



Managing Risk in the Community Procedures

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1. Introduction

The aim of Youth Offending Teams is to prevent offending by children and young people and in doing so, reduce the risk of harm they pose to themselves and others. These procedures for Lancashire Youth Offending Team address risk of harm, safety and wellbeing and re-offending that children and young people pose to themselves and others and also include risk posed to staff.

LYOT seeks to empower front line staff to focus attention on the understanding and management of risk as a meaningful professional activity, requiring sound professional judgement and effective engagement with children, young people and their families. LYOT also seeks to enable managers to balance accountability and performance monitoring with developing and supporting professional expertise within LYOT and collectively with partner agencies, achieve the whole system change in keeping children, young people and local communities safe.

2. Roles and Responsibilities

Any member of staff, including practitioners, students, volunteers and business support staff can raise concerns in relation to the potential risk a young person may pose to themselves or others. Any concerns should be communicated immediately to either the case manager, Practice Manager or Team Manager so to ensure that the effective management supervision of the case can be achieved.

Primary case manager

The AssetPlus assessment is completed by the case manager in line with local case management procedures. If there are any concerns regarding risk of serious harm to others by the child, or concerns that the child's safety and well-being may be compromised through their own behaviour, personal circumstances or because of the acts/omissions of others, the case manager will reflect these concerns within the AssetPlus assessment. The AssetPlus assessment should be quality assured and countersigned by a manager.

Management oversight

Management oversight has a significant role to play in the assessment and management of risk/safety and wellbeing. It is crucial for the completion of high quality assessments and plans to ensure that the interventions delivered are appropriately targeted to reduce reoffending, protect the public and safeguard children. YOT managers should strive for excellence in performance managing and quality managing this work.

Practice Managers

Practice Managers have responsibility for:

- Verifying, quality assuring and countersigning the relevant sections of the AssetPlus and recording the relevant contact on Careworks;
- Ensuring that all High Risk cases are assessed, monitored and reviewed in line with LYOT case management procedures and are recorded appropriately and accurately on Careworks;
- Ensure all High Risk cases are booked in for High Risk reviews with subsequent Team Manager oversight;
- Attending MAPPA level 2 meetings with practitioners;
- Attending initial Child Protection conferences with practitioners;
- Chairing Multi Agency Risk Management Meetings where the child is known to the YOT either as a result of conviction or youth caution/ conditional caution (in line with Safeguarding procedures and the LYOT/CSC working agreement);
- Attending case consultation discussions between NWSAC and the case manager to ensure that issues discussed at the consultation are monitored and reviewed through case management;
- Monitoring local team's adherence to the procedures;
- Working in line with the LCC performance engagement process and development of individual learning and development plans to ensure practitioners have received up to date training to enable them to manage high risk cases appropriately;
- Promote the use of reflective case discussion with Case Managers through the Effective Case Management Oversight Framework.

Team Managers

Team Managers have responsibility for:

- Ensuring LYOT's Managing Risk in the Community Procedures are implemented within each team and that teams members have a full understanding of the procedures;
- Working in line with the LCC performance engagement process and development of individual learning and development plans to ensure Managers have received up to date training to enable them to provide appropriate management oversight to high risk cases;
- Attending locality Safeguarding Children's Groups;
- Reviewing all cases which have a high or very high safety and wellbeing concern judgement or risk of serious harm rating;
- Attending MAPPA level 3 meetings with practitioners;
- Monitoring local team's adherence to the procedures;
- Informing the YOT Senior Manager if cases are assessed as very high risk.

In Team/Practice Manager absence alternative manager cover will be established.

Senior Management Team

The YOT Senior Manager has responsibility for:

- Ensuring that LYOT's Managing Risk in the Community Procedures are congruent with MAPPA and Safeguarding procedures;
- Monitoring local team's adherence to the procedures;
- Reviewing the procedures;
- Ensuring Youth Offending Team representation at the MAPPA Strategic Management Board;
- Ensuring Senior Management Team representation at the Lancashire Safeguarding Children's Board and/or associated sub groups.

3. Assessment and definition of risk

All children and young people with whom the YOT works with will be assessed for indicators of risk and/or safety and wellbeing concerns using the AssetPlus assessment.

AssetPlus provides a comprehensive end-to-end assessment and planning framework which aims to identify strengths, needs, risks and issues and to facilitate the planning of appropriate interventions for children and young people. Risk and/or safety and wellbeing concerns are included and assessed throughout the document. The explanations and conclusions section provides the case manager with the opportunity to review and analyse all the information gathered and enables the practitioner to make judgements about the risk of reoffending, the risk of future harmful behaviour and the young person's safety and wellbeing in the short to medium term. The Pathways and Planning section allows the practitioner to create a single intervention plan which is clearly linked to achieving specified outcomes for a young person, including manage risks to others and risks of adverse outcomes to the young person's safety and well-being.

It is essential when analysing risk information and making judgements regarding the risk of reoffending, the risk of future harmful behaviour and the young person's safety and wellbeing, that contact is made with the family/carers and all available sources to gain a full picture of the issues that need to be addressed. The assessment must not solely rely on information given by the young person and all information should be verified.

All assessments must be up to date with detailed evidence of the reasons underpinning the assessed level of risk and/or safety and wellbeing judgement and completed within the timescales set by National Standards (National Standards for Youth Justice Services, 2013 <https://www.gov.uk/government/publications/national-standards-for-youth-justice-services>). The Lancashire Youth Justice Management Board and LYOT are developing a working group to develop a plan for the

implementation of the new 2019 National Standards standards and ongoing monitoring arrangements. This section of this document will be updated once these standards have been implemented within the service.

Serious Harm

The definition of serious harm (from AssetPlus) is as follows

'Serious harm means death or injury (either physical or psychological) which is life threatening and/or traumatic and from which recovery is expected to be difficult, incomplete or impossible'.

The AssetPlus assessment must be updated following the identification of any 'new' risks of serious harm.

Further Information regarding assessment and planning around serious harm is provided within the YJB AssetPlus guidance (<http://lccintranet2/corporate/web/?siteid=4936&pageid=47663&e=e>)

AssetPlus definition – Risk of Serious Harm Judgement

- Low Risk - There is no evidence at present to indicate likelihood of serious harmful behaviour in future.
- Medium Risk - Some risk identified but the young person is unlikely to cause serious harm unless circumstances change. Relevant issues can be addressed as part of the normal supervision process.
- High Risk - Risk of serious harm identified. The potential event could happen at any time and the impact would be serious. Action should be taken in the near future and the case will need additional supervision and monitoring, e.g. supervision by middle or senior management, local registration.
- Very High Risk - Imminent risk of serious harm identified. The young person will commit the behaviour in question as soon as the opportunity arises and the impact would be serious. Immediate multiagency action is likely to be required. The potential event is more likely than not to happen imminently.

Cases of children and young people assessed as high or very high risk of serious harm will be subject to quarterly management review/oversight (see section 4 for more information). In addition the safeguarding procedures should be followed, consideration should be given as to whether a CSC referral form should be submitted and if relevant a Multi-Agency Risk Management Meeting (MARMM) convened (see section 6).

If a case is assessed as high or very high risk of serious harm and meets categorisation eligibility under MAPPA procedures, a decision must be reached, based on the assessment as to whether the risk should be managed at levels, 1, 2 or 3 (see section 5).

Safety and Wellbeing

Many of the children and young people in contact with the Youth Justice system, or the care system will have safety and wellbeing concerns. Safety and well-being should be considered holistically and focus should be on identifying possible circumstances or events that could lead to adverse outcomes for the young person. Adverse outcomes include concerns around the young person's own behaviour, personal circumstances or others that may present a risk.

Safeguarding is about keeping children and young people safe from harm and abuse and is the protective measure to address the identified safety and wellbeing concerns. Safeguarding is a dynamic process being kept under continuous review according to changes in circumstances and new information becoming available. On identifying safeguarding needs there should be clear evidence of how the YOT assessment draws upon and is integrated with the assessments of other agencies. It is important to involve the young person and their parents/carers in any identified safeguarding actions.

There are different types of safety and wellbeing concerns influenced by different factors which can impact upon children and young people, such as:

- Emotional/mental health e.g. depression self-harm, attachment issues suicidal thoughts;
- Being a Child Looked After, subject to a Child Protection (CP) investigation or subsequent CP or Child in Need plan;
- Environmental factors e.g. inadequate housing or the area they live in;
- Parental behaviour e.g. mental health needs, substance misuse, inconsistent parenting, domestic violence or lack of boundary setting;
- Behaviour of others e.g. bullying, abuse, neglect, intimidation, associates or exploitation;
- Events or circumstances e.g. family separation, bereavement or change of care arrangement;
- Being a young carer either for their own child or for other family members;
- Their own behaviour e.g. substance misuse, type of offending, inappropriate responses to stress or weapon carrying;
- Other reckless behaviour which shows insufficient regard to their own safety.

Please note, this is not an exhaustive/exclusive list.

Definition - Safety and well-being concerns

- Low - No risks to the young person's safety and well-being have been identified or the risks identified are unlikely to occur and would not impact on the young person's immediate safety and well-being.

- Medium - Some risks to the young person's safety and well-being have been identified and are likely to occur. The young person's immediate safety and wellbeing is unlikely to be compromised provided specific actions are taken.
- High - Clear risks to the child or young person's safety and well-being have been identified, are likely to occur and the impact would compromise the young person's safety and well-being. Actions are required in the near future and are likely to involve other agencies in addition to youth justice services.
- Very High - Clear risks to the young person's safety and well-being have been identified, are imminent and the young person is unsafe. Immediate actions are needed to protect the young person, which will include (or have already included) a referral to statutory child protection services.

The AssetPlus assessment must be updated following the identification of any 'new' safety and wellbeing concerns.

Further Information regarding assessment and planning around safety and wellbeing is provided within the YJB AssetPlus guidance:
<http://lccintranet2/corporate/web/?siteid=4936&pageid=47663&e=e>

Cases of children and young people assessed as having a high or very high safety and wellbeing concern judgement will be subject to quarterly management review/oversight (see section 4 for more information). In addition the safeguarding procedures should be followed, consideration should be given as to whether a CSC referral form should be submitted and if relevant a Multi-Agency Risk Management Meeting (MARMM) convened (see section 6).

For further information please refer to Appendix 2 – Safety and Wellbeing concerns/safeguarding flow chart

For the management of Children assessed in need and/or Children in need of protection please refer to LYOT and CSC partnership agreement
<http://lccintranet2/corporate/web/?siteid=4936&pageid=50420&e=e>

When a child or young person is placed in a secure setting, the relevant assessment and paperwork must be completed. Please refer to LYOT's Court Work and Remand Management Practice guidance

<http://lccintranet2/corporate/web/view.asp?siteid=4936&pageid=50424&e=e>

Likelihood of Reoffending (LoR)

AssetPlus utilises the Youth Offender Group Reconviction Scale (YOGRS) to assist the case manager with a percentage score of the likelihood of reconviction within two years. YOGRS is only one aspect of the assessment of likelihood of reoffending and

professional judgement should be applied in every case. To determine the likelihood of reoffending over the next two years consideration should be given to the YOGRS score, the indicative likelihood of reoffending judgement and the wider assessment, including our assessment of any future behaviours and their likelihood.

AssetPlus provides likelihood of reoffending ratings of low, medium and high. The YOGRS score corresponds to an indicative likelihood of reoffending rating as outlined in the table below:

YOGRS score	Indicative likelihood of reoffending (LoR) rating
0 - 43%	Low
44 - 76%	Medium
77 - 100%	High

Case managers then need to use their professional judgement to take account of the dynamic factors, to determine whether the indicative LoR rating is appropriate. The case manager must then provide their own rating and explain the rationale where that differs to the indicative LoR. Once the case manager has determined the likelihood of reoffending rating this can be used alongside a risk of harm judgement to inform the Scaled Approach Intervention Level.

Desistance allows the case manager to consider factors that influence the young person's likelihood of being able to stop offending in the future. Factors for desistance are influences that may pull the young person away from offending and factors against desistance are influences that may push the young person towards offending.

The AssetPlus assessment must be updated following the any changes to the young person's likelihood of reoffending.

A child and young person's likelihood of reoffending should be monitored through the appropriate ECMO activity. Where a child or young person is assessed as high likelihood of reoffending, the ECMO activity should consider whether there is a need to discuss the case with the YOT seconded Police Officer to determine any police actions that may need to take place to manage the risks.

Further Information regarding assessment and planning around likelihood of reoffending is provided within the YJB AssetPlus guidance <http://lccintranet2/corporate/web/?siteid=4936&pageid=47663&e=e>

4. LYOT High Risk Reviews

The LYOT High Risk Review process is currently being reviewed and this section of the procedures will be updated when this is complete. Whilst this review is taking place the following guidelines should be followed.

All cases assessed as high or very high risk of serious harm to others, as high or very high risk of adverse outcomes to the child's safety and well-being or those children and young people who have committed a sexual offence must be reviewed as per the LYOT high risk review process.

If a child or young person has a history of self-harm in the last 12 months, this should go to one High Risk Review meeting to determine whether the case requires this level of oversight.

- i. The initial case management will be completed by the Practice Manager and Case Manager;
- ii. A Careworks entry post case management will contain a brief overview of the case, a summary of the risk/adverse outcomes to the child's safety and well-being, direction etc.;
- iii. If it looks like being a high risk/safety and well-being/complex case (including children who display sexually harmful behaviour), all documents to be submitted to the Practice Manager for quality assurance;
- iv. Team Manager notified at the point of document verification;
- v. Team Manager to undertake a high risk review within 20 working days with the Practice Manager and Case Manager present. Case Manager to take completed AssetPlus and Pathways and Planning for discussion at this meeting;
- vi. Careworks entry following the high risk review to be made by the Team Manager to endorse current actions or to identify additional actions. The contact should be recorded under the contact type of ECMO formal and should highlight clearly on the first line that the contact relates to a high risk review that has been completed, followed by the attendees at the review and then an overview of the discussion and any relevant actions. In addition the decision of the meeting regarding level of risk should be recorded in the client risk section of Careworks. This should be completed on the day of the high risk review by the Team Manager or Practice Manager;
- vii. All other case management oversight functions to remain with Practice Managers.

More frequent reviews must take place if there are significant changes in the child's circumstances which could influence the assessed level of risk. Examples of where risk may be increased include the loss of accommodation, family

difficulties/separation, discontinuity in care, increased substance misuse, or other events or circumstances including anniversary of loss (this is not an exhaustive list).

Cases where the child or young person is assessed as very high risk of serious harm to others or very high risk of adverse outcomes to their safety and well-being, may require oversight from a Senior Manager. Team Managers will be required to update Senior Managers with regards to the details of the case and the work that is being completed to manage and reduce the risk.

5. Multi-Agency Public Protection Arrangements (MAPPA)

Please refer to the relevant section of the LYOT intranet for the National and Local MAPPA procedures and process.
<http://lccintranet2/corporate/web/?siteid=4936&pageid=50454&e=e>

6. Lancashire Safeguarding Children Procedures

Please refer to the relevant section of the LYOT intranet for the Lancashire safeguarding children procedures and process relating to Multi Agency Risk Management Meetings (MARMMs).

<http://lccintranet2/corporate/web/?siteid=4936&pageid=50420&e=e>

<http://lccintranet2/corporate/web/view.asp?siteid=4936&pageid=50433&e=e>

Lancashire Children and Young People's Trust website

For information regarding the Neglect strategy and other safeguarding guidance
<http://www.lancashirechildrenstrust.org.uk/>

Lancashire Safeguarding Children's Board intranet page:
<http://www.lancshiresafeguarding.org.uk/>

MARMMs should be chaired by a YOT Practice Manager and all agencies relevant to the management of risk of the young person in the community should be invited to attend.

7. Children who display sexually harmful behaviour

Pan-Lancashire Procedure for Children Who Display Sexually Harmful Behaviour outlines the processes that need to be followed for children who display sexually harmful behaviour

<http://lccintranet2/corporate/web/?siteid=4936&pageid=50420&e=e>

Section 3 of the Pan-Lancashire Procedure for Children and Young People Who Display Sexually Harmful Behaviour should be undertaken and if it is concluded once assessment/discussions have taken place with all relevant agencies (i.e. strategy discussion/S47) that the case will not be managed through Child Protection/Child in Need as it does not meet threshold, and it is the case that the young person is known to the youth justice system, that a MARMM is one outcome that can be agreed as a way to manage the risk. At this juncture the YOT Risk in the Community procedures will come into play and the YOT will manage the case under these procedures. For further information please refer to the full procedure via the previous link.

YOT/Police risk assessments

To ensure that risk assessments completed by the YOT and Police are congruent, YOT Police Officers must check with police colleagues whether there is an existing risk assessment completed by the police regarding the young person. If such an assessment has been completed by the police this needs to be fed into relevant YOT risk assessments. If an assessment has not been completed, YOT must complete their relevant risk assessments and ask the YOT police officer to share with relevant police colleagues.

Please refer to relevant sections of the LYOT intranet for further information regarding children and young people who display sexually harmful behaviour:

- For information regarding referral's to North West Sexual Abuse Consultancy (NWSAC) and the Brook traffic light tool please refer to: <http://lccintranet2/corporate/web/?siteid=4936&pageid=50450&e=e>
- For the management of Children assessed in need and/or Children in need of protection please refer to LYOT and CSC partnership agreement <http://lccintranet2/corporate/web/?siteid=4936&pageid=50420&e=e>
- Please refer to the relevant section of the LYOT intranet for up to date MAPPA guidance and procedures: <http://lccintranet2/corporate/web/?siteid=4936&pageid=50454&e=e>
- Multi-Agency Risk Management Meetings (MARMMs) – <http://lccintranet2/corporate/web/view.asp?siteid=4936&pageid=50433&e=e>

8. Dangerousness

The Crown Prosecution Service defines an offender as dangerous if 'the court is of the opinion that there is a significant risk to members of the public of serious harm occasioned by the commission by him of further specified offences'.

The final decision in respect of dangerousness will rest with the court dealing with the young person. The YOT will be expected to provide information to aid this decision only if the court requests it or there are other specific or exceptional circumstances associated with the case that require a dangerousness assessment to be made.

Definition – Specified offences and serious specified offences

The Youth Justice Board explains that 'a specified offence is one of the 153 sexual or violent offences listed under schedule 15 of the Criminal Justice Act 2003. The majority are grave crimes (those liable, if committed by an adult, to a maximum sentence of 14 years or more), but some are less serious. A serious specified offence is a specified sexual or violent offence that carries a maximum penalty of life or imprisonment for 10 years or more if committed by an adult.'

For further guidance regarding dangerousness please refer to:

- The YJB Case management guidance (point 2.12) - <https://www.gov.uk/government/publications/use-reports/use-reports-section-5-case-management-guidance>

PSR guidance for assessments of dangerousness:

The following has been offered as guidance from PSR authors, however if report writers are unsure of any aspect of the dangerousness guidance further clarification should be sought from Lancashire Probation Trust:

- It is important to use the standard wording i.e. "A significant risk to members of the public of a serious harm occasioned by the commission by the offender of a further specified offence". It is important to use this wording, as it forms a test that has to be met if the offender is said to be dangerous. Please note, there is no mention of imminence and phrases like 'imminence and immediacy' can be confusing as they have no legal definition. This is not what is being measured in a dangerousness assessment.
- Dangerousness assessments should only be completed if one is indicated on the Judges PSR request form and/or Event Referral Form.
- If the judge requests a dangerousness assessment this needs to be completed regardless of whether the legislation is applicable. Likewise do not complete a dangerousness assessment where it is not indicated on the Judges PSR request form, regardless of whether the dangerousness provisions apply or not.

- When assessing dangerousness be aware that it is only a risk assessment. The Court can agree with the assessment or not, just the same as in any report.
- Do not quote the legislation to the Judges, the Act to consider, the criteria or the schedule of the offence as if the PSR author gets it wrong the authority of the report is easy to question and the Crown Court Judge is aware of such legalities.
- Likewise, do not suggest sentence under dangerous provisions. This is again the Judge's decision and depends upon a number of aspects being considered by the Crown Court.

The management of children and young people who commit the most serious offences or become victims of them remains a critical role of Lancashire Youth Offending Team (LYOT). LYOT will ensure that local governance, and accountability structures are in place and partnerships engaged directly in oversight and risk management.

The guidance to support significant event reporting can be found on the LYOT intranet - <http://lccintranet2/corporate/web/?siteid=4936&pageid=50420&e=e>

9. Lancashire Youth Offending Team Significant Event reporting

The management of children and young people who commit the most serious offences or become victims of them remains a critical role of Lancashire Youth Offending Team (LYOT). LYOT will ensure that local governance, and accountability structures are in place and partnerships engaged directly in oversight and risk management.

The guidance to support significant event reporting can be found here R:\Child & Youth Justice Service\2. General\Effective Case Management Oversight\3. policies and procedures\CYJS specific

10.Domestic Homicide Review

Domestic Homicide Reviews became a statutory requirement for Community Safety Partnerships in April 2011, by virtue of the Domestic Violence, Crime and Victims Act (2004). The review covers the circumstances in which the death of a person (over the age of 16) has or appears to have resulted from violence, abuse or neglect by a relative, an intimate or former intimate partner or a person of the same household as the victim.

For further information regarding DHR's, please refer to:
<https://www.gov.uk/government/collections/domestic-homicide-review>

11.Related and useful links

- LYOT Intranet:
<http://lccintranet2/corporate/web/?siteid=4936&pageid=25113>
- Youth Justice Board
<https://www.gov.uk/government/organisations/youth-justice-board-for-england-and-wales>
- National Standards
The National Standards for Youth Justice Services (2013) can be found at:
<https://www.gov.uk/government/publications/national-standards-for-youth-justice-services>
The National Standards for Youth Justice Services (2019) can be found at:
<https://www.gov.uk/government/publications/national-standards-for-youth-justice-services>
- Lancashire Safeguarding Children Board:
<http://www.lancshiresafeguarding.org.uk/>
- Lancashire Children and Young People's Trust
<http://www.lancashirechildrenstrust.org.uk/>
- The Criminal Justice Act (CJA) 2003
<https://www.legislation.gov.uk/ukpga/2003/44/contents>
- The Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012
<http://www.legislation.gov.uk/ukpga/2012/10/contents/enacted>