



HM Prison &
Probation Service

Action Plan Submitted: 14th February 2020

A Response to: Separation of Children in Young Offender Institutions

Report Published: 21st January 2020

INTRODUCTION

HM Inspectorate of Prisons (HMIP) and HM Inspectorate of Probation for England and Wales are independent inspectorates which provide scrutiny of the conditions for, and treatment of prisoners and offenders. They report their findings for prisons, Young Offender Institutions and effectiveness of the work of probation, Community Rehabilitation Companies (CRCs) and youth offending services across England and Wales to Ministry of Justice (MoJ) and Her Majesty's Prison and Probation Service (HMPPS). In response to the report HMPPS / MoJ are required to draft a robust and timely action plan to address the recommendations. The action plan confirms whether recommendations are agreed, partly agreed or not agreed (see categorisations below). Where a recommendation is agreed or partly agreed, the action plans provides specific steps and actions to address these. Actions are clear, measurable, achievable and relevant with the owner and timescale of each step clearly identified. Action plans are sent to HMIP and published on the HMPPS web based Prison Finder. Progress against the implementation and delivery of the action plans will also be monitored and reported on.

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Term	Definition	Additional comment
Agreed	All of the recommendation is agreed with, can be achieved and is affordable.	The response should clearly explain how the recommendation will be achieved along with timescales. Actions should be as SMART (Specific, Measurable, Achievable, Realistic and Time-bound) as possible. Actions should be specific enough to be tracked for progress.
Partly Agreed	Only part of the recommendation is agreed with, is achievable, affordable and will be implemented. This might be because we cannot implement the whole recommendation because of commissioning, policy, operational or affordability reasons.	The response must state clearly which part of the recommendation will be implemented along with SMART actions and tracked for progress. There must be an explanation of why we cannot fully agree the recommendation - this must state clearly whether this is due to commissioning, policy, operational or affordability reasons.
Not Agreed	The recommendation is not agreed and will not be implemented. This might be because of commissioning, policy, operational or affordability reasons.	The response must clearly state the reasons why we have chosen this option. There must be an explanation of why we cannot agree the recommendation - this must state clearly whether this is due to commissioning, policy, operational or affordability reasons.

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ACTION PLAN: A thematic inspection of Separation of Children in Young Offender Institutions

1. Rec No	2. Recommendation	3. Agreed/ Partly Agreed/ Not Agreed	4. Response Action Taken/Planned	5. Responsible Owner (including named individuals and their functional role or department)	6. Target Date
	Key Concern and Recommendation				
	Directed to: The Secretary of State for Justice				
1	<p>Key Concern: The current arrangements for separating children in YOIs do not safeguard children's well-being. Local and national leaders and managers have failed to prevent children from being subject to harmful regimes for extended periods of time. Oversight arrangements do not enable managers to know how many children are separated or for how long, or what interactions, education or health care input they have received. Safeguards for separated children involve a large number of cursory checks rather than meaningful</p>	Partly Agreed	<p>This recommendation is partly agreed as the Youth Custody Service is urgently reviewing the current model of separation across the whole youth secure estate to determine how the current model can be improved upon; this oversight will include our Welsh secure establishment.</p> <p>The Chief Executive Officer (CEO) of HM Prison and Probation Service has commissioned a taskforce to be independently chaired by a senior member of the Youth Justice Board (YJB), and led by a senior governor from within the YCS (Youth Custody Service). This action focused piece of work began in November 2019 and will be completed in January 2020. It will include representation from psychology and safeguarding colleagues, and will be informed by external partners from health and education. We will also consider relevant internal and external reports and reviews to provide a holistic approach.</p> <p>We are committed to ensuring separated children receive a fuller regime than is currently provided to them. This is an area which the taskforce is urgently looking at ahead of making their final recommendations, and following consideration will take the necessary and appropriate actions in order to address them, in line with operational and logistical considerations.</p>	YCS Prison Group Directorate Team (PGD)	<p>March 2020</p> <p>Completed</p>

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<p>and dynamic management.</p> <p>Recommendation: The current models of separating children in young offender institutions should be replaced with a new system that ensures a regime that is equivalent to their non-separated peers.</p>		<p>It is expected that the taskforce will make immediate, medium and long-term recommendations about operational practices, policy and information gathering requirements.</p> <p>Immediate action includes; the introduction of additional resources to ensure robust management and improve national and local oversight. This bespoke resource has been created with local managers at each establishment responsible for scrutinising local arrangements, including reintegration planning and decision making. We have also introduced a national single point of contact (SPOC) reviewing oversight arrangements for separation, ensuring local accountability is in place across establishments and feeding in centrally to ensure consistency across the estate.</p> <p>More broadly, we have continued to make progress on our workforce reform programme. We have increased the number of operational staff across all Young Offender Institutions (YOIs), with all sites at or near full staffing complement. Whilst this increase will support the new provisions being rolled out at establishment level it has resulted in a high proportion of new or inexperienced staff. We are mitigating this by ensuring training is delivered to up-skill these staff so they gain the necessary skills and experience required to be effective in their roles.</p> <p>The staff increase ensures the current model of separation is being improved, as we are able to ensure the delivery of key components of the YCS NHSE&I Behavioural Management strategy, such as the Custody Support Plan (CuSP) and the Framework for Integrated Care (SECURE STAIRS) where the vision of care through a cross governmental approach is to provide stable, integrated, therapeutic care for Children and Young People (CYP) across the children and young people secure estate. Implementation of SECURE STAIRS also includes improved training for staff to help them further understand adolescent development, principles of attachment and trauma, formulation development and consequentially the needs of, and appropriate interventions for these children and young people. Consideration of devolved area is being taken forward with our Welsh partners to ensure children and young people receive the same type of care irrespective of location in England and Wales.</p> <p>In addition, the roll out of the new Youth Justice Worker Specialist (YJWS) role continues to progress with 30 trained specialists confirmed in</p>		<p>Commencing January 2020</p>
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			post, and at the end of October 436 more staff are currently enrolled on the foundation degree training. The YCS will now focus on how we can use these staff and specialists to promote a cultural change in areas such as separation.		
	Recommendations to HM Prison and Probation Service/Youth Custody Service				
2	Reintegration planning should start from the day a child is separated and contain practical, timebound targets that are focused on enabling the child to return to a normal regime at the first opportunity.	Agreed	<p>It is accepted that reintegration planning for children separated under Rule 49 should take place sooner. As such, we have put reintegration planning processes in place at the start of a CYP being separated.</p> <p>The work undertaken through the YCS NHSE&I Behavioural Management Strategy (BMS) will provide a framework for effectively managing the behaviour of separated children and young people in our public YOIs, with Parc YOI developing core elements of this strategy.</p> <p>Through the BMS, the roll out of CuSP will ensure CuSP officers are engaging with separated CYP, including those who have chosen to self-isolate, preparing them for reintegration into normal regime. This role will be supported by the local manager who will visit all separated CYP.</p> <p>Further, facilitated through workforce reform, YOIs will have the additional staff to ensure the delivery of SECURE STAIRS principles though the BMS is being delivered. Each CYP will have a multi-disciplinary team supporting and creating a space where they can be part of any reintegration planning. The provision of CuSP will be monitored on a CuSP database and the allocated officer will help inform the reintegration planning steps for the respective CYP.</p>	YCS PGD Team	Completed
3	Separated children should have access to an equivalent education day to their non-separated peers. This should include meaningful face-to-face interaction with teachers.	Partly Agreed	<p>This recommendation is partly agreed. It is acknowledged that more should be done to ensure CYP have consistent access to education whilst separated, however it is not practicable for separated CYP to have equivalent regimes, although we will ensure that they have similar regimes to those in the general population.</p> <p>We have begun reforming our education services and are developing a vision for learning. This vision will include a Target Operating Model (TOM) for learning services within establishments, providing guidelines for learning.</p>	YCS PGD Team	November 2020

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			The vision for learning is expected to bring about flexibility which is tailored to the needs of the child. In November we commenced the trialling of flexibility of the core regime at Wetherby and Werrington. The oversight will be establishment wide enabling Governors to tailor activities to the needs of separated children and young people, eventually creating a consistent approach across all establishment.		
4	Separated children should be able to and encouraged to spend time out of their cell interacting with staff and peers.	Agreed	<p>It is agreed that separated children should spend more time out of their cell. The additional staff through workforce reform, and the roll out and implementation of the CuSP through the BMS will ensure multidisciplinary teams are engaging with, and encouraging separated CYP, especially those that have chosen to self-isolate. The CuSP officer (through weekly visits) will also have oversight to build a level of trust and consistency with the CYP, creating a positive environment where there is encouragement to engage with others.</p> <p>As part of this oversight, the officer will help identify if any of the CYP needs are not being met, this will include spending time outside of their cell and mixing with others. If their needs are not being met, goals will be set together for the forthcoming week to help meet the identified deficit/s.</p>	YCS PGD Team	August 2020
5	Separated children should be able to spend an hour exercising in the open air every day.	Agreed	The YCS accepts this recommendation and will provide all children separated under Rule 49 an hour in fresh air daily.	YCS PGD Team	Completed
6	Separated children should be able to have a shower and a phone call every day.	Agreed	This recommendation is agreed and all separated children will have access to a shower and phone call every day.	YCS PGD Team	Completed
7	Oversight arrangements should enable national managers to monitor how many children have been separated and for how long, and the regime that these children receive. This	Partly Agreed	We partly agree with the recommendation and the need to improve oversight arrangements and monitoring, however there are no plans at present to publish this information. As mentioned in recommendation 1, the introduction of a local manager at each establishment overseeing the CYP separated under Rule 49 will help improve the management of data of those separated.	YCS PGD Team	Completed

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	information should be published.		<p>The Information Development Project (IDP) was created to improve the central provision of key data items across the youth secure estate.</p> <p>Project scope includes the creation of separation data to capture processes across YCS establishments to enable both local and central monitoring of instances and lengths of CYP separation. Development work has progressed to determine what around the regime of those CYP separated is possible to collect and report once the separation data collection and central reporting processes are in place, the YCS will consider whether an associated publication is appropriate, noting the recommendation on this point. This decision will be taken as part of a piece of work to determine what data YCS wants to publish holistically, with consideration given to the existing wider HMPPS (and YJB) publications.</p>	YCS Information Development Team	Ongoing
8	Safeguards for separated children should involve regular meaningful contact with a manager who has the authority to make changes to the child's situation.	Agreed	<p>We agree that every separated child should have meaningful contact. As mentioned in recommendation 1, to help improve safeguards will be the introduction of a local manager at each establishment overseeing the CYP separated under Rule 49. This will ensure CYP are receiving meaningful contact from an appropriate member of staff. The manager will also have the authority to change the CYP situation whilst separated. In the absence of the local manager will be a duty governor who will have the same or similar oversight over the separated child to include making changes to their situation.</p> <p>Further, as part of the BMS and SECURE STAIRS each child will have an allocated multidisciplinary support team, and in addition the CuSP officer will have regular contact with the child.</p> <p>Currently, a Short-Term Assessment of Risk and Need (STARN) which identifies short term targets associated with risk and need is initiated by a Psychologist at the 7-day point of separation. We will now ensure that engagement with a multidisciplinary group of professionals occurs earlier in the separation process. This is likely to be at the 72-hour review point.</p>	YCS PGD Team	Completed
	Recommendations to NHS England and NHS Wales				

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9	Children who require a mental health assessment should receive one without delay.	Agreed	<p>It is agreed that, where necessary, children should have access to a mental health assessment without delay.</p> <p>Adherence to the relevant operating policies is included in healthcare specifications for children and young people in secure settings and monitored via the contract monitoring process. Any difficulties are addressed via additional monitoring and joint working in the first instance, then via the NHSE&I Quality Surveillance Group process, and ultimately via an improvement Board and / or contract performance notices / contract termination if required.</p> <p>NHSE&I core specifications are underpinned by the Healthcare Standards for Children and Young People in Secure Settings (RCPCH 2019) which specifically reference separation.</p> <p>NHSE&I collect data via a set of indicators which provide information on care and separation from healthcare, this data is for internal use by commissioners for the purpose of contract monitoring. Children and Young People Indicators of Performance (CYPIPs) from the four public YOIs and from Rainsbrook and Medway STCs show the percentage of CYP separated from their main location who have had a healthcare plan within 24 hours of admission.</p> <p>NHSE&I has also set up a new taskforce to improve current specialist CYP inpatient mental health, amongst other services, which will incorporate coverage of use of separation/segregation in England. Anne Longfield OBE, Children's Commissioner for England, will chair an independent oversight board to scrutinise and support the work of the taskforce. The Children's Commissioner and her board will be given wide-ranging scope to track progress and propose rapid improvements in existing services, examine the best approach to complex issues such as inappropriate care, out of area placements, length of stays and oversee the development of genuine alternatives to care, closer to home.</p> <p>Specialist taskforce delivery teams will be made up of doctors, nurses, psychologists, psychiatrists and other medical professionals. The group will be asked to consider the best way to deliver compassionate care for acute need – including reviewing independent sector and NHS provision – including giving nurses and other staff the right clinical expertise and managing issues like seclusion and separation in inpatient settings. This</p>	Local NHS Provider	Completed
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			taskforce will have oversight on those CYP who require a mental health assessment.		
10	Children assessed as needing a mental health bed should be transferred within two weeks, in line with national NHS guidelines.	Partly Agreed	<p>This recommendation is partly agreed.</p> <p>It is agreed that vulnerable CYP who require specialised care should be placed in a mental health bed. However, transfer times can sometimes be delayed due to availability of appropriate secure mental health beds across NHS provision or through the extended time needed to find appropriate placements for specific children and young people who have very complex needs. A key ambition of the NHSE&I Child and Adolescent Mental Health Service Review and delivery of the Accelerated Bed Programme has been to eliminate inappropriate out of area placements by providing an improved distribution of inpatient beds, addressing the urgent gaps and improving local access, to deliver more effective integrated treatment pathways.</p> <p>Thirteen Community Forensic Children and Young People Mental Health Services (known as FCAMHS) have now been commissioned to meet the needs of young people with high risk behaviours who are presenting with severe disorders of conduct and emotion, neurodevelopmental or serious mental health problems or where there are legitimate concerns about the existence of such disorders. The services cover all NHS England & NHS Improvement regions, ensuring equitable access to all who need these services.</p> <p>Further, NHSE&I is implementing a national Clinical Assurance and Individual Review Panel which will complement and strengthen the existing escalation arrangements that are in place locally and regionally. Referral to the Review Panel is part of an exceptional escalation process for complex cases and will recommend actions to address concerns where it has not been possible to fully address at a local or regional level.</p> <p>The YCS has formed the multi-disciplinary Critical Case Panel attended by YCS casework, a representative from NHS England and NHS Improvement, and Chaired by HMPPS YCS Psychology Services who oversee the management of complex or “high risk, high harm, high vulnerability” children. The aim of the panel is to ensure that we are working together across disciplines to include the full sharing of relevant information to ensure we provide the most appropriate care and support to these young people whilst they are accommodated in the youth secure estate.</p> <p>YCS Placements team assess children suitable for justice sector placements (i.e. YOI, STC or SCH). If the child is then assessed as requiring a mental</p>	<p>YCS/ Local NHS Provider</p> <p>NHSE&I</p> <p>YCS Critical Case Panel</p>	<p>March 2021</p> <p>April 2020</p> <p>Completed</p>

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		<p>health bed that is not immediately available we care for the child as safely as possible within the justice system.</p> <p>The YCS have sought to strengthen our approach to the management of our complex cohort in the YOI sector. We have introduced enhanced support teams and established two Enhanced Support Units (ESUs); one in Wetherby YOI in the North and the other in Feltham in the South. The enhanced support teams and dedicated units are designed to provide specialist psychological support and wrap-around services to children with the most complex needs which can include those waiting for a mental health bed. Following this report, it is accepted that staff working on these units require further training to maintain the vision of the ESU at Feltham 'A'. This will be monitored by the YCS.</p> <p>We also have the bespoke Keppel unit in Wetherby YOI. This is a largely self-contained national unit designed for males who are deemed to have complex needs. The aim of the Unit is to provide a safe, secure and supportive environment for young people with complex needs whose risk may dictate they cannot be managed appropriately within an alternative sector. The Keppel Unit has a discrete staff group who are trained and experienced with working with young people with specific needs. Due to the nature of the cohort, Keppel staff have experience with orchestrating assessments and the process of transferring a young person to a secure mental health hospital.</p> <p>SECURE STAIRS is a trauma informed, formulation driven framework for integrated care inclusive of the principle of 'every interaction matters' and that a multi-disciplinary approach to formulation based care is fundamental, focusing on the child's formulation, 'my story', rather than their diagnosis, offence or other label. Led by NHS England and NHS Improvement this is being delivered in partnership with the Department for Education, Youth Custody Service, HMPPS Psychology Services and Ministry of Justice across the whole children and young people secure estate in England and is expected to be fully mobilised by 2021. Implementation of SECURE STAIRS also includes improved training for staff to better support these complex children; this includes ongoing staff supervision and reflective practice.</p> <p>NHSE&I have identified that there is a cohort of children within the children and young people secure estate who present significant risks and cause systems to fail. These children are sometimes considered for placement in the children's secure mental health hospital estate. A report due in spring</p>	<p>NHSE&I</p>	<p>March 2021</p>
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		<p>2020 will consider how and why current services do not meet their needs and what placement options could be available.</p> <p>In the meantime, mental health transfer protocols have been developed by NHSE&I for both youth justice and welfare settings in the CYPSE. These protocols are due for publication in winter 2020 and will replace the existing Department of Health and Social Care (DHSC) guidance.</p> <p>YCS Wales acknowledge that vulnerable CYP who require specialised care should be placed in a mental health bed. Transfer times can sometimes be delayed due to availability of appropriate secure mental health beds across NHS provision or through the extended time needed to find appropriate placements for specific children and young people who have very complex needs. Recognising the devolved responsibility for healthcare and mental health services in Wales – HMPPS, YCS and Parc YOI will work with NHS Wales and the Welsh Government to consider the recommendations further, with the view to then developing any proposals in collaboration with partners. Consideration of the recommendations will be built into our work plan which will begin in early 2020</p> <p>In terms of recommendations which relate specifically to health, this response reflects the actions agreed between the Ministry of Justice, HMPPS and NHS England. Recognising that responsibility for health is devolved, further consideration will be given to all recommendations that relate to healthcare and mental health services by Welsh Government and NHS Wales, in partnership with key stakeholders.</p>	NHS Wales/Welsh Government/YCS	Commencing early 2020
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Recommendations	
Agreed	6
Partly Agreed	4
Not Agreed	0
Total	10

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