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**Joint Working Agreement Protocol between Wigan Children's Social Care & Wigan Targeted Youth Support Service**

**July 2022**

**1. Introduction**

1.1 In Wigan, the Targeted Youth Support Service (TYSS) delivers anti-social behaviour and youth justice responses ranging from a prevention offer to statutory court ordered intervention. In addition, the service leads on delivering some specific targeted groups for children known to children social care (CSC), such as children in care (CiC) groups.

1.2 The purpose of this protocol is to clarify the respective roles and responsibilities of all practitioners ***when children become known to both TYSS & CSC teams***. In such cases, this protocol aims to provide a basis for effective joint working, providing a framework for delivery and joined up planning that can ***better manage overlapping safeguarding, offending and public protection concerns. This is in recognition that addressing one in isolation from the others will be less effective, as identified in some recent cases involving adolescents.***

1.3 The protocol does not override the statutory duties and responsibilities of either team but clarifies the ***roles and responsibilities for shared cases that promote effective joint working and better outcomes for the children involved.***

1.4 Although this protocol covers the joint work of the two teams/services, it is recognised that managing the risks and vulnerabilities of some children also clearly needs a wider multi-agency approach and involvement to make a difference. Examples include:

* Multi-agency working where children are remanded to Local Authority accommodation or Youth Detention Accommodation
* Providing multi-agency support to young people who are transitioning from custody to the community, upon release
* Effective multi-agency working when children and young people are in the community and are receiving services from both teams e.g., mental health, education, housing, substance misuse

**2. Adolescence Context**

2.1 it is important to note that children joint worked under this protocol are usually adolescents. Adolescence, by its nature, is a discreet stage of child development and involves children experiencing different transitions. Children known to TYSS or CSC may have additional vulnerabilities which results in certain transitions that can be particularly challenging to navigate. These include but are not limited to:

* Changes in care arrangements, including moving home as a child in care
* Transitioning between different schools, including reduction in timetables or exclusions
* Entering & leaving a secure setting
* Transitioning to adult services including adult social care, health services & probation.

2.2 All the above may involve changes in professionals, presenting a disruption in relationships for children. Therefore, CSC and TYSS need to work closely together to ensure a more seamless, holistic and age-appropriate response for these children and their families that supports positive adolescent development and safeguarding. This should be cognisant of the seven key principles outlined in the Research in Practice paper (link below) *‘That Difficult Age: Developing a more effective response to risks in adolescence’* (2014)

[basw\_24144-4\_0.pdf](https://www.basw.co.uk/system/files/resources/basw_24144-4_0.pdf)

**3. Information Sharing**

3.1 Some children with complex needs and difficulties require a joint response from CSC and TYSS. It is for those children where there is joint responsibility, that clear identification of the lead professional/s and management is essential. Effective information-sharing is central to improving the outcomes for them and their families.

3.2 TYSS and CSC will often need to share the following relevant information where applicable: Child-in-Need Plan, Child Protection Plan, Child Looked-After Plan, Child and Family Assessment and AssetPlus Assessment, relevant court reports and review meeting minutes.

3.3 TYSS records all contacts with children and other case management information on the **‘IYSS’** database whilst CSC records contacts and other case management information on **‘Liquid Logic’**. Identified CSC staff should have access to IYSS, specifically those staff working with the Children First Partnership Hub (CFPH) or the Emergency Duty Team to make agency checks at the earliest possible stage. CSC staff may also access information by contacting the TYSS Duty Worker during normal office hours. Identified TYSS staff should also have access to Liquid Logic.

3.4 It is the responsibility of each team to ensure that all database entries are clear and up to date.

3.5. Where CSC social workers request individual one to one prevention support from TYSS (including where potential step down or request for a volunteer mentor) they **must** complete the attached TYSS referral form for this to be considered.



3.6 Where CSC social workers request for a child to attend a group which TYSS lead e.g. Million Voices, Monday or Thursday Club for CiC this referral form must also be completed. In addition, given the additional considerations in operating a group as safely as possible **an individual risk assessment (see attached)** will also need to be completed by the social worker and signed off by a CSC and TYSS team manager prior to the child attending. This risk assessment will also need to be reviewed at quarterly intervals or following a significant change in circumstances.

**4.** **Joint Working – Overarching Best Practice**

4.1 It is best practice that, where a child is known jointly to TYSS and CSC, the allocated case workers will ***meet within one-week of establishing the involvement of the other to****:*

* *Agree & define the role of each team / each professional*
* *Decide how the two teams / workers will communicate in the future regarding progress of the child and involvement by each team / worker*
* *Discuss any resource implications*
* *Agree the relevant child related meetings held by each agency that the respective worker should be invited to e.g., TYSS High Risk Meeting, Children in Care reviews, Child Protection Case Conferences*

4.2 It is essential that both the allocated workers in TYSS and in the CSC team meet and agree their areas of responsibility, define respective roles, and determine the frequency and method of future communications. It will ordinarily be the responsibility of the TYSS worker to ensure that Youth Justice Board National Standards requirements are met where applicable.

4.3 Agreed joint work and accompanying timescales must be recorded on the respective case management systems.

4.4 TYSS and CSC line managers are responsible for oversight of the co-working arrangements.

4.5 Throughout these procedures, the importance of joint working between TYSS and CSC is highlighted to help children and families to navigate through complex systems. Which agency takes lead responsibility is likely to vary from case-to-case dependent upon several factors (and often this responsibility is equal). Where any problems are encountered with the working arrangements, these will initially be resolved between the two workers. Where this cannot be resolved, the matter will be referred to the respective Team Managers.

**Meeting/Review Arrangements**

4.6 The agreed joint working arrangements will be reviewed regularly, ***the first review taking place within six weeks of the initial practitioners meeting.*** Following the meeting, the two workers will jointly meet the child and their parents/carers to discuss with them the roles and responsibilities of each worker.

4.7 When a child’s case is being reviewed by the TYSS, the allocated worker must ensure that the allocated CSC social worker is invited to all reviews and planning meetings, including those for young people in custody or remand. A record of all such meetings will be kept on IYSS.

4.8 Equally, Social workers in the CSC Teams must ensure that allocated TYSS workers are invited to all Child Protection Conferences, statutory reviews of CiC care planning meetings, child in need reviews etc. Where a child is the subject of a Child Protection Plan, the TYSS worker should be considered a member of the core group and invited to all core group meetings.

4.9 Given the complexities of some of the children known to both services there will be occasions where extraordinary multi-agency professional’s meetings will need to be called and arranged by TYSS and/or CSC, to develop a holistic response/plan to meet the needs of children in crisis, who may also be having an adverse impact on their communities. These meetings should be chaired by a TYSS or CSC manager.

**5.Immediate Child Safeguarding Notifications**

5.1 When a TYSS worker identifies immediate child safeguarding concerns, they must report this to their Line Manager. If their Line Manager is absent, the worker will refer the matter to the Duty Manager in the first instance or in their absence any other member of the TYSS Management Team. The TYSS Manager and worker will ascertain whether the child is already open to CSC and determine whether concerns need to be referred via the CFPH (Front Door) or directly via the existing CSC team where the child is already known.

5.2 It is an expectation that the TYSS worker informs the child/parent/carer that a referral has been made to CSC, unless to do so places anyone at risk of significant harm or risks compromising a police investigation.

5.3 Where there is a risk to the life of a child or a likelihood of serious immediate harm, CSC will convene a strategy discussion. ***TYSS must be invited & involved in the multi-agency strategy discussion, section 47 investigation and attend all relevant meetings.***

5.4 Child Protection Investigations are the responsibility of the relevant CSC Team and Police. They will make the required checks and enquiries and convene all necessary investigation and meetings under Child Protection Procedures.

5.5 The TYSS worker must be invited to attend such meetings and will be kept informed by the investigating Social Worker of progress and any information they might need resulting from this investigation.

5.6 The outcome of the section 47 will be considered by the review strategy discussion/meeting, a TYSS manager will also be invited to this meeting. If it is decided that an Initial Child Protection Conference is required, then Wigan’s Safeguarding Children's procedures take precedence.

5.7 If the child goes on to be supported via a Child Protection Plan, TYSS must attend all relevant Core Groups and professionals’ meetings. The Child Protection Plan and TYSS plan must reference one another and show clear joint-working between agencies ***(NOTE: this should also be the same expectation for children in need (s17) and children in care)***

**6. Harmful Sexual Behaviour**

6.1 In ***all cases*** where a child who has displayed sexually harmful behaviour comes to the attention of TYSS and/or CSC a referral to the CFPH should be generated, and a strategy discussion/meeting must take place under section 47 of the Children’s Act 1989. CSC will convene a strategy discussion/meeting within 24 hours of disclosure in relation to the alleged abusing child and the child victim where there is reasonable cause to suspect that the child concerned has experienced or is at risk of significant harm**. *Where a strategy discussion relates to an alleged abusing child who is over the age of 10, a representative from TYSS must be invited to attend.***

6.2 For further information regarding children who have displayed sexually harmful behaviour please refer to the link below to the Greater Manchester/Wigan Procedure for Children Who Display Sexually Harmful Behaviour and TYSS's AIM assessment and Intervention process.

[Harmful Sexual Behaviours Presented by Children and Young People (proceduresonline.com)](https://greatermanchesterscb.proceduresonline.com/chapters/p_harm_sex.html?zoom_highlight=harmful+sexual#child)

[Flowchart - Pathway for Response to Harmful Sexual Behaviour (proceduresonline.com)](https://greatermanchesterscb.proceduresonline.com/chapters/fc_pathway.html?zoom_highlight=harmful+sexual)

**7. Offending & Exploitation**

7.1 Where TYSS/CSC become aware of a child alleged to have committed a serious violent offence, this must be viewed through both a risk/public protection and welfare lens. Such offences include, but are not limited to, Section 18 Grievous Bodily Harm, Manslaughter and (Attempted) Murder. If TYSS are the first agency to become aware of the violent or sexual offence taking place, they will make a referral into CFPH and discuss if a strategy meeting is required. If required, TYSS must be invited and attend the strategy meeting.

7.2 If a child is arrested under the Terrorism Act (2000), CSC and TYSS must work together (with the police) to consider the specific risk and safeguarding concerns. A Strategy Discussion will be convened in all cases and TYSS must attend. Agencies will endeavour to share any information they can, mindful of the information restrictions that often surround these types of offences.

7.3 The Complex Safeguarding Team (CST) and TYSS must also work together to safeguard children experiencing or at risk of criminal exploitation. ***The CST should alert the TYSS Duty Team Manager where a child known to their service requires a strategy discussion so that a representative from TYSS may attend*. *TYSS will also attend the Daily Governance Meetings (DGM) via the seconded TYSS CST worker.***

7.4 Please see links below for further information on Greater Manchester Safeguarding Children Procedures Manual (tri.x)

[Safeguarding Children and Young People Who May be Affected by Gang Activity (proceduresonline.com)](https://greatermanchesterscb.proceduresonline.com/chapters/p_sg_ch_yp_gang_act.html)

[Children who are Victims of Modern Slavery, Trafficking and Exploitation (proceduresonline.com)](https://greatermanchesterscb.proceduresonline.com/chapters/p_sg_ch_trafficked.html)

[Safeguarding Children and Young People Vulnerable to Violent Extremism (proceduresonline.com)](https://greatermanchesterscb.proceduresonline.com/chapters/p_sg_vio_ext.html)

**SPECIFIC YOUTH JUSTICE PROCEDURES**

**8. Young People in Police Custody**

8.1 Section 42 of the Criminal Justice and Courts Act 2014, extends the requirement set out in section 38(6) of the Police and Criminal Evidence Act (PACE) 1984 in relation to transferring children aged 10 to 17 years old to local authority accommodation. The police will be required to transfer to local authority accommodation when charged and denied bail; local authorities will be responsible for identifying and providing that accommodation.

8.2 When a child is in police custody the TYSS will alert CSC/EDT as early as possible to provide notice to CSC/EDT and enable them to arrange any necessary support package for that child upon release. This will particularly have regard to CSC/EDT sourcing a suitable release address and appropriate ongoing accommodation and transport.

8.3 Where accommodation issues arise out of hours then Police will inform EDT who will source suitable options.

8.4 If the criteria for PACE accommodation are met, CSC will accommodate unless it can be shown that it is impracticable to do so e.g., request is early hours of the morning. The TYSS Service Manager with lead responsibility for PACE bed transfers should be advised of any child being held inappropriately in Police custody.

8.5 Please see link below to GM Joint Protocol for considering requests for the provision of accommodation under PACE (Police and Criminal Evidence Act 1984).

[joint\_proto\_pace(1).pdf (proceduresonline.com)](https://greatermanchesterscb.proceduresonline.com/pdfs/joint_proto_pace%281%29.pdf?zoom_highlight=pace#search=%22pace%22)

**9. Appropriate Adults in Police Custody**

9.1 The Crime and Disorder Act 1998 (section 38), specifically places a duty on Local Authorities, via their YJSs, to ensure the provision of Appropriate Adults to safeguard the interests of children detained or questioned by Police officers. Wigan YJS currently commission this service to Child Action North West. The service is available to all children up to their 18th birthday where a parent/carer is not available to act as their Appropriate Adults. Appropriate Adults can also attend whenever a Child in Care is in Police Custody.

9.2 Where significant safeguarding concerns are raised whilst the child is in Police Custody, the Appropriate Adult must ensure this is shared with the Custody Sergeant. It is the responsibility of the Custody Sergeant to ensure CFPH/EDT are alerted. Appropriate Adult's may also share these concerns directly if their level of concern warrants this.

9.3 Following attendance at the police station, the Appropriate Adult will fill in an Outcome form and send to the TYSS Secure Mailbox. If the child is found to be known to CSC, TYSS will ensure that the information about the child's detention is shared promptly.

**10. Young People in Court**

10.1 Wherever possible, where a child is known to both teams, TYSS workers will inform the CSC social worker where/when the child is due to appear in Court and will also inform them of the outcome if the social worker is not attending.

10.2 Saturday and occasional (Bank Holiday) Court at Manchester Magistrates Court will be covered by the TYSS on a rota basis. Court Duty staff will be responsible for dealing with children under the age of 18 known to Wigan. The Emergency Duty Service will undertake relevant CSC functions where appropriate to support TYSS in this activity.

**11*.* Children on Warrants**

11.1 Where a warrant exists in respect of a child it is important that wherever possible TYSS make CSC aware of this. CSC’s will still provide the child with a service, whilst proactively encouraging them to surrender to their warrant and offer to help them do so if possible. This will include CSC notifying TYSS and police of the child’s whereabouts but should not mean that the child would not continue to receive any maintenance money to which they were entitled nor discretionary payments until they had dealt with the warrant. TYSS would take a similar initial stance of encouraging a child to take responsibility for the warrant but if they refuse TYSS workers will seek to have the warrant expedited.

**12*.* Bail Support**

12.1 Where required by the Court, TYSS will provide a bail support programme, including, if appropriate, bail on Intensive Support and Supervision (ISS) with or without an electronic curfew (tag), for the child. TYSS will provide the CSC Social Worker with a copy of the Bail Support programme if they are currently open to CSC.

 **13.Remands into Local Authority Accommodation**

13.1 As a result of the Legal Aid, Sentencing, and Punishment of Offenders Act 2012 (LASPO), children who are remanded by a court into secure local authority accommodation by way of a secure children’s home receive CiC status. Statutory CiC procedures begin on the day of the remand. Equally if they are directed by a court to live as directed by the local authority or remanded to non-secure local authority accommodation, they also receive CiC status.

13.2 A Wigan child who has offended and who is then placed by CSC temporarily out of the Borough will usually remain the responsibility of the TYSS (in terms of youth justice) unless the area in which the child is resident agrees to assume full case responsibility. Accordingly, TYSS will be responsible for any negotiations with the YJS in the area where the child is placed.

13.3 It is essential that TYSS are notified by the CSC Social Worker, within two working days of any changes of accommodation in order that they can make the necessary arrangements for case transfer and continue to meet required national standards to include alerting the court for the fitting of electronic tagging equipment.

13.4 Wigan TYSS staff will attend court and provide information as requested by the court (or if duty arrangements apply Wigan TYSS will be represented by GM YJS colleagues). If child is a child in care, the CSC Social Worker will attend court with the child or make alternative arrangements for them to be accompanied by a parent, carer or an alternative representative of the CSC team. It is the expectation of the Court that this will take place.

13.5 As soon as a child is remanded into local authority accommodation, or there is a real likelihood that this will occur, TYSS will inform CSC and where already known the relevant Social Worker.

13.6 Any remand notifications received from other sources including out of borough courts, other local authorities, or obtained through overnight arrest information will be sent to the Children’s First Partnership Hub (MASH) at the earliest possible opportunity via the TYSS Duty System.

13.7 The Children in Care Team will respond to any remand into non-secure local authority accommodation request in a timely manner and recognise that it is their responsibility to secure the safety of the child or young person remanded whilst decisions about placement are made. In effect, this means that when the court orders a child to be remanded into local authority accommodation CSC must immediately ensure that arrangements are made for the child to be transferred from court to their placement. It must be noted that neither the court, court security staff or the YJS has any statutory authority to detain a child who has been remanded to the care of the local authority and, thus, it is imperative that arrangements are made by CSC to collect and/or transport the child to appropriate premises before the Court closes.

13.8 The Children in Care Team will implement CiC procedures to include arranging the planning meetings, reviews and completing assessments.

13.9 Where the child is remanded to the care of the local authority, the CSC social worker will plan for the child or young person to be accompanied at subsequent Court appearances.

**14. Court Ordered Remands**

14.1 A remand to Youth Detention Accommodation is a remand under the terms of the Children’s Act 1989 and the young person is deemed to be “in the care of” the local authority. The Children in Care Team will implement Children in Care procedures, arranging planning meetings, reviews and completing assessments where required in full consultation with the relevant TYSS worker. The TYSS worker will be invited to and attend meetings.

14.2 Under provisions of the LASPO Act 2012, Local Authorities are responsible for the full payment for all Youth Detention Accommodation – both court ordered secure remands (to a secure children’s home or secure training centre) and remands to YOI.

14.3 A child remanded to the secure estate should be seen within 5 working days by a TYSS worker. The Children in Care Team should also liaise with YJS in order that joint visits are considered. Good communication and liaison between TYSS, Social Worker and the youth detention accommodation staff should ensure the provision of adequate and timely information. It is the responsibility of TYSS staff to ensure that they initiate communication with Children Social Care staff at the time of the remand.

14.4 Arrangements should be made whenever possible so that TYSS visits to children on remand coincide with Children Social Care CiC meetings or vice versa.

14.5 Once a child has been remanded to secure facilities TYSS will be responsible for offering a bail support programme for the next available court appearance, where appropriate to do so. If conditional bail is granted this will be arranged through TYSS.

14.6 Please see links below for further information on Greater Manchester Safeguarding Children Procedures Manual (tri.x)

[Safeguarding Young People in the Secure Estate (proceduresonline.com)](https://greatermanchesterscb.proceduresonline.com/chapters/p_sg_yp_secure_estate.html?zoom_highlight=youth+justice)

**15. Community Court Orders requiring joint working**

15.1 Where a child is sentenced to a Youth Rehabilitation Order with a Local Authority Residence Requirement this means they must stay in accommodation arranged by local authority for a specified period of a maximum of 6 months. This should be monitored daily.

15.2 This requirement would only be proposed by TYSS with the agreement of CSC.

15.3 Where a child is sentenced to a Youth Rehabilitation Order with an Intensive Fostering Requirement this will be as a direct alternative to custody where living arrangements have contributed significantly to the risk of reoffending. The agreement of the child, parent and local authority must be gained prior to sentencing.

15.4 Whenever a child is sentenced to a community court order and is also known to CSC the TYSS worker will ensure that the CSC is made aware and best practice as outlined in section 5 will be initiated.

**16. Custodial Sentences**

16.1 Where a child is sentenced to a period in the secure estate in Youth Detention Accommodation then TYSS will be responsible for maintaining contact with them in line with National Standards. This includes obtaining the release date within two working days of sentence and notifying parents and carers within 24 hours of the placement being made. Where a child is also known to CSC then the allocated social worker will be invited by TYSS to attend the Initial Planning Meeting (IPM) and sentence plan reviews. This is in order that sufficient time, consideration and planning are afforded to the post release period. When someone remanded into custody becomes a CiC and then is later sentenced to a DTO or Sec 91, CiC status will cease.

16.2 When a child accommodated under s.20 (Children’s Act) receives a custodial sentence this status ceases. Whilst this is not automatically re-instated on release CSC will remain in contact with them. If they were, at the time of their sentence, eligible for leaving care services they would become eligible for them on their release. TYSS will provide CSC with release date information. Wherever possible this will be within two days of sentence.

16.3 It is essential that good, timely communication and liaison take place between TYSS and CSC in order that release plans are known, shared and owned by all concerned. TYSS and CSC staff, working in partnership with the secure facility staff, should draw up a sentence plan for the young person within 10 working days. This will cover:

* preventing offending behaviour when the young person is released
* plans regarding housing, education and health needs of the young person on release
* setting clear and achievable targets for the young person

16.4 The sentence plan will also include clear information regarding the anticipated date on which the child or young person will be released from the secure estate.

16.5 A TYSS worker will be jointly responsible with secure estate staff for sentence plan review meetings. The first will be held within one month of the above meeting, with further review meetings usually occurring within three months. The final review meeting will be held 10 working days before the young person's release date.

16.6 Unless there are safety issues, licence conditions, or the child is under a Care Order, TYSS will work with the child and their family to ensure they return to their parent or previous carer. Where the child can return home, TYSS (along with the parent/carer) will be responsible for the young person's support on release.

16.7 If the young person is under a Care Order the Children in Care Team will be responsible for seeking suitable accommodation. In these circumstances the allocated social worker, or the responsible Team Manager, will attend sentence planning meetings and reviews.

16.8 A small number of children over 16 years of age cannot return to their parent or previous carer. When it has been identified by TYSS that this is the case, CSC will be invited by TYSS to release and final release preparation meetings. This must be done at the earliest opportunity to ensure that there is sufficient time to secure suitable alternative accommodation. Any arrangements for these children to be re-housed will be made under the Housing Act 1996 and Homelessness Act 2002

16.9 Where the above applies, the TYSS worker will assist the young person to apply for Housing Benefit and other relevant benefits.

16.10 Please see links below for further information on Greater Manchester Safeguarding Children Procedures Manual (tri.x)

[Safeguarding Young People in the Secure Estate (proceduresonline.com)](https://greatermanchesterscb.proceduresonline.com/chapters/p_sg_yp_secure_estate.html?zoom_highlight=youth+justice)

**17. Review of Protocol**

17.1 This protocol will be distributed by management to all relevant staff and will be reviewed bi-annually.

July 2022