

### Local Guidance - LASPO Process

This process has been agreed within Salford Children's Services between Service Managers from DAT, Next Steps, YOS and by SGU.

This process has been written in conjunction with the guidance from the Department for Education: [The Children Act 1989 Guidance and Regulations: Volume 2: Care Planning, Placement and Case Review \(2015\)](#) (Chapter 8).

This process relates in the main to young people who were not previously "looked after" by the LA prior to being on remand. There are some differences between these two categories and for full protocol the Department of Education guidance should be consulted.

#### Referral – allocation:

As per all referrals to Salford Children's Services any remand notifications will be received on an inter agency referral and will be added to Carefirst within the Bridge.

Once the referral record has been completed it will be sent to a DAT Practice manager for allocation. The DAT Practice Manager should check with YOS Service/Practice Manager as to who the case is to be allocated to then complete this.

Next Steps Service Manager should be notified at the point of allocation when there is a new LASPO case to ensure planning for if/when the young person is eligible for After Care.

#### The role of Bridge:

Although minimal screening only is required the Social Worker who receives this contact the focus should be on any previous Children's Services involvement as this will assist in developing the plan, chronology and eligibility for After Care Services.

The Bridge Social Worker should summarise any previous Children's Services involvement including any previous periods of being looked after by the LA.

#### Documents not required:

For all LASPO cases there is **no** requirement for:

- Delegated authority form, consent to medical treatment form or section 20 consent papers as the Guidance states the decision to become "looked after" is not optional:

a) The decision to remand a child, therefore making them looked after (if they were not already looked after prior to remand) is made by a court, rather than by the designated local authority that will have duties towards them;

b) Local authorities may only have short-term relationships with remanded looked after children, lasting only for the period they remain remanded; and

c) Where a child is remanded in youth detention accommodation (YDA), the child will not be placed by the authority responsible for looking after them, rather they will be placed by the Youth Justice Board's Placement Service acting on behalf of the Secretary of State (for Justice). In these circumstances the local authority responsible for the child does not have control over the day to day arrangements for safeguarding and promoting their welfare.

- Introduction in to care medical assessments are not required: "Where children who are looked after solely as a result of being remanded, "the 2013 Regulations" disapply local authority duties for arranging health assessments. Health provision for children looked after solely as a result of remand to YDA will be the same as those for any other detained child. The local authority must be satisfied that health professionals and establishment staff are fully aware of the child's health needs and that arrangements are in place to respond appropriately to these."
- The Social Worker should put a **clear observation on the file** for the Young Person when the medical at the introduction to custody has been completed.
- No passport or birth certificates need to be requested given the young person is in custody.
- Permanency planning meetings are not required for LASPO cases: "Where a child is remanded to local authority accommodation there will be little change to the authority's care planning responsibilities. Local authorities are not required to produce a "plan for permanence" for this group of children, though in assessing the child's needs the local authority will need to consider whether the child might need to remain looked after once the remand has ceased."
- There is no requirement for the LA to complete a care plan if the young person was not in LA care prior to being on remand: "Where a child is not already looked after but becomes looked after as a result of being remanded to YDA the role of the local authority responsible for the child's care will be to satisfy itself that day to day arrangements for the child are of sufficient quality to be able to offer an appropriate response to the range of the child's individual needs. In these circumstances the local authority is not required to prepare a care plan and a placement plan; instead the authority must carry out an initial assessment of the child's needs and use this information to prepare a Detention Placement Plan (DPP)."
- Social Worker's will not complete a Children and Families Assessment where the only issues at case entry to Social Care are the young person being on remand. The guidance states the LA must complete an initial assessment of the child's needs to inform the Detention Plan. It has been agreed the initial assessment in Salford will take the form of the YOS Asset document. **This must be stored on Documentum.**

Documents that are required:

- Movement forms (Carefirst) must be completed when a young person enters care/remand period begins. For cases where the young person was not previously “looked after” and therefore under the management of DAT/YOS all movements forms should be sent to the admin code for CPCIN on the Carefirst form. Additionally a movement form must be completed each time a young person moves placements or is discharged.
- Statutory visit forms (Carefirst) should be completed as per statutory requirements (*First visit in the first week of a placement starting, either initially or change of placement and six weekly in first year of placement as a minimum*).
- Background Information Record and Placement Information Record (Carefirst) should be completed for every child as soon as practicable and a new Placement information record will be required if a child moves placements.
- LAC review report (Carefirst) should be completed by the social worker at least 2 days in advance of the LAC review. This document should only be for the IRO and parents/young person.
- The Social Worker should arrange a first LAC review in liaison with the allocated IRO and timescales are as follows;
  - *First review - within 20 working days of the date which the child becomes LAC.*
  - *Second - No more than 3 months after the first review.*
  - *Third and subsequent reviews - no more than 6 months after the previous one.*

The IRO may also decide to bring forward a review date if they are of the view that this is needed.

- A Detention Placement Plan should be completed by the Social Worker as per the guidance and stored on Documentum: “The DPP should also take into account the circumstances that contributed to the child’s alleged involvement in any offending and the support s/he should be offered when they return to the community to prevent (re)offending.” **This is a Word document and must be stored on Documentum.**
- All files including any LASPO cases must include a chronology of significant events. This is a Word document to be stored in Documentum and the completion of this will be supported by RIAT.
- A PEP document (Carefirst) is required on all files where a young person is looked after. This must consider the young person’s educational history and prevention of reoffending. The PEP meeting can be included in the same meeting as the first LAC review as all relevant parties will be in attendance.
- Additional documents required from YOS to be stored on Documentum are: risk assessment/Asset risk assessment, Strengths and Difficulties questionnaire and Substance Misuse Screening Tool.

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Financial provision:

The LA is aware of responsibilities to ensure “looked after” young people and there is no guidance in the 2014 publication around this.

It has been agreed as a general rule young people will be provided with a Postal Order for £5 a week by Children’s Services with this to be reviewed at the first LAC review. Social Workers will then take in to account how much money young people are being provided by the institution they are in, and any monies being provided by family, as the LA wishes to promote independence and budgeting skills within all young people of this age group.

Requirements following sentence:

“If the child receives a community sentence, the child’s social worker and YOT case manager should continue to work closely together, sharing information and clarifying their roles and responsibilities. If the child is subject to a care order or is an accommodated child s/he will remain a looked after child.

Children who were provided with accommodation under section 21 following a remand to local authority care will cease to be looked after (unless the local authority has assessed that the child’s needs are such that they should be accommodated under section 20).

If the court imposes a Youth Rehabilitation Order, this can be accompanied by a Local Authority Residence Requirement. Such children are provided with accommodation under section 21 and are therefore looked after.

The responsible local authority must be consulted before these requirements are imposed.

If the child receives a custodial sentence, the responsibility of the local authority will depend on the child’s care status:

If the child, had not been previously looked after but became looked after as a result of being remanded to local authority accommodation or to YDA s/he ceases to be looked after on being sentenced to custody.

Where, however, the child is aged 16+ and has been looked after for thirteen weeks or more from the age of fourteen, including any period as a looked after child as a result of the child being remanded, then the child will be a ‘relevant child’ and should be supported by local authority children’s services as a ‘care leaver’.”

Case Closures:

Where a young person has been sentenced or released and has not met criteria for provision of After Care Services, the Social Worker must complete a Closure Record (Carefirst) following the Movement form discharging them from LA care. If the Social Worker has assessed the Young Person should continue to be “looked after” by the LA following release this should have been discussed with the DAT Practice Manager prior.

Transfers to Next steps:

- As stated previously on each occasion a young person is remanded the DAT Practice Manager will notify the Next Steps Service Manager at the earliest opportunity.

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- Where a young person will be eligible/is due to be, it will be the Social Worker's responsibility to discuss the After Care services with the young person; the support and restrictions, to enable them to make an informed choice as to whether they would like to accept this at this time.
- Regardless of the young person's wishes, Next Steps Service Manager will also visit the young person to confirm whether they want a service or not and will record this in Carefirst.
- If the young person **does** want a service the Social Worker will be required to complete a Transfer Record (Carefirst) which should be as detailed and thorough as possible to enable the receiving team to be fully informed of any risks, outstanding needs, plans, history with Services and involvement of the wider family. The file will then be Quality Assured as soon as possible and the Social Worker invited to Next Steps for a Transfer Meeting. At this point case responsibility will transfer.
- Where the Young Person doesn't want a service from Next Steps but is eligible a Closure Record will be completed (Carefirst) detailing they have been offered this and declined but can opt in at any point. Once the file has been Quality Assured, the Social Worker can be de allocated from the file by the RIAT Practice Manager.

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