

JOINT WORKING PROTOCOL

BETWEEN

MANCHESTER YOUTH OFFENDING

TEAM (Y.O.T)

AND

BARNARDOS MANCHESTER LEAVING

CARE SERVICE (MLCS)

AGREEMENT ORIGINATED 1.12.04

AGREEMENT UPDATED 1.12.05

MANCHESTER YOUTH OFFENDING TEAM (YOT)

AND

MANCHESTER LEAVING CARE SERVICE (MLCS)

JOINT WORKING PROTOCOL

1. MANCHESTER LEAVING CARE SERVICE (MLCS)

a) Partnership with Barnardos

Providing an advice and support service to young people ‘leaving care’ – defined broadly as the age group 16 → 21, but occasionally beyond – is now a statutory requirement upon Local Authorities as defined by the 1989 Children Act and later the 2000 Children (Leaving Care) Act. In many Local Authorities, such a ‘leaving care’ service is directly provided by that Authority’s Social Services Department but in Manchester is a partnership arrangement with Barnardos whereby Barnardos carry out this statutory function in partnership with, and on behalf of, Manchester’s Children, Families and Social Care Department.

b) Legal Remit and Referrals to MLCS

To get a service from MLCS a young person must meet a specific legal criteria as determined by the Children Leaving Care Act. This is that the young person must

- be legally ‘looked after’ (under any legislation) on or after their 16<sup>th</sup> birthdays and
- have been so ‘looked after’ for a continuous or aggregated period of 13 weeks or more since their 14<sup>th</sup> birthdays.

Such young people become eligible or relevant (if under 18) or formerly relevant (if over 18 and, for the most part, under 21) under the terminology of the Children (Leaving Care) Act. CFSCD have an agreed working protocol with MLCS whereby all young people Looked After by Manchester Local Authority who meet this legal criteria, irrespective of where they may be living, are required to be automatically referred to MLCS by their Social Worker.

c) Duties and Responsibilities towards Eligible, Relevant and Formally Relevant

## **Young People**

- All such young people retain Manchester as their 'Responsible Authority' until they are aged 21.
- With 3 exceptions (parents, sick, disabled), eligible and relevant young people are unable to claim state benefits so their Responsible Authority has a duty to pay their weekly maintenance (no less than the state benefit equivalent) and reasonable housing costs (wherever they may be living) until age 18.
- All eligible, relevant and formerly relevant young people must have a 'Personal Advisor' (Leaving Care Worker from MLCS) appointed in respect of them until they are 21 (or sometimes beyond). That Personal Advisor is part doer, part organiser / coordinator of other services and is there to help that young person progress across a whole range of issues up until at least 21.
- All eligible, relevant and formerly relevant young people must have a 'Pathway Plan' put in place by the age of 16 ¼ (written by a MLCS Worker) outlining the aim for that young person over the coming 5 year period and outlining who is going to do what over the coming 6 months to progress that plan. The Plan has to be formally reviewed every 6 months until the young person is aged 21.

### **d) Service Structure and Roles of MLCS**

A MLCS Structure Chart is appended as Appendix One. Besides admin, 1 development worker and 1 overall manager, MLCS in essence has 3 Service Delivery Teams (North Central and South) to accord with the recent CFSCD restructure, each consisting of a Team Manager, 1 / 2 Assessor Planners and a number of Personal Advisors or Leaving Care Workers. As of 1.12.05, such staff numbered 3 Team Managers, 5 Assessor/Planners and 16 Personal Advisors/Leaving Care Workers.

Team Managers each manage a district focused team. Assessor/Planners tend to deal mainly with newly referred 16 and 17 year olds to MLCS. Such Workers conduct initial assessments and write the Initial Pathway Plan as required by the Leaving Care Act. In so doing they work closely with CFSCD who for the most part retain case responsibilities for the young person during this period. Assessor/Planners typically have a caseload of some 30 young people. Personal Advisors/Leaving Care Workers have caseloads of young people once they have left a 'care' situation to begin to live semi independently or independently. Typically they have a caseload of some 25 young people aged 17/18 → 21 (and sometimes beyond).

As a Service MLCS's overall objectives, whilst working with young people in a respectful and enabling way and trying at all times to realise the potential of each and every young person, are, by the time a young person is aged 21.

- to be living in stable, suitable accommodation.

- to have maximised their income and not be in a perpetual crisis with money.
- to be registered with a doctor and dentist and know how to access specialist health care services if needed.
- to be in education/training/employment or have some realistic ambition in this respect.
- to have some leisure and social interests.
- to have some networks of support in the Community other than 'care/leaving care' contacts.
- to have (wherever appropriate) re-established some family links and understood why they were in care in the first place.
- to have sufficient self esteem and self confidence that the young person themselves believes they can cope independently within the Community.

## **2. MANCHESTER CITY YOUTH OFFENDING TEAM(Y.O.T)**

Youth Offending Teams were created as a requirement of Section 39 of the Crime and Disorder Act 1998. This states that it is the duty of each Local Authority to establish for their area one or more youth offending teams to undertake the principle aim of the Crime and Disorder Act to "prevent offending by children and young people"(Section 37). This is to be achieved by speeding up the process between charge and sentence so that young people can link what they have done to what happens to them; confronting young people with the consequences of their offending; addressing any factors in young offenders lives that contribute to their offending; and encouraging parents to be responsible for their children's actions, at times recommending that parents receive orders themselves requiring that they improve their parental responsibilities.

Manchester City YOT comprises approximately 130 staff seconded from Education, Social Services, Probation, GMP and Health. It has three locality teams, North Central and South, who work with young offenders in their areas. In addition there is a Court team and two other operational teams-the Intensive Supervision and

Surveillance team who work with more persistent and/or serious offenders and the YOT Parenting and Prevention team.

The YOT community teams work to reduce young people's offending not only by supervising and enforcing their criminal orders but by also addressing the underlying causes of their offending. A young person who has been convicted of a criminal offence will be subject to an "order" supervised by the YOT; this might be in the community (e.g. a Referral Order, Action Plan Order, Supervision Order) or a custodial order (e.g. Detention and Training Order). The Parenting and Prevention Team work with young people who are not yet within the criminal justice system but who are at risk of being so and also parents of young people at risk of receiving civil anti-social behaviour orders. All young people will be assessed by a YOT Team and a plan written outlining the work that needs to be done with that person. This forms the basis of the various interventions to be implemented to reduce the risk of reoffending and address contributory factors.

Staff in the YOT will be looking to:

- Help keep young people out of further trouble with the Police
- Work with young people to look at why they offend, and how they can change their behaviour and support, by seeing them regularly and listening to what they have to say
- Making sure that young people keep to their appointments (which will normally be held at the Youth Offending Team office)
- Devise a supervision plan with the young person, and other relevant agencies, including the court, that will detail what is expected of them during the order.
- Give advice in areas where young people may be having problems: this may include home, school/college or work, drug or alcohol use, relationships with other people or how to constructively use their leisure time
- Help young people make amends by taking part in reparation activities that may be run at the weekend.
- Support young people through their court orders
- If young people do not co-operate the YOT officer will return the case to Court for breach proceedings. If the breach is proved, the Court may allow the order to continue, although they may impose a fine, or choose to re-sentence on the original offence.

If a young person shows good progress on their order the Youth Offending Team can contact the Court and ask them if your order can be revoked early.

### 3. **REFERRALS TO ONE ANOTHER**

#### a) **MLCS to YOT**

No referrals will be possible as all young people referred to the YOT are made via the Courts, or specific panels etc.

#### b) **YOT to MLCS**

In the main no referrals will be possible as all eligible and most relevant young people should be referred to MLCS by their CFSCD Social Worker.

However there is one additional category of 'relevant' young person as follows:-

If a young person aged 14 plus is S20 Accommodated, and subsequently remains so accommodated for at least a continuous or aggregated period of 13 weeks or more since their 14<sup>th</sup> birthday, and is subsequently sentenced to a period of youth custody whilst they are still Section 20 Accommodated, and remains in custody past their 16<sup>th</sup> birthday, then upon release (supposing they are still aged 18 or under) that young person attains the status of a 'relevant' young person and can be referred by their YOT worker to MLCS using MLCS's referral procedure (Referral Form, Social History, Documentation / ID etc). Any confusion as to who can or cannot be referred to MLCS can be anticipated in advance of such a referral by the YOT Worker having a prior discussion with a MLCS Duty Manager.

### 4. **JOINT WORKING**

#### a) **Cases coming to one another's attention**

Formal referrals to one another will be rare so MLCS and YOT Staff will only find out about each others involvement with a case via the young person themselves, or each agency being aware of the likely circumstances of one another's involvement. As regards the YOT, cases may come to the services attention via area case panels, the risk of receiving an ASBO or the criminal justice process itself. As regards MLCS cases will be referred to the service mandatorily by that young persons Social Worker upon the young person attaining a specific age and legal status. In either case as part of receiving a referral both YOT and MLCS will check if the case is known to one anothers service. Once this is known each Agency will ensure the name and contact number of the others respective worker(s) is recorded on the young person's record.

#### b) **Information sharing**

MLCS will share with a YOT worker a copy of that young person's Pathway Plan and Pathway Review(s), in keeping with MLCS's standard consent to share information the Service obtains at the outset with all young people referred to its Service. YOT will share with the MLCS Worker the Supervision Plan devised for that young person.

c) **General Involvement in Case Planning**

Wherever either Agency convenes a meeting to discuss a young person's progress, the MLCS/YOT Worker should standardly be invited to that Agency's meeting. In addition both Agencies will include in their own Supervision or Pathway Plan actions of the other party that are going to contribute to helping that young person's future. Such issues might be behaviours that need changing or practical matters such as accommodation or money that need jointly addressing. Specific tasks agreed should be "timetabled" into the respective plans and the responsibility of who is going to progress these issues clearly allocated between workers.

d) **Financial Issues**

MLCS often agrees, as part of its arrangements with CFSCD, to administer monies to young people under Manchester's 16 → 21 Financial Policy. However it needs to be understood that MLCS has no money whatsoever of its 'own' to administer to young people and has to get agreement to any such money from CFSCD. In general the same situation as regards money applies to YOT, though for certain specific young people on the "RAP" programme (significant substance misuse plus overall vulnerability) certain monies can be targeted towards actions or programmes that can divert young people from such behaviour. Equally YOT Teams do have access to petty cash and so in exceptional (not routine) circumstances could help out by actually giving a young person say a one off payment from a YOT Office and reclaiming that money back from MLCS at a future point. This would obviously only apply to a young person known to both services and in respect of whom monies under Manchester's 16-21 policy were due in the first place.

e) **Housing & Accommodation Issues**

Neither MLCS or YOT is a housing provider and both Agencies are thus in the hands of others in seeking accommodation for young people. Both Agencies should thus work jointly in finding housing solutions and actioning them. The absolute 'bottom line' is that the CFSCD is ultimately responsible for accommodation for eligible and relevant young people (as it is only they who can agree to pay for it) though both YOT and MLCS should be as helpful and creative as possible in jointly trying to find accommodation solutions for young people. It should be noted that other than in the utmost emergency situation (and this only by local agreement) Manchester Housing's Single Person Accommodation (Direct Access) is not available to eligible or relevant young people.

f) **Employment/Training/Education**

Both Agencies acknowledge the crucial importance of engaging young people in whatever form of education/training/employment might be appropriate to the individual young person and to this end taking every step possible to jointly encourage this. Maximum use will be made of the Connexions Service and a range of personal

development and leisure opportunities. Connexions Workers regularly do sessions for young people known to the YOT at YOT Offices, and if need be can do outreach work as well. YOT also have a learning mentor scheme for certain young people. MLCS has a linked employability/pre employability project called Making It Work who specialise in helping young people make progress into education/employment/training options. Obviously young people jointly known to both agencies could benefit in any of these regards by accessing one another's facilities as described.

g) **Health**

Each District YOT Team has a Health Worker attached to their Service, who do a mixture of drop in and outreach work. Likewise YOT have links with Eclipse who again do a one day per week session at each YOT Office. MLCS is shortly to have a Health Worker for 16 → 19 year olds offering both an outreach and drop in service. Once again young people known jointly to each agency could access each other's provision in this regard as befitted the particular individual needs and accessibility preferences of the young person concerned.

h) **YOT 'Reporting' Requirements**

The YOT, by agreement with MLCS, can allow young people to use contact with MLCS as part of their statutory order (i.e. their reporting requirements), though this should not be more than once a week. In order not to jeopardise the voluntary nature of MLCS's working relationship with young people, should the young person keep their appointment with MLCS then it could be regarded as their statutory appointment as regards the YOT. Where however the young person does not keep their MLCS appointment they will be required to keep a further appointment with the YOT in order to meet their statutory requirements and so as not to confuse the two. Where this arrangement has been agreed on a regular basis, the YOT Worker will take the responsibility to check with MLCS that the young person is keeping to their appointments. However if the young person's whereabouts become unknown MLCS should inform YOT as soon as possible of this situation so that YOT can, if appropriate, carry out their statutory duty and instigate breach or recall to custody.

i) **Young People on Warrants**

Where a warrant exists in respect of a young person it is important that wherever possible YOT make MLCS aware of such a fact. MLCS's stance will still be to provide that young person with a basic service but to proactively encourage that young person to surrender to their warrant and offer to help them do so if at all possible. This will therefore mean for example a young person would continue to receive any maintenance money to which they were entitled but not incentive or discretionary payments until they had dealt with the warrant. YOT would take a similar initial stance of encouraging a young person to take responsibility for the warrant but if the young person refused YOT workers, who include the Police, would have the power to take action to ensure that warrant was obeyed.

j) **Young People in Court**

Wherever possible YOT Workers will inform MLCS Workers where a young person is due to appear in Court, and certainly inform MLCS Workers of the outcome of a court appearance. In writing a PSR the YOT Worker should always routinely consult the MLCS Worker as to their views on the young person's situation and any support MLCS might be able to offer in any future support package/court disposal.

#### **k) Young People in Custody/YOI**

When a young person is spending time in the above, both Agencies will be committed to sorting out as early as possible a support package upon release. This will particularly have regard to a suitable release address and appropriate ongoing accommodation whilst it is acknowledged that neither the YOT Worker nor the MLCS Worker will necessarily have any 'easy' accommodation answers, nevertheless both parties will be committed to jointly looking at such issues and determining who is going to apply to which options. Such liaison will not only be informal but be via the relevant training planning meetings within the custody setting, and in particular the pre-release meeting. YOT Workers will ensure MLCS Workers are aware of such meetings and whilst it is accepted that MLCS's attendance at all such meetings will neither be expected or appropriate, nevertheless especially the pre release meeting, or planning in advance of it, will be prioritised by both parties.

#### **5. STRATEGIC WORKING**

A Manager from YOT will attend MLCS's quarterly multi agency meeting on Leaving Care, which in itself will link with Manchester's multi agency LAC Team and in so doing feed into Manchester's Local Strategic Partnership structure.

Twice a year Managers from MLCS and YOT will meet together to look at strategic issues of joint concern and review the respective joint targets of both Agencies. A formal review of the workings of this Protocol will take place at one of these meetings.