



Children's Safeguarding and Family Help

Corporate Parenting Service
Remands into local authority care
procedure

Remands procedures

1 Introduction

This document provides guidance to social workers and Youth Justice workers working with young people who have been remanded into local authority care or Youth Detention Accommodation by the criminal courts. It sets out the local practice and procedures for joint working between CSFH and Youth Justice Service (YJS) and should be read together with the *Remands to local authority accommodation or youth detention accommodation* policy. [Remands to Local Authority Accommodation or to Youth...](#)

2 Principles

- Camden's first aim is to reduce the likelihood of children in court being remanded into custody to support them to remain in the community and meet any bail conditions that are imposed by offering a robust package of support and surveillance.
- Where children are remanded into local authority care, Camden will become their "corporate parent" and will work to safeguard and promote their welfare during the remand period, whether they are placed with foster carers in the community or held in youth detention accommodation.
- Where appropriate, Camden will continue to work with the child's legal representative to make further applications for bail or remand into local authority care where the young person has been remanded to Youth Detention Accommodation (YDA).
- Where a child is remanded due to criminal offences that may have arisen from their exploitation or because they have been trafficked, it is essential that consideration is given to making an application under the National Referral Mechanism (NRM). Please see the NRM guidance for details. [national-referral-mechanism-protocol.pdf](#)

3 Looked after status

- All children who are refused bail and remanded into either local authority accommodation or youth detention accommodation (YDA) will automatically become looked after if not already so.

CLA remands procedures

- ***Where a looked after child is remanded***, they will remain looked after throughout the remand period until (or if) they receive a custodial sentence. Social workers should therefore continue to follow CLA policies.
- ***For a child who is not already looked after***, care planning regulations will apply although this will be less onerous version to take into account the fact that the local authority's involvement with them has been imposed by the criminal court and is likely to be short-lived and permanence planning will not be required. However, it may be necessary to consider the child's support needs post remand and whether they should remain looked after. An Independent Reviewing Officer will be appointed to oversee care planning for the child whilst in local authority accommodation or YDA.
- Staff need to be aware that there are some procedural differences depending on which route the child entered the looked after system.

4 Procedures for remands into local authority accommodation

4.1 YJS case managers

- Prior to the hearing, the YJS court officer should consult with the Crown Prosecution Service (CPS) on any cases where bail will be contested and remand is an option. The consultation should focus on avoiding a remand by offering a stringent package of bail support that meets the objections to bail so that the child can remain at home whilst meeting any bail conditions set by the court.
- The YJS case manager will carry out a Bail ASSET assessment of the child in order to help the court make an informed judgement regarding bail and any conditions that should be attached. At this point, possible bail addresses will be explored as part of an overall proposal for conditional bail. Potential addresses should be checked against MOSAIC and checks will be required on household members against police records.
- The YJS case manager should contact the Children and Families Contact Service (ext: 3317) to find out if the child is already known to CSFH. If known, the allocated social worker should be notified (or their manager in their absence). If not known, the YJS case manager should make an e-CAF referral to the Contact Service and forward a copy of the Bail ASSET.

CLA remands procedures

- The YJS case manager should liaise with the Resources service (ext:1238) and the allocated social worker so that a suitable placement can be found. A copy of the Bail ASSET and child's profile should be faxed to the Resources team and the following information should also be made available:
 - description of the offence
 - previous convictions
 - any risk assessment as to the likelihood of re-offending and causing serious harm
 - reasons for bail being refused
 - any history of self-harming or suicidal thoughts
 - any safety issues, such as gang associations or areas where the young person would be unsafe.
- The Court officer from the YJS should also liaise with the court regarding progress in finding a suitable placement that can meet the child's needs and support any remand conditions.
- The YJS case manager will liaise with the child's family in court to gather and share relevant information and pass on details of CSFH contacts where appropriate.
- The YJS case manager will complete subsequent assessments on AssetPlus that reflect the new offence for which the child is being remanded and forward these to the relevant social worker and placement key worker on completion.
- There should be a conversation between the allocated YJS case manager and social worker regarding the context and circumstances around risk and how these relate to the placement environment and different locations. It should also focus on protective factors to help placement providers determine if they can manage the needs and risks presented by the child.

4.2 Resources service

- The Resources service should begin a search for a suitable placement immediately on being notified by the YJS case manager or social worker and continue to liaise with the YJS court worker and the social worker to provide information on what placements are available and the extent to which any proposed placements might be able to meet any conditions set by the Court.

CLA remands procedures

- Information from AssetPlus as well as any information available from previous social work assessments should be used to inform any decision regarding placements, and a risk assessment undertaken with regard to the carer and other people living in the placement.
- Placement decisions should also look at what conditions may be attached to residence particularly with respect to curfews or contact with named individuals. If electronic tagging is likely to be used, the placement should be made aware that this equipment may be installed and confirm that they can receive such equipment.
- If the child is already looked after, the Resources team and the Family, Friends and Fostering service should look at the possibility of them returning to their current placement in the first instance.
- The Resources service has discretion to consider all placement types, including fostering, residential or family and friends placements or the Young Person's Housing Pathway if the young person is 16.
- Placement at home is likely to be in breach of the remand conditions and should only be considered as a last resort following consultation with the allocated YJS case manager regarding suitable support and the parent's ability to comply with remand conditions. The decision must be agreed by the service manager for Care Provision and the service manager for IYSS/YJS.
- Decisions to place a child with a family and friends carer must be taken by the relevant service manager following checks on the suitability of the carer and household members over 16 years and the suitability of the address for bail purposes. YJS will carry out any police checks required on household members on behalf of CSFH.
- When a remand into local authority accommodation has been confirmed, the Resources service should;
 - confirm the placement details with the YJS case manager and consult with them if there are likely to be any problems with a proposed placement
 - contact the carer or key worker to discuss the proposed placement and any conditions to residence imposed by the court
 - notify the YJS case manager if the placement changes at any time during the remand period.

CLA remands procedures

4.3 Social workers

Where the child is already known to CSFH, the YJS case manager will notify the allocated social worker of the young person's court appearance. If the child is not known, the case will be referred to the MASH team for checks and then referred directly to the CLA team where a social worker will be allocated to begin the child and family assessment.

Once YJS have notified the allocated social worker, the social worker (or their supervisor in their absence) must:

- continue to liaise closely with the YJS case manager to provide information for the AssetPlus and to keep the Court informed of developments
- begin the "*Request for placement*" episode on MOSAIC and send this to the Resource team and liaise with the team to provide information for the placement request
- liaise with the YJS case manager to make arrangements for the child to be taken to the placement; decisions on who should accompany the child will depend on the child's needs and whether any professional is already known to the child; escorts may be used where necessary;
- ensure there is good quality case planning for the child and that decisions are made in a timely manner
- complete a child and family assessment (if the child is not already known)
- complete the placement agreement record and care plan
- convene a placement agreement meeting
- ensure the child has a MOSAIC case record that is accurate and up to date
- complete all other CLA processes on MOSAIC and convene the first statutory CLA review to be held within 20 working days of the remand
- ensure the relevant YJS case manager has copies of care plans, placement agreements and CLA reviews and is invited to all such meetings

CLA remands procedures

- if the child is already looked after by Camden, contact the IRO to discuss bringing forward any planned statutory review to update the care plan in the light of the child's change of status.

4.4 Placement agreement meeting following remand

- The placement agreement meeting should take place within 72 hours of the placement taking effect. It should be attended by:
 - the child
 - their parents, where appropriate
 - the allocated social worker
 - the allocated YJS case manager
 - the carer or key worker
 - the carer's supervising social worker
 - a representative of the Resources service where applicable.
- If any of the above workers is unable to attend, this must be communicated to the allocated social worker in advance and where possible, arrangements made for another worker to attend in their place. If no-one from the agency is able to attend, the relevant professional must contribute to the review either by writing or speaking to the social worker. This is to ensure that information is shared and the views of all agencies and professionals are represented.
- The purpose of the meeting is to ensure that the placement plan is completed and that the placement is able to meet the child's needs and any remand conditions imposed by the courts.
- Carers and key workers should be made aware of any curfews or restrictions on contact with others involved in the offence and how best to ensure the child complies with these.
- The child must be made aware of the consequences of breaching the conditions of the remand placement. The YJS case manager will be responsible for enforcing any breaches.
- The carer or key worker should be made aware of Camden's missing children protocol and what action to take in the event that the child absconds during the term of the placement.

CLA remands procedures

- The meeting should also look at arrangements for ensuring the child attends the next court hearing, including who will attend with them.
- A copy of the completed placement agreement should be distributed to all workers.

5 Procedures for remands into YDA

5.1 Role of YJS

- Where a child is already known to the YJS, the case manager at court will liaise with the relevant Court team and the YJB where there is a likelihood of a remand into YDA to provide relevant documentation 24 hours in advance of the court hearing or as soon as possible on the day of hearing when the child has been held overnight. The documentation should include:
 - the placement Information Form (PIF)
 - an up to date AssetPlus reflecting the current offence.
- Where a young person is not currently known to Camden YJS, a YJS court team will complete the AssetPlus and contact the Camden YJS duty worker to alert them to the risk of a remand into youth detention accommodation. The duty worker must pass this information to the information team to allow a Childview record to be created and then create a placement information form which must be sent to the YJB.
- The YJS case manager/duty worker should liaise with the YJB placements service regarding any potential placement, and where necessary the secure establishment in order to discuss placement needs.
- The YJS case manager should continue to liaise with the allocated social worker to gain information for the assessment and discuss any potential placements and plan for the child's care. The Resources service should also be notified in case a suitable secure establishment cannot be found immediately and alternative accommodation will need to be identified.
- In the event of a suitable placement not being available, the YJS case manager/duty worker should liaise with the Resources team to make alternative suitable arrangements for the child's accommodation until a secure placement becomes available.

CLA remands procedures

- Following the court hearing, the YJS case manager/duty worker should:
 - ensure that any risk and vulnerability assessments are updated and included in a post court report (PCR) and this report is sent via Connectivity to the YJB placement service (this must occur on the day of the placement being made);
 - ensure that the court warrant authorising a secure remand is correct and the wording reflects this;
 - ensure that a copy of the warrant is given to the Secure Escort Services together with the placement confirmation form to be handed to the secure establishment. As a precautionary measure, a copy of the warrant should also be faxed to the establishment. Please note that failure to comply with this can mean that the establishment will refuse to take the child and Camden will become responsible for their security.

5.2 YJB placements service

- The YJB placements service will identify the most suitable placement based on all the information provided.
- The YJB placements service will liaise directly with the secure establishments and forward all relevant documentation so a decision can be made on the placement within a 60 minute time frame.
- Once an establishment accepts the referral it is anticipated that this will be the placement for the duration of the remand period.
- The YJB is also responsible for providing escorts to the YDA establishment once remanded.

5.3 Local authority's responsibilities

The local authority is responsible for:

- providing funding for the placement
- providing looked after children services under the Children Act 1989
- providing the secure establishment with copies of the child's care plan and placement detention plan within 5 working days
- providing assistance for family members to have contact with the child

CLA remands procedures

- ensuring there is a discussion with the secure establishment within 5 working days of the placement
- convening a remand review/placement agreement meeting within 10 working days of the child being placed and at 6 weekly intervals thereafter; the review should be held at the secure establishment with the allocated YJS case manager and social worker in attendance
- identifying opportunities (where possible) to support the child on bail or remand to local authority accommodation rather than the young person remaining in secure accommodation.

5.4 Initial remand discussion

- The purpose of the initial remand discussion is for the secure establishment and the YJS to clarify the shared package of support which the child will be offered during the short period until their next court appearance.
- The discussion must focus on immediate concerns and risks related to the child's arrival into custody and set immediate plans for how to mitigate these risks. It must also cover potential bail options for the next court appearance.

5.5 Detention placement plan/remand planning

- The purpose of the detention placement plan/remand plan is to ensure that the YDA is able to meet the child's assessed needs and safeguard their welfare whilst they are on remand. The plan should be based on a child and family assessment (or updated assessment if the child is already known) and should cover the following:
 - how the YDA will meet the child's needs, safeguard and promote their welfare and ensure their day to day care
 - what arrangements have been made for the child to have contact with parents and others and where contact is not practicable, the reasons for this
 - arrangements for the child's health (including assessment and treatment)
 - arrangements for the child's education and training
 - arrangements for social work visits (including frequency) and/or visits from independent visitors
 - details of the child's history, religion, cultural, racial and linguistic background
 - contact details for the child's social worker, personal advisor, IRO and/or independent visitor

CLA remands procedures

- what support the child will receive when they return to the community
 - agree the names of individuals who are allowed to visit or have contact with the child.
- The plan should also address the young person's offending behaviour and support needed on their return to the community.
- Social workers should use the template detention placement plan available on MOSAIC. YJS case managers will use the YJB documents.
- When reviewing detention placement plans, IROs should consider:
 - the quality of contact between the child and their social worker
 - contact arrangements with family and friends
 - whether the child's wishes and feelings are being taken into account
 - arrangements for meeting the child's health, education and training needs
 - arrangements for meeting the child's needs arising from their culture and identity
 - what support the child will need following the remand period
 - the frequency of visits by the social worker and YJS case manager.
- The child's IRO is responsible for ensuring suitable arrangements are in place for the review to take place and that the young person has an opportunity to meet with the IRO in private prior to the meeting.

6. Joint working

- Where the child is **remanded into local authority accommodation**, the local authority has a duty to ensure that the child adheres to any conditions attached to the remand and attends court as required. YJS has responsibility for dealing with any breach of bail conditions and CSFH is responsible for the child's day to day care. Both services are responsible jointly for ensuring the child adheres to the conditions set by the court, and the child's carer, social worker or key worker will need to ensure that the child attends court as directed.
- Where the child is **remanded into YDA** the local authority has a duty to ensure that their safety and welfare is promoted within the secure setting and that the establishment is meeting their needs. The services also need to

CLA remands procedures

work in partnership with the YJB and the secure establishment in order to meet these aims.

- Because of the shared management responsibility, both services should ensure that there is a high level of liaison and shared decision making at all levels and that discussions take place in a timely manner so that responses can be planned and timescales set out under the Youth Justice Board National Standards and the Care Planning and Case Review Regulations 2010 can be met.
- As there is a joint responsibility to ensure the child complies with the conditions of the remand, there will need to be a high level of joint working between CSSW and YJS.
- Any intervention or bail support plan provided by YJS must be integrated into the child's care plan. Equally, elements of the placement agreement and care plan must be integrated into the YJS intervention plan.
- There must be a high level of contact between the social worker and the YJS case manager, with information regarding the child's progress and any relevant incidents being shared in a timely manner.
- There is an expectation that each service will contribute relevant information to any assessment carried out by the other service.
- Social workers and YJS case managers should attend any planning meeting convened by either service and provide written reports if required.
- Roles and responsibilities and the delegation of tasks must be agreed between the both services.