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| Exceptional Delivery Model (EDM) 19  YCS – Independent Children’s Rights and Advocacy Service (ICRAS)  Agreed Version 1.0 |
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| **3 July 2020** |

**HMPPS Prison Recovery Regime Management Planning**

**Exceptional Delivery Model (EDM)**

**YCS Children and Young People Secure Estate -ICRAS**

**Introduction - Exceptional Delivery Models (EDMs)**

A suite of EDMs are being published as part of the guidance for secure settings to guide them through construction of local RRMPs. This EDM is a brief guide on the high-level principles that must be incorporated into a local plan for each element of regime delivery. It is essential that the plan for reinstating an element of the regime does more than simply reintroduce the local procedures that pre-dated COVID measures. Each local plan must incorporate social distancing and cohorting measures, medical considerations, PPE and hygiene requirements (including regular hand-washing), as well as security and safety considerations. Each EDM will also guide secure settings on the most procedurally just way to stand up each regime element under continuing COVID restrictions.

Each secure setting must create a plan for every element of regime that is relevant to their category and function based on the guidance in its respective EDM. Mirroring the approach taken during the development of ERMPs, secure settings have local autonomy to determine the formal and contents of each plan or procedure they produce from the EDMs but the RRP they complete summarising their local recovery proposal will be based on a template provided.

This EDM has been developed jointly by policy and operational colleagues in conjunction with specific stakeholders relevant to each area. Each EDM breaks each regime element into a series of processes or areas. Under each one there are a set of baseline requirements which must be met by each secure setting. Every baseline requirement has an importance weighting from one (lowest) to three (highest) attributed to it, to assist secure settings in planning and sequencing activity required. Baselines are split into those that are mandatory and those that are desirable. Each baseline also has a “level of autonomy” attached. This describes the level of freedom a secure setting has over the design of the product/output required to satisfy each baseline.

In the Children and Young People Secure Estate healthcare is integrated within each secure setting. The delivery of EDMs will need to ensure they reflect and are governed by the YCS and NHSE&I core principles.

**Regime Recovery Management Plans- RRMP**

YCS Children and Young People Secure Estate are required to develop local Regime Recovery Management Plans (RRMP) based on a suite of national guidance documents called Exceptional Delivery Models (EDM). Secure settings are being provided with high level guidance outlining the parameters they must work within but have autonomy to build their own bespoke plans based on what works locally. Secure settings will submit their RRMP together with a readiness assessment to their respective Prison Group Director (PGD). Further details are contained within the published National Framework on Regimes & Services.

**Exceptional Delivery Regime Model: ICRAS**

**This EDM applies to YCS Children and Young Peoples Secure Estate**

The aim of the EDM is to give children and young people’s Secure Estate and Barnardo’s a series of steps to take to ensure the Barnardo advocates can meet the needs of the children and young people in custody. This will be a phased approach within level 3 of the national framework:

**Phase A:** Advocates will be able to return to site and access the on-site telephone system, so they are able to speak directly to children and young people in their rooms.

**Phase B:** in addition to phase 1, advocates would be able to have 1:1 meeting with children and young people facilitated and provide support for young people at adjudications and case review meetings.

**Phase C:** Advocates would be granted permission to access wings and units in order to visit young people.

**Why in the Children and Young People Secure Estate is ICRAS important?**

Children and young people’s secure estate have a legal duty to safeguard vulnerable children and young people held in their care. Barnardo’s are commissioned by the YCS to provide Independent Children’s Rights and Advocacy Services to Children and Young People held in Secure Training Centres (STCs) and under-18 Young Offender Institutions (YOIs) to empower them in resolving their issues relating to their welfare, care and treatment whilst in custody, either within or outside the Secure Establishment.

ICRAS will follow and adhere to the broad legal frameworks of the United Nations Convention on the Rights of the Child (“UNCRC”) and the European Court of Human Rights which promotes the rights of children. The child's right to be heard in matters affecting them is enshrined in Article 12 of the UNCRC.

*“1. States Parties shall assure to the child who can form his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.*

*2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.”*

The principal statutory requirements within which the Specification of the service is set are contained in the following legislation and the Supplier is obliged to ensure that these requirements are applied:

* The Children Act 1989 Representations Procedure (England) Regulations 2006;
* The Children and Families Act 2014;
* The Education Act 1996, 2002 & 2011;
* The Health and Social Care act 2001, 2008 & 2012;
* The Mental Health Act 1983 & 2007;
* The Children Act 1989 & 2004;
* Crime and Disorder Act 1998;
* The Equality Act 2010;
* Data Protection Act 2018;
* Working together to Safeguard Children 2018;
* All Wales Child Protection Procedures 2008;
* The Social Services and Well-being (Wales) Act 2014
* The Welsh Language Act 1993
* The Mental Health (Wales) Measure 2010
* The Care Standards Act established a complaints and representations procedure for children's homes and the National Minimum Standards for Children's Homes sets out information and advocacy requirements;
* The Children's Complaints Regulations "Local Authority Social Services Department Children's Representation Procedure [England] Regulations" and the related guidance ‘Getting the Best from Complaints’ (2006);
* The Care Standards Act;
* The Prison Act 1952;
* Young Offender Institution Rules 2000;
* Secure Training Centre Rules 1998; and
* Parliamentary Commissioner Act 1967.

The ICRAS will be led by Children and Young People’s wishes, both in terms of individual cases and the whole model of the service. The Service will support Children and Young People so that they are able to understand and exercise their rights. It shall empower Children and Young People to represent themselves and ensure their rights are respected and their views and wishes are heard on all matters relating to their safety, care, health and education and transition into adult life. Where appropriate the ICRAS shall, on the behalf of Children and Young People who are unable or not wishing to, represent them and enhance their ability to do so by themselves in the future.

There are six intended outcomes which underpin the entire Service and associated Service outputs:

* Children and Young People in STCs and YOIs are able to identify and freely access the Services
* Children and Young People in STCs and YOIs are provided with the skills to enable them to advocate for themselves and are supported at every opportunity to do so.
* Children and Young People in STCs and YOIs, who have complex needs and unable or not wishing to represent themselves are supported.
* the voice of Children and Young People in STCs and YOIs is heard in particular, at key periods where the Provider has been made aware of those who are vulnerable and in crisis, through access to proactive Services.
* Raising awareness of the issues facing Children and Young People in custody in order to promote resolution and prevention at a local and systemic level.
* Children and Young People leaving STCS or YOIs, either through resettlement or transitioning into the adult estate, are provided with the opportunity to provide feedback about their custodial experience and to raise any concerns they may have about their release.

**Delivery and Risk Assessment Guidance**

When delivering and risk assessing this EDM please consider the following:

* The required provision of PPE, the application of social distancing and maintenance of infection control measures in accordance with PHE advice.
* the cumulative impact on movements of people into and out from the premises when implementing this EMD alongside others
* Any risk posed to vulnerable groups
* The application of NHS England core principles:
* **CONNECT:** The single biggest risk to mental well-being is isolation and disconnection from others. In the Secure Estate, given the increased risks of social isolation at this time, it is essential we maximise opportunities for relational connection, whilst maintaining physical distance.
* **Maintain Relevant Contacts:** Priority should be given to ensuring children and young people can maintain contact with family and Youth Offending Team worker.
* **Promote Physical Health:** Maximise personal and hand hygiene.
* **Provide as much fresh air as possible:** Maintain good physical and mental health by maximising physical activity and access to fresh air (in line with physical distancing guidance).
* **Structure the day & create routine:** Structure can be helpful especially when living with others, as it allows a sense of predictability and control. Establishing (or maintaining) a sense of routine is essential. Ensure regular timing for access to medication, including those who may have received a diagnosis of ADHD.
* **Ensuring there are activities to do:** The need for meaningful activity is paramount in protecting well-being and preventing challenging behaviour.
* **Allocate or maintain meaningful roles:** Where possible, allow young people to maintain or develop particular roles and responsibilities, either as individuals or groups. This may be as helpers, mentors, entertainers etc. Developing a respected role is important in maintaining purpose and belonging with others.
* **Promote openness:** Normalise anxiety and encourage children and young people to access support when they need it be particularly watchful over those that are withdrawn, quiet or find it difficult to ask for help.
* **Crisis plan:** Be pro-active in planning for those children and young people that you suspect may find periods of isolation or high stress particularly difficult. At each site the SECURE STAIRS multi-disciplinary team should be in place to identify and support those children who are most vulnerable. A Formulation and support plan will be critical in providing support.
* **Coordinated YCS and NHSE&I Response:** The Critical Case Panel has been extended to ensure support and advice is coordinated across the CYPSE via daily, weekly and monthly review processes in addition to the central Enhanced SECURE STAIRS team that has been mobilised across YCS, psychology and health

**Exceptional Delivery Regime model: ICRAS**

**Guide to weightings/prioritisation (mandatory tasks only)**

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| Value | Description |  |
| 3 | Highest– action required as a precursor to other tasks | |
| 2 | Medium – action required as part of wider work | |
| 1 | Lowest – action required once others have been completed | |

**Guide to autonomy levels (mandatory tasks only)**

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| Value | Description |  |
| Total | Establishment has total autonomy to determine the design of the product that satisfies the baseline | |
| Partial | Establishment has partial autonomy – the ability to choose from pre-determined delivery options (which are specified) | |
| Limited | Establishment has limited autonomy and must deliver the product as stipulated | |

**Exceptional Delivery Regime Model: ICRAS**

**The table below applies to level 3 of the national framework**

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| **Area/Process** | **Baseline** | **Weighting (1,2,3)** | **Autonomy Level**  **(total, partial, limited)** | **Comments/Sources of information** |
| **Mandatory actions –** | | | | |
| **1 - Preparation for advocates to return to the work place.** | **1.1** Conduct a local review of availability of office space for advocates to work from, including risk assessments agreed in conjunction with local Unions  - can they access their own allocated office.  . | **3** | **Total** |  |
| **1.2** Conduct a local review of designated telephone lines, when and how can advocates access them to speak directly to children and young people. | **3** | **Total** |  |
| **1.3** Conduct a local review, including engagement and agreement with unions, on how advocates can have access to new admissions within 14 days of arrival or 7 days for those young people identified as having additional needs. This should include a review to ensure the integrity of the Reverse Cohorting proceedures are maintained. | **3** | **Total** | Annex A - further guidance |
| **1.4** Conduct a local review, including engagement and agreement with unions, of designated spaces (size and layout) to meet physical distancing requirements for children and young people whereby the advocates can meet children and young people 1:1. To include:  - Support at adjudications, meetings and when a child or young person has been restrained for the first time.  **-** Ensure hand hygiene facilities are provided for staff and children and young people entering and exiting rooms. . Any use of hand sanitisation must be supervised and a risk assessment undertaken. | **3** | **Total** | HMPPS Cohorting and Population Management  SOP guidance on hygiene |
| **1.5** Conduct a local review, including engagement and agreement with unions, ofthe impact of operational staff resources should a 1:1 meeting be required between advocates and children and young people. | **3** | **Total** | SOP operational tasks |
| **1.6** Conduct a local review, including engagement and agreement with unions, to consider if staggered start times could assist or be appropriate to meet physical distancing requirements and ensure sequencing of staff from other services. | **3** | **Partial** |  |
| **1.7** Conduct a local review, including engagement and agreement with unions, on the availability of PPE should an advocate require it to meet with children and young people. | **3** | **Total** | PHE guidance – please see Annex B PPE Table |
| **1.8** Barnardo advocates are contracted to deliver one children’s right session per week. Conduct a local review on when those sessions can be best facilitated. | **3** | **Total** | Consider the use of video technology to facilitate this |
| **1.9** Conduct a review, including engagement and agreement with unions, on when and how advocates can visit wings and units ensuring they meet the physical distancing requirements and all current infection control proceedures. | **3** | **Total** |  |
| **Area/Process** | **Baseline** | **Weighting (1,2,3)** | **Autonomy Level**  **(total, partial, limited)** | **Comments/Sources of information** |
| **2 Management Checks** | **2.1** Review local arrangement for Quarterly Review Meetings. | **1** | **Partial** |  |

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| **Area/Process** | **Baseline** | **Weighting (1,2,3)** | **Autonomy Level**  **(total, partial, limited)** | **Comments/Sources of information** |
| **3.– Stakeholder management** | **3.1**Although all revisions to the arrangements for ICRAS will besubject to consultation with recognised Trades Unions as part of the Establishment Regime Management Plan, a local internal stakeholder engagement plan must be developed to assist in communicating any revised working arrangements with:  C&YP Secure Estate Staff and partners including   * Barnardo’s. * Children and Young People | **3** | **Total** |  |
| **3.2** Develop a local external stakeholder engagement plan to assist in communicating with: -   * The children’s commissioner * Barnardo’s. * Local authorities. - LADO, children’s services. | **2** | **Total** |  |
| **3.3** Agreement should be sought with the YCS Contract Management Team of a new or alternative delivery plan provided by Barnardo’s. | **2** | **Partial** |  |
| **3.4** In collaboration with Barnardo’s, develop communications that ensure the children and young people are informed about the provision provided. | **2** | **Partial.** |  |

**Annex A:**

**Additional Vulnerabilities**

* + An ACCT or Support & Wellbeing Plan is opened by first night staff or landing/unit staff on arrival.
  + An Education Health and Care Plan (EHCP) is in place.
  + Foreign national – Derived from another country or nation.
  + Communication needs –
    - including English as an Additional Language (EAL),
* Speech & Language
* Autism spectrum disorder (includes suspected cases with no formal diagnoses)
* Poor literacy and or cognitive functioning that makes their ability to process and understand their environment and experiences or expectations of them, and/or make themselves understood
  + Returning from mental health hospital
  + Physical Disability
  + Restricted status young people (YOI only) –. Either directly placed or are moved during the period of induction.
  + Safety and security move - urgent transfer (within 48 hours) to a new placement outside of the formal Placement Review process.
  + Keppel unit transfers (Wetherby YOI)
  + Transgender young people
  + Any young person whereby significant concerns have been raised about the safety and welfare of the young person at the point of admission or within the first 24 hours of custody by a professional, parent or Carer

**Annex B:**

**PPE Table**

