

SEND Reforms - Young People in Custody

Lancashire Protocols Joint Working

If a young person has an EHC Plan prior to entering custody

- YOT SW/Case Manager to inform SEND Link SENDO (SK) of any young people likely to be sentenced to custody with a EHC plan/Statement
- Discussion to take place between YOT SW/CM and SEND Link regarding the elements of the plan to be observed within the custodial setting and to determine who is best placed to represent this discussion at the initial sentence planning meeting
- YOT SW/CM and/or link SENDO to attend the initial sentence planning meeting to ensure that the appropriate special educational provision identified in the plan can be delivered within the custodial setting. (If the EHC plan for a detained person specifies health care provision SENDO must inform NHS England)
- YOT SW/CM to notify link SENDO of any additional support that may be required that the custodial establishment cannot provide
- Planning for provision arrangements upon release must commence at the earliest possible stage to ensure positive participation in the resettlement process.
- Any issues raised in further review meetings should be shared via the YOT SW/CM.
- YOT SW/CM to invite the link SENDO to the initial release meeting (within 5 working days of release) to formally review the EHC Plan and ensure the plan meets the needs of the young person.

SEND Reforms – YOT Responsibilities

If a young person has an EHC Plan prior to entering custody

- YOT Social Worker/Case Manager to inform ETE worker of any young people likely to be sentenced to custody
- ETE worker to securely email education information (including EHC Plan) to the custodial setting as per ASCL act
- YOT SW/CM to inform the Link SENDO (SK) if the young person detained has an EHC Plan. Discussion to take place to determine what elements of the plan will need to be observed within the custodial setting and who is best placed to represent this discussion at the Initial DTO/Sentence planning meeting
- Discussion to take place at the Initial DTO/Sentence planning meeting to ensure that the appropriate special educational provision identified in the plan can be delivered within the custodial setting (If the EHC plan for a detained person specifies health care provision NHS England must make these arrangements)
- YOT SW/CM to notify Link SENDO of any additional support that may be required that the custodial establishment cannot provide
- Planning for provision arrangements upon release must commence at the earliest possible stage to ensure positive participation in the resettlement process.
- Any issues raised in further review meetings should be shared with SEND service colleagues
- YOT SW/CM to invite the Link SENDO to the initial post release meeting (within 5 working days of release) to formally review the EHC Plan and ensure the plan meets the needs of the young person.

SEND Reforms - Young People in Custody

If a young person does not have an EHC Plan when entering custody and additional learning needs have been identified

- It is identified that the detained child or young person has or may have SEN and may require additional support within the custodial establishment and provision post detention
- The child's parent, the young person, custodial staff or anyone working with the child or young person can bring them to the attention of their home LA and has the right to request an EHC needs assessment.
- YOT SW/CM to act as the link between the custodial setting and home LA to highlight CYP where an EHC needs assessment may be necessary
- YOT SW/CM to co-ordinate: the signing of the permission to gather information and advice letter by CYP or Parent (in case of under 16's), the completion of the AAM profile and the request for guidance form. This information to be passed directly to the Link SENDO
- Home LA SEND Service makes a decision via the LMP (YOT representative to attend where possible) whether EP input is appropriate
- EP report, combined with information gathered from other sources (including YOT) will assist the LA to determine if a CYP may require EHC plan.
- The draft plan will be issued, a co-production meeting to be held if required to finalise the plan. Suitable provision will be sought through discussions with the CYP and their parents
- The plan will be formally reviewed by the link SENDO at the post release meeting (within 5 working days of release) and the agreed provision added to the EHC plan

SEND Reforms – YOT Responsibilities

A young person does not have an EHC Plan when entering custody and additional learning needs have been identified

- It is identified that the detained child or young person has or may have SEN and may require additional support within the custodial establishment and provision post detention
- The child's parent, the young person, custodial staff or anyone working with child or young person can bring them to their home LA's attention and has the right to request an EHC needs assessment.
- YOT SW/CM to act as the link between the custodial setting and home LA to highlight CYP where an EHC needs assessment may be necessary.
- YOT SW/CM to co-ordinate: the signing of the *permission to gather information and advice letter* by CYP or Parent (in case of under 16's), the completion of the *AAM profile* and the *request for guidance form*. This information to be passed directly to the Link SENDO
- Home LA SEND Service makes a decision via the Local Moderating Panel whether to carry out an EP assessment.
- If a decision is made to carry out an assessment an EP will be identified to meet with the CYP within the custodial setting. This assessment combined with information gathered from a number of sources (including YOT) will assist the LA to determine if a CYP may require EHC plan.
- The plan will be issued and suitable provision will be sought through discussions with the CYP and their parents
- YOT SW/CM to invite the Link SENDO to the post release meeting (within 5 working days of release) where the plan will be formally reviewed and the agreed provision added to the EHC plan