



# Ministry of JUSTICE

National Offender Management Service

CARE AND MANAGEMENT OF YOUNG PEOPLE		
This instruction applies to :-		Reference :-
Prisons		PSI 08/2012
Re-Issue Date	Effective Date	Expiry Date
20 February 2025	1 April 2012	N/A
Issued on the authority of	NOMS Agency Board	
For action by	Governors and Directors of establishments holding young people	
For information	<p>All prison staff in establishments holding young people</p> <p><b>Updated February 2025</b> – Annex D, minor change in relation to Data Protection</p> <p><b>Updated September 2023</b> Publication of “Safeguarding and child protection in the Children and Young People Secure Estate” policy framework replaces Chapter 2, paragraphs 2.1 – 2.11; and 2.34 – 2.42 of this PSI (08/2012) for the Youth Custody Service, as well as Annex B (including Appendices) and Annex C (including Appendices).</p> <p><b>Updated January 2020</b> Paragraphs 2.15-2.18 and 2.20 and 2.22 have been updated to reflect the policy contained in the <a href="#">Incentives Policy Framework</a> which cancels and replaces PSI 30/2013 Incentives and Earned Privileges and PSI 11/2011 Incentives and Earned Privileges on 13 January 2020</p> <p><b>Updated March 2019.</b> Parts of Chapter 2 (sections 2.14-2.16, 2.18, 2.19 and 2.23) and Chapter 5 (section 5.14-5.17) only now apply to prisons in Wales. For England, these sections have now been replaced by a Policy Framework, Building Bridges: A Positive Behaviour Framework for Children and Young People in the Secure Estate.</p>	
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<b>Associated documents</b>	<ul style="list-style-type: none"> <li>• <a href="#">When to share information: Best practice guidance for everyone working in the youth justice system</a></li> <li>• <a href="#">Working together to safeguard children: A guide to interagency working to safeguard and promote the welfare of children</a></li> <li>• <a href="#">YJB Key Elements of Effective Practice (KEEP) documents</a></li> <li>• <a href="#">The National Service Framework for Children, Young People and Maternity Services</a></li> <li>• <a href="#">Delivering every child matters in secure settings: A practical toolkit for improving the health and well-being of young people</a></li> <li>• <a href="#">Healthy children, safer communities - a strategy to promote the health and well-being of children and young people in contact with the youth justice system</a></li> <li>• <a href="#">Department of Education guidance: Local authority responsibilities towards former looked after children in custody</a></li> </ul>
Replaces the following documents which are hereby cancelled:- PSI 28/2009 'Care and Management of Young People'	
Audit/monitoring:	
Compliance will be monitored within the operational management line.	

## **Executive summary**

### Background

*The purpose of this PSI is to define the principles upon which Governors of establishments holding young people must operate regimes, where they differ from adult regimes, and to provide additional guidance that is relevant only to establishments holding young people. Governors should continue to apply all NOMS policies, unless they expressly state that they do not apply to young people. This PSI also defines the key features of regimes for young people and the outcomes required. Its purpose is not to prescribe in great detail but to provide sufficient information for direction and, where appropriate, to ensure consistency. Scope is left for Governors to determine how the regimes are to be delivered operationally.*

This PSI is issued to update PSI 28/2009, issued in October 2009, which it replaces. The main purpose of this revised edition is to take account of policy changes that have occurred since the last review.

### Desired outcomes

A policy that clearly takes account of the specific needs of young people.

### Mandatory actions

Mandatory actions are shown in italics throughout the PSI. *Governors must ensure that all relevant staff are aware of the mandatory instructions within this PSI.*

### Resource Impact

There are no resource implications for the Prison Service or NOMS.

### **Further information about this PSI may be obtained from:**

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(signed)

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- Searching of the person
- Promoting and maintaining good behaviour. These sections, sections 2.14-2.16, 2.18, 2.19 and 2.23, apply to Wales only. *These section are withdrawn in England and replaced with: Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate, sections 5.3 - 5.5, 5.7 - 5.10, 5.13-5.14.*
- Managing challenging behaviour. This section applies to Wales only. *This section is withdrawn in England and replaced with: A Positive Behaviour Framework for the Children and Young People Secure Estate, sections 5.9 - 5.10, 5.13,5.15, 5.18 -5.21.*
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## GLOSSARY

### **Mandatory Actions:** *“Italics”*

**Advocacy:** Child-led service commissioned by the Youth Justice Board to provide advice, representation and support to young people, and to assist in resolving their concerns or complaints.

**Child/Children:** Those under the age of 18.

**Deputy Directors of Custody:** *References to Deputy Directors of Custody must be treated as including reference to the Deputy Director, Contracted Prisons.*

**Families:** *References to families must be treated as including reference to carers.*

**Governors:** *References to Governors must be treated as including reference to Directors/Controllers of the contracted prisons as well as to persons to whom Governors have delegated the relevant duty.*

**Independent Monitoring Board (IMB):** Independent volunteers selected to monitor the day-to-day life in prisons and ensure that proper standards of care and decency are maintained. Board members can also play an important role in dealing with problems inside an establishment.

**Local Safeguarding Children Board (LSCB):** A board comprising the local authority, police, prison, probation and other children’s services. LSCB’s have a statutory duty to coordinate what is done by each body represented on the LSCB in relation to safeguarding, and to ensure the effectiveness of what is done.

**Training Plan:** References to training plan also refer to the sentence plan – The training plan is completed for those young people sentenced to a DTO and the sentence plan for those young people detained under Section 92 of the Powers of Criminal Courts (Sentencing) Act 2000.

**Staff:** References to staff refer to all relevant staff who work in the Young People’s Estate, including those not directly employed by the establishment.

**Supervising Officer:** This refers to the community based **Youth Offending Team (YOT)** (also known as **Youth Offending Services (YOS)**) worker with responsibility for oversight of the young person throughout the whole of the young person’s sentence and, during the custodial phase, for providing the main link between the establishment and the young person’s family.

**Young person/ people:** Those under the age of 18 and those who have reached 18 but continue to be accommodated in the Young People’s Estate.

## CHAPTER 1: Introduction

1.1 Section 37 of the Crime and Disorder Act 1998 establishes the principal aim of the youth justice system:

### **37 Aim of the youth justice system**

- (i) It shall be the principal aim of the youth justice system to prevent offending by children and young persons.

- (ii) In addition to any other duty to which they are subject, it shall be the duty of all persons and bodies carrying out functions in relation to youth justice to have regard to that aim.

- 1.2 This PSI sets out how NOMS, working in partnership with the Youth Justice Board (YJB), will achieve that aim. It principally defines the regimes for young people, both male and female, who have been sentenced to a Detention and Training Order (DTO). The PSI also applies to those sentenced under Section 91 (or 90) of the Powers of Criminal Courts (Sentencing) Act 2000 or Section 226 or 228 of the Criminal Justice Act 2003. Additionally, PSO 4960 'Detention Under Section 92 of the Powers of Criminal Courts (Sentencing) Act 2000' sets out how regimes will need to take account of the special characteristics of those young people serving longer sentences.
- 1.3 All parts of this PSI apply to both male and female young people, unless expressly stated otherwise. Additional guidance on the gender specific needs of women prisoners, including those aged under 18, can be found in PSO 4800 'Women Prisoners'.
- 1.4 This PSI does not apply to those individuals who are aged over 18 and who are not held in an under 18 establishment.
- 1.5 All elements of the regime are applicable to all unsentenced young people. In addition, Chapter 6 sets out separate actions that are only applicable to unsentenced young people.
- 1.6 The regimes described in this PSI differ from those in adult custodial settings because young people are, as adolescents, different. Young people are not yet adults and every care should be taken to ensure that both the conditions of custody and regime activities promote their well-being and healthy growth. Staff should take into account the characteristics of young people's behaviour and stage of development through appropriate role modelling, promoting and maintaining positive behaviour, and clearly defining behavioural boundaries. Staff should particularly consider:
- the importance of contact with families and carers
  - the influence of peers on behaviour
  - impulsivity and short term thinking
  - emotional immaturity, even when a young person appears physically mature
  - potential to mature and grow out of crime
- 1.7 Underpinning the entire PSI is the belief that custody should not just be about containment and that regimes should have a positive influence by recognising that:

- young people do change
- adults matter to young people
- young people need the right balance between care and control

**CHAPTER 2: Maintaining a safe and secure environment** *(as above, publication of "Safeguarding and child protection in the Children and Young People Secure Estate" policy framework replaces Chapter 2, paragraphs 2.1 – 2.11 and paragraphs 2.34 – 2.42 of this PSI for the Youth Custody Service)*

### **Safeguarding and promoting the welfare of children and young people**

**Outcome:** To safeguard and promote the welfare of every child in accordance with the obligation laid down in Section 11 of the Children Act 2004, and to provide a regime which helps contribute to every child's "well-being" as defined in Section 10 of the Act.

## Safeguarding Children Policy

2.1 A strategic safeguarding children policy, consisting of the core policy areas below, must be approved by the Deputy Director of Custody and the Local Safeguarding Children Board (LSCB), published and reviewed annually. The policy must be consistent with the template at [Annex B](#) and must be designed to ensure strategic and operational integration across the core areas by highlighting appropriate links in policy and practice. The Safeguarding Children Policy must include reference to the specific needs of young people in relation to the following core policy documents:

- a child protection policy based on the template at [Annex C](#)
- a policy for identifying and caring for those at risk of harming themselves, which takes account of PSI 64/2011 'Safer Custody: Management of Prisoners at Risk of Harm to Self, to Others and from Others'
- a policy for violence reduction and anti-bullying, which highlights the counselling and support aspects of safeguarding, and which takes account of PSI 64/2011 'Safer Custody: Management of Prisoners at Risk of Harm to Self, to Others and from Others'. The policy must demonstrate that there is an establishment wide approach to reducing violence and bullying and link this to specific areas, for example restraint minimisation strategies and the behaviour management strategy.
- a restraint minimisation strategy, based on YJB guidelines and including the five key elements: sentence planning, service delivery, management responsibilities, monitoring and evaluation, and safeguarding policies.
- an information sharing policy, based on the template at [Annex D](#), which sets out how relevant information about a child is shared within the establishment and between the establishment and other agencies. The policy should be consistent with the best practice guidance set out in 'When to Share Information: Best practice guidance for everyone working in the youth justice system'
- a safe recruitment and vetting policy, designed to help prevent unsuitable people from working with children and based on the procedures set out in PSO 8100 'Staff Resourcing Policy'
- a staff training strategy setting priorities for training in safeguarding children and providing access to the Juvenile Awareness Staff Programme (JASP), to an Introduction to Safer Custody, to eAsset training and to relevant LSCB and multiagency training
- A public protection policy setting out the agreement between the establishment, YOT and Police for identifying young people who present a high and very high risk of serious harm to others. The policy must ensure that appropriate action can be taken in custody to reduce the serious risk of harm posed by young people. It must also enable the establishment to participate in planning for the release of high risk young people into the community and promote appropriate information sharing or multiagency work.
- A reporting wrongdoing policy, which takes into account the guidance and mandatory instructions contained within PSI 09/2010 'Reporting Wrongdoing' and PSO 1215 'Professional Standards: Preventing and Handling Staff Wrongdoing'. The policy must make it clear how the establishment will promote clear communication between relevant departments to ensure that child protection concerns are taken into account when wrongdoing is reported.
- A managing vulnerability policy setting out how staff will respond to the risk that a young person may be harmed in some way, either through their own behaviour or because of the actions or omissions of others.

2.2 The templates at Annexes B and C are intended to be a framework of national policy around which local policies should be constructed. The local policies derived from those templates must accurately reflect what has been agreed at local level.



- 2.3 The safeguarding children policy should not affect the component policies, though these may well change and develop in the normal way. Its essential purpose is to ensure that those policies are properly integrated in respect of safeguarding. This means moving away from a model of working principally with individual young people in “silos” and ensuring that work to safeguard children and young people is co-ordinated effectively across the core areas of the establishment.

### Safeguarding Children Manager

- 2.4 *A safeguarding children manager, who must be a core member of the Senior Management Team, is responsible for:*

- *coordinating and monitoring the safeguarding children policy and its integrated delivery across the establishment*
- *arranging for annual review of the policy by the safeguarding children committee and submission to the Deputy Director of Custody and LSCB for approval*
- *monitoring other local policies to ensure that they reflect, and are consistent with, the safeguarding children policy*
- *ensuring effective information sharing within the establishment and with external agencies about risk of harm to young people*
- *having other multi-disciplinary approaches to safeguarding at operational level such as incident reporting, data analysis and interrogation, individual risk assessment and case review processes*
- *developing and maintaining links with external statutory and voluntary agencies to help ensure that every child’s safeguarding and welfare needs are well supported while the child is in custody and that plans are made for this support to be continued after their return to the community*
- *representing the establishment, where appropriate, at internal and external forums*

- 2.5 The Youth Justice Board expectations for a safeguarding manager are:

- To engage with local authorities to ensure that Looked After Children are in receipt of their statutory entitlements
- To focus on working with and facilitating links with the home local authority for Looked After Children
- To support the Governor in evidencing the discharging of all statutory functions under the Children Act 2004
- To share effective practice within the NOMS under 18 estate
- To oversee an integrated approach to safeguarding both within their establishment and with linked services
- To support the Governor in opening the establishment’s procedures to necessary and proper external scrutiny
- To ensure that quality assurance systems and scrutiny of local management is in place to identify learning, and to share that learning with the Governor and relevant managers

- 2.6 Governors should consider whether some core policies can fall within the management responsibility of the safeguarding children manager to promote the integrated role of safeguarding across the establishment.

## Safeguarding Children Committee

- 2.7 *A safeguarding children committee, reporting directly to the Governor by the delegated chair (for example deputy governor or safeguarding children manager), must monitor the efficient and effective implementation of the safeguarding children policy by staff in all disciplines. The committee should include all component policies, the quality assurance of complaints and the details of all injuries to children within its terms of reference and include them as standing agenda items.*
- 2.8 *The committee must meet at least quarterly and have formal minutes taken. There should be locally developed terms of reference, which permit all areas of the prison and external bodies relevant to the committee meeting to be invited. Non-attendance at the safeguarding children committee should be recorded and, if appropriate, robustly challenged.*
- 2.9 *The aim is to enable, through the adaptation of existing structures (for example, safer custody teams), a more joined-up and strategic approach to be taken to safeguarding children issues.*

## Local Safeguarding Children Boards (LSCB)

- 2.10 *To help ensure compliance with the requirements of Sections 13-16 of the Children Act 2004, Governors must reach agreement with the LSCB for their area on how they will work together. There must be an agreed protocol between the establishment and the LSCB, annexed within the safeguarding policy document. The protocol must cover the following matters:*
- *who will represent the establishment at LSCB meetings. Representation at the LSCB meetings must normally be at Governing Governor level. If this has to be delegated then it should be at SMT level, for example the Deputy Governor or safeguarding children manager. The establishment's representative must be able to speak with authority on the establishment's safeguarding and promoting welfare policy and practice*
  - *how the establishment will, if it proposes to do so, contribute under section 15 of the Children Act 2004 to the resources expended by the LSCB*
  - *how the establishment and the LSCB will work together to develop safeguarding and promoting welfare policy and practice, and how in particular the LSCB will be involved in reviewing and updating the establishment's own local safeguarding policy, including referrals to the Local Authority's Children's Services*
  - *how the establishment and the LSCB will work together in the provision of staff training, and in particular how establishment staff may access – or cooperate in the delivery of – local multi-agency training*
  - *how the LSCB will monitor and evaluate the effectiveness of safeguarding and promoting welfare activity within the establishment, and how the establishment will enable the LSCB to do so*
  - *a protocol for referring to the LSCB child protection incident reports and cases where a serious case review may be required in accordance with Chapter 8 of 'Working Together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children'*
  - *an Escalation Protocol for issues unable to be resolved at LSCB/establishment level.*
- 2.11 *Governors must establish arrangements with the LSCB for dealing with incidents in which a child has or may have suffered significant harm. These arrangements must be coordinated with the establishment Child Protection Policy.*

## Searching of the Person

**Outcome:** The security of the establishment is maintained through a robust and principally risk and intelligence led approach to searching that also ensures each young person is treated humanely and their safety and dignity are safeguarded at all times.

2.12 Governors must have a local searching policy, which ensures that all young people are searched in accordance with the table below.

<b>Circumstance/Area</b>	<b>Level of search required</b>
<b>Male young people</b>	
<i>Initial reception to prison - new to establishment and not from another prison.</i>	<i>Full search mandated</i>
<i>On reception – transfer in from other prison</i>	<i>Level B rub-down search and hand-held metal detector scan mandated</i>
<i>On reception on return from ROTL or outside working party</i>	<i>Local risk assessment (minimum – Boss Chair, level A rub down + hand held metal detector)</i>
<i>Returns with non-prison escorts (e.g. police, UKBA, PEMS, other law enforcement agencies but does not include inter-prison transfers in)</i>	<i>Full search mandated</i>
<i>Returns with prison escorts (e.g. hospital escorts)</i>	<i>No central mandate for searching. Risk assessment must be conducted to determine local searching response</i>
<i>All transfers out including to another prison (but not final/ROTL discharges)</i>	<i>Full search by the sending prison mandated.</i>
<i>On final discharge and discharge for ROTL</i>	<i>No central mandate for searching. Risk assessment must be conducted to determine local searching response</i>
<i>Cell search</i>	<i>When routine cell searches are carried out, level A rub-down search and hand-held metal detector scan mandated.</i>  <i>For intelligence led cell searches or those conducted on suspicion, a risk assessment must be completed to determine whether level A rub-down search and hand-held metal detector scan or full search is required.</i>
<i>Following visits</i>	<i>A risk assessment must be conducted to determine the level of searching required (minimum - level A rub-down search and hand-held metal detector scan mandated)</i>
<i>All circumstances/areas - Restricted Status young people</i>	<i>A risk assessment must be conducted to determine the level of searching required</i>
<b>Female young people</b>	
<i>Initial reception to prison - new to establishment and not from another prison.</i>	<i>Level A rub-down search and hand-held metal detector scan mandated</i>

<i>On reception – transfer in from other prison</i>	<i>Level B rub-down search and hand-held metal detector scan mandated</i>
<i>On reception on return from ROTL or outside working party</i>	<i>Level A rub-down search and hand-held metal detector scan mandated</i>
<i>Returns with non-prison escorts (e.g. police, UKBA, PEMS, other law enforcement agencies but does not include inter-prison transfers in)</i>	<i>Level A rub-down search and hand-held metal detector scan mandated</i>
<i>Returns with prison escorts (e.g. hospital escorts)</i>	<i>No central mandate for searching. Risk assessment must be conducted to determine local searching response</i>
<i>On discharge on transferring to another prison</i>	<i>Level A rub-down search and hand-held metal detector scan mandated</i>
<i>On final discharge and discharge for ROTL</i>	<i>No central mandate for searching. Risk assessment must be conducted to determine local searching response</i>
<i>Cell search</i>	<i>When cell searches are carried out, level A rub-down search and hand-held metal detector scan mandated</i>
<i>Following visits</i>	<i>Level A rub-down search and hand-held metal detector scan mandated after visits</i>
<i>All circumstances/areas - Restricted Status young people</i>	<i>A risk assessment must be conducted to determine the level of searching required</i>
<b>E-list young people</b>	
<i>On reception</i>	<i>Full search mandated for male young people. Level of search for women young people must be individually risk-assessed</i>
<i>After visits</i>	<i>Full search mandated for male young people. Level of search for women young people must be individually risk-assessed</i>
<i>After work activities</i>	<i>Full search mandated for male young people. Level of search for women young people must be individually risk-assessed</i>
<i>Cell search</i>	<i>Full search mandated for male young people. Level of search for women young people must be individually risk-assessed</i>

2.13 *Governors must ensure that, when conducting risk assessments to determine the local searching response in regard to young people returning from ROTL, the assessment includes consideration of data that may assist in identifying trends and risks (for example, MDT rates and SIRs), and that, in addition to a risk and intelligence based approach, the responses available include the use of a random or mandatory full searching programme for a limited period of time if such a response is considered necessary.*

### **Promoting and maintaining good behaviour**

<b>Outcome:</b> To structure and run a regime to ensure that good behaviour is promoted, recognised and rewarded.
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2.14 *Governors must have a violence reduction strategy, which takes into account the particular trends and issues of the establishment and aligns these with establishment-wide policy on how levels of violence will be reduced. There must be a clear link between the violence reduction strategy, the behaviour management strategy and the restraint minimisation strategy.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate sections 5.10 & 5.19.***

2.15 There should be a clear link between the behaviour principles in the [Incentives Policy Framework](#) (IPF) and the local violence reduction policy and restraint minimisation strategy. In line with the IPF, the behaviour principles should be reviewed annually and be in a clear, succinct and young people appropriate form and *must be made available in the young person's own language or, failing this, explained to them through an interpreter.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate sections 5.4, 5.9 & 5.19.***

2.16 The behaviour principles should be widely distributed throughout the establishment and continually reference them, for example through personal officer relationships and during sentence planning meetings.

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate section 5.4 & 5.13.***

2.17 *Governors must construct and operate a rewards and sanctions scheme, which meets the requirements of the IPF.* Governors should also take account of the YJB guidance 'Rewards and Sanctions Systems'. The scheme should be appropriate for the age group by offering realistic and motivating incentives which nurture and reward good behaviour.

2.18 *A list of permitted sanctions must be published and no other unofficial sanctions are permitted. The list of sanctions must not include an unspecified option such as "other".* This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate section 5.9.***

Good behaviour and positive engagement by the young person are promoted when they feel that they are listened to and are involved in decisions about matters that affect them. As set out in the IPF, a forum must be in place to review the fairness and effectiveness of the local incentives policy, including the efficacy of the incentives on offer. Forums must involve staff; white, BAME and Gypsy, Traveller and Romany prisoners and all prisoner groups with protected characteristics where present in the local population. Annex B of the IPF provides guidance on establishing the forum from an equalities perspective.

2.19 This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate sections 5.3 & 5.5.***

2.20 *Where games consoles and games are allowed as an additional in cell privilege under the local incentives scheme, they must not be provided at public expense. Consoles are not permitted for prisoners on Basic. Governors can choose at which level to make them available from*

*Standard and above. Advice on permitted consoles is provided at Annex D of the IPF and permitted consoles are shown below.*

- Microsoft Xbox (without network adaptor & associate cabling)
- Nintendo GameCube (without modem or broadband adaptor & cabling)
- Nintendo GameBoy
- Nintendo GameBoy Colour (without infrared port)
- Nintendo GameBoy Advance
- Nintendo GameBoy Advance SP
- Nintendo GameBoy Micro
- Sony PlayStation
- Sony PlayStation 1
- Sony PlayStation 2 (without network adaptor & cabling)
- Nintendo SNES Classic

*2.21 Governors must ensure that no young people have access to computer games that are rated 18 by the Pan European Games Information (PEGI) rating system. Any computer games must only be approved for use if the content does not endorse criminal activity or violent behaviour and it is deemed suitable and appropriate for the young people who will interact with the game. In approving any computer games, Governors must take into account any victim and offending behaviour issues.*

Young people on the enhanced or standard level of the Rewards and Sanctions scheme may be permitted to participate in communal activities involving computer games and games consoles. *Young people on the basic level of the Rewards and Sanctions scheme must not be permitted to access games consoles save exceptionally for those under suicide prevention measures.*

### **Managing challenging behaviour**

**Outcome:** To manage challenging behaviour swiftly and justly through procedures which ensure the safety, confidence and the welfare of all young people and staff, and which discourage its recurrence.

*2.22 Governors must draw up, and Deputy Directors of Custody must approve, a behaviour management policy which takes account of the Youth Justice Board's Code of Practice. The policy must incorporate all aspects of discipline and behaviour management, including the use of minor reports. There must be clear, logical links between the establishment's behaviour management policy, violence reduction policy and restraint minimisation strategy. Governors must review the policies at least annually to ensure their effectiveness. Local arrangements should enable all staff to manage challenging behaviour in ways that most effectively discourage persistence in such behaviour and encourage the promotion of self-responsibility, understanding and good behaviour.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate sections 5.9, 5.10 & 5.21.***

### Adjudications

*2.23 Those conducting adjudications and minor reports must give due regard to the age, maturity and individual circumstances of each young person involved. Wherever possible, the use of restorative practices, both reparation and mediation, should be promoted,*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate sections 5.9 & 5.10.***

2.24 *Every young person must have access to the IMB and the Advocacy Service. The support of the Advocacy Service should be promoted and routinely offered.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate section 5.18.***

2.25 *Young people must not receive cellular confinement as an adjudication punishment. Where a young person receives an adjudication punishment of removal from unit, the young person should only be removed to a segregation unit in exceptional circumstances, for example where the behaviour or actions of the young person make location on normal accommodation unsuitable.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate sections 5.15 & 5.20.***

2.26 *In cases where a young person receives an adjudication punishment of removal from unit, the presumption must be that they will have unfettered access to the establishment regime unless a risk assessment identifies risks presented by the young person participating in specific parts of the regime, which makes their participation unsafe.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate section 5.20.***

2.27 *In cases where a young person receives an adjudication punishment of loss of a particular element of the regime (for example, association), the presumption must be that they will have access to all other parts of the regime.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate sections 5.20.***

## Dealing with complaints and investigations

**Outcome:** To ensure that arrangements are in place to deal proactively, rigorously, fairly and promptly with complaints, formal requests and incidents that require investigation.

- 2.28 *Governors must ensure that the complaints system takes account of the age, maturity and individual circumstances of young people when prescribing how complaints may be made, and that all young people are able to make complaints if they wish. When prescribing how complaints can be made, Governors must recognise that young people often have lower levels of literacy than older prisoners.* Governors should develop protocols that encourage staff, when giving a written response to a complaint, to also provide constructive verbal feedback to young people, which should include advice on appeal options.
- 2.29 *Every young person must be asked to sign to acknowledge receipt of the response to their complaint. Where the young person has refused to sign, the relevant member of staff must sign to say that the reply to the complaint has been delivered to the young person who has refused to sign.*
- 2.30 *Governors must ensure that complaints can be dealt with urgently if the particular circumstances necessitate immediate action.*
- 2.31 *Governors must ensure that each young person is aware of how to contact advocacy services, the IMB and/or other support, and of the assistance that they may be able to provide when making a complaint.*
- 2.32 *Governors must ensure that completed complaints are routinely scrutinised by the safeguarding children manager so that all complaints relevant to allegations against staff are dealt with through Child Protection procedures.* Governors should take steps to ensure that young people do not feel prejudiced by making complaints.
- 2.33 The right to complain properly, both formally and informally, should be actively promoted. Young people should be regularly asked whether they have any complaints about their treatment, for example in training planning meetings.

## Staff selection, process and training

**Outcome:** To ensure that effective arrangements are in place for the recruitment, deployment and training of staff working with young people.

- 2.34 *Governors must ensure that any legally required referral to the ISA is carried out.* That responsibility extends to confirming with employers that any other individuals working in regulated or controlled activity within a YOI but not employed by NOMS are likewise compliant. Governors should work with outside employers to ensure that the establishment is informed of all relevant ISA referrals made by those employers.
- 2.35 Governors should ensure that all staff working with young people undergo appropriate CRB checks every three years. Governors should send requests for CRB checks on appropriate staff to NOMS SSC as part of a rolling programme of referrals.
- 2.36 Governors should have due regard to the guidance and principles set out the Young People's Workforce Strategy when seeking to recruit staff.



- 2.37 *Governors must ensure that all staff who transfer to the under 18 estate from elsewhere in NOMS, pass the appropriate young person specific entry requirements, as set out in the Young People's Workforce Strategy.*
- 2.38 *Governors must ensure that every new member of staff is given an induction programme which enables them to understand the importance of Key Elements of Effective Practice in working with young people who offend.*
- 2.39 *Governors must ensure that identified staff receive the required specialist training appropriate to their role, as agreed with the YJB.*
- 2.40 *As part of the SPDR opening, review, closure and qualities and competency assessment, every member of staff must agree objectives that reflect the importance of evidencing competence and skills in working with the under 18 age group.*
- 2.41 *Governors should make every effort to ensure that prison staff have access to the YJB National Qualification and are able to undertake training through YJILS, with colleagues in the community where appropriate, in line with targets agreed with the YJB.*
- 2.42 *Every effort should be made so that cross deployment of staff will only take place when operationally this is absolutely necessary. Wherever possible, Governors should ensure that only staff who have enhanced CRB clearance are cross deployed to young people's establishments and units.*

### **CHAPTER 3: Promoting health and building resilience Health and healthcare**

**Outcome:** To build the physical, mental and social health of each young person as part of a whole prison approach to promoting health, and to help each young person to adopt healthy behaviour that can be taken back into the community and that will also help prevent deterioration of their health during or because of custody.

- 3.1 *Establishments should make available and positively promote a range of healthy meal components that enable young people to adopt healthy eating behaviours and food choices within a balanced and healthy diet.*
- 3.2 *Governors must ensure that young people are not permitted to smoke whilst in custody.*

- 3.3 *Young people needing in-patient treatment for mental disorder must be seen, assessed, and an application made to Public Protection and Mental Health Unit of NOMS, for their transfer to hospital under the Mental Health Act 1983. The YJB must also be informed of the application. This should be carried out in accordance with the YJB Case Management Guidance 'Transfer to secure hospital under the Mental Health Act 1983 for young people on custodial sentences'.*

## **Substance misuse**

**Outcome:** To sustain delivery of a young people's substance misuse service (YPSMS) that is fully integrated with the delivery of other interventions programmes within the establishment and addresses the full range of identified need in partnership with other disciplines, to ensure that young people in custody can access substance misuse interventions tailored to meet individual need, which are outcome focused and based on the best available evidence from both within the prison and the community.

- 3.4 *Governors must ensure that a dedicated and integrated approach to address substance misuse issues is available within their establishment and that there are appropriate links to healthcare, learning and skills and sentence and resettlement planning in order to support joined up delivery by all staff and to promote sustainable outcomes.*
- 3.5 *Governors must ensure that the establishment is involved in local strategic planning and commissioning processes through the development of effective working links with the local strategic partnership board (the Health & Wellbeing Board) and the lead commissioner for children and young people's substance misuse. Establishments should be represented at a senior level at the young people's substance misuse commissioning group.*
- 3.6 *Governors must contribute to development of the local partnership annual YPSMS delivery plan. Governors should contribute to the development of the local Young People's Substance Misuse Strategy/treatment plan, which should include detail of the substance related needs of the establishment's population.*
- 3.7 *Governors must ensure that the establishment has a substance misuse team in place, including a team leader and access to appropriate clinical supervision with links to the local PCT clinical governance lead. Governors must ensure that there is sufficient and appropriate accommodation to deliver YPSMS interventions whether one to one or group work sessions.*
- 3.8 *Governors must ensure that all young people have access to the YPSMS during their period in custody and that YPSMS work is integrated into the overall sentence management of young people. This should include considering whether an alternative placement within the under 18 estate may be more appropriate where the young person has a higher complexity of need.*
- 3.9 *Governors must ensure that local YPSMS data pertaining to substance misuse treatment activity is regularly collected and forwarded to the lead commissioner in the local partnership area for collation, analysis and formal feedback.*

## CHAPTER 4: Enabling personal development

### Reception into custody and initial assessment

**Outcome:** To ensure that each young person is treated humanely and that their safety and dignity are safeguarded at all times.

#### Accommodation

4.1 *Governors should maintain accommodation in reception areas in a high standard of decoration and repair so that the environment is in keeping with the quality and ethos of care which must underpin reception.*

#### Personal Summary Sheet – Next of Kin

4.2 *Staff must ask each young person for the name, address and telephone number of their next of kin and record accurately the details. The young person must be asked for a 'back up' name, address and telephone number, for use if the next of kin cannot be contacted.*

#### Assessment of immediate needs

4.3 *Governors must ensure that the prescribed systems are in place for recording receipt of key documents, for example, Asset, Pre-Sentence Report, Post Court Report, YJB Placement Confirmation Report and Suicide/Self harm warning form. Governors must ensure that they promptly inform the YJB of missing documentation and when that outstanding information has been received.*

4.4 *Governors should have regard to the Missing EYE Documents Process' as set out in the YJB Operations Manual and the guidance contained within [Annex E](#). The guiding principle is that, in the absence of documents enabling a vulnerability assessment to be carried out, the young person should be managed as vulnerable.*

4.5 *Governors must ensure that each young persons first language is identified and recorded on eAsset. Where a young persons first language is not English and the young person does not wish to or cannot fully communicate in English, language translations or, where this is not available, explanations through an interpreter, of important information must be made available. Interpreters may need to be provided to supplement translated material. Explanations, through an interpreter where necessary, must also be provided for young people who have difficulty with written and verbal communication*

4.6 *Every young person must be screened on the day of arrival by a health practitioner, to ensure their safety and to identify and provide for all immediate health care needs. This is supported by the YJB's KEEP document on 'Assessment, Planning Interventions and Supervision'. For young women, the screening must also ensure that any sanitary needs, child care needs or pregnancy issues are identified. If appropriate, child care options must also be discussed, including information about applying for a space on a mother and baby unit.*

4.7 *Every young person's legal status, as well as any child protection and public protection issues, must be identified.*

4.8 *Governors must ensure that, for every young person, T1V vulnerability assessments commence within one hour and, under normal circumstances, are completed within two hours of arrival into the establishment. Where this is not possible because of exceptional circumstances, such*

*as an unusually large number of receptions, each T1V must be completed before the young person is locked into their room.*

- 4.9 *Governors must ensure that every T1V clearly demonstrates that staff have read the Asset, pre-sentence report and post-Court report and effectively identified any vulnerability risks and discussed these with the young person. It is essential that once vulnerability has been identified, the T1V clearly reflects what actions have been taken to address this, what timescales have been identified and who the information has been shared with. A copy of the T1V must be retained where the young person is located, so that all relevant staff are able to access it.*
- 4.10 *Governors must ensure that Enhanced Baseline Supervision (EBS) is completed for every young person who is received without their mandatory documentation. Mandatory documents are:*
- *A Bail or Core Asset that relates to the current offence and is less than one month old.*
  - *Pre-Sentence Report (PSR) if applicable.*
  - *Risk of Serious Harm (ROSH) if applicable.*
  - *A Post Court Report (PCR) is mandatory only when the supervising officer was present at Court. In exceptional cases, for example a Saturday Court where the supervising officer was not present, the PCR is not mandatory.*
- 4.11 *Governors must ensure that, in cases where EBS is required, a T1VR is completed for each 72 hour period until the young person's documents arrive. As soon as the relevant documents arrive, a new T1V must be completed. The EBS must be retained with the T1V.*
- 4.12 *A T1V must be completed on each new period of custody, including after a transfer between establishments. Each T1V must be checked by a manager to ensure that appropriate interventions have been put in place. Checks should be auditable with evidence that learning and good practice is identified and used to improve standards.*
- 4.13 *A T1VR must be used on the following occasions:*
- *after 72 hours if the Bail or Core Asset and up-to-date post-Court report have not arrived*
  - *prior to the first training planning meeting*
  - *on return from Court, where there has been a significant change in circumstance*
  - *at any time where vulnerability may have increased*
- 4.14 *Governors must ensure that staff who receive the young person into custody clearly inform night duty staff if they have concerns about a young person. Particular care must be taken to hand over information about a young person's anxiety, withdrawn or unusual behaviour which may indicate that they may harm themselves. Further guidance and advice can be found in PSI 64/2011 'Safer Custody: Management of Prisoners at Risk of Harm to Self, to Others and from Others'.*
- 4.15 *Induction staff should be aware of the apprehensions and anxieties of a young person new to custody and take this into account when interviewing and completing the necessary documentation.*
- 4.16 *Governors must ensure that there is a local quality assurance procedure in place to ensure that vulnerability assessments are completed for each young person and uploaded onto eAsset in line with the operational procedure outlined in the above paragraphs and the YJB National Standards for Youth Justice. Where there is evidence that vulnerability assessments*

*have not been completed correctly or appropriately, Governors must take appropriate action to resolve the issue.*

### Cell Sharing Risk Assessment

4.17 *Governors must consider their obligations under section 11 of the Children Act 2004 when drafting and implementing the local CSRA policy. Governors must ensure that the local policy includes a mechanism for not allowing young people to share a cell where there are concerns that doing so would place one or more young person at risk of significant harm within the meaning of section 11 of the Children Act 2004. This will mean that some young people will not be suitable to share a cell, even though they may not have been categorized as high risk under PSI 09/2011 'The Cell Sharing Risk Assessment'.*

4.18 There will be differences between establishments in relation to how many young people need to share. For some establishments sharing is a necessity to make proper use of their cellular accommodation. In addition there are times when cell sharing is desirable. The local policy should not be used to preclude sharing where there is no proper reason to do so.

### Age Disputes

4.19 *Governors must be aware that the determination of age made by a Court in sentencing a young person to custody is legally binding. Governors must not treat any young person differently solely on the basis that they believe the young person to be of a different age than has been determined by a Court. Governors should only seek to challenge the determination of age made by a Court where there is compelling factual evidence to prove that a Court may have incorrectly determined age. Any young person wishing to challenge the determination of age made by a Court should be invited to do so through a legal representative.*

### Sharing Information

4.20 *On reception, staff must explain to every young person the establishment Information Sharing policy, including what information will or could be shared with other agencies and individuals, and how and why this may be done. Staff must seek the agreement of the young person to share information as set out in the Information Sharing policy.*

### First night provisions

4.21 *All establishments must provide first night packs for all first night admissions at no charge to the young person. The contents of the pack may include:*

- a radio
- stationery and writing materials
- a phone card or equivalent
- a magazine or appropriate reading matter

### Telephone facilities and contact with families

4.22 *Every young person must be offered the opportunity within two hours of their arrival to telephone someone who may be concerned about their well-being, and inform them of their circumstances where such communication has not been made earlier in the day. Many young people, some of whom may not have expected to be remanded into custody or to have*

received a custodial sentence, are likely to be anxious about their families, including their own children. In exceptional circumstances, for example where a young person is received very late at night and it may not be appropriate to offer a telephone call within this timescale, consideration should be given to offering the phone call the following morning as an alternative.

4.23 *Governors must make arrangements to provide each young persons next of kin or other appropriate person, within 48 hours of their arrival, with information about visiting, personal property, pastoral care and the sentence planning, review and resettlement arrangements. The information should be made available in the following manner:*

- A letter to the young person's family, which should be sent shortly after reception
- A notice in the visitor's centre
- Notices in visits and waiting areas
- Verbally by personal officers/caseworkers, visits and gate staff.

4.24 *Governors must also make arrangements to promote and ensure that parents/carers and professionals know how to contact the establishment if they have any concerns or complaints about the care of a young person.*

#### Health Assessment

4.25 *Access to twenty-four hour healthcare must be provided in all establishments which take young people directly from court, unless exempted by agreement between the YJB and the establishment.*

4.26 *An assessment of the healthcare needs of every young person must be undertaken on Reception, or before that day's final roll check of the establishment, by an appropriately trained member of the healthcare team. Following assessment, a Health Care Plan, including the young person's physical health, mental health and substance misuse needs must be developed.*

#### Information for young people

4.27 *All newly received young people must be provided with information about early days in custody. The information must be easy to understand and young person appropriate, and staff should check that the young person understands the information being given to them. The information should include the following:*

- lock and unlock times
- visits
- canteen
- facilities list
- rewards and sanctions scheme
- use of force policy
- complaints procedure
- role of the IMB
- role of advocacy services
- role of the Prisons and Probation Ombudsman
- early and late release
- release on temporary licence (ROTL)

4.28 *For young women, information about mother and baby units and the application process, including the "All about mother and baby units" booklet, must also be readily available.*

- 4.29 Wherever possible, information material should be in audio/video as well as written form.
- 4.30 *Key sentence and release dates for the young person must be calculated and given to them in writing and explained to them orally within two working days of their reception following*
- 4.31 *sentence. Where applicable the provisions under the DTO for early / late release must also be explained.*

### **Induction and further assessment**

**Outcome:** To introduce every young person to the culture, rules, opportunities, and standards of behaviour of the establishment during a formal, structured induction programme and to identify, assess and record the needs, abilities and aptitudes of every individual and to draw up a plan to address them.

- 4.32 *Each young person must have a full induction that must include an introduction to the establishment and its routines, unless the young person has been placed in that establishment in the last three months and no significant changes have occurred since their last induction. The induction programme should ensure that young people are fully and purposefully occupied in their first few days in custody. The information each young person is given should, in addition to that set out in PSI 74/2010 'Early Days in Custody – reception in, first night in custody and induction to custody', include details of advocacy services and should also identify those who could help them if under stress or depressed. The induction process gives staff the opportunity to follow up the written information the young people have been given with more detailed explanation.*
- 4.33 *Governors must take steps to ensure that both at the time of the initial reception and in the days immediately afterwards, copies of all relevant assessments and reports which have been made of each young person before their arrival in the establishment, including the Asset as a minimum, are obtained and that these inform the induction and sentence management procedures.*
- 4.34 *Governors must ensure that, within ten working days of the young person's reception, formal consideration of the Asset is undertaken, having regard to the health, social, education, vocational, accommodation and any other relevant needs of the young person. The aim of this early consideration is to help prioritise assessment and inform the sentence planning and review procedures, as supported in the YJB's KEEP document on 'Assessment, Planning Interventions and Supervision'. All available information must be considered when devising the young person's programme of purposeful activities. In the event of insufficient information being available, the supervising officer must be contacted.*
- 4.35 *Governors must ensure that there are systems in place for identifying those young people who are received and have been accommodated by a local authority (section 17, 20 or 31 of The Children Act 1989). Measures must include communication with the home local authority to encourage them to maintain their statutory duties with contact, visits and resettlement for the young person.*
- 4.36 *The personal circumstances and individual needs of every young person, including their family situation, housing prospects, Looked After Child status and other relevant information, must be taken into account in the planning process and recorded during the induction process. Arrangements must be made that enable the supervising officer to fulfil their responsibilities for the induction and sentence planning process.*

- 4.37 *The induction programme must include a full education assessment. For each young person, the induction period might usefully include a programme of education and training ‘taster’ sessions, during which they can experience what is on offer.*
- 4.38 *At the end of the induction programme every young person must be provided with written information – which they can understand - outlining the key features of their training plan and the daily and weekly timetable of activities in which they will be engaged.*

### **Sentence management**

**Outcome:** To ensure that a training plan, including an Individual Learning Plan (ILP), is opened for every young person within ten working days of their reception following sentence, based upon an assessment of the young persons individual needs. The implemented plan, which must be regularly reviewed and updated during the course of the sentence, must address the young persons offending behaviour and prepare for their return to the community. To ensure also that every facility is given to supervising officers to enable them to carry out their sentence planning responsibilities.

- 4.39 *Governors, and the supervising officer, must ensure that the training plan, including an ILP, is drawn up within ten working days of reception, and that specific, measurable, achievable, realistic and time-bounded objectives for each individual are set. The plan must also identify offending behaviour requirements and the individual needs of the young person in relation to community resettlement, as well as taking account of any needs arising from the risk of harm they pose to themselves, to others and from others. The young person’s daily programme/timetable must be based upon the plan.*
- 4.40 *Young people should be encouraged to take an active role in the process of sentence planning so that they are committed to its objectives of preventing them from re-offending. They must be given a copy of their training plan – which they must be able to understand - and asked to sign it. Where the young person has refused to sign, the Chair of the meeting must sign to say that the training plan has been explained to the young person who has refused to sign.*
- 4.41 *Governors must ensure that all relevant staff, families (unless the family circumstances are such that this is not deemed to be in the young person’s best interest) and outside agencies, are given the opportunity to contribute to the sentence and resettlement planning process throughout the custodial part of the sentence.*
- 4.42 *For young people in custody who have Looked After status or on entering custody meet the requirements under section 15 of the Children and Young Persons Act 2008 or section 23A of the Children Act 1989 (see [Annex G](#) for further guidance), Governors must encourage the responsible local authority to nominate a representative to attend and support the young person in custody. The local authority should be encouraged to prepare a pathway plan that addresses any support and accommodation issues that the young person will face on release, including provision for those young people aged under 16 who will re-attain Looked After status on release. The representative should be invited to attend all relevant sentence planning meetings and enabled to conduct their statutory LAC reviews.*
- 4.43 *At each review a check must be made to ensure that contact details given at first reception are still correct. The content, style and language of written entries should enable them to be clearly understood, and to be suitable for presentation to a court in the event of a legal challenge.*
- 4.44 *Governors, in partnership with the supervising officer, must ensure that procedures are in place for the young persons progress to be constantly monitored and regularly reviewed with due account being taken of the young person’s learning style. Governors should ensure that the condition in which the meetings are held afford as much privacy as possible. The first review*



*must take place within a month of the production of the training plan. The timings of subsequent reviews will depend upon the needs of the individual young person, but they must take place within a maximum of three months. A review after two months must be held if the DTO is of eight months or less. It is important for the young person to participate in the review, and there must be an opportunity for their family to do so as well.*

- 4.45 *The conclusions of the review must clearly show the objectives that have been achieved, those remaining to be achieved and the transitional arrangements for further education or work in the community post release. The review must also agree whether any amendments to the daily programme are required. The contents of all reviews must be accurately recorded and documented. Governors should ensure that when a young person has been restrained, this is discussed and appropriate targets set to address the underlying behaviours that have resulted in restraint. These should be reviewed at any further training planning meetings.*
- 4.46 *Where it is identified that a young person is experiencing great difficulty in achieving their objectives or adjusting to life in custody, Governors should consider whether a review outside of normal timeframes should be called.*
- 4.47 *If it is agreed that a young person has exceptional needs that cannot be met within the particular establishment due to risk of harm, mental health problems or a learning disability, for example, the relevant placement section must be consulted. Any decision to transfer a young person will be made by the YJB Placement & Casework Service in accordance with the Operations Manual. Establishments must ensure that they fulfil their responsibilities by providing all relevant information within set timeframes.*
- 4.48 *The Governor must keep the supervising officer informed of all the developments and difficulties experienced by the young person in custody and put in place arrangements to facilitate contact between the establishment, the young person and the supervising officer. All such contact must be documented.*
- 4.49 *Governors should ensure that as part of sentence planning reviews, staff provide young people who require legal services with printed guidance and a verbal explanation on how to obtain those services.*
- 4.50 *Governors must ensure that, as part of the sentence planning and review process, consideration is given to the placement of each young person.*
- 4.51 *Young people who are to be transferred to a different establishment must have the reasons for the move explained to them, and be given the opportunity to contact a relative or friend. Transfers must be undertaken in line with the Transfer Protocol in the Operations Manual and, apart from in emergency situations, a move cannot take place without the agreement of the YJB and consultation with the supervising officer.*

### **The personal officer or caseworker**

<p><b>Outcome:</b> To establish, develop and support a personal officer or caseworker system that provides every young person with an adviser with whom they have frequent, purposeful contact and with whom they can establish good relationships.</p>
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- 4.52 *Every young person must have assigned to them an appropriate personal officer or caseworker during the induction programme. Personal officers or caseworkers should, as far as possible, be suitably matched to the young person, taking account of their individual needs and identities. Each young person must know who the assigned officer is, and the personal officer or caseworker system must be fully and clearly explained to them. Arrangements must be made so that the young person knows who they can contact when the personal officer or*

*caseworker is absent. Every effort should be made to ensure that the young person does not have unnecessary changes of personal officer or caseworker.*

4.53 *The assigned individual must keep in contact with the supervising officer, and will be the point of contact for outside agencies and families.*

4.54 *Personal officer or caseworker arrangements must be put in place, which ensure the following are achieved:*

- *each young person understands to whom they can turn to, to discuss all issues of concern, including resettlement*
- *the personal officer or caseworker attends each training plan review during the custodial period*
- *there is appropriate contact with, and involvement of, each young persons family and supervising officer and that links between all parties are strengthened*

4.55 *Governors must make arrangements to enable case conferences to take place in order to address particular problems experienced or presented by a young person where these cannot be addressed in the training plan reviews.*

4.56 *The personal officer or caseworker should act as a 'significant adult' and role model to young people. The quality of his or her relationship with the young person is key to the young person's welfare and the successful operation of the scheme.*

#### **Involvement of the family, supervising officer and outside agencies**

**Outcome:** To establish and maintain links with supervising officers, families, and outside agencies to help prevent reoffending.

4.57 *Governors must make arrangements, having regard to the YJB's KEEP document on 'Parenting', which promote the positive contact and involvement of the families of the young people unless there are good reasons for not doing so, particularly in the sentence planning process and in issues surrounding the young person's safety and welfare. The arrangements must encourage links for young people who are themselves parents and must also take into account the needs of foreign national young people.*

4.58 *Governors must enable contact between young people and their home local authority if the young person received local authority accommodation support prior to custody, if they will receive local authority accommodation support on release or if they will become a child in need on release.*

4.59 *The establishment's information sharing policy must provide that information is passed to families and other appropriate bodies/persons on each of the following occasions:*

- *on first reception*
- *at the conclusion of the initial sentence planning process*
- *after each important review*
- *on transfer to another establishment*
- *prior to release, within the purpose of encouraging their contribution*
- *where force has been used on the young person*
- *where a Child Protection referral is made*
- *other significant matters such as suffering illness, victimisation, or self harm*

- 4.60 *Governors must ensure that families are informed in writing when a Child Protection Referral is made as a result of a use of force. If the local authority informs the establishment that they have decided not to take action as a result of such a referral, Governors must inform families of this, as well as any internal action that the establishment has taken or will take.*
- 4.61 *Governors must ensure that information about a young person is not shared where to do so would put that young person or others at increased risk of significant harm, or an adult at risk of serious harm, or if it would undermine the security of the establishment or the prevention/detection of a serious crime.*

## **Communications**

**Outcome:** To enable every young person to establish, maintain and strengthen positive and purposeful contacts with all those who are likely to help the individual with their detention and to help prevent them from reoffending on release.

- 4.62 *The young person must be provided with facilities to write, access to telephones and encouraged and assisted to maintain contact with their family. Where there is a family contact liaison officer, the young person must be made aware of that service. Every young person must be asked about their immediate family and friends. Staff should read relevant documents, for example pre-sentence reports, before doing this, in order to be sensitive to those cases where the young person may have suffered abuse within the family, or run away from home. Communications strategies should take account of differing cultures, family patterns and language needs.*
- 4.63 *Where a young person has difficulty establishing or maintaining communication with those best placed to assist their successful release, help must be offered to them by staff who may raise the matter with the supervising officer and then, as necessary, refer them to a member of the advocacy service and/or the IMB as appropriate.*
- 4.64 Staff should be aware of the importance of communications in maintaining the health and well-being of the young people in their care.

## CHAPTER 5: Preventing reoffending

### Provision of a full, purposeful and active day

**Outcome:** To involve each young person every day in a variety of activities which are suited to their needs, their abilities and their potential as set out in the training plan and Individual Learning Plan.

- 5.1 *Targets for time out of room, constructive activity and attendance at education must be set in accordance with the requirements of the SLA. Where the young person is held in segregation, the aim should be to meet the SLA targets as far as possible within the constraints imposed by the need to keep the young person separated from others.*
- 5.2 *Each young person must have access to education and training activities, as well as structured access to recreational and other facilities.*
- 5.3 *The establishment must offer opportunities for each young person to develop social skills and interests through the core day learning and skills programme and by providing a range of recreational opportunities, including association suitable for the age group which are appropriately led, supervised and structured.*
- 5.4 *Time within the day must be provided for each young person to attend to personal hygiene and to contribute to the maintenance of high standards of cleanliness and orderliness in their room and surrounding area. Young people will not be expected to be involved in formal cleaning parties, but they should be made aware of their cleanliness and tidiness responsibilities. Cleaning work must be undertaken outside the period of purposeful activity, unless it forms a very small and meaningful part of a post of responsibility that has clearly defined performance standards and/or is linked to vocational training.*
- 5.5 *Unless weather conditions prevent it, every young person must be given the opportunity of a minimum of one hour of outside activity or recreation each day. Appropriate outdoor clothing should be provided.*
- 5.6 Purposeful activities may include therapeutic activities undertaken in the health care centre or with health care staff.

#### Shop

- 5.7 *Governors must ensure that discussions are held with external providers to ensure that young people are able to access basic commodities and items that are appropriate to the needs and preferences of the age group. The range of items must take account of any specific needs of the population of the establishment, including toiletries and other products that cater for BME and other discrete groups of young people. A list or catalogue of items that can be purchased must be made available to all young people. There should be a system of reviewing available items to take account of changes in the population or requirements of the establishment. Arrangements for purchasing and receiving items from the shop should be designed to minimise the opportunities for bullying.*

### Learning and skills

**Outcome:** To deliver an education, training and employment programme which meets the needs of individuals and provides every young person involved in its activities with an Individual Learning Plan and timetable.

5.8 *Governors must cooperate with local authorities, the Young Person's Learning Agency/Education Funding Agency and education providers so that the local authority can fulfil their obligations under the Apprenticeships, Skills, Children and Learning Act 2009.*

5.9 *Before starting any vocational training programme, a young person must be assessed as requiring, or likely to benefit from, such training as part of their training plan.*

5.10 *Each young person's learning and skills programme must lead to a nationally recognised accreditation and include the promotion and development of literacy and numeracy skills, as appropriate for each individual young person.*

5.11 *Weekends and evenings must include a range of enrichment activities, such as games, arts and environmental programmes. These activities should aim to develop personal and social skills together with those in literacy and numeracy.*

### Library

5.12 *The Library at the establishment must ensure a wide and appropriate provision of reading material for young people, and must take account of all levels of literacy and numeracy appropriate for the population. The material must include fiction and non-fiction in a suitable variety of book, magazine and other formats and must reflect the cultural and language needs of the population.*

5.13 *Every young person must be shown the library and its facilities and be given the opportunity to visit.*

### **Offending behaviour interventions**

**Outcome:** To reduce the risk of re-offending by providing a range of effective interventions, which will address the personal, family, environmental, social and other factors that have contributed towards an individual young person's offending behaviour.

5.14 *All establishments in the Young People's Estate must devise a local strategy, which will deliver a portfolio of interventions that address the offending behaviour and associated needs of young people in their care. The range of interventions agreed in the establishment's strategy should reflect the diversity and individuality of the young people in their care as well as their educational abilities.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate section 5.13 & 5.15.***

5.15 *For every young person an individual assessment must be undertaken to identify the factors that have contributed towards the young person's offending behaviour and that will need to be addressed in order to reduce the risk of re-offending. This assessment must be integrated into the ILP. Programme timetabling arrangements should ensure maximum coherence with the core learning and skills programme.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate section 5.17 -5.18.***

5.16 *Staff must ensure that young people are only allocated to an offending behaviour intervention when it is assessed that the specific intervention would meet their individual needs.*

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate section 5.17-5.18.***

5.17 Where an individual is considered appropriate for a specific offending behaviour intervention, establishment staff and the supervising officer should agree with the young person and any other significant people, on how their learning and development can be supported in custody and on transfer into the community.

This section applies to Wales only. ***This section is withdrawn in England and replaced by Building Bridges: A Positive Behaviour Framework for the Children and Young People Secure Estate section 5.17-5.18.***

## Physical education

**Outcome:** To provide a physical education programme, integrated as part of the core learning day, which includes structured classes, designed to meet the needs, abilities and aptitudes of young people and regular opportunity for time in the fresh air.

5.18 *Governors must ensure that young people are able to attend a structured physical education programme. The programme must help young people to use their leisure time more constructively and to help them develop skills and knowledge that will inform choice and assist them to gain employment on release. All physical education programmes must take account of diversity issues and differing levels of physical ability.*

5.19 *Provision must be made for every young person to attend physical education each week. Additional recreational physical activities should be made available outside of normal education hours, for example evenings and weekends.*

5.20 *The physical education programme must be divided into three phases:*

- *Phase 1- induction, assessing the individuals needs and identifying any health related restrictions, developing an action plan, working towards nationally recognised qualifications*
- *Phase 2- nationally recognised coaching and teaching awards that are targeted to the constructive use of leisure time*
- *Phase 3- leadership training, outdoor pursuits, and community work using the skills and knowledge already learned*

5.21 *PE programmes must be committed to addressing offending behaviour, focusing on the following elements:*

- *self awareness/self esteem*
- *communication skills*
- *interpersonal skills*
- *negotiation skills*
- *reviewing skills*
- *controlling aggression*
- *exploring and managing feelings*
- *providing opportunities for progression*

## Resettlement

**Outcome:** To provide a constructive regime that will assist young people to resettle on release.

- 5.22 *Planning for effective resettlement must start during induction and at the first sentence planning meeting. Governors must ensure that every young person, and where possible and appropriate the young person's family, or in the case of a current or former Looked After Child their home local authority, can be fully involved in the development of their individual resettlement plan.*
- 5.23 *All assessments and any consequent actions must take account of all areas of need, particularly in relation to accommodation (see the YJB KEEP document on 'Accommodation'), employment, learning and skills, physical and mental health, risk of harm to self, to others or from others, substance misuse and family and social support, including in relation to current and former Looked After Children.*
- 5.24 *Assessment of resettlement needs is an ongoing process that must be reviewed throughout time in custody and at each formal review. Other relevant agencies and individuals should be involved in these processes as and when appropriate. In particular, the involvement of key contacts within local authorities is particularly important in ensuring resettlement needs are met.*
- 5.25 *Governors must ensure that clear agreements or working protocols are put in place with all agencies that support the resettlement of young people and individual responsibilities identified.*
- 5.26 *Where deemed critical to the young person's successful resettlement by the establishment and the supervising officer, Governors must ensure that a member of the establishment staff attends the first training plan review meeting of that young person after release, as arranged by that young person's supervising officer.*

### Release on Temporary Licence

- 5.27 *Governors must utilise the opportunities under ROTL arrangements to explore work and accommodation opportunities, promote rebuilding of family relationships and where possible, run pre release courses to assist in the resettlement of young people.*
- 5.28 *In addition to the guidance below, all applications for ROTL must be processed in line with PSO 6300 'Release of Temporary Licence',*
- 5.29 *Governors must ensure that there are systems in place to assess the eligibility of all young people for ROTL. Reasons for not granting ROTL must be clearly and appropriately communicated to the young person and their family or carer and their supervising officer.*
- 5.30 *Under PSO 6300 'Release on Temporary Licence', eligibility for Childcare Resettlement Leave (CRL) and the frequency at which Resettlement Overnight Release (ROR) Licence may be authorised, depend in part upon the young person being in, or assessed as suitable for open conditions. Open conditions do not exist in the under 18 estate. Where, however, Governors are satisfied that a young person would meet the criteria to be categorised as suitable for open conditions, in accordance with the principles of 41/2011 Categorisation and Recategorisation of Young Adult Males, they may be treated accordingly for the purposes of ROTL.*

## CHAPTER 6: Providing for unsentenced young people

**Outcome:** To ensure that the legal status of both the unconvicted young person and the convicted but unsentenced young person is fully respected, and that regime provision meets their needs arising from their particular circumstances.

6.1 *Although specific provision for the unsentenced is set out below, the requirements in the remainder of this PSI must be followed unless they contravene or are in conflict with the legal status of the individual concerned.*

6.2 *Governors must ensure that the following service requirements for working with remanded young people are provided for:*

- *a remand worker must contact the young person within 1 working day of them being received by the establishment*
- *a remand worker must liaise with the young person's home YOT within the first day of the remand to custody.*

6.3 A remand review should take place with each young persons YOT within five days of the young persons remand into custody. This review can either be in person or over the telephone. A separate remand management planning meeting should be held within ten days of the young person being remanded to custody. A remand worker should seek to involve the relevant secure establishment staff and young person's supervising officer in the planning and review process, and parents/carers should be encouraged to attend the planning meetings where appropriate.

6.4 Establishment staff should review available information on the young person from all relevant sources before the remand management planning meeting to identify the main areas of need, for example Asset, previous care plans, specialists assessments, T1V assessment, risk of harm to self, to others and from others and the young person's view on their remand period.

6.5 *The initial remand plan (care plan) must be reviewed at least once monthly.*

6.6 The relevant establishment staff should help to prepare the young person for initial and all subsequent remand meetings. *The unsentenced young person must be made aware of their remand planning meetings and given the opportunity to prepare a contribution.*

6.7 Where a young person is convicted and a report ordered there should be a discussion or meeting, which can take place at the planning meeting, between the report-writer and secure establishment staff. This will ensure that the Pre-Sentence Report reflects the progress made by the young person whilst on remand.

6.8 *Governors must provide the opportunity and encourage the unsentenced young people to participate in purposeful regime activities.*

6.9 Unconvicted young people should not be required to share a cell unless very exceptional circumstances exist. *In all cases a cell sharing risk assessment must be undertaken in accordance with PSI 09/2011 'The Cell Sharing Risk Assessment'. When undertaking the risk assessment, attention must be paid to relevant information that accompanies the young person, for example ASSET, Pre Sentence Report, Post Court Report, Prisoner Escort Record and YJB Placement Confirmation Report.*

**ANNEX A**



## THE LEGISLATIVE FRAMEWORK

### The Detention and Training Order

1. Section 73 of the Crime and Disorder Act 1998 (now section 100 of the Powers of Criminal Courts (Sentencing) Act 2000), established a new custodial sentence, the Detention and Training Order (DTO) for young people aged under 18 years. The new sentence was devised to rationalise the sentencing arrangements which previously existed for those aged under 18 and to make custody more effective in preventing re-offending. The DTO replaced the sentences of detention in a young offender institution (DYOI) for 15-17 year olds, and the sentence of the secure training order (STO) for 12-14 year olds.
2. The only DTO sentences available to the courts are ones of 4, 6, 8, 10, 12, 18 and 24 months. Half of the sentence is served in custody and the other half under supervision in the community. Consecutive sentences are also available to the courts but only up to a maximum of 24 months (i.e. 12 months in custody). Combinations of concurrent and consecutive DTO sentences may create terms outside of those listed above, but the maximum term remains 24 months. Young people sentenced to a DTO who reach the age of 18 will continue to serve the DTO - it cannot be converted into a term of DYOI.
3. Section 37 (1) of the Crime and Disorder Act establishes that the principal aim of the youth justice system is "to prevent offending by children and young persons." Section 37 (2) imposes a duty on everyone working in the youth justice system to have regard to that aim. The DTO is designed to ensure that the most appropriate form of training is provided for each young offender to help prevent further offending. To enable this, the DTO can be served in a secure children's home (SCH), in a Secure Training Centre (STC), in a YOI and in any other place that the Secretary of State determines.
4. A number of features distinguish the DTO from previous sentences for young people:
  - time spent on remand is not deducted from the custodial part of the sentence, although the courts will take account of the time a young person has spent on remand in determining the length of the DTO (section 101 (8) and (9) of the Powers of Criminal Courts (Sentencing) Act 2000)
  - days cannot be added to the custodial part of the sentence as an adjudicatory punishment
  - for those serving 8 months or more transfer from custody to the community can be earlier or, exceptionally, later than the mid-point of the sentence (section 102 (4) and (5) of the Powers of Criminal Courts (sentencing) Act 2000)
  - the sentence is explicitly intended as a means of detaining and training for the purpose of preventing further offending
5. Generally, male offenders aged 15 and above and female offenders aged 17 will serve the custodial part of the sentence in YOIs, and male offenders aged 12-14 and female offenders under 17 in STCs or SCHs except where individual assessment recommends otherwise. Specific guidance and instructions about arrangements for placement and allocation can be found in the Placement Protocol in the Operations Manual. Responsibility for the placement of DTO young people rests with the YJB Placement Service in consultation with the Youth Offending Teams (YOTs).
6. For those serving eight months or more but less than 18 months release from custody one month earlier or later than the mid-point in the total sentence is possible. For those serving 18 months and over, release from custody two months earlier or later than the mid-point in the total sentence is possible.
7. Guidance on the sentence calculation of a DTO, including early and late release, can be

found in chapter 15 of PSO 6650 'Sentence Calculation'.

### The Youth Justice Board

8. The Youth Justice Board (YJB) is an executive non-departmental public body set up by the Crime and Disorder Act 1998. The YJB oversees the youth justice system in England and Wales. It works to prevent offending and reoffending by children and young people under the age of 18, and to ensure that custody for them is safe, secure, and addresses the causes of their offending behaviour. Specifically, the YJB:
  - advises the Secretary of State on the operation of and standards for the youth justice system
  - monitors the performance of the youth justice system
  - purchase places for, and places, children and young people remanded or sentenced to custody
  - identifies and promotes effective practice
  - makes grants to local authorities and other bodies to support the development of effective practice
  - commissions research and publishes information
  
9. The YJB advises the Secretary of State on the content of the National Standards for Youth Justice Services, which set the minimum requirements that youth justice services should adhere to, and establish the minimum expectations of staff and managers in the youth justice system. The YJB commissioned fifteen areas of research into effective practice in the youth justice system which resulted in the production of the Key Elements of Effective Practice documents. The Key Elements of Effective Practice are informed by the most recent national and international research. They are intended to support consistency of delivery across youth justice services.
  
10. The basis of the YJB's relationship with National Offender Management Service (NOMS), as the main provider of custodial accommodation, is a strategic partnership. A partnership agreement between both parties sets out how the strategic partnership will operate and develop and defines roles and responsibilities. The partnership agreement is supported by a Service Level Agreement which sets out the agreed services to be delivered and the detailed financial regime that will operate.
  
11. The SLA covers all services related to young people less than 18 years of age, held in establishments identified in the agreement. The agreement extends to 18 and 19 years olds who were sentenced under a Detention and Training Order and are held within one of the identified young people's establishments. The agreement also covers the services of NOMS Young People's Team.
  
12. The SLA identifies the number of beds purchased by the YJB at each of the young people's sites, the financial framework adopted, the standards/levels of service required across the under 18 estate and the action that can/will be taken in the case of non-compliance with the requirements set out in the agreement. The SLA is monitored using the following management tools:
  - Self reporting against Prison Service Key Performance Targets
  - Self reporting against YJB Key Performance Targets
  - Self reporting against Prison Service Self Audit Programme
  - Self reporting against the mandatory requirements of this Order
  - Service Delivery Team within Service Development Group
  - Director of Offender Management
  - YJB Monitor's visits

- - YJB SLA Manager's visits
      - YJB unannounced visits
      - Monthly Performance and Operations Meetings between both parties
      - Quarterly Performance and Development Boards between the two parties
      - Feedback from young people
13. In-year variations of the SLA will be only by the agreement of both parties.

### Youth Offending Teams

14. The Crime and Disorder Act 1998 requires local authorities with social services and education responsibilities to establish a Youth Offending Team (YOT). YOTs are local partnerships which include social workers, police, probation, education and health staff, and may include staff from other agencies, including local custody providers, if this is considered appropriate. YOT partnerships have been in place throughout England and Wales since April 2000. Each YOT partnership is managed by a YOT Management Board, often chaired by a senior member of the local authority and with membership at a senior level from across the partner agencies. YOTs identify the needs of each young offender by assessing them with a national assessment tool, Asset. They identify the specific problems that make the young person offend as well as measuring the risk they pose to others. This enables the YOT to identify suitable programmes to address the needs of the young person with the intention of preventing further offending. The YOT also delivers or co-ordinates the delivery of a range of services designed to prevent young people offending and entering the youth justice system.

### YOI Rules

15. The secondary legislation underpinning the DTO regimes is the Young Offender Institution Rules 2000, as subsequently amended. These reflect the different nature of the DTO sentence from the sentence of detention in a young offender institution (DYOI). It should be noted, however, that for remanded young people it is the Prison Rules (and not the YOI Rules) which apply.

### The Children Act 1989

16. In a High Court judgment delivered in November 2002, Mr Justice Munby ruled that the duties, under the 1989 Act, of local authorities with social services responsibilities do continue to apply where children are in prison custody, subject to the necessary requirements of that custody. One practical outcome of this landmark judgment was the introduction of social worker posts to all Prison Service young people's sites (see Annex G). This is to allow custodial establishments and Local Authorities to work more closely together to support Local Authorities to fulfil their legal obligations in respect of social services for young people in custody."
17. The Department for Education & Skills (now known as the Department of Education) issued guidance to local authorities on the 1989 Act responsibilities of Social Services in relation to young people in custody. These responsibilities are principally as follows:
- Section 17 of the Act places a duty on local authorities with social services responsibilities to safeguard and promote the welfare of children within their area who are in need. Section 27 also places a specific duty on other local authority services and health bodies to co-operate in the interests of children in need. Under section 47 of the 1989 Act, the same agencies are placed under a similar duty to assist local

- authorities in carrying out enquiries into whether or not a child is at risk of significant harm.  
Section 31 of the Act provides that the courts may grant a care order if they are satisfied that a child is suffering or would suffer 'significant harm' without one. Section 20 requires every local authority to provide accommodation for any child in need in their area where, for example, there is no person with parental responsibility for the child or where the person who has been caring for the child is prevented for any reason from providing them with suitable accommodation or care. Where a looked after child who is the subject of a court order placing parental responsibility on a council enters a YOI, either on sentence or on remand, the responsible authority, i.e. the one that looks after him, has continuing responsibilities as a corporate parent, to review their care plan at intervals no less than those prescribed in statute and to plan their care. It is expected that the responsible authority will make arrangements for regular contact with the looked after child, continue to review their care plan or pathway plan, facilitate ongoing contact with siblings where that it is part of the care plan, and make appropriate plans for living arrangements in advance of the end of the sentence.
- Where a child who has previously been "accommodated" under Section 20 enters custody, they do not remain a looked after child. The young person may need to resume their accommodated status or, depending on their age, may be a relevant care leaver. Where a local authority will resume responsibility for the care of a child on discharge from custody, it is important that contact is maintained by that local authority.

#### The Children Act 2004

18. The 2004 Act builds on and strengthens the safeguarding framework set out in the 1989 Act through new provisions which recognise that protecting children from harm cannot be separated from the wider objective of improving their lives as a whole. All these programmes/initiatives lay particular emphasis on multi-agency working at local level to improve outcomes for children.
19. Section 10 of the 2004 Act (Section 25 for Wales) requires cooperation between local authorities and other specified bodies or agencies to improve the well-being of children in the authority's area. It defines "well-being" by the following outcomes:
  - physical and mental health and emotional well-being
  - protection from harm and neglect
  - education, training and recreation
  - the contribution made by them (the children) to society
  - social and economic well-being
20. Governors of prisons have no duty to cooperate under Section 10, but establishments in the young people's estate can make an important contribution to the above outcomes.
21. Section 11 of the 2004 Act (Section 28 for Wales) places a duty on key people and bodies, including Governors of prisons, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children, and that the services they contract out to others are provided having regard to that need. It is supported by statutory guidance which Governors must take into account and, if they decide

- to depart from it, have clear reasons for doing so. The guidance defines ‘safeguarding and promoting welfare’ as:

- protecting children from maltreatment
- preventing impairment of children’s health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care and undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully

22. Part 1 of the statutory guidance sets out the general arrangements to safeguard and promote welfare. Part 2 describes the arrangements in different agencies, including prisons.

23. The Section 11 duty does not give agencies any new functions, nor does it over-ride their existing functions. It requires them only to carry out their existing functions in a way that takes into account the need to safeguard and promote the welfare of children. The duty does not apply in respect of adult prisoners in their capacity as parents or carers, including decisions about the placement or transfer of adult prisoners.

24. Section 13 of the Act (Section 31 for Wales) requires each children’s services authority to establish a Local Safeguarding Children Board (LSCB) for their area, requires the Governor of any prison in the area of the authority which ordinarily detains children to become a partner of the LSCB and to cooperate with the authority. Section 14 (Section 32 for Wales) defines an LSCB’s objective as “to coordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area of the authority by which it is established; and to ensure the effectiveness of what is done by each such person or body for those purposes.” Section 15 (Section 33 for Wales) enables – but does not place a duty on – the Secretary of State (or, in the case of the contracted prisons, the contractor) to make payments towards expenditure incurred by an LSCB by making payments directly, or by contributing to a pooled fund, or by providing resources in kind. The functions of an LSCB are set out both in Regulations [The Local Safeguarding Children Board Regulations 2005 and The Local Safeguarding Children Board (Wales) Regulations 2005] and in statutory guidance [‘Working Together to Safeguard Children’ (England) and ‘Safeguarding Children Together’ (Wales)]. In England the functions of the LSCB include, among others:

- developing safeguarding/promoting welfare policies and procedures in relation to enquiries and other action concerning children who may be at risk of harm and in relation to the provision of training and recruitment of staff (NB: This function is without prejudice to the freedom of Governors to set their own policies and procedures)
- raising awareness on safeguarding and promoting welfare issues
- monitoring and evaluating the effectiveness of safeguarding and promoting welfare activity by the local authority and LSCB partners and advising them on ways to improve
- the review of cases where a child has died or been seriously harmed in circumstances where abuse or neglect is confirmed or suspected (“serious case reviews”).

**TEMPLATE SAFEGUARDING CHILDREN POLICY STATEMENT**

*Publication of “Safeguarding and child protection in the Children and Young People Secure Estate” policy framework replaces Annex B (including appendices) of this PSI for the Youth Custody Service*

**TEMPLATE CHILD PROTECTION POLICY STATEMENT**

*Publication of “Safeguarding and child protection in the Children and Young People Secure Estate” policy framework replaces Annex C (including appendices) of this PSI for the Youth Custody Service*

## TEMPLATE INFORMATION SHARING POLICY STATEMENT

### Basis of the policy

1. This statement is based on the six key principles set out in the cross- government guidance 'Sharing Information on Children and Young People'.

### Strategic

2. [Name of establishment] will comply with Prison Service Orders 9020 'Data Protection Act 2018, Freedom of Information Act 2000 and Environmental Information Regulations 2004' and PSI 08/2012 'Care and Management of Young People', and have regard to the above mentioned cross-Government guidance.
3. We will ensure, through our Safeguarding Children Manager, that effective information sharing about risk and risk of harm are promoted within the establishment and with external agencies through clear systems, standards and protocols. [Refer here to any systems, standards or protocols agreed locally to cover information sharing across disciplines within the establishment and with outside agencies, and attach as appropriate].
4. We will ensure, through training and the dissemination of the cross-Government guidance and Prison Orders 9020 and PSI 08/2012 [include mention of any establishment-specific guidance] that relevant staff within the establishment understand what to do and the most effective ways of sharing information if they believe that a young person may be a child in need, including those young people suffering or at risk of suffering harm, or may require particular services internally or from external agencies.

### Operational

5. We will explain to every young person on reception what and, and again during induction how information will, or could, be shared and why, and seek their agreement - except where to do so would put that young person or others at increased risk of significant harm, or an adult at risk of serious harm, or if it would undermine the security of the establishment or the prevention/detection of a serious crime.
6. We will always consider the safety or welfare of a young person when making decisions on whether to share information about them. Where there is concern that the child may be suffering, or is at risk of, significant harm, the child's safety and welfare will be the overriding consideration.
7. We will, where possible, respect the wishes of the young person where they do not consent to share confidential information. However, we will still share information if, in our judgement on the facts of the case, there is sufficient need to over-ride that lack of consent.
8. We will ensure that arrangements are in place for providing advice and support to any members of staff who may have doubts about whether to share information in an individual case.



9. We will ensure that the information we share is accurate and up-to-date, necessary for the purpose for which it is being shared, shared only with those people who need to see it, and shared securely.
10. We will always record the reasons for our decision – whether it is to share information or not.

## ANNEX E

### OPERATIONAL PROCEDURE FOR MANAGEMENT OF YOUNG PEOPLE WITH MISSING DOCUMENTATION

1. The procedure is based on use of T1:V and VR. The T1:V and VR provide a framework to assess, manage and review risk from the time of reception onwards using a structured interview with the young person and information from Asset, PSR and PCR. YJB guidance on their completion outlines their purpose and offers staff undertaking the assessment advice on interview technique. Where there is little or no documentation available, the onus on the interview as a tool to identify risk / vulnerability information is increased.
  - *Establishments must complete an individualised T1: V on arrival for all young people as part of initial custody screening, and on transfer in from an Establishment.*
  - Establishments are required to provide enhanced baseline supervision of young people where information is missing, until ALL documents are received (core or bail Asset or PCR if this is available at time of reception) to enable a full risk assessment to be completed. This is to be recorded as part of the risk management plan on the T1:V and the necessary EBS form commenced.
  - *The Risk Management plan must be reviewed at any time on receipt of missing documents via a New T1: V assessment taking into account any new information provided in the documents.*
  - Enhanced Baseline Supervision is to take place during night state and other periods of lock up and take the form of recorded checks at intervals of no longer than 2 hours apart. As far as possible the supervision should be carried out so that intervals are not easily predictable. *At least 3 entries in a 24hour period must demonstrate interaction between staff and young people.*
  - Supervision should be recorded on the sheet “T1:V Initial Custodial Reception Assessment – Enhanced Supervision Log”. *This must continue to take place until review either via further T1:V on receipt of missing documents (as 3 above) or via T1:VR at 72 hours (as 6 below).*
  - *At 72 hours if no documents have been received a further review of the risk management plan using the T1:VR and information obtained from the observation log, must take place. Further reviews must continue to take place at 72 hourly intervals, and enhanced baseline supervision at the specified intervals, until missing documents are obtained to enable a full risk assessment. Completed Enhanced Baseline Supervision documents and T1VR’s to be stored with the T1V.*
  - YJB placements to be advised of missing documents utilising ‘no docs’ process if it is not recorded they are aware of the situation on the placement alert form and/or they do not send ‘no docs’ pro-forma to YOT within 48 hours of reception. YJB placements

and YOT to be contacted at each 72 hour period post initial reception until the documents are received.

- YOT to be contacted prior to sentence planning/Remand Planning Meeting (10 working days) if the documents have still not been received.
- *Enhanced baseline supervision must not be closed until all the documents have been received and a new t1v has been completed.*

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2. This procedure does not affect procedures around the use of ACCT. If at anytime during the risk assessment, supervision of the young person, or review of the risk management plan, concerns regarding self harm or suicide risk are identified then ACCT procedures must be initiated in the normal way. In this instance the T1:V risk management will be closed and transferred to the ACCT plan. Obtaining the missing documents may form part of the ACCT plan.
3. Alongside the above procedure, Governors need to ensure that systems are in place to contact the YJB Placements.

## ANNEX E - APPENDIX 1

## CHECKLIST FOR DOCUMENTATION TO BE PROVIDED ON TRANSFER

# On Transfer Please Make Sure You Have The Following...

Document	Tick
Warrant	<input type="checkbox"/>
Core Record	<input type="checkbox"/>
Medical file including ACCT if opened, or in post closure phase	<input type="checkbox"/>
History Sheet	<input type="checkbox"/>
Security File	<input type="checkbox"/>
Sentence Plan file including:	
Asset	<input type="checkbox"/>
Post Court Report	<input type="checkbox"/>
Pre Sentence Report	<input type="checkbox"/>
Pre Convictions	<input type="checkbox"/>
Review Paperwork	<input type="checkbox"/>
Property Card Including Transfer	<input type="checkbox"/>
PER Form/Route Form	<input type="checkbox"/>
Risk Assessment	<input type="checkbox"/>

Note: It is the Reception Officer's job to ensure that the above documentation is enclosed in the event of transfer

## ANNEX E – APPENDIX 2



















## ANNEX E - APPENDIX 3 GUIDANCE NOTES FOR COMPLETION OF T1: V & T1: VR

### Before commencing the interview

- Download the eAsset document, PCR and PSR (if relevant) and any other documents that may be present; ROSH(risk of serious harm), PIF (Placement Information Report)
- Read each document, making notes on any areas that could present as a risk for the young person whilst in custody.
- If the T1: V is going to be handwritten and uploaded later onto eAsset, ensure the T1: V has sufficient space in each box to make comments. *However T1:V must be loaded onto eAsset within 24 hours to ensure that the relevant information is available to all.*

### What are mandatory documents?

- *Asset (either Bail or Core) must relate to current offence, must not be older than 1 month, and must be legible.*
- PCR (Post Court Report) this is mandatory if the YOT was at court. It is exceptional that they YOT would not be at court, if there is not one present contact YJB Placements to seek guidance.
- PSR (Pre Sentence Report) only required if the Young Person is sentenced.

### What if the mandatory documents are not available?

- Read all of the documents that are available.
- Clearly record on the T1:V what documents are available.
- Interview the Young Person and complete a T1:V noting what he / she says on each area.
- Complete the 'nodocs' procedure.
- Commence Enhanced Baseline Supervision (EBS)

### What is Enhanced Baseline Supervision

- Mandatory requirement set out in YJB National Standards (Section 9.17/9.18) PSI 08/2012 (Paragraph 4.10)
- Young Person is monitored closely until a full and thorough Vulnerability Assessment can be completed. This includes a **minimum** of 1 observation every 2 hours when he / she is locked in, and 3 meaningful conversations per day. *All these must be recorded on the Enhanced Baseline Supervision log.*
- This continues until the mandatory documents have arrived and a **NEW** T1: V is completed using the documents and a new interview with the Young Person.
- ***Enhanced Baseline Supervision must not be confused with local 24 hour monitoring.***

### What are the timescales for completing a form T1: V

- *The T1: V must be started within 1 hour and completed within 2 hours of being received into custody. These timings start as soon as the Reception Officer has signed the PER to accept the Young Person.*
- In *exceptional circumstances* where a high number of Young People are received together there may be slippage in these timescales. If this occurs this should be endorsed by the Duty Manager, an entry made in the Observation Book detailing the situation and what actions were put in place to safeguard the Young Person. In these circumstances establishments may also wish to consider "triaging" new arrivals and ensuring those that may be most vulnerable are assessed first. Examples may include

first time entrants to custody, instances where historical vulnerabilities are known or those who appear vulnerable on arrival.

- A Young Person should **not be locked in** on the First Night / Induction Unit before a full T1: V is completed.

### Completing a Form T1: V Section

1

Has the detention in a secure facility increased the young person's risk of self harm or suicide?

- 1:1 does the Asset Indicate if the young person is a risk to themselves?
- Answer yes or no. Write in the box
- The next box asks if 'Yes' explain why it is considered a risk. *If the Asset or any other document received indicates YES there must be an explanation in the text box.* It should start with "Asset states..." Ask the Young Person what his / her thoughts are about this comment and record....." Young Person states....." *and enter comments.*
- 1.2 Has the Young Person a History of Self Harm: yes or no. Write in the box. If yes then please give details. You should start by "Asset states.....Young Person States....."
- 1.3 Are there any mental or physical health issues? You should identify **ANY** health issues; these can include previous physical injuries, substance misuse, prescribed medication etc, anything that **MAY** present as a risk to the young person. Explain in the box: "Asset states.....Young Person States....." About this matter.
- 1.4 Having interviewed the Young Person do you have any immediate cause for concern? Answer Yes or No. Text box asks "Please give reasons for your answer and state their current state of mind". You should record in this box how the Young Person seems to **YOU**. Are they chatty and polite, aggressive and uncommunicative, crying? Is it their first time in custody, or have they been in many times previously. Write about what you see and how the young person has presented. You may know the Young Person from previous custodial sentences. Do he / she seem different?
- 1.5 Has the Young Person expressed any immediate concerns to you about detention? Answer Yes or No. There is a text box to record everything the young person says; they could be worried about their property, housing, siblings in the community, pet, child, being away from home. *Whatever they say you must record.*
- 1.6 Has the Young Person had any recent life experiences that may increase their risk of harm? Answer Yes or No. There is a text box to record what your thoughts are; this should start with "Asset states....." and then record what the Young Person says.
- The next box is, 'Please indicate any key points that require follow up action'. These actions need to be **Specific to the Young Persons risks identified and not generic Prison systems i.e. Induction, Personal Officer etc.** *Wherever there is an issue raised in 1:1 – 1:6 there MUST be an action and timescale.* Examples could be;
  - Long History of Self Harm, recent harm attempts - ACCT opened. Assessment will be completed (put the date of the assessment it is within 24 hours)
  - Observations set as hourly, conversations 3 per day.
  - Entry in Observation book (date and time that you did this). ○ Where there is a health risk state what you have done; this could be 'Telephoned Nurse.....at date and time' to advise of ADHD and lack of medication, this will be followed up tomorrow by the induction staff.
  - The risk may relate to a previous physical injury; you should record what the injuries are and who you have informed.
  - It may be that you need to speak to the C&R coordinator if the injuries could be increased through restraint.
- *Always record who you told, date and time. If there are risks identified during the T1:V you must share this information, entry on NOMIS, Observations book. Always date and time what actions you have taken.*

**Remember this T1:V is specific to the young person you are interviewing. Wherever there is a risk there must be an action and timescale. Record everything you have done to keep the young person safe. Do not assume that anyone else has read the asset or other documents.**



**Example for completion of section 1 Indicators of Vulnerability (T1:V)**

Establishment	HMP.....	Young Person	Billy Smart	DoB	05/07/1996	Age	15
Admission No.	X9999YZ	Status	Sentenced DTO 24 Months				

**Note:** The aim of this assessment is to focus on vulnerability and risk. It is to be completed by the custodial facility staff during reception and in conjunction with the PSR, PCR and ASSET.

Documents Available Electronically on eAsset?	PSR	Yes	PCR	Yes	ASSET	Yes
Are these forms available at interview? (Please state Yes or No)	PSR	Yes	PCR	Yes	ASSET	Yes

Please address the following questions when considering the potential for the young person experiencing significant harm. **All questions require a response even a 'no concerns'!**  
 What is the Young Persons First Language.....English..... Was an interpreter used?...Not required.....

**4.61. Has the detention in a secure facility increased the young person's risk of self-harm or suicide?**

1.1 Does the ASSET indicate that the young person is a risk to themselves?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Document what the Asset states about the risk the young person is to themselves. Document what the young person says about the indicators from the Asset. What score does the Asset give for Risk to themselves (section 8 Asset). <i>Asset states that Billy has regularly harmed himself since his mother died. He has recent self harm cuts to both arms. Billy says that he only harms when he has been drinking. He says that he does not intend to harm himself whilst in custody; although he acknowledges that self harm is a coping mechanism.</i>	
1.2 Has the young person a history of self-harm?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
What does the Asset say about history of self harm, does the Asset indicate any triggers? What does the young person say about this <i>The asset states and Billy agrees that he has a history of harming himself. He says this is a coping mechanism he has used since him mum died. He says he usually harms himself when he has been drinking.</i>	
1.3 Are there any mental or physical health problems?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Does the Asset indicate any issues around health document these. What does the young person say about this? <i>Asset states that Billy has had a recent fracture to his left wrist, it also says that Billy has used alcohol regularly and excessively for the past 3 months. Billy says that he broke his wrist when he fell, he says it is still painful and takes painkillers. Billy agrees that he likes to drink a lot. Billy has got acne on his face, he says this is painful and people make fun of him because of this.</i>	
1.4 Having interviewed the young person, do they give you any immediate cause for concern?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Document here any thoughts you have around immediate cause for concern, this may be a 'hunch' you have it is essential that this is documented ask the young person what they think about this evidence that the information has been appropriately and relevantly shared.

*Although Billy was calm and chatty during interview, he seemed 'edgy' and didn't really make eye contact. I am concerned about how he will cope without alcohol and what the effects of withdrawal may be. I have told Billy my thoughts and he just shrugged his shoulders.*

1.5 Has the young person expressed any immediate concerns to you about their **YES** **NO**    
detention?

Document fully what the young person says.

*Billy has said he'll be fine, he knows two other young people on B wing who are his 'friends'.*

1.6 Has the young person had any recent life experiences that may increase their **YES**  **NO**   
risk of self-harm? (E.g. bereavement, any loss by suicide, parental separation,  
breakdown of significant relationship, separation from child etc.)

Does the Asset indicate any recent life experiences, what does the young person say about this. If there are no issues confirm this to be the case.

*Asset indicates that Billy's mum died 5 months ago, Billy had a close relationship to his mum. Asset states that Billy's father is violent towards him; Billy has said that he has no relationship with his dad and that he really misses his mum.*

Please indicate any key points in this section that require follow-up action (including timescale)

*Any areas that are identified as a risk must have an action and timescale. This will evidence that information that we have gathered has been appropriately shared with the relevant department. If there are no issues/risks or vulnerabilities indicate this **DO NOT LEAVE THIS SECTION BLANK***

*Recent self Harm – ACCT opened hourly observations and 3 conversations per day. To be reviewed during ACCT Assessment 5<sup>th</sup> September 2011.*

*Skin Condition – Phoned Nurse Banks (4/9/2011 20:30) advised her of skin condition she said that she has referred him to the GP tomorrow 5<sup>th</sup> September 2011 for appointment.*

*Alcohol Use – Phoned Nurse Banks also advised re wrist injury and use of painkillers. 4<sup>th</sup> September 2011 20:30*

*Alcohol Use – Referral to YPSMS – email 4<sup>th</sup> September 2011 20:30*

*Loss of mum – emailed chaplaincy team 4<sup>th</sup> September 2011 20:30hrs*

*Violent Dad – SIR and Child Protection referral submitted 4<sup>th</sup> September 2011 20:20hrs*

*Recent Wrist Injury – Spoke to Billy about restraint – email to C&R coordinator 4/9/2011 20:45*

*All the above recorded on NOMIS and Observation Book 4<sup>th</sup> September 2011 21:00hrs*

## Section 2

Is the child/young person a potential victim?

- 2:1 does the young person's attitude appear likely to make them a victim of bullying/victimisation? Indicate Yes or No and then write comments in the text box. You need to record here how the young person presents both physically and in attitude. Consider areas such as; the issue of Prison Clothing - do they fit the young person? Record if the Asset mentions anything about being a victim. Record what the young person feels themselves.
- 2.2 Has the young person got a history of being bullied/victimised? Indicate Yes or No and then write comments in the text box. Record what the asset states; does the young person

agree? Consider if the young person has been victimised at home by domestic violence. Are there any appearance or mental health factors that may result in the young person being bullied in custody?

- 2.3 Is the living environment experiencing problems of bullying? Indicate Yes or No and then write comments in the text box. How will it impact on this young person? Remember this vulnerability assessment is about the individual, how will bullying affect him /her? Will he / she become a bully? Will he /she possibly be a victim? Record what the young person says. Record what you have told the young person about bullying.
- 2.4 Is the nature of the offence significant? If the young person's offence is likely to make him /her vulnerable? Indicate Yes or No and then write comments in the text box. Record what you have done to keep him /her safe. Record what you have told the young person and who you have shared this information with.
- 2.5 Has the young person had a recent life experience that may not be treated sympathetically by others? Indicate Yes or No and then write comments in the text box. Consider bereavement or separation from family/child. Record what the asset says. Record what the young person says about this.
- 2.6 Community Tensions Ties? Indicate Yes or No and then write comments in the text box. Is the young person affiliated to a gang? Are they out of area? Does their offence relate to a particular area that could make them vulnerable? Record what the asset states, write what the young person says about community tensions?
- The next box asks, "Please indicate any key points that require follow up action". These actions need to be **Specific to the Young Persons risks identified and not generic Prison systems i.e. Induction, Personal Officer etc.** Where you have identified a risk there must be an action. You must record who you have told and the date and time. If there are no risks identified, record 'no issues/no actions at this time'.

## Example Section 2

4.62. Is the child/young person a potential victim?	
2.1 Does the young person's attitude appear likely to make them a victim of bullying/victimisation? (i.e. seemingly vulnerable or over aggressive.) Enter how the young person presents, are they confident, chatty etc. <i>Billy is 5ft tall and slight build, he presents as very nervous. In addition he has acne on his face. Billy has said that at school he got picked on because of this and would like to see a doctor. Have advised Billy of the support that we can offer and have referred this to the health care see section 1.3.</i>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
2.2 Has the young person got a history of being bullied/victimised?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
What does the Asset indicate? Does the young person agree? <i>The Asset states that Billy was bullied significantly as school, Billy agrees with this. In addition Billy has been subjected to domestic violence by his dad.</i>	
2.3 Is the living environment within the facility currently experiencing problems of bullying and victimisation?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Indicate if the Establishment is currently experiencing issues; explain how this may impact on the young person. What will be done to keep the young person safe? <i>There have been bullying incidents at HMYOI..... Billy may be the target of bullying; I have explained to Billy the systems in place for support. He is on an ACCT document where he will be observed hourly and have opportunity to speak to staff 3 times per day. I have recorded on his ACCT, NOMIS and the observation book that when the ACCT is closed there should be some consideration for a support document.</i>	
2.4 Is the nature of the young person's offence significant?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
PSI 08/2012 Re-Issue Date 22/09/2023	



If yes, then explain how it may make them vulnerable *No*  
 – *His offence is Burglary non dwelling.*

2.5 Has the young person had a recent life experience that may not be treated **YES NO** sympathetically by others? (e.g. bereavement, parental separation, loss of significant relationship etc.)

Please give reasons for your answer

*Yes, Billy's mum died 5 months ago; he is still coming to terms with this. He does not have a good relationship with his dad. The asset states and Billy agrees that his dad is often violent towards him. Billy is an only child.*

2.6 May there be tension with others due to community ties etc?

**YES NO**

Please give reasons for your answer

*Billy has said that he is not involved with any Gangs, however his two friends that are on B wing are members of the Haribo Gang. I have discussed with Billy the consequences of being involved in Gang activity. There is no mention on his asset about being a gang member and Billy says they are his friends from school and he is not involved.*

Please indicate any key points in this section that require follow-up action (including timescale)

*All areas that a risk/vulnerability has been identified must have an action and a follow up timescale. Indicate who the action has been referred to.*

*Child Protection Referral and SIR completed about Billy's dad being violent to him – Visits staff to be made aware 4/9/2011 20:45*

*See 1.3 reference referral to health care for treatment for acne.*

*Email has been sent to the Chaplain reference loss of his mum 4/9/2011 20:30*

*Entry on Nomis and Observation book reference friends in Gang, and support that may be needed if his ACCT closes 4/9/2011 21:00*

### Section 3

Does the child/young person present a potential risk to others?

- 3.1 Does the child/young person have a history of putting others at risk? Indicate yes or no and write a comment in the text box. Examples; racist actions, arson, violence on peers etc. This may need to link to your cell sharing risk assessment.
- 3.2 Does the young person indicate potential for harming others? Indicate yes or no and write a comment in the text box. Examples may be; violent offence, aggressive behaviour or previous offences for harming others.
- 3.3 Did the young person appear overly aggressive or passive? Indicate yes or no and write a comment in the text box. This is your opinion on how the young person presented. Say what you see from the young person's attitude and behaviour. Record what you have told them about this.
- 3.4 Is there any family aggression? Indicate yes or no and write a comment in the text box. Record what the asset states, record what the young person says about this.
- The last box is Actions and Timescales. Remember, where there is a risk **you must** demonstrate what you have done to safeguard the young person or others. You must record all actions you have taken and who you have shared the information with.

### Example Section 3

**4.63. Does the child/young person present a potential risk to others?**

3.1 Does the child/young person have a history of putting others at risk? (i.e. racist <b>YES NO</b> behaviour, bullying.)	
What does the asset indicate, what does the young person say about this? The Asset does not state that Billy has a history of putting others at risk. When talking to Billy he cannot think of any situation where his behaviour has put others in danger.	<input type="checkbox"/> <input checked="" type="checkbox"/>
3.2 Does their offence indicate potential for harming others?	<b>YES NO</b>
Please give reasons for your answer The offence is Burglary non dwelling. This offence did not harm others	<input type="checkbox"/> <input checked="" type="checkbox"/>
3.3 Did they appear to have an overly aggressive/passive attitude during their <b>YES NO</b> reception interview? How did the young person seem during interview? Did this give you any cause for concern? Billy is very nervous, he's had a lot going on for him in the last few months. He was not overly passive or aggressive. He presented as scared and sad due to the death of his mum.	<input type="checkbox"/> <input checked="" type="checkbox"/>
3.3 Is there any knowledge of family aggression?	<b>YES NO</b>
If yes, then please give details Yes Billy's dad is violent. The asset states and Billy agrees that his dad has assaulted him on numerous occasions.	<input checked="" type="checkbox"/> <input type="checkbox"/>
Please indicate any key points in this section that require follow-up action (including timescale) All risks/vulnerabilities <i>must</i> have an action and time scale, this <i>must</i> include who this is referred to . <b>DO NOT LEAVE THIS SECTION BLANK</b> . If there are no risks then record 'no actions required at this time'. Child Protection Referral and SIR submitted due to Billy's dad's history of violence 4/9/2011 20:30 No other risks identified that haven't been covered in previous sections.	

## Section 4

### 4.1 Risk Management Plan

It is important that all the actions and timescales identified in sections 1 – 3 are summarised in the Risk Management Plan. This Plan will be reviewed prior to the training planning meeting. Good Practice would be to complete a T1: VR prior to the young person leaving the Induction Unit to check the progress made on the actions and timescales.

- 4.1 What actions will the secure facility take to reduce the young person's anxiety/vulnerability? This may include information giving, if so; ensure that your comments are not generic but specific to the young person. Such as 'information book given on 4<sup>th</sup> September 2011', 'Full Prison Induction will commence 6<sup>th</sup> September 2011'. *All actions and timescales identified in previous sections must be recorded in section 4.1*
- 4.2 What does the young person think may help him /her? Record here what they say and what you have done about it. If they ask for a phone call record if they were given one. If they ask to be located in a particular area record your response.
- 4.3 Summary of actions taken. This can be referred to section 4.1, take time to review the T1: V to ensure that all the actions identified have been summarised in section 4.

### Example Section 4

#### 4.64. Risk Management Plan

4.1 What action will the secure facility take to reduce the young person's anxiety, vulnerability or risk of self-harm or suicide or the risk they pose to others?

*This will include induction procedures and any first night observations and any actions identified in the previous sections individual to the young person. INCLUDE WHAT ACTIONS HAVE BEEN TAKEN TO ENSURE THE YOUNG PERSON UNDERSTANDS IF THERE IS LANGUAGE OR DISABILITY DIFFICULTIES.*

Recent self Harm – ACCT opened hourly observations and 3 conversations per day. To be reviewed during ACCT Assessment 5<sup>th</sup> September 2011.

Skin Condition – Phoned Nurse Banks (4/9/2011 20:30) advised her of skin condition she said that she has referred him to the GP tomorrow 5<sup>th</sup> September 2011 for appointment.

Alcohol Use – Phoned Nurse Banks also advised re wrist injury and use of painkillers. 4<sup>th</sup> September 2011 20:30

Alcohol Use – Referral to YPSMS – email 4<sup>th</sup> September 2011 20:30

Loss of mum – emailed chaplaincy team 4<sup>th</sup> September 2011 20:30hrs

Violent Dad – Child Protection Referral and SIR submitted 4<sup>th</sup> September 2011 20:20hrs

Recent Wrist Injury – Spoke to Billy about restraint – email to C&R coordinator 4/9/2011 20:45

4.2 What actions does the young person think might help them?

*Document what the young person says and how we have addressed these actions.*

Have discussed with Billy all the areas in section 4.1, he would like to be located near his friends. I have explained that this will not be possible until after his induction. I have recorded on NOMIS that he would like to go to B wing when he finishes his induction. Billy is happy with this.

4.3 Summary of action recommended (including starting Child Protection Procedures, if applicable)

*Here is the opportunity to summarise all actions and timescales, indicate who will be responsible for these. This will be assessed at the training planning meeting. THIS MUST INCLUDE STARTING ENHANCED BASELINE SUPERVISION IF COMPLETE DOCUMENTS ARE NOT RECEIVED*

In addition to the actions in 4.1. Billy will receive a 5 day induction programme that will give him information relating to prison and the rules. I have explained the support available to him such as staff support, chaplaincy, personal officer, case work etc. Billy says that he will approach staff if he has any concerns.

All the actions in Section 4.1 will be reviewed prior to his training planning meeting (within 10 working days)

### Guidance on what information to note in the T1: VR

1. The purpose of the T1: V- R is to review the risk management plan contained in **section 4** of the young person's T1: V form. If no vulnerability or risk was identified, and if each question can be answered 'no', there is no need to write anything further on this form.
2. The T1: V- R should be completed by the keyworker/personal officer/caseworker from the establishment shortly before the first training planning review meeting.
3. In **section 1**, if at the first training planning meeting no actions were recommended because the young person was not assessed as vulnerable, tick the 'no' box and go on to question 2. If action was recommended, tick the 'yes' box and comment in the space below on the whether the recommended actions were taken, and describe the outcome. Is any further action needed? Should the current procedures and actions for managing the risk be continued? Should they be changed or stopped? Does the young person feel that the actions taken have been helpful?
4. In **section 2**, if the training planning meeting recommended action to reduce the likelihood of the young person being victimised the outcome of the actions taken should be described here. Is further action needed? Should the actions continue or can the young person now remain safe without them?
5. **Section 3** should be completed if the training planning meeting recommended action to reduce the risk the young person poses to other people. Again, it is important to note whether those actions have had the outcome that was intended. Should the plan be amended in any way? Has the assessed risk reduced, increased, or stayed the same? Are there any implications for the post-transfer, supervised part of the sentence that should be addressed by the use of conditions in the notice of supervision? If so, it is particularly important for the planning and review meeting to consider these, as the supervising officer will be able to state whether or not extra conditions might be appropriate.

### Confidentiality

6. *Information contained in these forms is sensitive and must be treated as confidential. This means that the forms:*
  - *must be stored under lock and key in a secure filing cabinet*
  - *must not be left lying around on desks*
  - *must not be read or worked on in an environment where other young people could see what is written by looking over staff member's shoulders*
  - *must only be seen by the young person concerned and by other staff responsible for his or her care who need to know the information as part of their professional duties*
  - *must not be faxed until the sender has checked that the forms are going to the correct fax number and that there is someone to receive it who will treat it confidentially. The sender must then check that it has been received.*
7. Copies of the T1: V and T1: V-R forms can be found on the Ministry of Justice website (<http://www.justice.gov.uk/guidance/youth-justice/custody/forms.htm>)

## **ANNEX F ROLE OF THE ESTABLISHMENT SOCIAL WORKER**

The role of the social worker in each establishment should cover at least the following:

1. To help promote the welfare and well-being of young people in the establishment by adhering to the legislation and guidance relating to:
  - Child Protection
  - Children in Need
  - Looked After Children/Children Leaving Care
  - Actions to be taken when a child dies or is seriously injured in custody
2. To develop strategic links with local authority social services departments and to support the local authority to fulfil its duties in respect of social services for young people in custody, YOT, education, health, police and probation.
3. To develop and maintain effective partnerships between the establishment, the local authority and the home authority in order to meet the identified needs of the young people – in custody through to resettlement.
4. To ensure that assessments undertaken are conducted as per the guidance contained within the Framework for Assessing Children in Need and their Families.
5. To advise with regard to any child protection matters raised within the establishment.
6. To ensure that all child protection referrals are dealt with by Social Services/ Police in accordance with the Local Safeguarding Children Board's policy and procedure.
7. To assist with the maintenance of the establishment's child protection records, in conjunction with the child protection co-ordinator and safeguarding children manager.
8. To ensure that the necessary links are made with the relevant local authorities in order to assist with the formulation, implementation and review of care plans, child protection plans and pathway plans for children who have been voluntarily accommodated, subject to Care Orders or who are eligible for assistance under the Leaving Care Act.
9. To ensure that a screening mechanism is in place to establish which children entering the establishment are either subject to child protection planning, looked after under a court order (section 31, Children Act 1989) or voluntarily (Section 20 Children Act 1989)
10. To maintain records and produce reports in line with LACSC standards.
11. To assist in the development and updating of children's safeguarding policies and procedures within the establishment, including children visiting.
12. To assist with the monitoring and evaluation of all aspects of children's safeguarding activity within the establishment and report at regular intervals to the LSCB.
13. To ensure that consideration is given to the undertaking of serious case reviews, where applicable, within the establishment.
14. To contribute to the planning and delivery of safeguarding training within the establishment.

15. To identify contemporary developments within research literature and the national policy agenda, making recommendations for implementing changes, where appropriate.
16. To engage with the establishment SMT to promote effective internal working partnerships.

## **ANNEX G**

### **LEGAL STATUS OF YOUNG PEOPLE IN RELATION TO THEIR HOME AREA LOCAL AUTHORITY**

Young People arriving in custody may have a number of different legal status situations with their home area local authority which will have an impact on their remand or sentence planning particularly in relation to effective planning for their release.

#### **Who is a looked after child?**

The term 'Looked After Children' refers to two groups of young people with differing circumstances. These are young people who are accommodated under section 20 of the Children Act 1989 (as amended by the Children and Young Persons Act 2008) and young people where the Local Authority has a Care Order under section 31 of the Children Act 1989.

#### **Accommodated - Section 20 Children Act 1989.**

A Local Authority can 'accommodate' a young person as long as no person with Parental Responsibility who **can provide accommodation** objects.

If an 'accommodated' young person enters custody they do not remain looked after. However they may be entitled to services under the Leaving Care Act 2000 (please refer to section on Children (Leaving Care) Act 2000).

#### **Care Order - Section 31 Children Act 1989.**

If a young person is in custody then the Local Authority continues to have a responsibility to them. There should be a Looked After Child Review every 6 months. The 'home' Local Authority should plan for the young person's release and given the age of the young people in Prison Service custody, should involve them as much as is practical in this process (consider the child's wishes and feelings in light of their age and understanding).

#### **Children (Leaving Care) Act 2000.**

All 'Looked After' young people regardless of what route they have followed may be entitled to a leaving care service. This applies to young people of 16 and above who have been 'looked after' for 13 weeks or more from their 14<sup>th</sup> birthday and are: **relevant** or **eligible**.

#### **Relevant?**

Where a young person was looked after but left care aged 16 or 17 then they are a relevant young person under the Leaving Care Act 2000.

#### **Eligible?**

If a young person is still looked after they are eligible. In relation to YOIs this would mean a young person with a care order (s31 Children Act 1989) because as detailed above accommodated young people (s 20 Children Act 1989) are no longer looked after upon entering custody.

Where young people have a history of being looked after but do not meet the criteria as eligible or relevant they may still be entitled to services as 'qualifying' young people. If a young people is 'qualifying' then their Local Authority can offer them advice and assistance until they reach the age of 21, but has no legal duty to do so.

If a young person is eligible or relevant under the Children (Leaving Care) Act then they are entitled to services from their Local Authority. This would involve pathway planning; ideally a pathway assessment should be begun shortly before their 16<sup>th</sup> birthday.

A flow chart to assist in identification can be found at below.

## **Section 17**

Section 17 of the Children Act 1989 deals with "Children in Need" s17 (10) and (11) give some definition to who is a child "in need".

- (10) For the purposes of this Part a child shall be taken to be in need if—
- (a) he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority under this Part;
  - (b) his health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or
  - (c) he is disabled,
- (11) For the purposes of this Part, a child is disabled if he is blind, deaf or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed; and in this Part—
- “development” means physical, intellectual, emotional, social or behavioural development; and “health” means physical or mental health.

Young People who may be a child in need will need to be identified so that appropriate referrals to the Local Authority may be made. This is particularly important prior to release from custody.

