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'Resettlement provision for children and young people' and 'The care of looked after children in custody':

Findings from two Inspectorate thematic reviews

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This year, HM Inspectorate of Prisons (HMIP) published two separate thematic reviews: 'Resettlement provision for children and young people: accommodation and education, training and employment' and 'The care of looked after children in custody'. Both were commissioned by the Youth Justice Board (YJB) and looked at provision in Young Offender Institutions (YOIs) holding 15 to 18 year olds. As there was some overlap in the methodology used for each thematic, findings from both reports are summarised below.

Background

Resettlement is one of the main tests against which HMIP judges the health of a prison. HMIP expects¹ establishments to demonstrate a commitment to resettlement that starts on a young person's arrival to custody and that ensures young people are well prepared for their release. Two of the key pathways, set out by the YJB for the effective resettlement of young people are accommodation and ETE (employment, training or education)². It is recognised that living in unstable accommodation is a major risk factor in offending behaviour³, and similarly, taking part in full time education or employment is known to prevent re-offending⁴. Therefore ensuring that young people have suitable accommodation and ETE on release from custody is a vital first step for their effective resettlement. Our thematic review on resettlement examined how well YOIs worked with youth offending services to ensure the accommodation and education, training and employment (ETE) resettlement needs of sentenced young men were met in custody and on release.

Our thematic review on looked after children in custody looked at how well YOIs worked with local

authorities and youth offending services to ensure the needs of looked after children were met while in custody and in preparation for their release. Looked after children refer to children in the care of the local authority, either because of a mandatory care order or by voluntary agreement between the local authority and the child's parents. The main reason children become looked after is because of abuse or neglect, accounting for 61 per cent of looked after children⁵. Unfortunately, looked after children are over-represented within the youth justice system, including in custody. Irrespective of their location in custody, local authorities must continue to fulfil their statutory responsibilities towards a child in their care. Importantly, this should include co-ordinating plans for release. Despite this, at the time of the review, very few YOIs had a designated social worker in post.

1. Findings from the resettlement provision thematic review

The findings for the resettlement review were largely based on fieldwork conducted at six YOIs holding young men between July and October 2010.

- Interviews were conducted with:
 - 61 sentenced young men approaching release
 - the case supervisors (or case records) of all 61 young men in our sample
 - Six heads of resettlement
 - Six heads of learning and skills
- In addition, case supervisors were asked to fill in a short questionnaire on the day of the young person's release and one month afterwards to provide details of what accommodation and ETE were in place.
- Fieldwork findings were also supported by survey responses from 770 sentenced young men surveyed at all nine male YOIs.

1. HM Inspectorate of Prisons (2009) *Expectations for children and young people in prison custody*, London: HMIP.

2. Youth Justice Board (2006) *Youth Resettlement – A Framework for Action*.

3. Social Exclusion Unit (2002) *Reducing re-offending by ex-prisoners*.

4. Audit Commission (2004) *Youth Justice 2004: A review of the reformed youth justice system*.

5. Department for Education (2010), *Children looked after in England (including adoptions and care leavers)*, year ending 31 March 2010, SFR 27/2010, London: DfE.

Strategic management

HMIP expects establishments to have an informed resettlement policy in order to provide strategic direction and to coordinate resettlement work. While we found that all establishments had a policy, the needs analyses they were based on were often out of date, varied in quality and had not all consulted young people. External agencies had collaborated with the writing of only one policy and were involved with the resettlement committees at just two establishments. The collection of resettlement data to evaluate the implementation and impact of policies was inconsistent although all establishments collected what was required by the YJB and Prison Service. However, regardless of what was being collected, it was unclear how much this data was used to monitor the effectiveness of establishments' resettlement work. No establishment, for example, collected qualitative data such as whether the accommodation to which young people were returning was sustainable and suitable or followed up the outcomes for young people following release.

Case management

It is essential that all relevant documentation, such as ASSET⁶, arrives with a young person in order to inform their initial assessments. Staff explained that although they received adequate information in most cases, there were examples where information was incomplete or out of date. In our case sample, 84 per cent of the young men had an accommodation and/or ETE need identified in the initial information received. Planning for their release should begin on arrival to custody and the training planning process should be central to coordinating work to address young people's individual needs. A young person's training plan, overseen by an establishment based case supervisor and an external YOT case manager, will set out targets for their time in custody and also for their release. Training plan targets were usually agreed in the first training planning meeting and whilst most of the young men interviewed said that targets had been discussed with them, only 59 per cent could recall what their targets were. Just over half of the young men felt that they had had a say in what their targets would be. One young person said:

Planning for their release should begin on arrival to custody and the training planning process should be central to coordinating work to address young people's individual needs.

'I had no choice. I was told in the meeting and not given a chance to say anything.'

The main problem for young people appeared to be the lack of clear direction — targets were generally too broad and generic rather than specific, measurable, achievable, realistic and time limited (SMART). Young people were given limited guidance as to how to achieve them and where they were too broad, assessment against them was difficult. Targets were rarely directly related to plans on release and were rarely directed at anyone other than the young person, although other people such as the case manager would have action points to ensure arrangements were in place for the young person on release.

Case supervisors attended all training planning meetings and many had a good knowledge of each young person on their caseload but this was not always the case. Case supervisors reported good links with YOTs and establishments recognised the importance of facilitating the involvement of case managers; they were attending most training planning meetings and would often keep in contact with case supervisors between meetings. Attendance by families/carers at training planning meetings was relatively low, with some case supervisors estimating it to be about 40-50 per cent. A family support worker had attended

meetings for only four young men in our case sample. Attendance by education staff and personal officers was often poor and meant that a young person's progress in education and on the wing was not fed in to the training planning process or reflected in their targets.

Accommodation

Accommodation needs should be assessed when a young person first arrives into custody to ensure that any issues are identified and resolved prior to a young person's release. Whilst we found that accommodation was often explored early in a young person's sentence, if needs were identified, work to address them was often delayed until closer to the young person's release date. Fifty-nine per cent of our case sample reported living with family prior to custody; the rest were in local authority accommodation, hostels, bed and breakfasts or 'sofa-hopping'. Sixty-one per cent said that they would be living

6. ASSET is the standard assessment tool used by YOTs to collate information on a young person who has come into contact with the Youth Justice System.

with family on release (including 3 young people who had not been living with them prior to custody): the majority felt that they had been involved in the decision making process, were happy with this arrangement and several felt that the support they received from their family would help them to avoid reoffending in the future. For example, one young man said:

'I could go and live by myself but I want the support of my family to stop me reoffending.'

However, it was our assessment that in some cases the accommodation these young people would be returning to was not suitable as it was clear that the family members would struggle to provide them with a stable and safe environment to live without support. These issues were not addressed, possibly because of the difficulties in arranging alternative accommodation. Some YOTs and establishments did have family intervention or liaison officers who provided support for families but in our sample, they had only attended training planning meetings for four young people.

Arranging accommodation for young people not going to live with families on release was problematic. Case supervisors relied on YOT case managers or, for looked after children, social workers to make arrangements and these were often not finalised until close to a young person's release which, understandably, frustrated case supervisors. Common problems reported included a lack of local authority accommodation or difficulties placing those who had committed arson or sex offences, or those who had already 'burnt their bridges' in a number of placements. The delay in resettlement planning and subsequent lateness of confirmed accommodation placements could impact on a young person's chances for early release.

In our sample, 24 young men said that they would not be living with family once released and at the time of our interview, 17 did not know where they would be living (including five who were due to be released within the next 10 days). These young people were understandably concerned about where they would be living and knew that there was a possibility that they would have to report as homeless on release. One young person explained:

'Don't know [where I'll be living]. I've had four different YOT case managers in two years and

no one has sorted out accommodation after the last one quit. I will be taken to a homeless centre (hostel) on the day I leave' [Due to be released in four days.]

Those who did know where they would be living reported a range of arrangements including semi-independent living, hostel and bed and breakfast accommodation. These young people were often unclear about what financial support they were entitled to or how to arrange this prior to release.

Education, training and employment (ETE)

Young people arriving into custody have often been disengaged from ETE for some time prior to their arrival and so many have complex needs. In our survey, 86 per cent said they had been excluded from school and three-quarters said they had truanted at some point from school. HMIP expects that every young person should be allocated to education or training according to their individual needs and preferences and it should be linked to plans for release. In our case sample, 54 per cent had a clear ETE resettlement need which was often due to previous poor attendance or a lack of formal qualifications. Whilst most were

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engaged in ETE at their establishment, of the 47 who said they had achieved or were working towards a certificate, qualification or accreditation, only 29 felt that it would help them get a job or college placement on release. One young person who felt they had done something useful said:

'Health and safety is useful to get a job; education is useful in general. I'm dyslexic so could not read or write, but education has helped me with this.'

Significantly, young people felt that having something to do, such as a job or education placement, was key to stopping them reoffending on release. Forty eight young men in our sample told us that they wanted to return to education once released though only 14 said something had been arranged for them at the time we interviewed them. As with accommodation, arranging ETE placements was viewed as the YOT case manager or social worker's responsibility. There were a number of barriers to arranging education including the young person not having a confirmed address, insufficient

availability or start dates of courses being prior to or a long time after their release.

'I've got the option of doing key skills — don't know what that is but I would rather wait until next year to start a college course. I know though that if I don't do something I will come back to jail but I want to do something worthwhile.'

Many of the young men in our sample said they would like to work once released, including part-time work alongside education, but very little was being done to support them with this. Only nine young people said they had a job arranged for their release and for seven this had been arranged by their families.

2. Findings from the looked after children thematic review

Fieldwork for this review was conducted alongside that for the resettlement thematic review.

- ❑ Interviews were conducted with:
 - 12 looked after children
 - six advocates
- ❑ Interviews (at fieldwork sites) or questionnaires (for non-fieldwork sites) with a safeguarding team representative at all YOIs, including those holding young women.
- ❑ Findings from the case supervisor interviews and follow-up information for looked after children within our resettlement thematic review sample were also used, as well as survey responses from 623 young people across seven YOIs, including two young women's units.

Management

Ensuring the needs of looked after children are met during their time in custody is dependent on the effective joint working between the local authority, YOI and YOT. Previous research has suggested that the lack of awareness of the needs of looked after children and confusion about the roles of different agencies has a negative effect on looked after children in custody.⁷ Less

than half of safeguarding teams said that their establishment had a formal written procedure relating to the identification, assessment and care planning of looked after children, or made reference to looked after children within their safeguarding policy. The policies tended to outline the responsibilities of local authorities towards looked after children but offered no practical guidance for establishment staff on their role in liaising with local authorities to ensure these entitlements were met. There was a lack of clarity in most establishments about where the responsibility for looked after children should lie. Two-thirds of safeguarding teams said that they did not have an internal lead with this responsibility. The absence of a dedicated lead contributed to both a lack of understanding of the entitlements of looked after children and the establishment's ability to communicate effectively with local authorities. One safeguarding team representative explained:

'We don't speak the same language as social workers; we're unable to ask the right questions.'

Conversely, the four establishments with a dedicated lead felt their specialist knowledge was key in improving relationships and communication with local authorities to ensure entitlements were met.

Identification

There was no central record of the total number of looked after children in custody. In our survey analysis, 27 per cent of young people reported that they had spent some time in care. This equated to 27 per cent of young men and 45 per cent of young women. The proportion was higher in specialist units within establishments. The accurate identification of looked after children on arrival into custody is the first step to ensuring that their needs in custody are met and that they receive the support they are entitled to on release. The majority of establishments held records of the current number of looked after children in their establishment, yet there were concerns about the accuracy of this information. Safeguarding teams told us that they would identify looked after children through ASSET, although a third said that the information contained in ASSET was often incomplete,

The policies tended to outline the responsibilities of local authorities towards looked after children but offered no practical guidance for establishment staff on their role in liaising with local authorities to ensure these entitlements were met.

7. Hart, D. (2006), *Tell them not to forget about us*. London: National Children's Bureau.

inaccurate or lacking in sufficient detail. Over half of safeguarding teams said they would also use the induction process to identify looked after children which generally relied on self-reported information. Combined with the complex definitions of a looked after child and a lack of staff awareness, the concerns over accurate identification meant it was likely that some looked after children were not being identified.

Meeting the needs

Our survey analysis highlighted the vulnerability of looked after children in custody. Young people who had spent some time in care reported more problems on arrival into custody, including problems with drugs or alcohol, and were more likely to say they had mental health issues. Over half of safeguarding teams said it was the YOI who took the lead role in managing the care of looked after children in custody. Although the care of the looked after child should be coordinated between the YOI and the local authority, three-quarters of safeguarding teams said that there were barriers that prevented effective and ongoing communication. This included the perception held by a third of safeguarding teams that social workers tended to discharge their duties when a looked after child in their care enters custody. Safeguarding teams told us that there were inconsistent practices between local authorities and communication was often dependent on the commitment of individual social workers. One safeguarding representative said:

'We try to encourage the local authority to accept that they are still the parent. We explain that we are just a foster carer.'

Looked after children are entitled to a statutory review of their care or pathway plan by the local authority during their time in custody. The vast majority of safeguarding teams told us that these reviews generally took place as required, although only two explicitly said that they formally monitored this. A third of safeguarding teams said that reviews only took place because of the tenacity of establishment staff and this was largely dependent on whether the establishment had a dedicated lead. Of the young people we interviewed, seven (58 per cent) said they had received a review during their time in custody.

In addition to the statutory reviews, social workers are required to regularly visit looked after children. Only half of the young people we interviewed said they had been visited by their social worker. The frequency of these visits ranged from weekly to once in three months. Those who had received visits told us they found them useful. The young people who had not received a visit expressed concerns that they were not being kept informed of what was happening outside prison, for example one young person said:

'I haven't had any [visits]. I would like to see [my social worker] because I would like to be kept up to date with what's going on outside. I don't know what is happening.'

Only half of young people said they were receiving financial support from their local authority.

Resettlement

Young people who said that they had been in care were more likely to report in our survey that they thought they would have problems on release than those who had not been in care. Specifically, they were more likely to say they thought they would have a problem finding accommodation and getting a job.

Interviews with safeguarding teams suggested that there was a lack of clarity about who should

take lead responsibility for the resettlement planning for looked after children. Case supervisors told us that social workers for only a third of looked after children were fully involved in their resettlement planning. Although the majority of safeguarding teams said that social workers were routinely invited to training planning meetings, their attendance was relatively poor. Only a third of safeguarding teams said social workers regularly attended.

Several case supervisors felt that the resettlement planning was often left too late in the young person's sentence and half of the young people we interviewed expressed significant concerns that they didn't know what plans were in place for their release. One young man said:

'It's down to me really but thinking in here about the future is like being caught up in a whirlwind — so much goes around in my head and there is so much I don't have control over.'

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As with the young people interviewed for our resettlement thematic review looked after children were worried that accommodation and ETE arrangements would be left too late as they saw these as key to their chance of effective resettlement. At the time of interview, half of the young people did not know where they would be living on release. Of these, one young person was being released in four weeks and said he had been told by his social worker that he would find out where he would be living on the day of his release. Although all young people had an idea of what they would like to do in terms of education or employment on release, only two of the 12 young people interviewed told us they had confirmed plans for education or employment. Looked after children should know who will be collecting them on the day of their release, yet only half of young people knew who would be there to meet them.

Despite the concerns about release plans, and perhaps surprisingly, three-quarters of young people felt quite optimistic that their resettlement arrangements would work out for them. Seven young people did state that their success would be at least partly dependent on the amount of support they would receive from their social worker or YOT case manager. Three young people were not hopeful about their resettlement plans because

they had been let down in the past by local authorities. One child who had been let down previously said:

'I just try not to get happy any more. I've learnt not to get my hopes up. I'll just wait and see.'

3. Findings from the follow-up questionnaires

Case supervisors were asked to complete a questionnaire for each young person in our resettlement thematic review sample on the young person's day of release and a month later. This was requested to enable us to look through the gate at what accommodation and ETE young people actually went out to. Questionnaires for 41 young people, including 12 looked after children, were returned for their day of release. A month after release questionnaires were returned for 37 young people, including 9 looked after children. Findings for looked after children were pulled out for our looked after children thematic review but both are covered below.

Accommodation

Table 1 outlines the type of accommodation case supervisors told us young men were released to and where they were living one month later.

Type of accommodation on release	Number of young men	Type of accommodation a month after release
With family members	26	<ul style="list-style-type: none"> • 20 were still living with family • Three had been recalled to custody • One was 'on the run'. • Information was not provided for two
Bed and breakfast	3	<ul style="list-style-type: none"> • One was still in bed and breakfast lodgings • One was living with his brother • Information was not provided for one
Supported housing provided by local authority	6	<ul style="list-style-type: none"> • Two had been recalled to custody • One had been arrested at the gate • One was in bed and breakfast lodgings • One was in a hostel after a series of moves due to gang issues • One was living with his mother and had lived there since his day of release
Provided by local authority but not clear on nature of it	3	<ul style="list-style-type: none"> • One was still residing there • One was in a hostel following a series of unsuccessful moves • Information was not provided for one
Type of accommodation not described	1	<ul style="list-style-type: none"> • Information was not provided
No address	2	<ul style="list-style-type: none"> • Information was not provided for either

Of the 12 looked after children, case supervisors told us that one child was released without an address and one into bed and breakfast accommodation. Seven were released into local authority accommodation. Within one month of release, case supervisors said three looked after children had returned to custody. This was disproportionately higher than the other young people in the sample.

Case supervisors felt that a fifth of these places were not suitable and/or sustainable, including the bed and breakfast accommodation and two cases where young men had gone to live with family members.

ETE

On their day of release case supervisors told us that only 13 (32 per cent) had an ETE placement to go to which included two looked after children. However, one month later, seven had stopped attending and only six of 28 young men who had not had a placement arranged for them on release were engaged in ETE, one of whom was a looked after child. Case supervisors commented that unsuccessful placements were often associated with unstable accommodation — it is of note that all 13 young men who had a ETE placement on the day of their release also had suitable accommodation — and that they were most successful when young people were motivated, engaged in something they wanted to do and had the support of their family.

Conclusion

Children and young people need to be supported whilst in custody to ensure that they are well prepared

for their release into the community. The findings from our two thematic reports raise some concerns about the effectiveness of resettlement planning, particularly for vulnerable groups such as looked after children. There were some positive findings — establishments had developed good working relationships with YOTs and many case supervisors had a good knowledge of those on their case loads. Most young men were engaged in ETE and three-quarters said they had received or were working towards a qualification. Establishments were trying to

ensure that the entitlements of looked after children were being met. However, this was often hindered by a lack of specialist knowledge and links with local authorities were not as developed as those with YOTs. The strategic direction of resettlement work needed strengthening and the actual outcomes for young people on release were very disappointing.

As well as highlighting examples of good practice, both thematic reports made recommendations which are summarised below. Action plans are being co-ordinated in response to these. Funding has already been announced by the YJB for social workers in each young people's establishment. This is an important and very encouraging first step. Our recommendations were to the

YJB, Ministry of Justice and/or NOMS but both reports recognise that building links with other relevant government departments and external agencies will be vital to ensure progress and to overcome the barriers routinely faced by those working to meet young people's needs while in custody and on release.

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<http://www.justice.gov.uk/about/hmi-prisons/index.htm>

Summary of recommendations

Resettlement provision for children and young people

1. The Ministry of Justice should work with other government departments to ensure that young people leaving custody are treated as children in need and, in

accordance with s17 of the Children Act 1989, are assessed for the provision of services to meet their needs.

2. The YJB should work with the Department for Education to agree a strategy that ensures that resettlement planning for

young people leaving custody is effective. The strategy should include arrangements for the collaboration and coordination of all relevant agencies.

3. The YJB should develop procedures to effectively monitor resettlement outcomes for young people following their release from YOIs. The National Offender Management Service (NOMS) should provide YOIs with clear guidance on how to collect the necessary data as well as guidance on how to use the data to develop and improve resettlement strategies.
4. NOMS should develop guidance for YOIs to help them carry out a comprehensive needs analysis and develop an age appropriate resettlement strategy that is informed by the needs analysis, consultation with young people and data relating to resettlement outcomes. Guidance should address the role of Release on Temporary Licence, and the role of families or carers and external agencies.

The care of looked after children in custody

1. The YJB should work with the Department for Education to agree a strategy for the coordination of services for looked after

children in custody that ensures that all agencies with statutory responsibilities for looked after children fulfil their obligations.

2. NOMS should develop clear procedures, incorporating relevant legislation and guidance, relating to the care and management of looked after children in YOIs. There should be a comprehensive dissemination programme to assist staff in YOIs to properly implement the procedures.
3. There should be a national lead within NOMS with a role for ongoing review and development of the national procedures on the care and management of looked after children in YOIs, to ensure that they are kept up to date and that they are properly implemented.
4. There should be a designated social worker within each YOI with responsibility for implementing agreed procedures for looked after children. This should include offering advice and guidance to relevant staff in the YOI, and establishing and maintaining working links with local authorities to ensure that the needs of looked after children are met.