



**Policy Name:** Release on Temporary Licence in Youth Custody Policy Framework.

**This Policy Framework (herein referred to as ‘the/this Framework’) is to be piloted and only applies to Wetherby YOI, Parc YOI, Oakhill STC, Barton Moss SCH and Vinney Green SCH.**

**Issue Date:** 31 March 2025

**Implementation Date:** 1 May 2025

**Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled:**

PSO 6300 and ROTL (Mobility) Guidance (2022) for pilot sites only.

**Introduces amendments to the following documents:** None

**The following documents (published on GOV.UK) are relevant to the application of this Framework:**

Safeguarding and child protection in the Children and Young People Secure Estate
Public Protection Manual PSI 18/2016 (or Prison Public Protection Policy Framework when published)
The Victim Contact Scheme Policy Framework
YJB Case management guidance - Custody and resettlement - Guidance
Advancing Equality for Offenders and Children in Custody Policy Framework

**Action required by:**

<input checked="" type="checkbox"/>	HMPPS HQ (YCS only)	<input checked="" type="checkbox"/>	Governors
<input type="checkbox"/>	Public Sector Prisons	<input type="checkbox"/>	Heads of Group
<input checked="" type="checkbox"/>	Contracted Prisons (YCS only)	<input type="checkbox"/>	Contract Managers in Probation Trusts
<input type="checkbox"/>	National Probation Service	<input type="checkbox"/>	Community Rehabilitation Companies (CRCs)
<input type="checkbox"/>	HMPPS Rehabilitation Contract Services Team	<input checked="" type="checkbox"/>	Youth Secure Estate
<input type="checkbox"/>	Other providers of Probation and Community Services	<input checked="" type="checkbox"/>	Prisoner Escort Custody Service (PECS)
<input checked="" type="checkbox"/>	Children and Young People Secure Estate, NHS England and NHS England commissioned		

**Mandatory Actions:**

By the relevant date of implementation of this Framework, Governors, Directors of under-18 Young Offender Institutions (YOIs), Directors of Secure Training Centre (STC), Registered Managers of Secure Children's Homes (SCH)<sup>1</sup> and Heads of Secure Schools (SS) are responsible for the implementation of local operating procedures which are compliant with the requirements set out in this Framework and for monitoring how they are applied in their setting.

In this Framework, ROTL, including Special Purpose Licence (SPL), applies to all sentenced children in England and Wales who are eligible, including those who remain in the youth custody beyond the age of 18 years old.

**For Information:**

This Framework sets out the policy on ROTL for under-18 YOIs, the STC, SCHs, SSs and escort contractors within the broader context of providing high quality integrated and trauma-informed care for children who are in the care of staff at these settings.

Governors, Directors, Registered Managers and Heads of Secure Schools must ensure that their local operating procedures are compliant with requirements set out in this Framework and the Public-Sector Equality Duty (Equality Act 2010).

**How will this Framework be audited or monitored:**

The Youth Custody Service (YCS) will monitor compliance with the requirements set out in this Framework through its assurance, performance, and contract management processes. Data on ROTL will also be reviewed and analysed by protected characteristics to improve service delivery.

**Resource Impact:**

This Framework is being piloted to fully test and evaluate the resource implications before taking a final policy decision on a full roll-out across the whole of the children and young people secure estate.

**Contact:**

For general queries on the Framework (for example, how to implement the requirements), staff in secure settings should contact [YCS-ReducingReoffending@justice.gov.uk](mailto:YCS-ReducingReoffending@justice.gov.uk).

To raise policy concerns about the Framework, contact the YCS Operational Policy Team: [YCSframeworkengagement@justice.gov.uk](mailto:YCSframeworkengagement@justice.gov.uk)

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**Approved by OPS for publication:**

Helen Judge, Chair, Operational Policy Sub-board, March 2025.

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<sup>1</sup> Hereafter referred to as, "Governors, Directors and Registered Managers."

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## **1. PURPOSE**

- 1.1 This Framework focuses on Release on Temporary Licence (ROTL), which is integral to preventing offending and preparation for release into the community. This Framework supports a general presumption in favour of ROTL subject to individual risk assessments (see Annex A, Annex B1 and Annex B2). Whilst there is no automatic entitlement to ROTL, a key objective of this Framework is to increase opportunities for ROTL for children who are assessed as suitable. ROTL must not be used as either a punishment or reward.
- 1.2 This Framework applies to all youth custody settings. This includes under-18 Young Offender Institutions (YOIs), the Secure Training Centre (STC), Secure Children Homes (SCHs) and Secure Schools (SSs). This Framework supersedes the following documents PSO 6300 used by YOIs and, ROTL (Mobility) Guidance (2022) used by the STC, SCH and SS sectors.
- 1.3 This Framework is based on Child First principles in being child focused and developmentally informed, building pro-social identity for sustainable desistance, meaningful collaboration with children and their carers and minimising stigma from contact with the justice system. At all times, Child First principles should be applied when making decisions about ROTL. For example, ROTL plans should be individualised to respond to a child's needs, focus on building on the child's strengths and involve children in the decision-making. A child presenting with distress manifesting as violence to self or others should not automatically be deemed unsuitable for ROTL.
- 1.4 The YCS operates the Framework for Integrated Care (SECURE STAIRS) in England and similar trauma-informed practices in our sites in Wales. Plans for ROTL should be part of and informed by each child's integrated care plan (or equivalent) and accompanying formulation.

### **Transfers to the Adult Estate**

- 1.5 When a child transitions from the youth to the adult estate, the adult ROTL provisions set out in the Release on Temporary Licence (ROTL) Policy Framework (2022) will apply. The adult framework states where the individual has already begun to access ROTL as a child, consideration should be given to maintaining it if it is in line with the sentence plan and subject to risk assessment. This applies even if the individual has yet to reach the adult ROTL eligibility date.
- 1.6 If ROTL is going to be disrupted when a child transitions to the adult estate, it must be explained to the child to manage their expectations. The home Youth Justice Service (YJS) case manager and/or probation officer should ensure that the benefits of the ROTL opportunities are highlighted in relation to how they contribute to the sentence plan and align with the resettlement pathways. This information should be shared as part of the transition planning process.

### **Resettlement Planning**

- 1.7 Resettlement planning should begin prior to a child entering custody and include those on remand. The home YJS case manager should meet with children, their families, internal and external stakeholders, throughout the child's time in custody, working with the secure settings to prepare children for their release.
- 1.8 Secure setting resettlement practitioners/case workers and YJS case managers must discuss ROTL during their first meetings with all children who have been sentenced and are eligible for ROTL. This is a shared responsibility of the secure setting and YJS. They should explain how eligibility and assessment for suitability and risk work and begin conversations about ROTL activities that could be beneficial for that child.

1.9 Practitioners (including community engagement managers in YOIs) and those responsible for the ROTL process should be creative. This includes effective partnerships with organisations in the community who can support ROTL activities, offering activities that reflect children’s interests and their diverse needs.

1.10 In discussion with the child and their YJS representative, the following purposes of ROTL must be considered:

Purpose of ROTL	Objective and examples (these are not exhaustive)
1 <b>Resettlement</b>	<p>Note: Each child’s needs must be assessed on a case-by-case basis and discussion should take place to understand what provision is available.</p> <p>The main objective is to ensure that children serving custodial sentences receive effective, end-to-end service provision based on a thorough assessment of need and risk, to <b>reintegrate</b> them into the community and help the child develop a <b>pro-social identity</b>.</p> <p>Examples of ROTL activities include:</p> <ul style="list-style-type: none"> <li>• interpersonal and/or life skills, to increase resilience and desistance e.g. a child could attend a meeting in the community to offer ideas for improving services or to inform policy development</li> <li>• walking or being driven in their licence exclusion zones and learning where they can and cannot go so that the licence period is successful and does not lead to a breach</li> <li>• volunteering with a local charity</li> <li>• pro-social recreational opportunities</li> <li>• joining a local parkrun</li> <li>• community reparation</li> <li>• leading a football practice or similar activity for a local community</li> </ul>
2 <b>Accommodation</b>	<p>The main objective is to ensure that all children leaving custody can <b>safely return home</b> or <b>access suitable and sustainable accommodation with support</b> where appropriate.</p> <p>Examples of ROTL activities include:</p> <ul style="list-style-type: none"> <li>• home visits</li> <li>• overnight release</li> <li>• housing interviews</li> <li>• visit to a new home</li> <li>• visit to potential housing before it is finalised</li> </ul>
3 <b>Education, Training and Employment (ETE)</b>	<p>The main objective is to provide and support all children with <b>suitable and sustainable ETE throughout their sentence and beyond</b>.</p> <p>Examples of ROTL activities include:</p> <ul style="list-style-type: none"> <li>• The Princes Trust</li> <li>• army cadets</li> <li>• Duke of Edinburgh award scheme</li> </ul>

		<ul style="list-style-type: none"> <li>• paid and unpaid work opportunities</li> <li>• apprenticeships</li> <li>• education or vocational opportunities</li> <li>• music and creative arts</li> <li>• engaging with voluntary organisations in the community</li> <li>• voluntary work</li> <li>• participation in sport and leisure activities</li> <li>• taking external tests and exams</li> <li>• driving lessons and theory tests</li> <li>• college and job interviews</li> <li>• open events and taster sessions for courses in educational and training settings.</li> </ul> <p><b>Note:</b> Vocational education pathways offered by secure settings must always include genuine opportunities for children to undertake traineeships and job trainings in the community.</p>
4	<b>Health and health education</b>	<p>The main objective is to ensure that all children in custody have <b>timely access to suitable and sustainable general and specialist healthcare services</b>, based on individual need, so that problems are identified or assessed and treated at the earliest opportunity and in the most appropriate manner.</p> <p>ROTL can also be used to help children understand the role of GPs, Accident and Emergency, Urgent Care, pharmacies and hospital outpatient services.</p> <p>Examples of ROTL activities include:</p> <ul style="list-style-type: none"> <li>• visiting a pharmacy, so a child knows how to get their medication</li> <li>• supporting the registration process with a GP and ensuring that a prescription will be given</li> </ul>
5	<b>Substance misuse</b>	<p>The main objective is to ensure all children entering custody are screened for substance misuse to identify need, with recognition of previous interventions. Those with identified needs should receive <b>specialist substance misuse assessment and timely access to the appropriate intervention and treatment services</b>, with their aftercare needs met on return to the community.</p> <p>Examples of ROTL activities include:</p> <ul style="list-style-type: none"> <li>• engaging with community workers to focus on relapse prevention planning when in the community including alcohol misuse</li> </ul>
6	<b>Family relationships and support (including children cared for by a Local Authority)</b>	<p>The main objective is to <b>establish, maintain and re-build relationships with families and others</b> that will play a significant role in supporting the child. Families and supporters of children in custody must receive timely, high-quality support and information.</p> <p>Examples of ROTL activities include:</p> <ul style="list-style-type: none"> <li>• home visits</li> </ul>

		<ul style="list-style-type: none"> <li>• overnight release</li> <li>• visits to parents or carers or own child</li> <li>• meeting with mentors</li> <li>• meeting with staff who will be supporting/caring for the child in the community to begin relationship building</li> <li>• access to relationship workshops e.g. with siblings/parents/grandparents, partners, parenting skills</li> </ul>
7	<b>Finance, benefits and debt</b>	<p>The main objective is to ensure children leaving custody and their families are provided with <b>information and advice so that they can access appropriate financial support.</b></p> <p>Examples of ROTL activities include:</p> <ul style="list-style-type: none"> <li>• a visit to the jobcentre for the child to learn how to apply for benefits they would be entitled to upon release</li> <li>• opening a bank account</li> <li>• community events/support groups and talks to help with managing finance</li> </ul>
8	<b>Citizenship and other child-centred activities</b>	<p>The main objective is to support the child to access <b>opportunities which contribute more broadly to their resettlement and health development</b> e.g. their mental, emotional, physical, social, and spiritual wellbeing. Activities that enable the child to see themselves as valued citizens should also be included.</p> <p>Examples of ROTL activities include:</p> <ul style="list-style-type: none"> <li>• attend a gym in the community</li> <li>• attend a supermarket with a member of staff to buy supplies for an event at the secure setting</li> <li>• visit museums and other sites of interest to the child</li> <li>• activities led by community organisations which seek to engage children with protected characteristics</li> <li>• attend religious services in the community</li> <li>• other activities that the child has an interest in</li> <li>• engaging in participation activities, offering a voice for children in secure settings to help with service design, this might include working with organisations such as Peer Power and Leaders Unlocked</li> <li>• if eligible to vote, to vote in elections while on ROTL</li> </ul>

## 2. EVIDENCE

### Impact on Reducing Re-offending

- 2.1 Research has demonstrated that factors around resettlement, for example smooth transition and coordination in the community are key to good resettlement outcomes after custody (Hazel et al, 2002 and 2010).
- 2.2 Although most studies are of adults in prison, we can learn from these. A study of ROTL in the adult estate established that “ROTL overall was associated with reduced reoffending” (Hillier and Mews, 2018) and there was a positive link between ROTL in the 6 months prior to release and offending in the year after release.

### Equalities

- 2.3 Children of all protected characteristics must be supported through the ROTL application process. Some children may face barriers to ROTL due to their protected characteristics and staff should proactively identify and address these.
- 2.4 Below are specific equality matters that must be considered by all secure settings:
  - Racial disparities in the youth justice system are evidenced in YJS statistics 2022-2023. This needs to be understood in the context of ROTL so that opportunities are encouraged, assessed and granted fairly.
  - Adulthood primarily affects Black children and is defined as notions of innocence and vulnerability that are not afforded to certain children. This is determined by people and institutions who hold power over them. When adulthood occurs outside of the home it is often founded within discrimination and bias. The various definitions of adulthood, all relate to a child’s personal characteristics, socio-economic influences and/or lived experiences. Regardless of the context in which adulthood take place, the impact results in children’s rights being either diminished or not upheld.<sup>2</sup> In relation to ROTL, adulthood could result in some children being deemed unsuitable prematurely due to assumptions made about their risk, without consideration of how these risks could be mitigated.
  - Adulthood could also result in some children being offered less support to prepare for and engage in activities due to assumptions made about their maturity. Staff responsible for ROTL need to be active in mitigating this bias from the start of the ROTL application process right through to the assessment of risk. An Inspectorate of Probation report found that at least one in three people moving through the justice system are thought to be neurodivergent; many will not have been diagnosed during school days<sup>3</sup>.
  - Children with disabilities, special educational needs and/or learning disabilities should be supported with adjustments to ensure ROTL opportunities are accessible to them.
  - Girls form a very small proportion of the youth secure estate but face particular resettlement challenges. They are more likely to be placed further away from families and other support networks compared with boys (Khan et al, 2021). In

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<sup>2</sup> Davis and Marsh (2020) in Adulthood bias within child protection and safeguarding

<sup>3</sup> HM Inspectorate of Probation, ‘Neurodiversity – a whole-child approach for youth justice,’ July 2021. Available [here](#).



comparison with boys, they can also be more affected by feelings of pessimism and fatalism about their futures with a greater risk of social withdrawal on release, even when surrounded by supportive families/carers (Bateman et al, 2013).

- Girls can become institutionalised quickly and feel significantly shocked by the experience of transition, often leading them to behave in ways which lead them back into secure settings (Children’s Commissioner for England, 2018). Good quality relationships, established early with key workers involved in their resettlement (both inside and out), are even more critical to support successful transitions into the community. Strength-based and empowering ROTL activities help girls to engage with community support and build pro- social connections and to develop their sense of agency and social inclusion (Bateman et al, 2013).
- There are significant differences in adolescent brain development and children who experienced significant trauma are more likely to display reckless, self-destructive behaviour, inappropriate aggression, over or underestimating danger, and difficulties in imagining or planning for the future (Beyond Youth Custody, 2016).

2.5 Opportunities for children to participate in ROTL activities can improve pro-social identity and social, emotional and citizenship skills which should all be encouraged.

### **Procedural justice**

2.6 The term procedural justice refers to the extent to which someone perceives the way processes are applied and decisions are made by people in authority to be fair and just. This is relevant to ROTL because staff may decide that ROTL cannot be approved and children may not agree with this decision.

2.7 Within this Framework, the four key principles of procedural justice should be applied to all decision making for ROTL:

- Respect - the secure setting and the YJS must be sensitive to the needs of the child when considering each ROTL activity.
- Neutrality - each child needs to experience authority figures as neutral, principled, transparent, consistent in their decision-making processes and to feel that this Framework has been applied without bias.
- Voice - the child must be able to say what they think during discussions and decision making about ROTL and proposed ROTL activities. This includes their contribution to discussions about managing risk. Children should be reminded that they can invite an advocate to their ROTL stage 2 meeting. The child may appeal decisions and may make a complaint if they are dissatisfied with the outcome.
- Trust - children need to know that staff have their best interests in mind. The secure setting resettlement practitioner and YJS case manager must prioritise meetings with children whilst they are in custody and engage with their families/carers as well as arranging meetings between the child and external staff who will be working with them in the community.

## **3. OUTCOMES**

3.1 The implementation of this Framework will support the following outcomes:

- Provide a fair, consistent, and transparent approach to assessing ROTL applications embedding the principles of Child First and procedural justice for example, allowing the child to have a genuine voice and decisions are needs based and psychologically/trauma informed throughout the process.
- ROTL processes are clear, efficient and easy to administer.
- Ensuring that ROTL assessments are underpinned by the principles of safeguarding the child as well as protecting the public, with a primary aim to effectively resettle the child back in the community and prevent re-offending by focusing on each child's personal identity development.
- Ensuring that decisions to postpone or refuse ROTL are defensible decisions based on suitability assessments and not as a sanction for poor behaviour.
- Enable community partners to take a greater role in the planning and delivery of ROTL plans.
- Promote family (and significant others) engagement throughout the child's stay in custody.
- Increasing the number of ROTL opportunities and earlier in the sentence period.
- Increasing the number of children accessing ROTL activities that are clearly linked to their needs, resettlement plan and formulation, when it can be safely managed.
- Positive impact of ROTL in developing structured pre-release plans, through mock interviews, workshops on budgeting and other reintegration activity. This will help children feel more prepared for the challenges they may face on release.

## **4. REQUIREMENTS**

### **ROTL to support positive resettlement**

- 4.1 ROTL activities must be used to help the child explore and develop their pro-social identity and to build on their strengths. This can be achieved through specific activities, helping them to strengthen ties with community or family (see paragraph 1.10, purpose of ROTL).
- 4.2 ROTL activities should be driven by a child's formulation and complement their integrated care plan (or equivalent), through providing opportunities for personal development, reparation and rehabilitation while also supporting effective resettlement planning involving accommodation, education, training, employment, leisure, health and wellbeing, independent living skills, supervision, and support arrangements prior to and upon release.

### **Safeguarding the Child**

- 4.3 In line with the YCS Safeguarding Framework, safeguarding must be a golden thread embedded in the ethos of each secure setting so that the consideration of safety and welfare is at the heart of all processes, procedures and decisions, including all ROTL activities.
- 4.4 It is essential that everyone involved in the care and management of children in youth custody understands their safeguarding responsibilities.
- 4.5 The safety and wellbeing of the children must be considered within all temporary release plans and should be informed by multi agency formulation and planning.

- 4.6 Working together with the home YJS case manager, the risk assessment must be completed for each proposed activity, including the location, reason for the activity and how the child may respond to being outside of the secure setting. Further guidance is provided at Annex B. The staff member arranging accompanied ROTL must ensure that any professional or volunteer accompanying the child has an enhanced disclosure and barring service check. This must follow the requirements in the YCS Safeguarding Framework. This information must be recorded on the ROTL Application Form (see Annex C).

### **Maintain Public Confidence**

- 4.7 All those involved in ROTL applications, decision making and delivery have a duty to ensure that both public safety and public confidence in the youth justice system are maintained. The individual resettlement needs and wellbeing of the child must be balanced with an assessment of risk to public safety and public confidence in the administration of justice.
- 4.8 Whilst this Framework seeks to increase opportunities for ROTL activities to support positive resettlement outcomes, there is no automatic entitlement to ROTL. This must be explained to the child in advance of the application process.
- 4.9 ROTL activities can take place within the child's home area as well as local to the secure setting where they have been placed. The home/host YJS case manager and the secure setting resettlement practitioner/caseworker must consider throughout the risk assessment process any impact on the victim(s), their family and the community.
- 4.10 Before any release is considered, a check must be made with the HMPPS Victims' Helpline for any relevant information. The home YJS case manager should report relevant information about the location of any identified victims and whether the victim or victim's family are participating in the victim contact scheme. If so, they must be given the opportunity to make representations about the licence conditions for any temporary release and any representations must be put before the relevant ROTL meeting. The home YJS case manager must be informed of the outcome of the ROTL meetings, including any victim specific conditions so this can be shared with victims via the victim liaison officer (VLO). The secure setting resettlement practitioner/caseworkers must familiarise themselves with the Victim Contact Scheme Policy Framework (2023) to ensure that all eligible victims are provided with clear and relevant information to which they are entitled as specified in the Code of Practice for Victims of Crime in England and Wales.
- 4.11 ROTL should not be used for police production purposes as this falls within the parameters of external escorts.

### **Equalities**

- 4.12 Children of all protected characteristics must be supported and given access to appropriate ROTL activities.
- 4.13 Managers leading on ROTL and equalities should review ROTL meetings and cases at frequent intervals to ensure that ROTL opportunities are being offered on an equitable basis. These reviews must consider if there are any specific barriers that children with protected characteristics are facing, for example adultification bias and be proactive in recording and actioning solutions.

### **Eligibility and Exclusion from ROTL**

- 4.14 The following eligibility criteria will apply to all youth secure settings.

**Children who have been assessed as suitable, can access ROTL five months after the date of sentence, or once they have served half of their custodial period, whichever is earlier.**

4.15 Children are not eligible to apply for ROTL if they are:

- a remanded or unsentenced child;
- a sentenced child who is currently on remand for outstanding offence(s); or
- a child who is serving an indeterminate sentence (life sentence or Detention at His Majesty's Pleasure).

4.16 *Where a child is eligible for applying for ROTL, there is a general presumption in favour of ROTL subject to individual risk assessments.*

### **Parole Reconsideration Period**

4.17 Children can be assessed for suitability for ROTL at any point after their parole eligibility date, including during the 21-day reconsideration period.

4.18 There is no automatic requirement to suspend ROTL during the parole reconsideration period (including where an application has been submitted) if the child was accessing ROTL or had been approved for ROTL prior to the Parole Board decision.

4.19 In these instances, the decision maker within the secure setting must review the ROTL arrangements in consultation with the YJS case manager.

4.20 The review should consider the reason for the reconsideration application and whether the planned activities can be safely managed. If the change in circumstances means that the risk of absconding, risk of serious harm to others or to the child cannot be sufficiently mitigated, then ROTL should be suspended pending the outcome of the reconsideration application. Children that have not accessed ROTL prior to a positive Parole Board decision should be assessed for ROTL in the normal way, taking into consideration any directions given by the Parole Board.

4.21 For further guidance on parole, please refer to the following documents:

- Generic Parole Process Policy Framework (2023)
- The Reconsideration Mechanism (2019)

### **Administration of ROTL**

#### **Step 1 - Calculate the ROTL eligibility date**

4.22 The following ROTL eligibility criteria applies to all sentenced children in secure settings that are not excluded in paragraph 4.15:

**Children who have been assessed as suitable, can access ROTL (this is to be known as their ROTL eligibility date) five months after the date of sentence, or once they have served half of their custodial period, whichever is earlier.**

4.23 This process must also be applied to 18-year-olds in a youth secure setting who have not been transferred to the adult estate.

- 4.24 Each child's ROTL eligibility date must be recorded on their Youth Justice Assessment Framework (YJAF) sentence calculation. It is the responsibility of the home YJS to share this information with parents/carers.
- 4.25 Annex D provides guidance on how to calculate ROTL dates for sentenced children.

### **Step 2 - Involve the child**

- 4.26 Every child must be made aware of their ROTL eligibility date in their resettlement planning meetings (unless they are ineligible which should also be explained). Their ROTL eligibility date must be explained and provided to the child in writing in a format that they can easily understand, taking account for example of any learning disability, learning difficulty or visual impairments. How the ROTL application process works should also be explained to the child in these meetings.
- 4.27 When speaking to the child, the secure setting resettlement practitioner/caseworker must explore meaningful opportunities linked to the resettlement pathways, their personal development and reflects their interests (see paragraph 1.10 for examples of ROTL activities). This should be recorded on the case management system (NOMIS and YJAF in YOIs and YJAF and local case recording systems in SCHs, STC and SS).

### **Step 3 - Preparation for ROTL stage 1 meeting (suitability assessment)**

- 4.28 The home YJS case manager and the secure setting resettlement practitioner/caseworker must communicate (in person, virtual meeting or in writing) to identify meaningful ROTL opportunities that would be suitable and safe for the child.
- 4.29 The secure setting resettlement practitioner/caseworker and the YJS case manager should consult others working with the child, such as education, health, family and others that may be involved in the care of the child, to assist this process. Ordinarily they should discuss this two months before the child's ROTL eligibility date. Where the child is serving a short sentence, the initial discussions should be expedited allowing sufficient time for the full ROTL risk assessment to be take place.
- 4.30 The secure setting resettlement practitioner/caseworker must regularly attend the child's care and support meetings to help with effective preparation for future ROTL plans.

### **Step 4 - ROTL stage 1 meeting (suitability assessment)**

- 4.31 Each secure setting must hold a ROTL stage 1 meeting every month to review all cases with ROTL eligibility dates in two-months' time. For example, in October, a ROTL stage 1 meeting must review all children who could access ROTL in December.
- 4.32 Where a child can access ROTL earlier than two months post sentence (for example, children on short sentences or who have served remand time), the ROTL stage 1 meetings must consider their case sooner.
- 4.33 The ROTL stage 1 meeting must have representatives including:
- The head of resettlement or the equivalent (Chair)
  - The secure setting resettlement practitioner/caseworker
  - home/host YJS case manager
  - designated social worker for the site

- security or equivalent staff

4.34 In addition, this meeting can include voluntary sector staff known to the child.

4.35 The secure setting should ensure that an up-to-date version of the formulation, integrated care plan (or equivalent) and the resettlement plan is available. **The purpose of the ROTL stage 1 meeting is to either recommend or not recommend that a full ROTL application should be completed for presentation at a ROTL stage 2 meeting.** The decision must be recorded on the ROTL application form and YJAF (suitability section) or equivalent.

4.36 If the meeting considers planned activities are not appropriate at this stage, where possible they should identify alternative activities for the child and reconsider or review the child's case at a later meeting.

4.37 The meeting must consider and determine:

- what activities would be suitable and safe for the child to do
- why the activities are appropriate at this stage in the child's sentence
- what are the planned activity goals, benefits, and positive outcomes for the child

4.38 The meeting may require the secure setting resettlement practitioner/caseworker and home/host YJS case manager to focus on areas of concern in completing the risk assessment for consideration at ROTL stage 2 meeting. These may include:

- representations made by the victim which require a further assessment;
- representations made at Multi Agency Public Protection Arrangements (MAPPA) meetings that need to be explored further in the risk assessment;
- risks posed by and to the child when participating in the proposed activity/programme (risks should be clearly articulated and consider triggers, the likelihood that risk will materialise during the proposed activity as well as the impact on self and others);
- what additional support and/or actions are required to mitigate the identified risks and who is responsible for implementing them; and
- contingency plans if the ROTL does not go ahead as intended.

4.39 This further information is required before making an assessment as to whether the risks can be managed safely.

4.40 In all ROTL cases, the needs of the child should be balanced alongside the views of the victim, the need to protect others and to maintain public confidence in the scheme. Careful consideration should be given to the timing of the activity as in some cases, for example children who have received a long custodial sentence or whose offending has resulted in widespread local and/or national coverage, it may be appropriate to focus on other elements of the sentence plan and introduce ROTL later than the eligibility date. Each case should be judged on its own merits and a full risk assessment undertaken before making a final decision.

4.41 Children with history of failing to comply with court bail conditions, community orders, conditions of release from custody and/or licences as well as absconding from care settings are not excluded from being assessed for ROTL. However, this needs to be looked at carefully in the full risk assessment, which should be current and dynamic, to feed in at

ROTL stage 2 meeting. For example, staff must consider the context in which a past event occurred (including their motivation and triggers) and their current circumstances (including changes in their maturity and opportunity) when assessing whether this risk can be sufficiently mitigated.

- 4.42 For children managed at MAPPA level 2 or 3, the secure setting should complete the MAPPA F form and participate in MAPPA meetings while the child is in custody. Recommendations from these MAPPA meetings should be taken into consideration when assessing the child's suitability for the proposed activity and when planning for their supervision.

#### **Step 5 - ROTL stage 2 meeting**

- 4.43 A ROTL stage 2 meeting must be held after the resettlement practitioner/caseworker and home YJS case manager complete the relevant part of the ROTL application form (see Annex C). This will be presented at the meeting chaired by the head of resettlement or the equivalent in the STC, SCH and SS. The meeting will then make a recommendation to the Governor, Manager, Director or Head who are responsible for the final decision and ROTL approval.
- 4.44 The ROTL stage 2 meeting should be held one month before the ROTL eligibility date, although it can be held sooner if it is appropriate to do so. For children serving short Detention and Training Orders (DTOs), meetings and decisions will need to be expedited.
- 4.45 The child must be given the opportunity to attend all or part of the ROTL stage 2 meeting and offered advocacy. If the child does not want to attend, the home YJS case manager and/or resettlement practitioner/caseworker must help them to prepare a supporting statement for the activity they have agreed to, with the child. Advocacy services could also express the child's wishes and feelings.
- 4.46 The ROTL stage 2 meeting must include a member of child's core support team (as per the Framework for Integrated Care (SECURE STAIRS) or equivalent) and the following representatives:
- head of resettlement or the equivalent (Chair)
  - child and/or other representative specific to the child (for example, advocacy)
  - resettlement practitioner/caseworker
  - home YJS case manager
- 4.47 The following people must be given adequate time to either attend or submit relevant reports to be considered during the ROTL Stage 2 Meeting:
- social worker (if allocated, either site designated social workers or community social workers)
  - security senior manager
  - education representative
  - health staff
  - safeguarding
  - custody support plan (CuSP) officer

- parent/ carer or legal guardian
- relevant organisation representative specific to the ROTL licence
- if subject to MAPPA Level 2 or 3 management, the Police and YCS Placement and Casework Team must also attend
- any other relevant community stakeholder
- child's mentor

4.48 A copy of the formulation and integrated care plan (or equivalent) should be available and inform decision making. It is the responsibility of the resettlement practitioner/caseworker to ensure this is available.

4.49 At this meeting, the home YJS case manager and the resettlement practitioner/caseworker should indicate on the application form which of the following is being considered:

**Accompanied ROTL** - This is when the child is accompanied by an adult that is responsible for supervising them. This could include a member of staff from the secure setting or another agency who has undergone enhanced vetting, such as the home YJS case manager. Accompanied activities can take place in a variety of settings in the community.

**Group ROTL** - This is when two or more children attend a ROTL activity together under the supervision of a member of staff from the secure setting or another adult. The activity should be determined by the needs of the children in the group and consideration given to the risks and benefits of taking the children out together. The assessment must consider the relationships between the children in the group and the staff to child ratio should provide an appropriate level of support and supervision to allow the activity can be undertaken safely.

**Semi-accompanied local ROTL** - This is when the child is accompanied for part of the ROTL activity and left unaccompanied at other times. Initially this would only be for a short period of time in the local area and built up over time. For example, taking the child to the local shop and allowing them to return unescorted or allowing the child to make their way to a specific location and collecting them at an agreed time.

**Unaccompanied ROTL** - This is when a child is unaccompanied for the entire activity including travel to and from the activity, for example attending work experience. The child should have successfully completed accompanied and/or semi-accompanied ROTL before unaccompanied ROTL is granted. Active checks must take place to ensure that the unaccompanied child is where they are supposed to be and that the planned support is in place.

**Home visits** - This is when the child visits where they will be living on their release. A Home Circumstances Report (HCR) must be submitted before authorising a home visit for the first time and then repeated at three-month intervals or when there is a significant change in circumstances (for example, someone moving, or police call out). Home visits may start at one visit per month and will rarely progress to more than fortnightly visits. The level of supervision may progress as follows:

- **Fully accompanied and supervised day visit** - visits will usually commence once a month for between 2 hours and up to ½ a day and can then progress to a full day. The length of time the child remains at this level of supervision will depend on their assessment of needs and risks.



- Fully accompanied but unsupervised day visit - the child is accompanied there and back but not supervised by a member of staff from the secure setting or another agency whilst there. These should begin at ½ a day a month or a full day a month depending on previous progress. The child should remain at all times with the family or another responsible adult and should not leave the home alone or be left in the home alone under any circumstances.
- Semi-accompanied day visits - the child is accompanied one way, is unsupervised by a member of staff from the secure setting or another agency whilst at home and returns unaccompanied. Generally, any child under 15 years of age should not be expected to travel any distance alone and particularly not where the journey is long and/or complicated, unfamiliar or will involve travelling after dark.
- Unaccompanied day visit - the child travels both to and from home alone and can have periods unsupervised whilst at home. There must be minimal risk of absconding before approving this level of ROTL.
- Overnight stay - due to the possible safeguarding concerns and the risk of absconding, overnight stays should only be approved when satisfied that there is no further need to be accompanied or supervised. Initially, visits will only be for 1 night and will not progress to two-night stays until the final weeks of sentence. In exceptional cases three overnights may be considered (for example, if a child is also a carer or has the opportunity to do some work experience/attend interviews that span over a number of days).

4.50 The ROTL stage 2 meeting must consider and determine one of the following outcomes:

- ROTL application is recommended for approval without amendments to the assessment/plan.
- ROTL application is recommended for approval with minor amendments to the assessment/plan.
- ROTL application is deferred to a further date due to insufficient information being provided for the Chair to make an informed recommendation.
- ROTL application is refused based on the information provided in the ROTL application and/or as presented at the ROTL stage 2 meeting (for grounds for refusal see paragraph 4.52 below).

4.51 The ROTL application form, section 8, will be completed by the Chair of the ROTL stage 2 meeting with notes from the meeting and the recommendation to the Governor, Director, Registered Manager or Head who will make the final decision. The outcome of the meeting will be recorded on YJAF with the completed application form also being uploaded.

4.52 If refused, the reason for refusal must be given and recorded on YJAF and reviewed at regular intervals. This could be timed to coincide with sentence plan review meetings to ensure that the review of the refusal decision considers the views of a range of professionals.

4.53 Refusal will be due to one or more of the following reasons:

- risk of offending
- risk of absconding

- risk of serious harm to others
- risk of serious harm to the child; and
- the risks identified cannot be safely mitigated or child cannot be adequately safeguarded during the activity

4.54 When a ROTL decision outcome is deferred, then another ROTL stage 2 meeting must be reconvened within five working days of the outstanding information being received.

4.55 The Chair must provide a written summary of the ROTL stage 2 meeting recommendation and (subsequent decision) to all participants within 48 hours of the ROTL stage 2 meeting. The integrated care plan (or equivalent) should then be updated accordingly.

### **Risk assessments**

4.56 Children being considered for ROTL (and those nominated to be their companion) must be assessed to identify any risks to the child and/or the public (see Annex B1 and Annex B2).

4.57 The home YJS case manager must be satisfied that any risks posed by the child can be safely managed during the ROTL activity and where necessary put additional measures in place to mitigate and manage risks. This may include measures to protect previous or potential victims from harm.

4.58 The assessment of risk must be relevant to the activities being proposed while on ROTL and include how these risks could be mitigated to enable the activity to be completed successfully.

### **Step 6 - Notification of ROTL final decision**

4.59 The final decision will be made by the Governor or equivalent. The child must be informed by the secure setting of the final ROTL decision, verbally and in writing within 48 hours.

4.60 All written communication with the child must be in a format that can be easily understood with any learning needs or visual impairments considered.

### **Step 7 - The Appeals/Complaints process after the final decision**

4.61 After being informed of the final decision, the child is entitled to appeal on refusal and must be notified of their right to do so. The child can appeal by themselves, or they can request assistance from their family, the secure setting resettlement practitioner/caseworker, CuSP Officer, their home YJS case manager, legal advisor, social worker, a member of the advocacy service or the local independent monitoring board.

4.62 In YOIs and STC, children who wish to complain must be supported in completing the local secure setting complaints form.

4.63 If they remain dissatisfied, the child may complain to Independent Prisoner Complaint Investigations (IPCI) which is part of the Prisons and Probation Ombudsman (PPO). IPCI can consider the merits of a decision regarding temporary release and provide an opinion as to whether that decision was reached correctly. If, in their view, it was reached wrongly they may recommend that it should be reconsidered by the decision maker. However, IPCI does not have the authority to reverse decisions and to grant temporary release nor can IPCI require the Secretary of State to retake the decision.

4.64 In the STC, a child can appeal (or make a complaint directly) to the STC's YCS Monitor.

4.65 In SCHs and SS, a child may complain via the home or school's complaints process if they are dissatisfied with the process under which their ROTL decision was made. This would be in the form of an appeal to the YCS Sentence and Release Team Manager (YCSPT-Release@justice.gov.uk) who would then consider the matter and confirm with the home or school as to whether the Framework has been followed and if appropriate, advise that the ROTL decision needs to be reconsidered by the home/school.

### **Disclosure**

4.66 All information that has been considered in reaching the ROTL decision must be disclosed to the child on request, except where the decision-maker determines that non-disclosure is necessary:

- for the prevention of crime or disorder, including information relevant to the secure setting security; or
- in the interests of the health and welfare of the child or anyone else

4.67 In such cases those providing the information must mark it "not for disclosure to the child" and submit alongside this an edited or summarised version which may be disclosed to the child, who must be advised that information has been considered but is being withheld and reasons for this (see paragraph 4.66 above).

### **Step 8 - Preparation for ROTL activity**

4.68 The secure setting, home/host YJS or other non-operational staff (for example, from education or chaplaincy who have been approved by the home YJS case manager) must support the child before, during and post the ROTL activity (see Annex E).

4.69 The secure setting resettlement practitioner/caseworker and home/host YJS case manager must make themselves aware of any identified need (through reviewing specialist reports for example, case formulation, education healthcare plan (additional learning need for Welsh children) or child health summary) and make reasonable adjustments where applicable and communicate appropriately so that the child understands what is expected of them and how their ROTL will progress.

4.70 Children need to be supported to prepare for ROTL. For some children, including those who are neurodiverse, the change in environment may be overwhelming in terms of sensory stimulation. This is not a reason not to grant ROTL, rather support from specialist health staff and use of the formulation to plan calming, coping and management strategies with the child may be required to enable a successful ROTL.

4.71 The secure setting resettlement practitioner/caseworker and home/host YJS case manager must brief the child, in clear and accessible language on the following as applicable:

- The schedule for the ROTL activity including timescales, transport route and mode of transport.
- A map of any relevant inclusion or exclusion zones. This should be physically demonstrated at the location on the first ROTL.
- The ROTL licence conditions and the consequences if the licence is breached (see Annex E).
- Management of their safety and key point of contact.

- The need to notify a responsible person if they need to return to the secure setting, before or after their allocated return time.
- If accompanied, the role of their companion, the need to comply with their instructions and to always remain near their companion.

4.72 The secure setting head of resettlement or the equivalent must be satisfied that appropriate transportation and other planned support and risk mitigation provisions are provided.

4.73 There may be occasions where the risk assessment indicates that the secure setting may require additional support from Prison Escort Services (PECS) to ensure that the child travels safely to and from a ROTL activity. The use of PECS to facilitate ROTL is a rare and exceptional step to take. Examples may include where travel arrangements would involve an additional level of complexity due to the child's physical or mental health needs, where the ROTL activity may attract a significant local or national media attention, or where additional security measures are required to mitigate specific risks.

4.74 Where this is the case, the secure setting resettlement practitioner/caseworker must contact the YCS Placements and Casework Team (YCSTransfers@justice.gov.uk) at the earliest opportunity and no less than seven days before the ROTL activity, to establish whether the threshold for complex escort arrangements has been met and to commence planning.

4.75 In all secure settings, to ensure that the child is best equipped to engage with ROTL successfully, staff must make sure that every child fully understands the ROTL licence conditions and the prohibited activities and rules they must follow.

### **Step 9 - Management of the planned ROTL event**

4.76 Secure settings must ensure that on the day the planned support is available for the child. If there are child safeguarding or public safety concerns which indicate that the planned activity can no longer be safely managed, the ROTL activity must be suspended immediately by head of resettlement or equivalent (or an appropriate manager on duty) until such time the required support is available.

4.77 The reason for ROTL not going ahead needs to be explained to the child, in a clear and accessible language, and support given to the child to help address any immediate disappointment. The reason for ROTL not going ahead must also be explained to those supporting the child, for example, any family member who were expecting them.

4.78 YJAF must be updated as soon as possible to enable effective sharing of information between the secure setting and youth justice service.

4.79 Staff (operational or non-operational) who attend the ROTL activity with the child do so in a supportive capacity and therefore the relationship that they have with the child is important. Whilst on ROTL, children may have an unexpected response to situations and if the child presents a risk, the staff member must call the police if they are unable to resolve the situation verbally. Staff must not restrain the child whilst out on ROTL.

4.80 Conditions must not be imposed on the child to take certain steps regarding their own protection, nor on anyone else to manage any risk. One of the staff supporting the child, however, should offer to meet the child at agreed times. This would be a support measure, not a condition and it must not be imposed.

### **Step 10 - Debriefing**

4.81 At the end of each ROTL event, the child's resettlement practitioner/caseworker must review the event (with the companion if applicable) and must make a diary entry on YJAF

commenting on the outcome and giving a brief overview of how it went. It is important to note what worked well and how the child responded as well as any issues that occurred and what positive mitigation would be needed to enable future successful ROTL release opportunities. This information should feed into and update the integrated care plan (or equivalent).

- 4.82 Staff must actively support the child after the ROTL event. It is particularly important to ensure that the child felt safe. Staff should talk to the child and others (for example the home YJS caseworker and the child's family or carer) to identify any extra support needed in future.
- 4.83 If there are complications or issues during the ROTL event, the resettlement practitioner/case worker must consider these and set up a ROTL debrief meeting with the child to explore them. The child can be supported by advocacy, CuSP Officer, or Safeguarding Team.
- 4.84 At the debrief meeting, discussion should focus on how the child could be actively supported for ROTL activities in the future. The resettlement practitioner/caseworker should make a diary entry on YJAF commenting on the event including the decision of the debrief meeting. Additionally, the child's integrated care plan (or equivalent), formulation and/or resettlement plan must be reviewed against the debrief meeting's decision and the child informed.
- 4.85 Reviewing each ROTL occurrence and recording a diary event on YJAF allows staff to examine an overall picture of the child's experience. It also gives those managing the ROTL process an opportunity to identify lessons learned from each child's experiences on ROTL so they can support other children in future.

### **ROTL Failure**

- 4.86 In all secure settings, staff must familiarise themselves with the following four types of ROTL failure:
- Failure to return - this is when a child has failed to return to the secure setting from ROTL and the unlawfully at large (UAL) contingency plan has been activated, including notifying the police. If a child does not return by the agreed time but then either returns to site or attends a police station later the same day, this should be amended to a report of a late return.
  - Late return - this is when the child returns late on the day of return, UAL contingency plans may have been activated, and the child is not late solely due to matters beyond their control. Note: arriving late due to matters purely beyond their control will not be recorded as any type of failure but will follow a different process (see para 4.90 below). Late arrival to planned ROTL destinations (e.g. college) where this is required in the licence conditions should be reported as an "other breach of licence."
  - Alleged offending on ROTL - this is when the child has been arrested for an offence allegedly committed whilst on ROTL. If the child is arrested for the offence of failing to return, this should be reported as a "failure to return" not as alleged offending.
  - Other breach of licence conditions - this is when any of the other conditions of the licence have been breached (see Annex F for examples).

### **What to do when there are two types of failure arising from the same release**

- 4.87 For YOIs full details of the facts must be reported on Incident Reporting System (IRS) but only one reason for the failure will be noted according to the following hierarchy (choose the top reason on the list):
- alleged offending

- failure to return
- late return
- other breach of licence conditions

For example, when child has failed to return and been arrested for an offence committed whilst on ROTL the incident should be reported under “alleged offending.”

4.88 For the STC, SCHs and SSs, staff must follow the process set out in the local ROTL procedure and the ROTL contingency plan.

4.89 If a child returns to the secure setting late, it is important to identify the reasons why the child is late, the impact it has had on the ROTL activity and the child’s welfare. Upon arrival back at the secure setting:

- A staff member must speak to the child and find out why they are late. If the staff and Governor (or the equivalent) are confident that this was due to measures beyond the child’s control, that they did their best to return when possible and communicate with the secure setting, this must not classify as a ROTL failure.
- The child’s welfare and safeguarding must be considered to ensure staff know whether something happened on to the child while out on ROTL that could be detrimental. It is important that whilst speaking to the child, staff establish whether there are any health or wellbeing concerns that require immediate action and reporting. This conversation with the child must establish if there is anything that needs to be swiftly actioned regarding future ROTL placements. The child must be reminded about advocacy support.

4.90 If it is determined that a ROTL failure has occurred, all actions relevant to the level of failure must be followed (see below). Where UAL procedures are required, this will be detailed in the local contingency plans.

4.91 In all secure settings, if a child has failed to return and contingency plans have been activated, the relevant process regarding victims must be followed:

- The secure setting must contact the child’s YJS case manager (or the Local Authority Emergency Duty Team if the event occurs outside office hours) within two hours of activating UAL procedures. (SCH’s and Secure Schools will also follow local Missing from Home procedures and notify Ofsted as per the Children’s Regulations 2015).
- Victims who have opted into the Victim Contact Scheme must be informed by the YJS of any failure to return. The YJS will judge the most effective and appropriate way to do this in response to the circumstances.
- The secure setting must notify the child’s YJS case manager who must then inform the relevant Police Liaison Officer.

4.92 In the STC, in the event a child fails to return outside normal working hours, the ROTL failure must be reported to the YCS Placements Team (0345 363 6363 - option 5). Absconds must be reported immediately to the YCS Monitor and Central Operations incident support team, placements duty manager, National Incident Management Unit (NIMU) along with any locally required reporting (for example, the company’s Gold Command).

4.93 In SCHs and SS, in the event a child fails to return outside normal working hours, the ROTL failure must be reported to the YCS Placements Team (0345 363 6363 - option 5). Absconds must be reported immediately to duty manager on Placements, who would notify the Head of

Children's Casework, the YCS Deputy Director of Operations, NIMU, and Operations Incident Support Manager. All other ROTL failures must be reported within 24 hours.

**Whilst out on ROTL (for all secure settings)**

- 4.94 If the child was not accompanied and has notified the responsible officer that they are delayed, on their return to the site, the child must be asked to confirm their location and expected time of return.
- 4.95 The responsible officer must inform the head of resettlement (or the equivalent in STC, SCH and SS) as well as the home YJS case manager, parents or carers and social worker if applicable.
- 4.96 If there is a threat of failure to return and a companion is present, they must attempt to persuade the child to return. Companions do not hold any powers to use reasonable force to detain or prohibit any child who does not wish to abide by their ROTL licence.
- 4.97 If the child attempts to not return to custody and is then persuaded to return, the child and companion must return to the site immediately. This is not a ROTL failure, however, the reasons behind the attempted failure or any negative behaviour must be addressed through steps 5 to 7 (in the table below).

**Levels of ROTL failure (for all secure settings)**

- 4.98 Level 1 includes failure to return.
  - Steps 1 to 7 (in the table below) must be followed if the child was accompanied and not persuaded to return:
  - Steps 2 to 7 (in the table below) must be followed if the child was unaccompanied and has failed to return.
- 4.99 Level 2 includes alleged offences/prohibited activities and items.
- 4.100 Any alleged offences, engaged in prohibited activities or obtained prohibited items is defined as a breach of ROTL licence:
  - Steps 1 and 3 to 7 (in the table below) must be followed if the child was accompanied.
  - Steps 3 to 7 (in the table below) must be followed if the child was unaccompanied.
- 4.101 Steps for breach of a ROTL licence are outlined in the table below:

1	If accompanied, the companion must immediately contact the secure site providing information on their current location.
2	The companion or responsible officer must make the 999 call as per local contingency plans. They must confirm the secure setting that the child is placed at.
3	The responsible officer must ensure that they have informed the head of resettlement or the equivalent as well as the child's secure setting resettlement practitioner/case worker, the home YJS case manager, parents or carers, the social worker (if applicable) and the YCS Sentence and Release Team.

	The secure setting must ensure that the UK Visas and Immigration are informed of any child who is liable for removal from the UK who has breached their licence conditions.
4	The relevant Press Office and the Deputy Director of YCS Operations must be informed.
5	The reasons for the ROTL failure, and review of the risk assessment, must be explored through an urgent ROTL failure meeting within 48 hours.
6	A written report on the outcome of the ROTL failure meeting must be provided to the head of resettlement or the equivalent and the YCS Sentence and Release Team.  The report must outline and record any resulting amendments to the child's ROTL plan activities.
7	The outcome must be recorded on YJAF or equivalent.

4.102 In all secure settings, a mandatory formal review must be completed if the alleged criminal offence is a qualifying serious further offence (see Serious Further Offence List in the adult Release on Temporary Licence (ROTL) Policy Framework (2022)).

4.103 The Deputy Director of YCS Operations must appoint a senior operational manager from another setting to review the ROTL failure (where the child has not returned or alleged to have offended on ROTL), report findings and identify any specific learning or recommendations to improve policy and practice. The child's voice should also form part of this review.

#### **Step 11 - Formal Local Review**

4.104 A child's ROTL activity should be reviewed every three months or following a change in circumstances or if the ROTL plan has been disrupted or suspended due to incident or risk by completing section 10 in the application form/Annex C). If it is a new activity, then a new assessment is to be completed.

#### **Recording data**

4.105 All decisions/assessments made on ROTL applications must be uploaded on YJAF.

#### **Monitoring of ROTL**

4.106 Each head of resettlement or the equivalent must be satisfied that all ROTL decisions are recorded on YJAF in line with the requirements set out in this Framework.

#### **SPECIAL PURPOSE LICENCE**

4.107 Special Purpose Licence (SPL) is a form of ROTL and is delivered under the same legislative authority as ROTL (see Annex A).

4.108 All sentenced children who are eligible for ROTL (see paragraph 4.15) can be considered for SPL on a case-by-case basis.

4.109 An application for SPL (using the ROTL application form in Annex C) can be made at any stage of a child's sentence. There is no minimum eligibility period to apply for this form of temporary release.

4.110 Reasons for granting SPL on compassionate grounds can include:



- Visits to dying relatives, funerals, or other tragic personal circumstances. It must be acknowledged that for the children in our care their experiences of what they view as family and close relative is varied. This, together with cultural differences around mourning, should be taken into consideration when making decision.
- For children coming into custody who have parental responsibility for a child under 18 (i.e. not just primary carer) and need to deal with emergencies relating to their parental duties. A child who is deemed to be a young carer who has a significant role in the caring of a parent, elderly or severely disabled relative or who are parents of a disabled child under 18 years old. SPL for this purpose might be taken regularly and at the same frequency as ROTL day release for maintaining family ties. Regular assessment of carer status must be undertaken. This must be established by the home YJS case manager and a social worker on reception into custody.
- Some civil/tribunal proceedings matter as well as for other personal or exceptional circumstances.

4.111 SPL may also be granted for children to attend medical out-patient appointments, or inpatient requirements.

4.112 Children may be required to attend family matters in a civil court. This includes cases where the child's presence is required and those where it is in their interests to attend proceedings such as tribunals and other family matters in a civil court. If it is necessary for them to attend but there are identified risks then the use of video link or secure escort must be considered. Where a child has been ordered to be produced to the court it is often expected that they will be escorted to court. If it has been decided to allow the child to attend under SPL, the court must be notified in advance that the child will be attending on SPL rather than under escort.

4.113 In an emergency a child would normally be taken under escort rules, but SPL can be considered where there is likely to be a series of outpatient appointments or to cover an extended period of inpatient care.

4.114 There may be other personal or family circumstances which are tragic or exceptional, for which temporary release on SPL might be considered. In cases of doubt, the YCS Sentence and Release Team must be consulted.

## **SPL Process**

### **Step 1 - Supporting the Child**

4.115 The SPL application (using the ROTL Application Form in Annex C) can be initiated by either the child's resettlement practitioner/caseworker or home YJS case manager. The child's resettlement practitioner/caseworker and home YJS case manager must acknowledge the difficulties that may be experienced by the child and provide them with appropriate support before and after the SPL event to mitigate against harmful behaviour and or risk of serious harm.

### **Step 2 - Risk assessment**

4.116 Children must only be recommended for release where it is judged that any risk factors including reoffending, failure to return or other significant challenge can be managed in the community on SPL. Sections 1 and 5 to 9 in the ROTL application form must be completed.

4.117 Cases involving children who have a long sentence and/or who have been convicted of serious violent, sexual offences, or any offence involving the death of or serious injury of the victim, must be considered with sensitivity to the victim and their family especially if the

SPL request is to return to the area of where the offence took place or those connected to the offence live.

### **Step 3 - Approval**

- 4.118 SPL is subject to agreement by the Governor, Registered Manager, Director or Head.
- 4.119 The Governor, Registered Manager, Director or Head has the discretion whether to allow a licence to cover overnight absences. The maximum duration of this licence should ordinarily be no more than four nights in every 28 days although, exceptionally, back-to-back licences can be granted.
- 4.120 There is no limit on the number of renewals of SPL where child is receiving in-patient treatment in a medical facility and the secure setting must consider what level of contact, they will maintain with the child and how best to do this (directly, via family or through YJS).
- 4.121 For any visit to a terminally ill relative, it must be clear that the patient, if able to express a view has agreed to see the child. The Governor, Registered Manager, Director or Head must take account of the fact that, within some communities, funerals may occur within 24 hours of the death and the decision to grant temporary release must be taken at short notice. The Governor, Registered Manager, Director or Head may wish to seek the view of the appropriate religious person attached to the secure setting and the child's home YJS case manager and or social worker.
- 4.122 The Governor, Registered Manager, Director or Head must take account of other close caring relationships that may occur in extended families, working with the child or their representatives to establish key relationships with the child and extended families.

### **Step 4 - Preparation for SPL**

- 4.123 Where relevant, preparation must focus on discussing with the child their fears and concerns about medical treatment as well as their feeling towards relatives and their thoughts on seeing them ill and perhaps for the last time. The child should be reminded about chaplaincy and other relevant support.
- 4.124 The input of specialist health staff and of the formulation plan to inform and support calming, coping and management strategies will be critical.
- 4.125 Only where it is appropriate to do so, the resettlement practitioner/caseworker and the home YJS case manager should brief the child on the following:
- The schedule for the release activity including timescales, transport route and mode of transport.
  - A map of any relevant exclusion or non-contact zones.
  - The licence and the consequences of breaching the SPL licence and taking part in prohibited activities or obtaining prohibited items (see Annex F).
  - Management of their safety and key point of contact.
  - The need to notify a responsible person if they need to return to the secure setting before or after their allocated return time.
  - If accompanied, the role of their companion, the need to comply with their instructions and to always remain near their companion.

- 4.126 The head of resettlement or the equivalent in STC, SCH and SS must ensure that appropriate transportation and other planned support and risk mitigation provisions are provided.

#### **Step 5 - Management of the planned SPL event**

- 4.127 Secure sites must ensure that on the day the planned support is available for the child and YJAF must be updated.

#### **Step 6 - Review SPL event**

- 4.128 At the end of each SPL event, the child's secure setting resettlement practitioner/caseworker must review the event and must make a diary entry on YJAF commenting on the outcome of the event giving a brief overview of how it went. The child must be given additional emotional support.
- 4.129 Staff must actively support the child after the SPL event. It is particularly important to ensure that the child has felt safe and comfortable. It must be identified with the child and others (for example, the home YJS case manager and the child's family or carer) where extra support may be needed. This must be communicated to youth justice workers (or their equivalent) at the secure setting and discussed as part of handover.

#### **Step 7 - Planning for next SPL**

- 4.130 If applicable, the child's secure setting resettlement practitioner/caseworker must plan for the next SPL event as part of several events, for example, series of outpatient appointments.

#### **Recording Data**

- 4.131 Within 5 working days, all SPL episodes and plans must be uploaded on YJAF.

#### **Monitoring of ROTL**

- 4.132 Each head of resettlement or the equivalent must be satisfied that all SPL decisions are recorded on YJAF in line with the requirements set out in this Framework.

## **ANNEX A - LEGISLATIVE FRAMEWORK FOR ROTL**

Children in the youth secure estate can be granted temporary release (ROTL) under the following legal provisions:

- In YOIs, Rule 5 of the Young Offender Institution Rules 2000 applies. This allows for a sentenced child to be released, under this rule, for any period or periods and subject to conditions.
- In STCs, Rule 5 of the Secure Training Centre Rules 1998 applies. This allows for a sentenced child to be temporarily released for any period or periods and subject to conditions.
- In Secure Children's Homes and Secure Schools (registered as SCHs), Section 163 of the of the Police Crime Sentencing and Courts Act 2022 applies. This allows the manager of the home to grant a child temporarily release subject to conditions.

## ANNEX B1 - ROTL RISK ASSESSMENT GUIDANCE DECISIONS AND STEPS

Prepare for ROTL stage 1 meeting	ROTL stage1 meeting (suitability assessment)	Prepare and undertake ROTL stage 2 meeting (risk assessment meeting)	ROTL stage 2 meeting				
<p><b>Action for secure setting resettlement practitioner (RP)/caseworker (CW) and home/host YJS case manager</b></p> <p><b>Step 1:</b> Is the child eligible for ROTL?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;"><b>Yes</b></td> <td>Then the child has a presumption in favour of ROTL.  <b>Go to Step 2</b> and calculate key ROTL process dates.</td> </tr> <tr> <td style="text-align: center;"><b>No</b></td> <td>Do not proceed</td> </tr> </table> <p><b>Step 2:</b> The RP/CW and home YJS case manager to discuss with the child, options for ROTL activities and agree which specific activity will go to the ROTL stage 1 meeting.</p> <p><b>Step 3:</b> Prep for ROTL stage 1 meeting - The RP/CW and home/host YJS case manager complete the first part of the application form stating what the proposed ROTL activity would be and whether this is something the child should be assessed for (using review meetings if these align with ROTL meeting dates)</p>	<b>Yes</b>	Then the child has a presumption in favour of ROTL.  <b>Go to Step 2</b> and calculate key ROTL process dates.	<b>No</b>	Do not proceed	<p><b>Step 4:</b> Decision made at the meeting whether to progress to full ROTL risk assessment and ROTL stage 2 meeting.</p> <p>Meeting to use information from the RP/CW and home/host YJS case manager to decide if the ROTL activity has a purpose and the child would benefit from it. They should identify any key issues to be addressed in the full risk assessment.</p> <p><b>If yes go to Step 5.</b></p> <p><b>If no?</b> If the meeting considers the planned activities are not appropriate at this stage, where possible they should identify alternative activities for the child. They can reconsider at this meeting or review the child's case at a later meeting.</p>	<p><b>Step 5:</b> What is the specific ROTL activity being assessed?</p> <p>What are the risks to be managed for this specific ROTL activity?</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>For example:</p> <ul style="list-style-type: none"> <li>Risk of serious harm to others (inc staff) whilst on ROTL</li> <li>Risk of serious harm to self or safeguarding issues whilst on ROTL</li> <li>Risk of serious harm to child from others whilst on ROTL</li> <li>Previous non-compliance with conditions including abscond from ROTL</li> <li>Likelihood of reoffending during the ROTL activity</li> <li>Risk to child due to the activity (health and safety)</li> </ul> </div> <p><b>The YJS caseworker and RP/CW should use the following information to complete the risk assessment in the ROTL form:</b></p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>YJS records, via YJAF, relevant to the ROTL activity, for example:</p> <ul style="list-style-type: none"> <li>YJS risk of serious harm assessment (and likelihood of reoffending score) looking at the risks in the context of the proposed ROTL activity (e.g., abscond versus interpersonal violence)</li> <li>YJS record of previous compliance or non-compliance with orders or licences</li> <li>Input from the YJS caseworker having checked with police/MAPPA</li> </ul> </div> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>Custodial records relevant to the ROTL activity, for example, the RP should check:</p> <ul style="list-style-type: none"> <li>The child's formulation</li> <li>Security intelligence</li> <li>Adjudications (but looking into whether this shows a risk of serious harm in community)</li> <li>Updates from the Enhanced Support Team if applicable</li> </ul> </div> <p>A conversation with the ACCT case manager (or equivalent) if there is an open ACCT to determine whether risks to the child would be reduced or exacerbated by ROTL</p> <p>Can each risk identified for the ROTL activity be managed/mitigated? Record on form.</p> <p>Stage 2 meeting to review risk assessment and make decision on whether to recommend approve or deny ROTL.</p>	<p><b>Step 6:</b> Child informed of ROTL decision</p> <p><b>Step 7:</b> If a child is denied ROTL due to concerns about risks they present to others or to themselves, professionals must work with the child to address any actions stated by the meeting, including finding alternative activities. Staff should inform the child about their right to complain to IPCI (or the local authority). Staff should bring back for reconsideration promptly once this has been achieved. This should be reviewed at the resettlement review meeting (held at least quarterly) to decide whether a further ROTL application should be made (back to Step 1)</p> <p><b>Step 8:</b> If approved by Governor or their equivalent, child to be prepared for ROTL.</p> <p><b>Steps 9 and 10:</b> Management of ROTL and debrief</p> <p><b>Step 11:</b> ROTL activity should be reviewed every three months or following a change in circumstances or if the ROTL plan has been disrupted or suspended due to incident or risk.</p>
<b>Yes</b>	Then the child has a presumption in favour of ROTL.  <b>Go to Step 2</b> and calculate key ROTL process dates.						
<b>No</b>	Do not proceed						

## ANNEX B2 – ROTL RISK ASSESSMENT SCENARIO GUIDANCE

Scenario	Further guidance
Presumption in favour of ROTL	<p>All children are eligible except if they are:</p> <ul style="list-style-type: none"> <li>• a remanded or unsentenced child</li> <li>• a sentenced child who is currently on remand for outstanding offence</li> <li>• a child who is serving an Indeterminate Sentence (life sentence or Detention for Public Protection)</li> </ul> <p>The ROTL activity is subject to a suitability of activity and full risk assessment.</p>
Behaviour and Adjudications	<p>ROTL must not be used as either a punishment or reward. Adjudications and negative behaviour report processes should not, in isolation, be used as a reason to deny or cancel ROTL.</p> <p>Sanctions from the adjudication should not influence ROTL decision making. There are a few key points to consider when working with a child who has an adjudication whilst applying for or being granted ROTL:</p> <ul style="list-style-type: none"> <li>• Does the behaviour displayed in the incident indicate an increased risk to the child, staff, or anyone else during the ROTL activity?</li> <li>• What is the context of the incident? Are there environment specific issues that would differ if the child were out in the community on the specified ROTL activity?</li> <li>• How does the child reflect and feel about their ROTL opportunity after their adjudication?</li> <li>• Are there any other factors from the incident that indicate a review of ROTL should be held?</li> </ul> <p>It may be appropriate to hold an interim review with the core ROTL stage 2 meeting board and the child if an incident indicates a change in the ROTL plan. In this review, if ROTL is to be delayed or stopped, an action plan with a specific timeframe must be agreed on how the child can make progress towards ROTL again with a clear understanding on when it will next be discussed.</p> <p>All changes to ROTL decisions must be signed off by the Governor (or their equivalent).</p>
Children known to MAPPA	<p>For children managed at MAPPA level 2 or 3, the secure setting should complete the MAPPA F form and participate in meetings while the child is in custody. The YCS Placement and Casework Team (YCSPT-Release@justice.gov.uk) must be informed.</p>
Children on open Assessment Care in Custody and Teamwork (ACCT) or equivalent	<p>Children subject to Assessment, Care in Custody &amp; Teamwork (ACCT) procedures in YOIs and STC or on support measures for self-harm/suicide attempts in SCHs/SSs, must be supported sensitively through the application and helped to access ROTL appropriately.</p> <p>Being on an ACCT is not a reason to not approve ROTL and each case should be assessed individually. Secure settings do have a responsibility to children in these circumstances whilst considering requests for ROTL, to consider whether the proposed ROTL activity would increase or decrease the risk of suicide and or self-harm. They should also consider protective factors that can mitigate risks and suitable accommodations or any other adjustments to safeguard the child effectively and enable a safe and productive ROTL to take place.</p> <p>Where the initial conclusion is to support ROTL, the needs of the child should be checked so they have access to appropriate services in preparation for and during the ROTL activity. Staff must check that the child knows how to access this support. If there is concern that the child may not use these support measures this should be explored to see if there is another way to meet their needs. If there are no such further measures, this will need to be considered in the assessment of whether ROTL is likely to increase risk of self-harm.</p>

	<p>Both initial and ongoing ROTL assessments must be looked at by a multi-disciplinary ACCT case review. Initially, an ACCT case review could explore ROTL as a possibility and discuss with the child what activities would benefit them and what amendments/supports could facilitate this must be considered. There should also be an ACCT case review as close to the ROTL event as possible, ideally on the morning of the ROTL activity to ensure that the child is still able to benefit from the ROTL opportunity.</p> <p>The ACCT case review should involve agencies in the community, including the home YJS case manager and the child's family or carers. The review should consider what they can offer, whether it is likely to be available in practice and whether the child is likely to make use of it. If the conclusion then is that the risk to the child will increase, it is legitimate for the ROTL not to go ahead. If the conclusion is that risk will be no worse or will reduce, ROTL can go ahead.</p> <p>When a child is on ROTL their risk of self-harm cannot be easily monitored and they required to report to anyone except as provided in the ROTL Framework.</p>
18-year-olds transitioning to the adult estate	18-year-olds transitioning to the adult estate must not be excluded from ROTL as outlined in this Framework.
Children with special educational needs, learning disabilities or learning difficulties	Appropriate support to meet the child's needs must be provided to enable the child to successfully complete the ROTL activity.
Children with outstanding police matters	Children with outstanding police matters (with no court proceeding) is not a reason to not approve ROTL. This must be subject to the risk assessment.
Children who may be liable to deportation proceedings	<p>Children who may be liable for deportation is not a reason to refuse ROTL.</p> <p>Whilst the Home Office cannot legally intervene until the child is 17 ½ years old, the Home Office should be notified (CCD.CAT-D@homeoffice.gov.uk) when the first application for ROTL is made for a known Foreign National Offender (FNO) child. The Home Office will then be able to advise if there are known vulnerabilities to consider in the planning and location of the ROTL activity.</p> <p>Thereafter, if the FNO child fails to return from ROTL, the Home Office should be notified after the event for their information.</p>
Children with protected characteristics	Children with protected characteristics should be supported and given access to appropriate ROTL activities. Managers leading on ROTL and equalities should review ROTL meetings and cases at frequent intervals to ensure that ROTL opportunities are being offered on an equitable basis. These reviews must consider if there are any specific barriers that children with protected characteristics are facing (for example, adultification bias) and be proactive in recording and actioning solutions.

Group ROTL	This must depend on the needs of the child in the group and the nature of the activity. By identifying the benefits and/or risks, through assessing the relationships between the children in the group, it must be ensured that the staff to child ratio provides an appropriate level of support and supervision so that the activity can be undertaken safely.
Victims	A check must be made for any relevant information held by the HMPPS Victims' Helpline and a check must be made with home YJS case manager to establish the whereabouts of any identified victims and whether the victim or victim's family are participating in the victim contact scheme. If so, they must be afforded a reasonable opportunity to make representations about the conditions to be attached to any temporary release and any representations must be put before the ROTL stage 2 meeting.



## ANNEX C - ROTL APPLICATION FORM



### ROTL APPLICATION FORM

#### Overview of form:

Section	Decision required?	Who completes the section
1.	No. The child's details only.	The resettlement practitioner/caseworker
2.	Yes, the child's eligibility.	The resettlement practitioner/caseworker
3.	Yes, whether there is a suitable ROTL activity and any concerns to be explored in full risk assessment stage.	The home/host YJS case manager and the resettlement practitioner/caseworker.
4.	Yes, after ROTL stage 1 meeting decide whether to progress to full assessment.	The resettlement practitioner/caseworker.
5.	Yes, the child's recommended ROTL activities.	The home/host YJS case manager and or the resettlement practitioner/caseworker.
6.	Yes, risk assessment.	This is to be collated by resettlement practitioner/caseworker.
7.	Yes, risk assessment from other relevant stakeholders.	This is to be collated by the resettlement practitioner/caseworker.
8.	Yes, what additional relevant documents are required?	This is to be collated by the resettlement practitioner/caseworker.
9.	Yes.	Governor/SCH Manager/STC Director/SS Principal - sign off.
10.	Yes, review by different stakeholders.	The resettlement practitioner/caseworker must lead on this.
11.	Yes.	Governor/SCH Manager/STC Director/SS Principal - review and sign off.

## SECTION 1: Child's Details

This is to be completed by the resettlement practitioner/caseworker

Name:		Secure site:	
DOB:		Gender:	
Ethnicity:		YJS:	
Home address:		Offence:	
Sentence type:		Sentence Term: Note: Transition date if applicable:	
Date of sentence:		<b>ROTL eligibility date:</b> Note: Not applicable when the application for SPL	
Earliest date of release (ERD):		Parole eligibility date if applicable:	

## SECTION 2: Child's Eligibility

This is to be completed by the resettlement practitioner/caseworker

Does the child meet the eligibility criteria? <input type="checkbox"/> Yes <input type="checkbox"/> No
Note: Children are not eligible to apply for ROTL (including SPL) if they are: <ul style="list-style-type: none"><li>• a remanded or unsentenced child</li><li>• a sentenced child who is currently on remand for outstanding offence</li><li>• a child who is serving an Indeterminate Sentence (life sentence or Detention for Public Protection)</li></ul>

## SECTION 3: Preparation for ROTL stage 1 meeting (for SPL applications go to section 5)

This section must be completed by the home YJS case manager and the resettlement practitioner/caseworker

A meeting between the home YJS case manager and on-site resettlement practitioner/caseworker must take place to assess suitability of activities for ROTL <sup>4</sup> . They must provide a recommendation to the ROTL stage 1 meeting.
Date of pre-ROTL stage 1 discussion:

<sup>4</sup> The home youth justice service (YJS) case manager and the secure setting resettlement practitioner/caseworker must **meet (in person or virtually) to discuss** whether the child is **suitable for ROTL whether they would be able to** successfully complete a proposed activity. This discussion should **happen** two months before the child's eligibility date and before ROTL Meeting Stage 1 is scheduled.

Name of attendees and job titles:

**ROTL activities (reference paragraph 1.10 and 4.48 in the Framework)**

Resettlement practitioner/caseworker to list here the ROTL activities being proposed, the benefits to the child and what extra support that will be needed.

**Suitability**

The home YJS case manager to comment here on suitability of these activities including the plan for mitigating risks identified.

**Child's voice**

The secure setting resettlement practitioner/caseworker and the home YJS case manager to note here what the child thinks about the ROTL activities.

Note: The risk assessment (section 6) is completed when there is a decision from the ROTL stage 1 meeting (section 4) to proceed.

**SECTION 4 - ROTL stage 1 meeting**

This is to be completed by the secure setting resettlement practitioner/caseworker and home/host YJS case manager.

Date of ROTL stage 1 meeting:

If ROTL stage 1 meeting was later than outlined process, please note reason(s):

**Proceed with full ROTL application?**

	Yes/No	Explanation/Reason for this – please indicate if there is disagreement between the site and YJS in assessment of suitable ROTL activities
Proceed		Set out any issues to be addressed in full risk assessment at next stage.
Pause		Explain why, need to pause and review again at another ROTL stage 1 meeting. What actions need to be completed to make the activity suitable and progress to full assessment?
Not appropriate		Why proposed ROTL activity is 'not appropriate'? What actions need to be completed for ROTL to be considered again in the future?
		Provide/list of any suggestive alternative activities to be considered in the next application.

## SECTION 5: Activity proposal

This is to be completed home/host YJS case manager and/or the resettlement practitioner/caseworker

Section 5.1 Activity Proposals (reference paragraph 1.10 and 4.48 in the Framework)				
Activity name, type, and address of venue	Distance from secure setting	Time and Duration	Dates	Level of Supervision

## SECTION 6: Risk assessment

See Annex B - Guidance for resettlement practitioner and home YJS case manager when undertaking a ROTL risk assessment. The resettlement practitioner/caseworker must complete an activity assessment for each individual activity.

<b>Activity</b>
<b>Is the activity linked to any of the following pathways? State which of the following are linked to the proposed release (can be more than one)</b> Case Management and Transitions Accommodation Education, Training and Employment (ETE) Health Substance Misuse Family, Relationships and Support Finance, Benefits and Debt Citizenship and other child-centred activities
<b>Linked pathway:</b>
<b>How will the activity support the child to develop a pro-social identity, build on their strengths, prepare for release and/or reduce their risk of further offending?</b> Consider the child's formulation, how the activity addresses factors for/against desistance and how it is linked to their sentence/resettlement plan
<b>Supporting the child's identity, strengths and preparation for release:</b>
<b>What are the benefits of engaging in this activity at this point in their sentence?</b> Provide also provide a summary of the child's progress and their readiness to engage in this activity.
<b>Benefits of activity:</b>

## Assessment of the risks posed during this activity

Avoid general statements about risk and focus on how the risk(s) may present during this activity. Consider the likelihood and impact if the risk event were to take place, triggers, who would be affected and the context in which the risk event may occur. Risk judgements should be informed by multiple sources of information including YJS case manager assessments, healthcare, security, and safeguarding departments and supported by evidence.

Concerns about risks happening in the community should be weighed more heavily than behaviour in custody, which has not also been a problem in the community. For example, the child's incentive level or adjudication history should not override the home YJS case manager assessment of risk of serious harm that the child poses to others in the community during the proposed activity. A child that has been criminally exploited in the community may be at risk of harm from others and benefit from being accompanied on ROTL in their home area.

ROTL should not be used as a reward for positive behaviour or withheld as a sanction for poor behaviour. The assessment should focus on whether the activity can be safely managed. Each case should be judged on its own merits and the risk assessment should include, but are not limited to, the following:

- Reoffending
- Serious harm to others
- Serious harm to self
- Harm to the child from others
- Absconding
- Other known risk(s)

Note: Asset Plus definitions of 'risk of serious harm' (low, medium, high or very high) must be applied.

## Assessment of risk:

## Victim

The home YJS case manager must be informed of the outcome of the ROTL stage 1 meeting. The home YJS case manager should report relevant information about the location of any identified victims and whether the victim or victim's family are participating in the victim contact scheme. If so, they must be given the opportunity to make representations about the licence conditions for any temporary release and any representations must be put before the ROTL meeting.

## Victim considerations:

## Mitigation of risks

Explain what steps will be taken to mitigate the risk(s) identified, protect victims, and allow the activity can be take place safely. Where the child will be accompanied, consider who is best placed to do this, what their role will be and how the child will travel to and from the activity.

## Mitigation:

## YJS comments on site's risk assessment:

## SECTION 7: Views/information from other relevant stakeholders

This is to be collated by the resettlement practitioner/caseworker

<b>The Child</b>
<b>MAPPA</b>
<b>Healthcare</b>
<b>Education</b>
<b>Interventions</b>
<b>Security</b>
<b>Safeguarding</b>
<b>Any other relevant on-site stakeholder(s)</b>
<b>Parent/Carer/Guardian/Social Worker</b>
<b>Victim Liaison Officer</b>

**Police**

**Any other relevant community stakeholder(s)**

**SECTION 8: ROTL stage 2 meeting**

This is to be collated by the resettlement practitioner/caseworker

**Relevant documents required for the ROTL stage 2 meeting**

- Sections 1 to 7 fully completed
- An up-to-date formulation summary
- Home Circumstance Report (if the proposed ROTL is a home visit)
- Full address of venue/location
- Latest PSR
- MAPPA reports if applicable
- Parole meeting reports if applicable
- Summary of case notes including positive entries and incident reports

Meeting Attendance (list names):

Date of Meeting:

If ROTL stage 2 meeting later than outlined process, please note reason(s):

Meeting's comments:

Recommendation to the Governor/SCH Manager / STC Director/Principal Director/Head of Secure School:

Reasons for recommendation:

**SECTION 9: Final sign off**

Governor/SCH Manager / STC Director/SS Principal Name:

Approved:

Not Approved:

Comments (including reasons):

Signature:

Date:

**Safeguarding the child (see paragraph 4.6 in the Framework)**

Professional or volunteer accompanying the child must have an enhanced disclosure and barring service check.

**SECTION 10: Formal Local Review of ROTL activity (not relevant to SPL applications)**

The resettlement practitioner/caseworker must lead on this and include the child

ROTL activity should be reviewed every three months or following a change in circumstances or if the ROTL plan has been disrupted or suspended due to incident or risk. If it is a new activity, then a new assessment is to be completed.

**Reason for the review**

If due to an incident, full details of the incident to be documented.

**Review from the resettlement practitioner/caseworker and recommendation**

**Review from the home YJS case manager and recommendation**

Include any info from VLO, changes in risk levels, comments from family or significant others

**[If applicable] Review from other relevant stakeholders and recommendation**



**Relevant documents required for review meeting**

- Home Circumstance Report (if the proposed ROTL is a home visit)
- An up-to-date formulation summary
- Full address of venue/location
- Latest PSR
- MAPPAs reports if applicable
- Parole Meeting reports if applicable
- Confirmation of number of incidents (Reports to accompany these)
- Panel attendance (list names)

Review Meeting's comments:

Review Meeting's recommendation to Governor/SCH Manager/STC Director/SS Principal:

**Section 11: Review sign off**

Governor/SCH Manager/STC Director/SS Principal name:

Continue as planned

Postpone

Cancel

Comments:

Signature:

Date:

## **ANNEX D - GUIDANCE FOR ROTL DATES CALCULATION**

The ROTL eligibility date (the earliest date the child can access ROTL) is at the halfway point of the custodial period (accounting for ADAs, tagged bail and remand as detailed below) or after 5 months, whichever is earlier.

The custodial period is the number of days between the actual date of sentence and the earliest effective release date i.e. the ERD, MTD, PED, HDCED or CRD.

Recalled children are eligible for ROTL immediately as their original ROTL eligibility date will have passed. However, this is subject to them meeting the eligibility criteria e.g not remanded on separate matters, and to a satisfactory suitability and risk assessment. These assessments should consider the circumstances surrounding the recall.

Where a child has received an additional custodial sentence, a new ROTL eligibility date must be calculated.

### **Calculating ROTL dates**

1. Calculate the effective release dates in line with current practice. Then note the earliest effective release date - this could be the ERD, MTD, HDCED, PED or CRD depending on the sentence.
2. Calculate the number of days from the actual date of sentence to the earliest effective release date.
4. Divide this figure by two and round up to get the halfway point of the custodial period in days. Apply this figure from the actual date of sentence. This is the ROTL eligibility date.

If this date is more than five whole months from the actual date of sentence, it must be adjusted to five whole months *after* the actual date of sentence as this is earlier.

**YOIs only:** ADAs must be added on to the ROTL eligibility date.

5. Ordinarily, the ROTL stage 1 meeting should take place within two months before the ROTL eligibility date and the ROTL stage 2 meeting within one month before the ROTL eligibility date. If these timescales cannot be met the reason should be recorded on the ROTL application form.
6. A short sentence and/or where there is a lengthy remand/tagged bail period, may mean that the ROTL eligibility date falls soon after the date sentence. If this is the case, the ROTL assessment timeline should be expedited with stage 1 and 2 meetings held as soon as possible.

### **Example 1: Single s250 sentence (50% release point) without remand or tagged bail**

Child A was sentenced to 4 years on 01/01/2020.

- The effective release dates have been calculated as follows: SLED 31/12/2023, CRD 31/12/2021, and HDCED 05/07/2021. The HDCED is the earliest effective release date and is treated as the end of the custodial period.
- Eligibility to access ROTL is at the halfway point of the custodial period.
- Calculate the number of days in the custodial period 01/01/2020 to the HDCED 05/07/2021 (551 days), divide this by two and round up (276 days) to get the halfway point.
- This figure is applied from the actual date of sentence and provides a ROTL eligibility date of 03/10/2020.
- This date is adjusted to 01/06/2020, five whole months after the actual date of sentence as this is earlier.
- This child's ROTL eligibility date is 01/06/2020.

### **Example 2: Single s250 sentence (50% release point) with remand**

Child B was remanded on 01/01/2020 and sentenced to 4 years on 31/01/2020 (after 30 days).

- The effective release dates after the remand days have been applied have been calculated as follows: SLED 31/12/2023, CRD 31/12/2021 and HDCED 05/07/2021. The HDCED is the earliest effective release date and is treated as the end of the custodial period.
- Eligibility to access ROTL is at the halfway point of the custodial period.
- Calculate the number of days in the custodial period 31/01/2020-05/07/2021 (521 days), divide this by two and round up (261 days) to get the halfway point.
- This figure is applied from the actual date of sentence and provides a ROTL eligibility date of 18/10/2020.
- This date is adjusted to 30/06/2020, five whole months after the actual date of sentence as this is earlier.
- This child's ROTL eligibility date is 30/06/2020.

### **Example 3: Single s250 sentence (40% release point) with remand**

Child C was remanded on 15/10/2023 and sentenced to 2 years 4 months on 07/02/2024 (after 116 days).

- The effective release dates after the remand days have been applied have been calculated as follows: SLED 10/02/2026, CRD 18/09/2024 and HDCED 27/07/2024. The HDCED is the earliest effective release date and is treated as the end of the custodial period.
- Eligibility to access ROTL is at the halfway point of the custodial period.
- Calculate the number of days in the custodial period 07/02/2024-27/07/2024 (171 days), divide this by 2 and round up (86 days) to get the halfway point.
- This figure is applied from the actual date of sentence and provides a ROTL eligibility date of 03/05/2024.

### **Example 4: Single s252a special sentence of detention for terrorist offenders of particular concern with remand**

Child D was remanded on 18/03/2022 and sentenced to 3 years 6 months on 02/02/2024 (after 686 days).

- The effective release dates after the remand days have been applied have been calculated as follows: SLED 14/09/25, PED 15/11/23 and CRD 13/09/24. The PED has already passed therefore the CRD is the earliest effective release date and is treated as the end of the custodial period.
- Eligibility to access ROTL is at the halfway point of the custodial period.
- Calculate the number of days in the custodial period 02/02/2024-13/09/2024 (224 days), divide this by two and round up (112 days) to get the halfway point.
- This figure is applied from the actual date of sentence and provides a ROTL eligibility date of 24/05/2024.

### **Example 5: Multiple concurrent DTOs with tagged bail**

Child E was sentenced on 18/02/2025 to 2x 24 month, 3x 10 month DTO and 1x 4 month DTO after 29 days on tagged bail. These sentences run concurrently.

- The effective release dates after the tagged bail days have been applied have been calculated as follows: SLED 19/01/2027, MTD is 19/01/2026 and ERD 19/11/2025. The ERD is the earliest effective release date and is treated as the end of the custodial period.
- Eligibility to access ROTL is at the halfway point of the custodial period.
- Calculate the number of days in the custodial period 18/02/2025-19/11/2025 (274 days), divide this by two and round up (137 days) to get the halfway point.
- This figure is applied from the actual date of sentence and provides a ROTL eligibility date of 05/07/2025.

### **Example 6: Single DTO without remand**

Child F was sentenced to a 6 month DTO on 19/12/2024.

- The effective release dates after the remand days have been applied have been calculated as follows: SLED 18/06/2025 and MTD 19/03/2025. The MTD is the earliest effective release date and is treated as the end of the custodial period.
- Eligibility to access ROTL is at the halfway point of the custodial period.
- Calculate the number of days of the custodial period 19/12/2024-19/03/2025 (90 days), divide this by two and round up (45 days) to get the halfway point.
- This figure is applied from the actual date of sentence and provides a ROTL eligibility date of 02/02/2025.

### **Example 7: Single s250 sentence (50% release point) with remand and ADAs (YOIs only)**

Child E was remanded on 02/03/2020 and sentenced to 4 years on 18/05/2020 (after 78 days).

- The effective release dates after the remand days have been applied have been calculated as follows: SLED 29/02/2024, CRD 01/03/22 and HDCED 03/09/2021.
- Following sentence, 20 ADAs are awarded. This defers the CRD to 21/03/2022 and the HDCED to 23/09/2021. The new HDCED is now the earliest effective release date and is treated as the end of the custodial period.
- Calculate the number of days of the custodial period 18/05/2020-23/09/2021 (493 days), divide this by two and round (247 days) up to get the halfway point.
- This figure is applied from the actual date of sentence and provides a ROTL eligibility date of 20/01/2021.
- This date is adjusted to 18/10/2020, five months after the actual date of sentence as this is earlier, and 20 ADAs added providing a ROTL eligibility date of 07/06/2020.

For further guidance on calculating ROTL eligibility dates contact [YCSPT-Release@justice.gov.uk](mailto:YCSPT-Release@justice.gov.uk).

## **ANNEX E - GUIDANCE FOR STAFF SUPERVISING ROTL**

- Make sure you are familiar with the activity that the child will be doing, where it is, how you will be getting there and any associated risk assessments.
- Familiarise yourself with any contingency plans that the site has for ROTL activities.
- Check whether there is a requirement for them to wear PPE or any other specific/appropriate clothing for the activity.
- Check whether there will be a need for them to take money with them and if so, how much they will be taking.
- Familiarise yourself with the route that will be taken to get to the activity and how you will be getting there.
- Assure yourself that the child has been prepared for their ROTL activity prior to the event, you can do this by talking to their nominated worker on site, their YJS case manager and the child themselves.
- Prior to leaving the site go through the licence with the child and make sure that they understand it. Emphasise behavioural expectations and consequences of not adhering to the licence and unacceptable behaviour, the consequences are detailed in the ROTL failure section of the policy.
- Talk to the child about how they are feeling about the activity and discuss with them any concerns they may have.
- Remind the child that they must always keep a copy of the licence with them.
- There should be no diversion from the site to the activity and from the activity to the site. When you arrive at the activity you should remain within the grounds of the activity.
- Always be vigilant when supervising the child when they are completing the activity.
- Continue to check in with the child throughout the activity and reassure them when needed.
- If you feel they are beginning to act out of character, or in a way that presents as a concern, take them to one side and talk to them about your concerns.
- If you have any concerns about the child, the surroundings or the activity tell the child.
- If you feel it is necessary for any reason to end the activity, tell the child you are ending the activity and returning to site. Explain to them why this is necessary and advise the site before you leave the activity.
- If a child absconds or attempts to abscond, be vocal and ask them to stop. If they do not respond to the request to stop, then:
  - a. Do not attempt to physically restrain them.
  - b. Call the site and inform the manager on duty, follow any instructions that they give you.
  - c. Call 999 and report that a child has absconded from ROTL and the details of the site in which they were located, give them the details of the child, their last known location, and the direction in which they fled.

**ANNEX F - LICENCE FORM**

**Secure Setting LOGO**



Protect-Personal

**Authorisation for Release on Temporary Licence (ROTL) or Special Purpose Licence (SPL)**

**TERMS AND CONDITIONS OF THE LICENCE**

Name:	DOB:	Date of ROTL/SPL:
Youth Justice Service (& contact details):		

Secure Setting Name:	Address:	Telephone Number:
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You are being released on temporary licence.

ROTL/SPL is not a right but is decided by (Enter name of Secure Setting).

You are released from (Enter Name of Secure Setting) \_\_\_\_\_ hour to \_\_\_\_\_ hour

The ROTL/SPL activity and purpose is:

The places(s)/location(s) you will be visiting:

You may be required to return to ..... (**Name of Secure Setting**) at any time, whether or not you have broken any of these terms and conditions of this licence.

In addition:

1. If you do not return at the time set out above, you may be arrested.
2. You must have this form with you throughout your temporary release and must produce it to police or YJS if asked to do so.
3. Should you need support or advice you should contact:

<b>YJS Office</b>		<b>Secure Setting Number</b>	
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4. You must not attempt or commit an offence whilst in the community.
5. You must be of good behaviour.
6. You must not gamble or consume alcohol or enter licence premises, smoke cigarettes, use controlled drugs (as defined by the Misuse of Drugs Act 1971 includes drugs such as cannabis, heroin, methadone, cocaine, LSD, barbiturates, amphetamines, and tranquillisers)
7. If you are unable to return to the secure setting on time due to serious illness, accident, or similar cause, you must inform the local police and ask them to inform the (Secure Setting Name). You must ask the GP to confirm in writing that you are unfit to travel. This must be given to your YJS, Police or Secure Setting Name.

This licence has been read and explained to me:

I understand the terms of the licence	<input type="checkbox"/>
I understand the consequences of not following the terms of the licence	<input type="checkbox"/>
The secure setting has addressed the concerns/worries I have about this temporary release	<input type="checkbox"/>

<b>Child's signature:</b>	<b>Date:</b>
<b>Relevant officer/caseworker signature:</b>	<b>Date:</b>

## ANNEX G - GLOSSARY AND KEY TERMS

Child First	A Child First approach means putting children at the heart of what we do. All in the youth justice system should treat children as children, see the whole child, including any structural barriers they face and focus on better outcomes for children.
Constructive Resettlement	Constructive Resettlement is collaborative work with a child in custody and following release that builds upon their strengths and goals to help them shift their identity from pro-offending to pro-social.
CuSP	Custody Support Plan
DTO	Detention and Training Order
Escort	The transport of the child between or within designated locations.
HCR	A Home Circumstances Report. This must be completed by the YJS caseworker before authorising a home visit.
IPCI	Independent Prisoner Complaint Investigations (IPCI) which is part of the Prisons and Probation Ombudsman (PPO)
Formulation	A formulation is the child's 'Story' that draws together all the relevant information about them and their experiences into a shared and coherent narrative as an attempt to explain their current presentation.
PECS	Prisoner Escort and Custody Service
Procedural Justice	This refers to the extent to which someone perceives the way processes are applied and decisions are made by people in authority to be fair and just.
ROTL	Release on Temporary Licence
ROTL application form	This form has the activity proposals, the decision from ROTL stage 1 meeting, the risk assessment (for ROTL stage 2 meeting) and the final decision by the Governor or their equivalent (See Annex C).
ROTL eligibility date	The date children can access ROTL (See Annex D).
ROTL final decision	The decision made by the Governor or their equivalent after ROTL stage 2 meeting.
ROTL Stage 1 Meeting	The meeting between the YJS case manager and the secure setting resettlement practitioner/caseworker to identify meaningful ROTL opportunities that would be suitable and safe for the child to do.
ROTL Stage 2 Meeting	The meeting to consider the full application form and make a recommendation to the Governor or equivalent who will make the final decision.
Formal Local ROTL Review Meeting	ROTL activity should be reviewed every three months or following a change in circumstances or if the ROTL plan has been disrupted or suspended due to incident or risk (see section 10 of the application form).
SCH	Secure Children's Home
SPL	Special Purpose Licence
STC	Secure Training Centre
UAL	Unlawfully at Large
YCS	Youth Custody Service
YJAF	Youth Justice Application Framework
YJS	Youth Justice Service (previously Youth Offending Teams)
YOI	Young Offender Institution