



Policy name: Transition of Young People from the Children and Young People Secure Estate to Adult Custody Policy Framework

Reference: N/A

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Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled: “The Transition Process Guidance on transfers from under 18 Young Offender Institutions to young adult Young Offender Institutions” (September 2012)

Introduces amendments to the following documents: N/A

Action required by:

x	HMPPS HQ	x	Governors
x	Public Sector Prisons	x	Heads of Group
x	Contracted Prisons	x	The Probation Service
x	Under 18 Young Offender Institutions	x	Other providers of Probation and Community Services
	HMPPS Rehabilitation Contract Services Team		

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

For Information:

Governors, Directors and Managers must ensure that any new local policies that they develop because of this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010).

Section 5 of the Policy Framework contains guidance to implement the mandatory requirements set out in section 3 [of this Policy Framework. Whilst it will not be mandatory to follow what is set out in this guidance, clear reasons to depart from the guidance should be documented locally. Any questions concerning departure from the guidance can be sent to the contact details below.

In this document the term Governor also applies to Directors of Contracted Prisons.

How will this Policy Framework be audited or monitored:

The Youth Custody Service will monitor compliance with the requirements set out in this Framework through its assurance, performance and contract management processes, as appropriate to each sector within the Children and Young Peoples Secure Estate. Systems will be built to capture information around the Framework and details on updating these data systems will be shared through operational and delivery guidance.

Resource Impact:

There is no direct resource impact from this policy and all work detailed within can be carried out by existing staff resource. There will therefore be no changes to benchmark or target staffing resulting from this policy. This conclusion has been reached in conjunction and consultation with colleagues from various departments, as well as individual children and young people secure settings and adult YOIs and adult prisons.

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1. **Purpose**

- 1.1. Transitioning in the context of this document, is when a young person moves from the children and young people secure estate (CYPSE) to the adult estate. This move involves a significant change in environment, regime and peer group for those in custody and can be unsettling for many young people who may be particularly vulnerable during this stage of their custodial journey, with potential for any stresses to be exacerbated should transition not be managed effectively. Where necessary, this framework should be read in conjunction with the, 'Joint National Protocol for Transitions in England', the 'Youth to Adult Transitions Principles and Guidance Wales', and the Royal College of Paediatrics and Child Health 'Healthcare Standards for Children and Young People in Secure Settings'.
- 1.2. The transition process is a critical time, where extra effort, early planning, accurate assessment and the active involvement of key professionals from both youth and adult services is required to ensure young people's transition experience is safe, positive, and aids (re)settlement (both within their new secure setting and upon their eventual release). This Policy Framework aims to clarify processes and increase understanding across secure settings in England and Wales, so that the needs of the young person and young adult are met.
- 1.3. For clarity within this document, whilst acknowledging that an individual who has yet to reach 18 is recognised legally and developmentally as a 'child', and a young person who has transitioned to the adult estate is referred to as a young adult, for the purpose of this document an individual within the CYPSE or who has just been transitioned, will be referred to as a young person irrespective of whether they are aged 18.
- 1.4. The transitions process is underpinned by the following principles:
 - a. Individual needs and safeguarding requirements will be recognised and addressed.
 - b. Young people who are eligible for transfer will be identified and allocated to adult justice staff at the earliest point.
 - c. Every young person who could transfer to adult services must have a transition plan.
 - d. Transition planning should focus on providing flexible and continuous services tailored to meet individual needs. This should include consideration of any diversity issues for each individual. The Lammy Review (2017) highlighted the disparity in outcomes for Black and Minority Ethnic (BAME) individuals, particularly among young black males. Therefore, transition planning needs to take account of protected characteristics notably those included in the Equality Act 2010.
 - e. Relevant information about young people must be shared between youth and adult services before transfer.
 - f. Youth and adult justice services will work together to achieve effective transfer outcomes, including maintaining interventions and progress.
 - g. Young people and their families will be actively involved in planning for their transition and understand the plans in place.

- h. Transitions will be reviewed, and services will seek continuous improvement, facilitating the journey towards a positive future and desistance from offending, building on skills, strengths and interests.

2. Outcomes

- 2.1 The transition of a young person from the CYPSE to an adult YOI, dual designated adult site/ YOI, or adult prison (hereafter 'adult site') is efficient, safe, psychologically informed, focused on the needs of the young person in custody and managed within appropriate timescales.
- 2.2 The young person is meaningfully engaged in their transition planning and process and is duly prepared.
- 2.3 Transition planning forms an integral part of overall sentence planning with both sending secure settings (that is, the secure setting the young person will be moving from) and receiving secure settings (that is, the secure setting they will be moving to) managing the process and safeguarding the individual and others.
- 2.4 The transition planning and process where possible should provide continuity of care, services and interventions in the secure setting.
- 2.5 Transition planning should take place with resettlement in mind, with all interested parties (including secure settings, Youth Offending Teams and the Probation Service as required) working to ensure that resettlement planning starts when the young person enters custody and remains a focus throughout transition to the adult estate.
- 2.6 Individual's health and wellbeing needs will be considered and as far as possible factored into transitions, especially with regard to continuity of care and treatment.
- 2.7 There will be timely engagement between the CYPSE and adult estate, ensuring the most appropriate transition placement is arranged.
- 2.8 Where part of the young person's transition plan, the young person will experience a smooth transition through different sectors within the CYPSE.
- 2.9 Transitions processes are sensitive to the needs of the individual, and in accordance with the Equality Act 2010, are considerate of all 'protected characteristics' (race, sex, disability, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment), as well as any learning needs or formulation based care requirements.
- 2.10 Unless otherwise stated, this Policy Framework applies to all genders.

3. Requirements

3.1 Legal requirements

The following criteria reflect the requirements of Article 8 of the European Convention on Human Rights ("ECHR"); Respect for private and family life and gives due consideration to the United Nations Convention on the Rights of the Child (UNCRC). Secure settings must

consider the requirements set out in the relevant rules or regulations applicable to the relevant secure setting; that is:

- The registered person of a Secure Children's Home (SCH), must comply with the Children's Homes (England) Regulations 2015 and the Guide to the Children's Homes Regulations including the Quality Standards.
- The Director of a Secure Training Centre (STC), must comply with the Secure Training Centre Rules 1998.
- The Governor of a Young Offender Institution (YOI) must comply with the Young Offender Institution Rules 2000.
- The Governor of a (receiving) adult secure setting must comply with the Prison Rules 1999.

Transitioning from the children and young people secure estate to adult custody

3.2 The transitioning of young people from the CYPSE will depend on their individual circumstances:

- All young people will be considered for transition to an adult site following their eighteenth birthday unless there are specific reasons to delay or for them to remain in the CYPSE. The decision to transition any young person would always be taken on a case by case basis, balancing what is in the best interest of the individual against any associated risks of them remaining in the CYPSE.
- Young People serving Detention Training Orders (DTOs) will be brought into scope of transition, though the intention is to consider them for transition in the same way that all other young people will be considered. A key consideration for all transition decisions is length of time remaining to serve in custody. Many DTOs would be assessed as inappropriate for transition on this basis, whilst others may also be assessed as inappropriate based on their vulnerabilities and complex needs.
- Decisions around transition will include weighing up potential upheaval and integration challenges of a move to the adult estate against potential benefits of access to interventions and activities best suited to the individual.
- The case by case approach will result in some young people (on different sentence types) staying in the children and young people secure estate who may have otherwise moved, based on their needs, vulnerabilities, and other factors.
- All potential court sentencing outcomes will be considered when a young person is on remand and approaching their 18th birthday. Their conviction and/or sentencing date will be factored in prior to the transition decision, in order to determine the most appropriate placement. If a young person is due to remain remanded past their 18th birthday without a set conviction or sentencing date (or one which is set a considerable distance away) then, they may benefit from being transitioned to the local adult prison which serves the court for which the matters are to be heard.
- It is recognised that transitioning on remand may not always be in the young person's best interest but may be necessary given their projected court time frame. Placement options within the adult estate are limited because of the criteria prisons must follow defined by 'offender flows'. The Transition of young people on remand will also be considered on a case by case basis. ¹

¹ National Offender Flows are designed to demonstrate the custodial route of an adult, from being sentenced and received into a Reception Prison to onward allocation into the training or resettlement estate. They focus on male offenders 18+ and their time left to serve when an allocation takes place, so that the assessment of which prison is most
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- 3.3 In some cases, there may be reasons for young people to remain in the CYPSE beyond the age of 18. The reasons may include (but will not be limited to):
- Having a short time remaining in custody
 - Participation in a specific programme or intervention
 - Within the 'parole window'²
 - Having a high level of vulnerability or complex needs.
- 3.4 A case by case decision will focus on decisions being made around the individual needs of the young person and what is best for them to support their custodial pathway and constructive resettlement. Examples of what could be included within a case by case decision:
- A young person's desire to transition to the adult estate
 - The proposed receiving site is better capable of supporting the young person's risks and needs
 - The young person has moved sites within the CYPSE due to significant risk to others
 - The young person has concluded planned interventions and could benefit from a programme, intervention, or approach on offer in an adult site.
- 3.5 The decision for a young person to remain beyond their 18th birthday will be made through a multi-disciplinary approach ensuring all engaged parties understand and agree the decisions around when and where transitions will happen. Ultimately the decision to remain or transition will lie with the YCS Transitions Board lead by the transitions Central Management Team (CMT) within the YCS Placements Team. Decisions to transition will take account of all registered views and will not be made in isolation and without due discussion. The Transitions Board will also consider the most appropriate placement within the adult estate and it will be the role of the YCS transitions Central Management Team (CMT) to negotiate a place with the potential receiving adult establishment as well as follow placement additional processes for females, transgender young people or restricted status young people.
- 3.6 Outside of the above, on rare occasions a young person may be moved to the adult estate prior reaching 18 years of age. Evidence must be collated to justify why the young person cannot be appropriately managed effectively or safely in the CYPSE. The decision to move an under 18-year-old young person into the adult estate or women's estate can only be approved by a Deputy Director or above within the YCS.
- 3.7 It is recognised that as there are no adult YOIs for females, all female young people will transition into adult prisons. It is therefore important that this is taken into consideration when young women move to the adult estate. Following transition, it is recommended that female young people should have a meeting booked with their appropriate allocated member of staff within 48 hours. For female young people who are transitioning, the women's team's centralised case supervision system (CCSS) may be contacted for additional support if there are concerns such as the display of extreme behaviour, anxiety and or distress at the new secure setting.

suitable is based on how much time an individual has remaining in custody. Transfers from the CYPSE into the adult estate are guided by these flows but not always dictated by them.

² The Parole Board define this window as being six months prior to the hearing taking place. However, this is subject to the individual circumstances of the child or young person.

Children and Young People Secure Estate (CYPSE)

- 3.8 The CYPSE must ensure that:
- 3.9 Local Transition process guidance is put in place at sites to safeguard young people through the transition period and help them prepare for the expected changes.
- 3.10 These processes must be sensitive to the needs of the individual and treat all young people fairly and without prejudice or discrimination. These processes should be inclusive and respect differences in gender, sexual orientation, culture, race, ethnicity, disability, learning needs, care plans and religious belief systems.
- 3.11 Following the decision by the Transitions Board to transition a young person, a young person will progress from the CYPSE following their 18th birthday, as part of a planned transition with timings agreed on a case by case basis. Before they reach 18, these young people must be involved in the transition planning and understand the timescales for the pending move.
- 3.12 This Policy Framework must be read in conjunction with the HMPPS Transitions Guidance once published.

The six stages of transition planning are:

3.13 Stage 1 – Initial Identification and Planning Transition Board

- 3.14 The initial assessment and sentence/remand planning process will begin as soon as a young person enters the custodial system and will identify any young person who will be in custody after their eighteenth birthday.
- 3.15 The Transition Planning Form should be completed with all required information by the CMT in partnership with key stakeholders and include initial proposals for potential placement options. The form should be completed within the first month of the young person's arrival into custody and prior to the case being submitted to the Transitions Board.
- 3.16 A YCS 'Central Management Team' (CMT) will coordinate the process for identifying and negotiating agreement of a suitable placement in the adult estate (Those held under Restricted Status and/or charges under the Terrorism Act will be referred to the Directorate of Security (DOS) and the Joint Extremism Unit (JEXU).
- 3.17 The process will invite representation from the young person, their family/supporters, YOT, solicitor and staff from both the sending and proposed receiving secure settings.
- 3.18 The CMT will refer all females to the Women's Estate Case Advice and Support Panel (WECASP) within HMPPS Women's Team for discussion and placement allocation³. This will take place as soon as it is known that they require transition to the Women's Estate.
- 3.19 The CMT will refer all transgender young people to the central Transgender Team via email (HMPPStransgender@justice.gov.uk).

³ This will include discussing the placement allocation for any female young people who may be categorised as Restricted Status

Stage 2 – Allocation process: Application to adult prison and placement approval

- 3.20 At Stage 2, and if possible at the point a young person identified as needing to be transitioned reaches 17 years and 6 months of age, the young person's supervising YOT should be notified and relevant information should be shared with them so they can (where considered appropriate) initiate case management transition planning with the Probation Service. The YOT may feel that maintaining control of the case, or delaying the transfer between themselves and the Probation Service is in the young person's best interest and under these circumstances in line with the 'Joint National Protocol for Transitions in England' or the 'Youth to Adult Transitions Principles and Guidance Wales', will lead the necessary conversations with the Probation Service to facilitate that decision.
- 3.21 Following planning and assessment by the CMT and transition decision agreement by the Transitions Board, the adult site identified as the most suitable placement will be formally contacted by the CMT to request approval of the placement, with the aim of gaining agreement and allocation of a place at least 3 months prior to the transition's planned date.
- 3.22 Upon the adult site agreeing to allocate a place, the CMT will begin to plan with the departing CYPSE site a Transition Multi-Disciplinary Meeting, with the aim of sharing information that will inform sentence and care planning, facilitating effective handover and preparation for transition.
- 3.23 The process for appealing transition decisions is outlined within the YCS Placing young people in custody: guide for youth justice practitioners - GOV.UK (www.gov.uk)
- 3.24 The young person's Formulation (my story) and care plan should be central to placement considerations. A multi-disciplinary team comprised of staff from across the secure setting and beyond, including health, education, and key staff in regular contact with the young person, will have been part of a collaborative approach to understand and develop this plan, which will include the subsequent transition plan. All points listed in **Annex B** must be considered when identifying a suitable adult secure setting.
- 3.25 Once a suitable adult site has been identified and they have accepted the transition, a date should be agreed for the move to take place. At this point the HMPPS' Population Management Unit (PMU) is contacted by the CMT to notify them a space has been agreed so the PMU can then update their database accordingly.

Stage 3 – Preparation for Transfer

- 3.26 The time between a placement being confirmed and the agreed date of transition, should be a minimum of 3 months.
- 3.27 Effective and comprehensive sharing of information is required and all relevant departments and agencies should be informed of the date for a young person's move.
- 3.28 A young person must be allocated a specific staff member from both the existing secure setting and the receiving site, to support and prepare the young person during the lead up to the transition date and beyond. Adult sites should devise a local process for selection of an appropriate peer mentor who can be assigned to help prepare the young person due to transition.

- 3.29 Sentence/remand planning and review meetings should involve and prepare the young person and their parents/carers/social workers in transition planning so that they can be prepared for the move to an adult site. This should include exploring any specific needs or anxieties with the young person to ensure concerns are addressed.
- 3.30 Young people are provided with information in an 'accessible format (for example, easy to read and understand and including visual aids) which outlines the general differences between the CYPSE and the adult site they are moving to in a manner that can be readily understood. As a minimum, all points listed in **Annex B** must be covered.
- 3.31 The receiving adult site is sent all relevant information regarding the care and management of the young person in a timely fashion. As a minimum, the receiving adult site must be provided with all information listed in **Annex C**.
- 3.32 The secure settings case management system's care leaver alert is activated before young people who qualify as care experienced young people move to the adult site.
- 3.33 Case transfer arrangements between the YOT and Probation Service are confirmed prior to the young person's move.
- 3.34 Up to date information about the secure setting (in an easy to read format) is shared by the receiving establishment with the sending secure setting. As a minimum information on all points listed in **Annex C** should be provided. An allocated member of staff from the receiving adult site is to participate in the sentence/remand planning and review meetings they are invited to by the CYPSE. This can be staff attending in person, via video conference or phone.
- 3.35 Within 20-10 working days before discharge, the Child Health Summary on SystemOne should be shared by healthcare staff with residential staff to support release planning and guarantee continuity of care and information between organisations and information systems. The Child Health Summary is a standardised overview document including key health information about a young person, using information from the Comprehensive Health Assessment Tool (CHAT).
- 3.36 Healthcare providers should also ensure that the CHAT discharge summary is completed before a young person is discharged from a secure setting. If a young person is discharged into the community, the CHAT discharge summary should be sent to their new community GP. When the young person is being transferred to another secure setting (including transition to the adult estate), the CHAT discharge summary should be sent to their new GP and healthcare manager, in order for all healthcare staff to be able to access the record using SystemOne.
- 3.37 In addition, any patient who transfers from an under-18 YOI to the adult estate should have their existing SystemOne record available to the adult secure setting (healthcare staff only). This is available due to both the under-18 YOIs and the adult estate all having the same version of SystemOne, in which there is an automatic data sharing model.

Stage 4 – The Transfer

- 3.38 The Transfer will be managed and coordinated by the CMT and involve PECS colleagues. The young person and their family or carers will be made aware of the arrangement (not

including actual transfer date) in good time ahead of the transfer. Considerations for the journey and PECS to include:

- Time of day and date (avoiding a Friday)
- Type of vehicle to be used
- Management of complex needs and risks

Stage 5 – Reception, First Night and Induction

- 3.39 Upon arrival in Reception, the young person should be met by their peer mentor and the member of staff supporting them through the transition process.
- 3.40 All permitted property must travel with the young person and be made available on arrival dependant on local facilities lists. Prescribed medication should either have travelled with the young person or have been approved previously to be dispensed on the day of arrival.
- 3.41 All relevant information (consider including a risk management/ care planning formulation guide for the young person) must be made available prior to arrival and staff briefed on specific or complex needs.
- 3.42 The first few days and nights for a young person arriving in their new placement must be carefully managed and the required support must be in place. The ‘receiving’ secure setting follows the appropriate processes set out in PSI 07/2015 (‘Early Days in Custody’) which should be read in conjunction with this Framework.
- 3.43 The resettlement practitioner from the CYPSE should participate in the young person’s first sentence/remand planning meeting held following their move to the adult secure setting.
- 3.44 An appropriate member of staff (Prisoner Offender Manager (POM) / key worker) is allocated to the young person and meets with them as soon as practicable and no later than 48 hours for females and 72 hours for males of their arrival at the adult site.
- 3.45 Following the identification of initial needs and implementation of first night processes, prior to completion of induction, information is recorded and shared with residential and other key staff to make them aware of the young person’s initial response to the change in custodial environment. This must include information on any support that has been put in place to help the young person adapt. The induction must enable the young person to understand and complete critical processes in their new environment.
- 3.46 The induction process should be comprehensive utilising the information shared with the receiving site (as outlined in Annex C), involving all departments and should consider any additional needs of the young person. An induction plan should consider those needs and be mindful of the maturity and learning disability/learning challenges screening.
- 3.47 A digital ‘working with young adults learning platform’ is available for all staff to access on ‘My Learning’. Adult sites should decide locally which staff are prioritised and given time to access the learning platform. It is highly recommended that reception, first night and induction staff who have already accessed the learning platform should be on duty to receive young people on transition.

Stage 6- Follow-up

- 3.48 The CMT maintains regular contact with the receiving adult establishment lead contact for transitions to monitor information flow about individual transitioned young people, until the first sentence planning meeting or Transition Closure meeting is held. In most cases, this should be for a period of three to six months (or when deemed appropriate) following the move.
- 3.49 The CMT will organise for a post transition meeting to take place at approximately three months (or when deemed appropriate) following the move. The meeting's aim will be to review the process of transition specific to the young person, provide constructive feedback (which will be used to help continuously improve transition processes) and cease the CMT's involvement with the young person's case as part of a formal handover. It will also ensure the young person has understood the information related to them that has transferred between the sending and receiving sites and to confirm that this information has been received and is being used to inform their case management.
- 3.50 Where a young person is on remand at the point of transition, the formal transition closure takes place at the first sentence planning meeting. This must be held following the young person being sentenced or through a Transition Closure meeting (in most cases held between 3 and 6 months following the young person's move to the adult site), whichever is first.
- 3.51 For young people who are 'care-experienced' and continue to be supported by their responsible Local Authority, the responsible authority is contacted and the Personal Adviser is invited to the first sentence planning meeting, or in the case of young people on remand to the Transition Closure meeting.

4. Constraints

- 4.1 Transition from the CYPSE to adult sites will normally occur after a young person's eighteenth birthday with timescales agreed on a case by case basis, although this is likely to be within 4 weeks of their birthday. In some cases, there may be reasons for young people to remain in CYPSE beyond their eighteenth birthday (as detailed in section 3.3).
- 4.2 Since 20th June 2016, young people from the CYPSE have not routinely been moved to an adult site via an appearance at court. Where a young person is on remand or has been convicted but is awaiting sentence and has turned 18, the young person should be considered for a planned transition to an adult site prior to their next appearance at court. Where this has not been possible and the young person appears before the court and is further remanded or convicted, or if the court sentences the young person on that day, the young person must return to the CYPSE establishment from which they came so that their transition to the adult site can take place from there. Whilst there are some exceptions to this position, such as where transition planning has commenced prior to court, the receiving secure setting is aware of the arrival and a thorough handover has been undertaken, which includes informing the young person, these examples will and should be few and far between.

5. Further Information and Guidance

Transition support in the children and young people secure estate

- 5.1 In the CYPSE, resettlement practitioners/ multi-agency teams play a pivotal role in transition planning as they act as the medium for co-ordinating the various specialist departments involved in the young person's care within the secure setting and from a wide range of external stakeholders.
- 5.2 Working with young people to help them understand the transition process and information provided about the receiving adult site is a vital part of transitions planning and it is important that the resettlement practitioner discuss any issues or concerns raised by the young person.
- 5.3 The record of information is very important in reflecting a young person's history and experiences, therefore it is good practice / essential for the CYPSE to ensure case notes clearly record the young person's Formulation (my story) and care plan, contributions made by different departments, the receiving adult site, the young person and their family/carer/social worker. Case records should evidence views that have been taken into account and work planned or undertaken by the young person to prepare for the transition to the adult provision and include information on their behaviour in custody, including positive steps toward constructive resettlement, identity shift, achievements and successes, in addition to their disciplinary record.
- 5.4 To alleviate young people's anxiety linked to the transition process, the CYPSE should seek to encourage and enable contact between the young person and adult services, both prison and probation, prior to the transition to the adult site.
- 5.5 When transitioning a young person whose offence(s) meet the criteria for consideration of restricted status, YCS CMT will engage with Directorate of Security (DOS) at the start of the transitions process, so that the transition is known about, as is any relevant work that has taken place with the young person prior to their transfer, so that individual decisions can be made reflecting the specific needs and circumstances of the young person. The DOS will complete a review of potential placement options considering the young person's needs, risks and whether they have completed any risk-reduction interventions within their current placement. This discussion must involve a DOS Psychologist who will review the interventions completed and provide comment on progress made. The DOS will direct placement in the adult estate following discussion with the YCS. The final agreed placement allocation will then be taken to the YCS Transitions Board for information and recording.

Transgender / Intersex Young People

- 5.6 Transgender is an umbrella term to encompass a diverse range of gender identities. This includes, but is not limited to, transgender boys, transgender girls and people who identify using the following more specific terms: cross-dresser, agender, non-binary or gender fluid. A young person can identify as transgender and be at any stage of their social and/or physical transition to their affirmed gender.
- 5.7 During the transition planning period from the CYPSE to an adult site, careful consideration needs to be given to young people who identify as transgender. This is necessary to determine which type of adult site they will be transitioned to.
- 5.8 When a transgender young person is transitioning from the CYPSE to the adult estate, a referral must be made by the YCS transitions Central Management Team to an adult

transitions Complex Case Board, chaired by a Prison Group Director (PGD) - see section 4.34 of 'The Care and Management of individuals who are Transgender' Policy Framework (2019). The placement allocation decision must be approved by an adult PGD. This is because of the additional vulnerabilities that may be present for transgender young people in the adult estate. Referrals should be made via email and sent to the central Transgender Team (HMPPStransgender@justice.gov.uk).

- 5.9 It is good practice to gain the consent of the young person to share their transgender information as part of their transitions planning, placement allocation and post transition review.
- 5.10 Within 14 calendar days of the young person arriving at the receiving adult site, a Transgender Local Case Board will be convened as part of their care plan. A trained band 8 Prison Manager will be responsible for chairing Local Case Boards within the adult estate and should remain informed throughout the transition process. The secure setting a young person transitioned from may be requested to provide information in preparation for this panel, or to provide representation at the initial Board.

Transition support in adult sites

- 5.11 Given the serious consequences that can result from inadequate transition arrangements, it is crucial that adult sites give transition planning and processes due time and consideration.
- 5.12 Young people who move from the CYPSE to an adult site are vulnerable by virtue of their age and due to them being in the process of maturing. This in combination with the distinctively different nature of the CYPSE and the adult estate means that even the simplest of transitions could be the source of great anxiety for young people who are preparing for their transition.
- 5.13 Adult sites should help alleviate the anxiety experienced by young people in relation to their transition. Active engagement between the adult site and the young person, for example through a visit, whilst they are in the CYPSE has proven to be especially successful in both re-assuring the young person and help form the basis for a relationship between the young person and staff who will be responsible for their care in the secure setting they are moving to.
- 5.14 As a young person has only experienced the CYPSE prior to their transition, if they are not provided with the right level of individualised support, information and guidance during the pre- and particularly the post-transition period, there is a possibility that they may not understand the routines and rules of the new secure setting and therefore fail to adhere to expectations. This difficulty may also present itself in young people who have health and wellbeing needs.
- 5.15 It is good practice for the young person to be given an induction pack on the adult site that has been specifically tailored for this purpose prior to their move taking place. In particular, information about support functions and arrangements, e.g. peer support, has been highlighted by young people as being re-assuring.
- 5.16 There is also an expectation that, if a young person is undertaking an educational programme or course at the time of their transfer, their engagement with the programme or course should continue in the CYPSE until completion, if possible.
- 5.17 Additional support in the initial period following a young person's arrival at the adult site can go a long way in ensuring that they successfully adapt to the requirements of being in a different secure setting. Support during First Night/Induction processes is important in

identifying and managing risks, especially as young people are known to be less likely to ask for help or state self-harm/suicide intentions.

- 5.18 Adult sites should be aware that if a young person is recalled into custody whilst serving the community element of Detention and Training Order (DTO) sentence and they are over 18, they will be located in an adult site.

Role of the YOT and probation in managing transitions

- 5.19 The Youth Offending Team (YOT) is required to follow the guidance outlined in the HMPPS, Probation Service and Youth Justice Board 'Joint National Protocol for Transitions in England' and the 'Youth to Adult Transitions Principles and Guidance – Wales' and use them to adopt a local system to manage the transition of young people between the YOT and Probation Service.

Local Transition Policy

- 5.20 All secure settings should put in place a local transition policy (which is sensitive to the needs of the individual, treating everyone fairly and without prejudice or discrimination). In developing the policy, Governors, Directors and Managers may wish to consider including the following key elements:

- staff roles and responsibilities
- arrangements to manage and support those who are preparing for or have transitioned e.g. additional support leading up to or immediately following transition (for example, physical health, neurodiversity and mental health needs)
- Safeguarding / Safer Custody arrangements
- internal and external information sharing procedures, including sharing security information
- internal escalation process if receiving / sending secure settings don't engage in the transition planning and process
- processes to review local transition arrangements
- procedures for identifying and sharing best practice
- arrangements for gaining feedback from young people and their parents/carers/social worker

- 5.21 Feedback from the young people and their family/carer/social worker can assist in the review and continuous improvement of local transition procedures and processes. To enable participation, information must be in an easy to read format including visual aid versions where appropriate. In seeking the views of people and their family/carer/social worker, Governors, Directors and Managers may wish to cover the below points:

- notification of transition and date of move
- support provided in the pre-transition period
- provision of information about general differences between CYPSE and adult sites
- provision of information specific to the adult site the young adult moved to
- opportunities provided to contribute to decisions during transition planning and whether their views were considered
- opportunities to highlight concerns and processes to address them
- preparation for the move
- support following move to the adult site

- 5.22 It is good practice for all secure settings to be able to demonstrate how feedback from young people and their family/carer/social worker has contributed to the review and development of transition procedures and processes. Summary information from reviews should be shared with the YCS CMT when issues are identified, to support improvements to centrally managed transitions practice, policy and guidance.
- 5.23 The Children Act 1989 states that a Former Relevant Child (a care leaver) is someone who is aged 18 or above and was either a Relevant Child and would be one if under 18, or was an Eligible Child immediately before s/he ceased to be looked after age 18.
- a) A Relevant Child is 16 or 17, not being looked after by a local authority and before ceasing to be looked after was an Eligible Child. A Relevant Child includes a child who was detained when s/he reached the age of 16 and immediately before s/he was detained s/he had been looked after by a local authority for a period of 13 weeks which began after s/he reached the age of 14.
 - b) An Eligible Child is aged 16 or 17 and has been looked after by a local authority for a period of 13 weeks which began after he reached the age of 14 and ended after s/he reached aged 16.
- 5.24 Those who fall within the legal definition of a care leaver are entitled to support from the Local Authority up to the age of at least 21 (or, where a Pathway Plan sets out education and training extending beyond the age of 21, whilst the care leaver continues that education or training).
- 5.25 Under the Children Act 1989, as amended by the Children (Leaving Care) Act (2000), the last Local Authority to look after the young person in care, known as the 'Responsible Authority', has a statutory obligation to continue to support a Former Relevant Child in the following ways:
- taking reasonable steps to keep in touch and, if contact is lost, to re-establish contact
 - providing a Personal Advisor
 - maintaining and reviewing a "Pathway Plan" for the individual's personal development
 - providing assistance, if the individual's welfare requires it, with expenses associated with employment, with costs associated with education and training and other assistance, including financial assistance in exceptional circumstances
 - payment of a bursary to those in higher education.
- 5.26 The Responsible Authority has a duty to care experienced people under 25 years old (who is a Former Relevant Child, over the age of 21 and completed their Pathway Plan) who inform the Responsible Authority that they are pursuing or intend to pursue education or training, to appoint a personal adviser, carry out an assessment of their needs, prepare a Pathway Plan and provide assistance as needs require (such as contributing to living expenses or allowing a grant).

Detention and Training Order (DTO) supervision requirements and Early and Late Release Applications

- 5.27 The maximum length of a DTO is 24 months with a maximum of 12 months served in custody. Those sentenced to 8 months or more can be granted 1 month early release and those serving 18 months or more can be granted 2 months early release.
- 5.28 It is important that case supervision handover planning commences between the YOT and Probation when the young person is 17 years and 6 months of age with a joint transition plan in place ahead of the young person transitioning for the CYPSE to the adult estate. Given the very specific procedures and expectations associated with the CYPSE i.e. liaison with Youth Custody Service (YCS) placements, it is recommended that YOTs maintain supervision of children until they move into the adult estate. However, local negotiation will be key and should be included in any local protocol that is developed.
- 5.29 Details of the DTO Early and Late Release decision making processes are set out in the Early and Late Release DTO Policy Framework published in April 2022. Adult establishments receiving young people on a DTO will be responsible for managing Early and Late release applications, which because of the shorter DTO sentence length, will need to commence shortly after the young person has arrived in the adult placement.
- 5.30 When preparing for the release of a DTO it is important to note that the second half of the DTO is served under a Notice of Supervision in the community. In addition, a DTO Extended Supervision period is required under section 256A of the Offender Rehabilitation Act 2014 where a young person reaches their 18th birthday before the mid-point of a DTO sentence under 24 months. The extended supervision period begins at the end of the sentence and ends 12 months from the mid-point of the sentence.

Chart 1. Transitions Stages 1 to 6

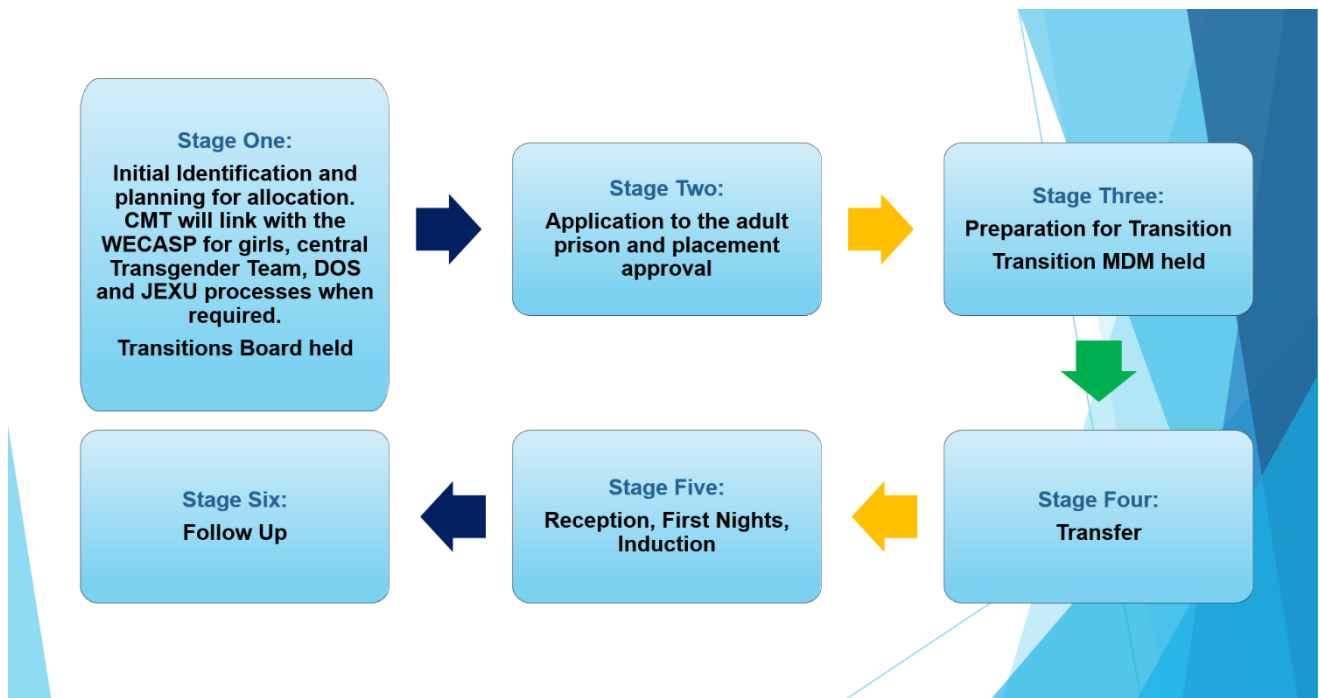
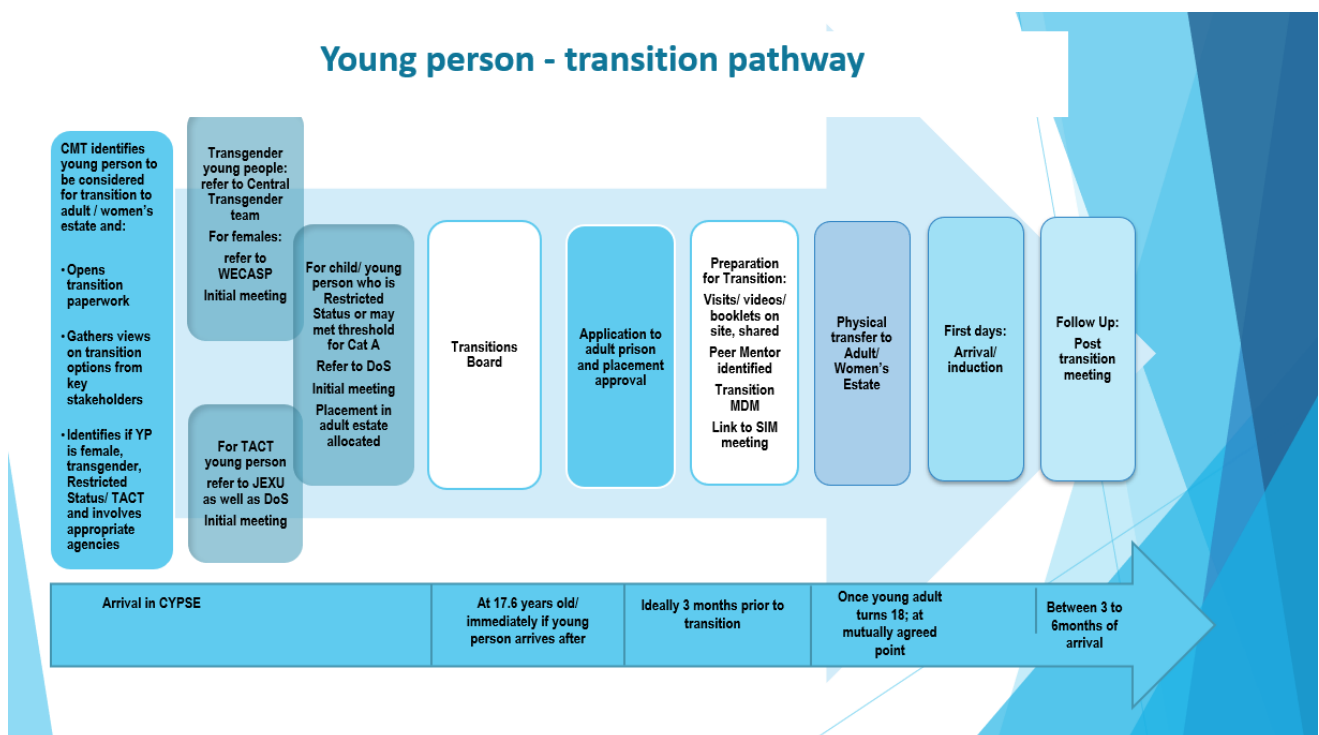


Chart 2. Allocation Process



Considerations and general differences

1. Identifying suitable adult sites

When identifying a suitable adult site for a young person's transition, as a minimum, the CYPSE must consider the young person's key information, as below:

- the young person's Formulation (my story) and care plan, which in turn should consider
 - security issues which impact on placement options
 - risk of harm to self
 - risk of harm to others
 - health and wellbeing needs
 - Speech, Language and Communication Needs and neuro-disability needs
 - home location and family ties
 - offending behaviour needs (bearing in mind that in some cases decisions about access to offending behaviour programmes may override or delay the opportunity to relocate young person to their home area)
 - continuity of Education Training and Employment (ETE)
 - resettlement needs
- adult site's reception criteria; and
- the national Contract Package Area (CPA) young adult pathways.

2. Information on general differences

When providing young people with information about the general differences between the CYPSE and adult site, the CYPSE must ensure that as a minimum the following topics are covered in an accessible format:

- differences in terminology
- differences in uniform
- differences in healthcare provision
- differences in contact with family and visits
- lower staffing ratios (staff may not be so readily accessible)
- the differences in sentence planning arrangements
- location with other adults of all ages
- participation in education and/or work
- the searching policy and restraint system that applies in the adult estate
- the difference in potential adjudication outcomes under Prison Rules 1999; and
- the national IEP policy in operation in the adult estate

It is also good practice that, in addition to delivering the above information in an accessible format, that information should also be provided verbally, as part of the induction and 'settling in' process.

Required information

1. Children and Young People Secure Estate (CYPSE)

The CYPSE must ensure that the following information is sent to the receiving adult site prior to the young person's move:

- Formulation (my story) and care plans
- AssetPlus core record
- safeguarding information
- education and health care plan (NHS England commissioned providers are legally required to adhere to any Education Health and Care plans as far as possible whilst a young person is in the secure setting, but this does not apply to adult settings) and health information
- the sentence plan
- looked after child (LAC) details, including those young people who qualify as care experienced people
- information on young people who qualify for continued support in accordance with the Care Act 2014 or Social Services and Well-being (Wales) Act 2014
- local security or risk assessment arrangements associated with access to or allocation of interventions, purposeful activity or ETE placements
- all files and information relating to the young person
- a completed Initial categorisation and allocation of young adult male prisoners (ICA2) form
- where applicable, the request and approval for a Discretionary Transition

2. Adult sites

Adult sites must ensure that up to date secure setting specific information is provided in an accessible format to the young person and covers:

- first night and induction procedures
- visiting arrangements
- arrangements for access to money account, earnings, telephones, canteen or prison shop
- arrangements for access to ETE and Purposeful Activity
- arrangements to access Healthcare and Substance Misuse Services
- smoking policy
- use of the gym and time in the open air
- information about Chaplaincy services and the Independent Monitoring Board
- information on local violence reduction practices
- local IEP scheme and procedures
- cell sharing arrangements
- weekday and weekend core day timetables and routine
- peer support arrangements such as mentors, listeners or focus groups

This does not affect the requirements set out in PSI 07/2015 ('Early Days in Custody').