



Gateshead Youth Justice Service

Risk Management Guidance

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Author: Emma Blackwell, Team Manage

Introduction

Gateshead Youth Justice Service acknowledge that risk led practice with individual young people does not stand alone, it requires an organisational context. The promotion and enabling of good practice in relation to risk is the responsibility of all team members.

Making judgements about future risks, a young person's needs and their safety and wellbeing is one of the primary aims of assessment in Youth Justice. The YJS promotes a culture of risk led decision making and a risk management policy enables practitioners and managers to make 'defensible' decisions which provide clarity, confidence, and consistency and promote effective practice. This document provides a framework to assist YJS staff in the completion of assessment of Risk of Harm and Safety and Wellbeing using the AssetPlus framework and local Out Of Court Disposal Assessment Tool. This guidance will assist YJS staff to establish actions for the management of identified risks.

This is a guide to the procedures staff must follow to ensure that risk assessments inform defensible decision making and contribute to effective work with young people and their families and protect victims of crime and members of the public.

Where the safety and wellbeing of the young person is the focus this document should be read in conjunction with Gateshead Safeguarding Procedures. These can be found using the following link

<https://www.gatesheadsafeguarding.org.uk/article/9185/LSCB-Policies-procedures-and-guidance>

Key Principles and Underpinning Policy

High Quality Assessments – AssetPlus is the YJB tool to inform risk assessment and management of risk and it is important that this is completed to a high standard and in a timely manner.

Gateshead Youth Justice Service have developed and implemented a local assessment tool which incorporates key areas of the AssetPlus. This assessment is completed for young people involved at Out of Court Disposal. Gateshead YJS have made the decision to deviate from the AssetPlus in the 'intervention plan' in pathways and planning, these areas we feel have been suitably replaced by the completion of our local 'My Plan' document.

All assessments and intervention plans receive a level of management oversight and quality assurance.

Risk Led – All intervention should be responsive to the risks presented and the needs of the young person. Young people who are assessed as presenting a risk of harm should receive targeted work focussing on the nature and level of risk. In short, resource is targeted to risk/need.

Engagement – The voice of the child should be explicit in all assessments. Young people and their families' participation in the assessment and management of risk is paramount. Risk assessment and management is difficult without full engagement and as such appropriate action should always be taken to promote and support engagement.

Reduction of Risk – The focus of all work with the young person should be targeted at and prioritise the reduction of risk. It is important to recognise that risk management is a dynamic process and changes in the young person’s situation could result in risk increasing or reducing.

Shared Responsibility – Risk Management and assessment is the responsibility of all staff involved in the case management of a young person. Also, where appropriate the management of risk should be shared with any other agencies involved in an intervention with the young person.

Linked to Effective Practice – All work completed by the YJS, including the assessment and management of risk, must be underpinned by relevant and up to date research, learning from HMIP Inspections and YJB guidance.

Promoting Positive Outcomes for Young People- All intervention should prioritise the best interests of the young person, promoting their strengths and capabilities to encourage active participation towards achieving a safe, crime free lifestyle.

The main aims and objectives of this procedure are:

- To give a clear line of accountability for both practitioners and managers in decision making
- To define and promote best practice in the assessment and management of risk
- To ensure decision making is shared and not held solely by individuals
- To highlight the necessity for effective and active communication and recording

Legal Context and National Guidance

This guidance should be read in conjunction with the following and is provided to highlight ‘local practice’ in the context of these documents and is not a replacement for them.

Key Legislation

- Legal Aid, Sentencing and Punishment of Offenders Act 2012
- Criminal Justice & Immigration Act 2008
- Children Act 2004
- Criminal Justice Act 2003
- Sexual Offences Act 2003
- Crime and Disorder Act 1998
- Sex Offenders Act 1997

National Guidance

- YJB - Notices of Supervision: Guidance for Youth Offending Teams (2018)
- YJB – AssetPlus Guidance (2016)
- YJB – Referral Order Guidance (2018)
- YJB - Case Management Guidance (2019)
- YJB – Standards for Children in the Youth Justice System (2019)
- YJB - Multi-Agency Public Protection Arrangements (MAPPA): Guidance for YOT’s
- YJB - Criminal Justice Act 2003: ‘Dangerousness’ and the New Sentences for Public Protection: Guidance for youth offending teams

Definition of Risk

For the purposes of this procedure the term 'risk' is defined as; ***The probability that an event or behaviour carrying the possibility of an adverse or negative outcome will occur***

The following 3 domains of risk are included within the above definition;

- Risk of Serious Harm to Others
- Risk to a Young Person's Safety and Wellbeing
- Risk of Re-Offending

Assessments must consider the following when assessing risk.

- Is a MAPPA referral required?
- Is a PDP referral required for dangerous young people (who do not meet MAPPA threshold)?
- Children's services child protection referral required?
- Is the young person at risk of being sexually exploited?
- Is the young person at risk of being radicalised?
- Is a RIC required for domestic violence?
- Does the behaviour meet the threshold for AIM3?
- Are there any actions required to safeguard victims?
- Is a Referral to the National Referral Mechanism required?
- Is a referral to MSET required?

When assessments are reviewed a new Police intelligence check must be made to inform Risk of Serious Harm, Safety & Well-being and Desistance factors.

Risk of Serious Harm

RISK BAND	DESCRIPTION
Low Risk Of Harm	No evidence at present to indicate any likelihood of serious harmful behaviour. No specific risk management work needed.
Medium Risk of Harm	Some risk identified but the young person is unlikely to cause harm unless circumstances change.
High Risk of Harm	Risk is identified and the potential event could happen at any time and the impact would be serious. Action should be taken and the case will need additional supervision and monitoring.
Very High Risk of Harm	Imminent risk of harm is identified. The young person will commit the behaviour in question as soon as they are able to do so , or as soon as the opportunity arises, and the impact would be serious. Immediate action is required and is likely to involve intensive multi-agency support and surveillance.

Safety and Wellbeing

“the risk that a young person may be harmed in some way either through their own behaviour or because of the actions or omissions of others”

RISK BAND	DESCRIPTION
Low Safety and Wellbeing	No specific behaviour, events or people currently indicating risk.
Medium Safety and Wellbeing	Some specific safety and wellbeing which can be addressed as part of the normal supervision process.
High Safety and Wellbeing	Clear indicators of specific safety and wellbeing requiring attention in the near future and may require the involvement of other agencies or people. The case may need additional supervision and monitoring.
Very High Safety and Wellbeing	Immediate action is required to prevent imminent harm to the young person and will involve intensive multi-agency support and monitoring.

Defensible Decision Making

A defensible decision is defined as a decision that will withstand scrutiny in spite of a negative outcome, where it can be demonstrated that all reasonable steps had been taken in assessment and the management of risks identified. In order to ensure that decision making, and actions stand up to scrutiny the following must be followed:

- Ensure decisions are grounded in the evidence available, collect, verify and thoroughly evaluate information
- Use reliable risk assessment tools (AssetPlus/OOCD Assessment Tool) and access any other available assessments made on the young person
- Record and account for your decision-making including the management endorsement of actions and plans
- Communicate with relevant others and seek information you do not have
- Stay within YJS/ Local Authority/MAPPA policies and procedures.
- Take all reasonable steps in line with accepted practice
- Ensure that risk management interventions address the risk factors identified
- Maintain contact with the young person at a level commensurate with the level of risk of harm and in line with the Scaled Approach
- Respond swiftly and appropriately to escalating risk, deteriorating behaviour, significant events and non-compliance
- Managers overseeing a case should ensure that where they endorse any decisions made to manage risk, they record all actions, including timescales and areas of responsibility

Accessing and Managing Information

When assessing both risk and safety and wellbeing concerns presented by a young person it is important that Case Managers secure relevant information from all known sources in order to verify the issue and concerns presented. When completing AssetPlus/ OOCDC Assessment tool, Case Managers should ensure that they access information from the following areas

- **Children's Services Information-** where checks identify Children's Services involvement with the young person it is important that you follow this up to identify the nature of their involvement, any legal status or child protection concerns and to make contact with the allocated Social Worker. You may also be required to undertake a file read in some cases.
- **Views of Parents/Carers-** – The intervention plan document can be used to ascertain views to inform the full assessment. This is also part of completing a basic check on the child/ young person. If the views of parent/ carer have not been ascertained, please explain why in the relevant evidence box.
- **Health** - Parental/Carers responses through consent form process may include and health concerns for the young person including existing medical conditions, medication, allergies or involvement with health provision.
- **Education/Training** –information from the school/college or any other educational or training professionals must be secured as part of the assessment process and if there have been difficulties in finding this information the assessor must explain why. Involvement in Education, Training or Employment has been identified as an important protective factor to encourage desistance from offending.
- **Substance misuse** – any previous involvement from agencies in relation to substance misuse issues must be included in the relevant sections. The local Substance Misuse Service will be able to provide information of any work undertaken with the young person.
- **Mental Health screening-** any previous involvement from agencies in relation to emotional and behavioural issues must be included in the relevant sections
- **Police Intelligence-** where the young person may be known or there are concerns that they are being criminally or sexually exploited or a victim of crime. When completing initial home visits with families, police checks must be completed on both the address and all known occupants at that address.

Managing Risk

The young person's intervention plan must include actions to manage any identified risk, so that young people, parents/carers and relevant professionals are actively involved in managing and reducing risk.

The young person and their family/carers should be involved at each stage of the process to ensure:-

- An honest and open dialogue with the young person and their family/carer throughout the process
- An understanding of the process – information outlining the 'risk led approach' should be given in a jargon free manner to both the young person and their family/carer. The young person should be aware of what is expected of them
- The views of the young person and their family/carers are shared appropriately.
- Young people are involved as much as possible in intervention planning and review to encourage ownership

Risk to Others - Internal controls- are defined as work undertaken directly with the young person, including one to one interventions, group sessions and activities that aim to increase the young person's ability to manage their risk by increasing their awareness, levels of self-control etc. Examples would include

- Specified YJS appointments to restrict the young person
- Specific activity to protect the victim
- Specific work to address violence and anger – i.e. a programme of anger management work
- Specific work to address offending behaviour – however this needs to show what behaviour is being tackled and how (in detail)
- Work to address parenting / increase involvement in education etc
- Diversionary activities
- Specific work to enable the young person to discuss their fears concerns and emotions

Risk to Others - External controls

External controls are defined as systems/procedures/meetings/visits/ monitoring –activity that keeps a watch on the young person's behaviours. Examples would include :

- Police intelligence checks
- Bail conditions
- Exclusion zones/ restrictions
- Curfew times
- Being discussed at any panel/ offender meetings
- Discussion at MSET
- Being subject to MAPPA
- Checks within the prison establishment
- Specific home visits for the purpose of monitoring behaviour

For cases where there is a risk of custody then the Custody Module in AssetPlus must be completed for sending to YJB Placements, and this must detail any concerns around risks presented.

Safety & Wellbeing - Internal controls- are defined as work undertaken directly with the young person, including one to one interventions or group sessions that aim to increase the young person's ability to manage their safety and wellbeing by increasing their awareness, levels of self-control etc. Examples would include:

- One to one work to address health concerns / CYPS etc – outline date/ time and number of sessions
- One to one work to address substance misuse – dates/ times and numbers of sessions
- One to one work to address relationships / family – dates/ times and number of sessions
- Parenting work with the family
- Work to address homelessness/ housing
- Specified YJS appointments to restrict the young person
- Specific activity to protect the victim

- Specific work to address offending behaviour – however this needs to show what behaviour is being tackled and how (in detail)
- Work to increase involvement in education etc
- Diversionary activities
- Specific work to enable the young person to discuss their fears concerns and emotions

Safety and Wellbeing - External controls

These controls are defined as systems/procedures/meetings/visits/monitoring – anything that keeps a watch on the young person's behaviours. Examples would include:

- Being on 'suicide' watch in prison or ACCT
- Being on a child protection plan ,
- Child in need plan,
- Home visits that are planned and details of when where who etc
- Core group meetings,
- Meetings with social worker,
- Appointments with Health providers- e.g. CYPS
- Being discussed at the child sexual exploitation meeting
- Places to avoid / curfews etc
- Pulling together a safety plan for the child / young person
- Police intelligence checks
- Bail conditions
- Specific home visits for the purpose of monitoring behaviour
- Risk management meetings/strategy meetings.

Responding to changes in risk/Escalation of risk

When there is a significant event presenting a risk of harm to others involving a young person known to the YJS the case manager must inform their line manager immediately. If the nature of the incident is serious and urgent then action must be taken immediately and advice sought from a manager from within the service, in the first instance a Line Manager. These discussions and actions must be recorded on Childview and decisions and actions reflected in AssetPlus by the Case Manager. Staff receiving risk information which includes any threat to life must be acted upon immediately with relevant emergency services. Where there is no evidence of immediate risk to life than any risk information must still be shared with the police. As a rule, evidence of life-threatening behaviour (either to self or others) must result in a call to 999 immediately, all other risk related intelligence must be shared with YJS Police or called in to 101 on the same day of receiving the information.

- Where significant risk has been identified an invite to relevant agencies to attend an initial multi agency risk meetings will be circulated. YJS Police must be invited to every meeting.
- The Case Manager must attend the meeting with the young person's intervention plan and present to the meeting an overview of risk. They must also be aware of the views of the young persons (where available).

- It is the role of the Chair to act as a facilitator for the meeting. It is not the responsibility of the chair to make decisions however all decisions around risk and levels of risk must be recorded by the chair.
- At the end of the meeting the chair must outline all the agreed actions to the group. It is the responsibility of individuals attending to take away from the meeting their own actions and initiate these within agreed timescales.
- The Case Manager must update the young person's assessment with any new information shared and make changes to the plan as required. Any changes must be shared with the young person when appropriate.
- At the end of the meeting the group must agree timescales for review.
- Consideration can be given not to hold further meetings if the meeting agrees that there are sufficient controls to manage risk. In such cases risk will be managed as part of normal supervision and the reasons for this recorded in the minutes.
- Agencies attending must sign the confidentiality statement to enable the sharing of minutes.

Cases Of Concern (CoC) – Risk Management Meeting

There is a three-tier approach to Cases of Concern. Operationally young people are identified and a meeting with workers around the child takes place, these young people are also discussed in a weekly management meeting and are discussed in the management board. It is important that there is management oversight at all levels to support the intervention planning and information sharing in relation to children who have the most concerning behaviour. At board level it is possible to resolve issues at a strategic level. It is also important that the YJS Board are aware of the issues, barriers and concerns in relation to the young people open to the Youth Justice Service.

The Cases of Concern meeting has been developed in Gateshead to ensure a robust assessment and intervention plan is undertaken with the most high-risk cases in both LoR and ROSH arenas. S+W cases can be discussed however a representative from Children's Services should be involved. The meetings take place every 4 weeks. If immediate risk management is required, this should be implemented outside of the meeting by the CM and agreed by the Manager.

The Meeting will:

- Chaired by a Manager
- Minutes will be taken by Business Support
- All participants will come prepared with up to date information from their own area
- Other partners can be invited to the meeting (Social Workers for example) and will be provided with a case slot

Post meeting tasks:

- Case Management system and minutes to be updated, disseminated and saved
- The YJS Police Officer will discuss the detail of the case with the Case Manager and agree level of contact, surveillance etc. This should be incorporated into the ASSETPLUS re external control objectives.

Multi Agency Public Protection Arrangements (MAPPA)

Referrals into MAPPA must be informed by a multi-agency risk meeting, under one of the following categories¹.

- **Category 1** – Registered sexual offender
- **Category 2** – Murderer or an offender who has been convicted of an offence under Schedule 15 of the Criminal Justice Act and:
 - who has been sentenced to 12 months or more in custody; or
 - who has been sentenced to 12 months or more in custody and is transferred to hospital under s.47/s.49 of the Mental Health Act 1983 (“MHA 1983”); or
 - who is detained in hospital under s.37 of the MHA 1983 with or without a restriction order under s.41 of that Act.
- **Category 3** – Other dangerous offender: a person who has been cautioned for or convicted of an offence which indicates that he or she is capable of causing serious harm and which requires multi-agency management. This might not be for an offence under Sch.15 of the CJA 2003.

For category 1 and 2 offenders it is the responsibility of the Case Manager to make a ‘notification’ to MAPPA within 3 working days of sentence. Following notification these young people will be managed within YOT risk procedures, initially as a level one MAPPA offender. Consideration should be given in the YOT Initial risk meeting (and subsequent reviews) to escalating risk management via a referral to MAPPA for level 2 consideration, if;

- Risk is assessed as posing a high or very high risk of serious harm, or
- The risk level is lower but the case requires the active involvement and co-ordination of interventions from other agencies to manage the presenting risks of serious harm, or
- Multi-agency management adds value to the lead agency’s management of the risk of serious harm posed.
- For Category 1 & 2 offenders accepted as Level 2 then YJS internal risk procedures do not apply and risk will be managed under MAPPA.

Those young people meeting the threshold for a Category 3 referral do not require ‘notification’ to MAPPA. Young people referred into MAPPA and accepted under Category 3 following decision by the MAPPA panel must be managed as level 2 as a minimum.

Minutes from all YOT Level 1 MAPPA meetings must be shared with MAPPA for the purposes of recording on the Violent & Sex Offenders Register (VISOR).

Potentially Dangerous Person (PDP)

Potentially Dangerous Person (PDP) is a process that monitors un-convicted people who are considered to pose a risk of harm to the public. Young people who are un-convicted but are assessed as posing a serious risk of harm to the public cannot be dealt with under MAPPA so parallel systems have been established, using the Crime and Disorder Act 1998 S115, as authority.

Where a young person has been identified as a PDP YOS attendance will be required and this should be undertaken by a Manager.

Quality Assurance of Risk

During the quality assurance (QA) of risk documentation emphasis must be placed on the overall risk the young person presents. Current and historical concerns must be considered during the QA process with relevant checks being made with previous assessments, patterns of behaviour and antecedents.

Firearms & Weapons

The starting point as a service is to be clear when working with young people that we have a zero-tolerance approach to the carrying of weapons. If a young person attends a session with a weapon, then the session must be ended immediately, and the Police informed. If a young person is 'suspected' of carrying a weapon (e.g. during group work another young person informs staff that their friend has a knife) then again, the session must be ended immediately, and the Police informed.

Staff must not place themselves in a position of handling weapons or attempting to remove weapons from a young person. If a young person wishes to hand a weapon in then staff must contact the Police.

If potential risks are identified, then appropriate risk measures must be introduced. Depending on level of risk consideration must be given to venue of sessions, transportation, home visiting and lone working. The protection of staff, the public and the young person are paramount.

Voluntary weapons checks, i.e. requesting that a young person turns out their pockets prior to sessions can be employed along with sock or waist belt checks and the use of the Handheld Metal Detector/Knife Wand. However, under no circumstances must a member of staff actively search a young person.

Warrant Without Bail (WWOB)

If a young person is subject to a WWOB and is open to the YJS then the Case Managers will continue to offer appointments to promote engagement, however all contact with a young person, by any member of staff, must seek to resolve the warrant.

The decision to notify the Police and employ 'entrapment' measures will only be used for those young people whose assessed level of risk to themselves and others are significant enough to warrant this.

Complex abuse

Complex and organised abuse may be defined as abuse involving one or more abusers and a number of related or non-related abused children. The adults concerned may be acting in concert to ab When receiving information or a referral, which may indicate organised or multiple abuse, the recipient should immediately refer the matter to the Police and a manager in Children's Social Care.

If there is any suspicion that any managers currently employed by a social care agency are implicated or a member of the police, the matter should be referred to the Chair of local Safeguarding Children Partnership or in their absence, the Vice-Chair and a Senior Officer within the Police.

A Strategy Meeting should be arranged to take place as a matter of urgency to assess the need for future action to be taken and, in particular, whether a criminal investigation should take place.

The Strategy Meeting, chaired by a senior manager of Children's Social Care Services, must take place as soon as possible and no later than five working days of the receipt of the referral and be formally recorded.

Child exploitation and missing children

Operational MSET (Missing, Slavery, Exploited and Trafficked) sits under the Safeguarding Children Partnership and considers high and medium risk cases of children who are believed to be at risk of Missing, Slavery or Exploitation or are being Trafficked.

Cases of possible child exploitation (including sexual and criminal exploitation and county lines) are discussed at the Missing, Slavery, Exploitation and Trafficked Group (MSET) on a monthly basis. MSET is chaired by the police and includes representatives from a wide range of agencies working with children and young people in Gateshead.

<https://www.gatesheadsafeguarding.org.uk/article/9195/Child-exploitation-and-missing-children>

MSET also considers young people who go missing frequently.

Child exploitation is child abuse. Any young person can become a victim of exploitation. A lot of young people who are being exploited do not actually see themselves as a victim of abuse.

Missing children and young people

Children go missing from home or care for various reasons, some are often varied and complex, and as well as short-term risks there can be long term implications for

these children. For every 'missing episode' the young person will get proper attention from the professionals involved. This includes independent return interviews for any young person who goes missing.

Strategic Joint Exploitation Group

Strategic Joint Exploitation Group (JSEG) is a joint group of the adults and children's safeguarding partnership. The Strategic JSEG meets on a quarterly basis and has strong representation from both partnerships. The Police chair of the Strategic Group is a consistent chair across the Northumbria Police Force footprint (6 LA areas) which promotes sharing of learning and best practice and connectivity across the region in identifying emerging trends or concerns.

Exploitation Hub

Northumbria Police, Newcastle & Gateshead CCG and all 6 Local Authority Partners co-fund the Exploitation Hub to provide victims with a safe space and for multi-agency working and collaboration. This is already assisting with the better identification of cross boundary exploitation cases.

National Referral Mechanism

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support.

Modern slavery is a complex crime and may involve multiple forms of exploitation. It encompasses:

human trafficking, slavery, servitude, and forced or compulsory labour

An individual could have been a victim of human trafficking and/or slavery, servitude and forced or compulsory labour.

Victims may not be aware that they are being trafficked or exploited, and may have consented to elements of their exploitation, or accepted their situation. If you think that modern slavery has taken place, the case should be referred to the NRM so that the relevant competent authority can fully consider the case.