and needs
- ✦ consider risk of serious harm to others and public protection issues in line with local MAPPA guidance and local YOT public protection policy
- ✦ actively consider victim issues
- ✦ be robust and consider alternative arrangements should any elements of the plan not materialise
- ✦ be discussed at least six months before release and finalised at least one month before release.

10.24 Make arrangements for the young person to access, as necessary, accommodation, health, education and training/employment services on release.

## Release and recall

### YOT manager responsibilities

10.25 Countersign requests for recall to custody and ensure that alternative arrangements are in place for a senior manager to cover this activity if needed.

10.26 Ensure processes are in place to quality assure recall requests and re-release reports.

### YOT practitioner responsibilities

10.27 See the child or young person on the day of release and make a home visit within five working days of release.

10.28 After making first contact on the day of release, provide frequency of minimum contact with the child or young person in accordance with the assessed intervention level required in the table below for the duration of the license period.

Intervention level	Minimum contact* for first 12 weeks (per month)	Minimum contact* after 12 weeks (per month)
Intensive	12	4
Enhanced	4	2
Standard	2	1

\* A contact is a planned face-to-face meeting that takes place between the child or young person, the YOT case manager or another member of the YOT or a member of another agency or a volunteer approved to work with the young person in respect of the supervision of his or her court order.

10.29 Arrange a review meeting for the end of the second week after release. The YOT case manager must chair the review meeting. The young person is expected to attend. Where deemed critical to the young person's resettlement, a member of the secure facilities' staff must attend the review, along with those invited to attend reviews undertaken during the custodial phase. The parents/carers must also be encouraged to attend and participate.

10.30 Ensure the young person understands the licence conditions (taking into account any mental health problems, learning disabilities/difficulties, speech, language and communication needs the young person has) and monitor their compliance. In the event of any unacceptable failures to comply, the YOT case manager must review the case within one working day to decide what action will be taken. The decision must be recorded on the case file.

10.31 If licence conditions (including reoffending) are breached or there is behaviour that constitutes a heightened risk of serious harm to others, recall of the child or young person must be considered. A decision not to recall must be approved by the YOT manager and be properly evidenced and recorded.

10.32 Determine whether a fixed-term recall, standard recall or emergency recall is required, based on the guidance and criteria set out in YJB's *Release and Recall* guidance. This decision must be agreed and signed off by the YOT/senior manager.

10.33 Where a decision is made to initiate recall:

- ✦ complete a request for recall report within 24 hours in line with Probation Circular 14/2008 and the YJB's *Release and Recall* guidance
- ✦ submit supporting paperwork (in line with the YJB's *Release and Recall* guidance) to the Public Protection Casework Section of NOMS within 24 hours of the decision to recall being made
- ✦ seek guidance from the NOMS Public Protection Casework Section where necessary
- ✦ send a copy of the recall request to the Placement Service so that they are aware of the young person's imminent return to custody.

10.34 Where the risk or profile of a young person is such that an emergency recall is required, flag this up in the request for recall report.

10.35 Where a young person is returned to custody, prepare a review of re-release report in line with the YJB's *Release and Recall* guidance and submit this to the NOMS Public Protection Casework Section. This should be done within 14 days for young people serving extended sentences or within four weeks for those serving indeterminate sentences.

### **Secure estate staff responsibilities**

10.36 Where deemed critical to the young person's successful resettlement by the secure establishment and the YOT, attend the first post-release review meeting in the community arranged by the supervising YOT officer.