

Please contact: [REDACTED]
Your ref:
Our ref:
Date:
20th February 2015

Ms P Harding
Senior Coroner
The Coroner's Office
Archbishops Palace
Mill Street
Maidstone
ME15 6YE

Medway Youth Offending Team
Strood Youth Centre
Montfort Road
Strood, Rochester
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Tuesday 24th February 2015

Dear Ms Harding

Regulation 28 Report, Response by Medway Council (Youth Offending Team) in respect of the death of Alex Kelly.

Please find enclosed the response from the Medway Youth Offending Team to your concerns as outlined in your Report to Prevent Future Deaths, dated 28th December 2014. Please note item 3, concerning the Caseworker based at Cookham Wood has been drafted in consultation with the Governor at Cookham Wood, as the staff there who are seconded by Medway Youth Offending Team are operationally managed by the Prison Service, but remain the responsibility of the Medway Youth Offending Team.

If I can be of any further assistance, or if you require any clarification in respect of this response, please do get in contact.

Yours sincerely

[REDACTED]
Youth Offending Team Manager
Medway Youth Offending Team

Draft response by Medway Youth offending Team to the Coroners concerns and recommendations for preventing future deaths, arising from the Inquest into the death of Alex Kelly.

The Coroner outlined the following concerns within her report published on 30th December 2014. These relate to both the main Youth Offending Team (YOT) and the Detached Team employed within the Case work Team (CT) at HMYOI Cookham Wood.

1. Involvement with other agencies
 - a) Shortcomings in other agencies which affected the ability of the YOT to manage the young person were not brought to the attention of management.

2. Placement within the Secure Estate
 - a) There were inconsistencies in recommendations as to placement in an STC or YOI, which were not reconciled.
 - b) Youth Offending Team Workers did not all appreciate that their responsibilities included a role on the young persons welfare whilst in custody.
 - c) Members of the Youth Offending Team did not all appear to appreciate that the YOT could initiate a transfer within the Secure Estate.

3. Case worker based at Cookham Wood YOI
 - a) Outside agencies sharing responsibility of the welfare of a young person in custody and foster carers were not kept informed of significant events, asked to participate in ACCT reviews or asked for input into the management of the young person.
 - b) Although involved in the ACCT reviews the case worker was unaware of the range of options available to safely manage the young person including requests to transfer to a different type of secure accommodation and the use of enhanced reviews.
 - c) Paperwork was not submitted for early release on the basis of non-compliance with the regime and concerns about absence of a placement without consultation with any person responsible for making decisions in relation to early release.

Response

The Medway YOT fully accepts the comments of the Coroner and the findings in her report of 28 December 2014. The Medway YOT have or intend to implement the following measures in an effort to address the concerns identified and to reduce the potential risk of future deaths in custody occurring.

Following the death of Alex Kelly, Medway have produced an Agency action plan in response to the Individual Management Review (IMR) and the Serious Case Review (SCR). A copy of the latest version of the Agency action plan is attached to this response at Annex 1. Actions have been agreed with and compliance monitored by the Medway Safeguarding Children's Board.

Point 1,a; this issue was identified within the IMR and SCR. As a result of these publications a YOT escalation policy was formulated and has operated successfully since March 2013. A copy of the escalation policy is attached at Annex 2. The policy will be reviewed and its implementation monitored by YOT management on an annual basis.

Point 2,a; There is now a procedural requirement for all placement alerts to the Youth Justice Board to be monitored by a YOT Senior Manager, to approve the placement recommendation prior to submission. In practice, the Duty Manager undertakes this for that day. The Court Officer will contact the Duty Manager from court to inform him/her that there is a possibility of remand or custody. The draft placement alert is then viewed electronically for approval or amendment. Where there is a possibility of remand or custody identified in a Pre Sentence Report, then this is brought to the attention of the Duty Manager via the pre court planning meeting held weekly.

To support this change, training was provided to YOT employees in respect of gatekeeping procedures. This training was delivered during regular monthly team meetings by the YOT Operational Manager.

The YOT Operational Manager is required to undertake reviews of all remand/custody applications and outcomes as part of the YOT quality assurance arrangements. These procedures have been in place since March 2013. The Duty Manager as outlined above receives all alerts of possible custody or remand. The Operations Manager on a quarterly basis carries out reviews of custody or remands. To date there have been no inappropriate cases identified.

The dramatic reduction in both Youth Remands and Custodial Sentences resulting from the provisions of the “Legal Aid, Sentencing & Punishment of Offenders Act (2012)”, has aided the practical implementation of our gatekeeping procedures.

Point 2,b; Training is being arranged by one of the YOT Senior Practitioners to update case holders and/or other members of the YOT who may have contact with a young person in custody or remand, of their ongoing responsibility towards their clients when they pass into remand or custody. This will highlight the range of welfare responsibilities in addition to those outlined in the National Standards for Youth Justice. This training will be completed by April 2015.

Point 2,c; In conjunction with 2,b, training will be delivered to all case holding practitioners and all other members of YOT staff who may have contact with a young person in custody to ensure they fully understand the arrangements in place to request a move from one custodial establishment to another. A flow chart and guidance notes will be produced and cascaded to all practitioners. This training and documentation will be completed by April 2015. Documentation will be available to the Coroner, if so required upon completion.

Point 3,a; The arrangements now in place, require Case Workers at Cookham Wood, to encourage the external YOT and Social Workers (where a Looked After Child (LAC)) to visit young persons in custody at least monthly, to meet with the young

person and the Case worker to be updated on the case information and engage with the YP to develop relationships.

The YJB National Standards 9: Planning and delivering intervention in custody and resettlement into the community (9.27) states that YOT staff should maintain a level of contact in no cases must the frequency of contact be less than every two months. YOT / Social Workers from the community are able to book official visits to meet with the boys on a one to one in the visits hall. The case worker will invite community agencies to attend monthly progress meetings, in which the boys objectives and targets in their training planning documents is updated.

In cases where YOT are reluctant to visit, the situation is escalated to the Head of Case Work who in turn contacts the YOT manager in the community to advise of the situation. If this does not resolve the situation, it is further escalated to the YOTs Head of Service / Consortium Co-ordinator. In respect of the responsibilities of Children Services Social Workers visiting, any discrepancies in timescales, support offered is escalated to the YJB LAC / Safeguarding Social Worker with Cookham Wood who will escalate appropriately with the Local Authority for resolution.

The Case Workers update the external YOT workers after every significant incident, either by email or by telephone. A record of this conversation is noted on the eASSET Case Management System.

The Duty Case Worker will update Parents; Social Workers and YOT workers, after any significant incident, these being identified as being:

- On first reception;
- At the conclusion of the initial sentence planning process;
- After each important review;
- On transfer to another establishment;
- Prior to release, within the purpose of encouraging their contribution;
- Where force has been used on the young person;
- Where a child protection referral is made, and;
- Other significant matters such as suffering illness, victimisation, or self-harm.

It is expected that the allocated Case Worker, once having further information regarding the incident will be able to offer more insight into the event and update as appropriate parents, Social Workers and YOT workers accordingly. Depending on the situation, these parties will be invited to multi agency meetings regarding the appropriateness of the placement; or Assessment of Care in Custody Teamwork (ACCT) meetings in order that they may update their own Risk documentation and follow their own processes for such information.

The Case Worker now routinely invites community agencies and parents or persons with Parent Responsibility to the ACCT reviews. This requires Cookham Woods' Custodial Managers or Supervising Officers who chair these meetings to arrange the dates and times in advance of the next review so that the Case Workers can notify the relevant parties. This action is supported by The Head of Safeguarding.

In cases where parents; or Social Workers or YOT workers are unable to or reluctant to visit, the situation is escalated to the Head of Case Work who in turn contacts the

YOT manager in the community to advise of the situation. If this does not resolve the situation, it is further escalated to the YOTs Head of Service / Consortium Co-ordinator and to the YJB LAC / Safeguarding Social Worker with Cookham Wood. ACCT reviews can be arranged to coincide with visits from parents; YOT workers and or Social Worker if the case worker is made aware of the visit and given notice of the ACCT review. Updates from these reviews will be scanned and forwarded to YOT workers and Social Workers.

Point 3,b; Training is to be developed and presented to all case holding staff by the YOT Manager at Cookham Wood. This will establish the welfare responsibilities of Case Work Team staff and others in the establishment in respect of the welfare options and responsibilities towards young people in custody.

New guidance for National Standards for Youth Justice Services 2013 has been produced by the YJB in relation to Planning and Delivery of Interventions and resettlement. All case workers have received a copy and work to this new guidance.

Annual safeguarding training is available from the Prison Service, Medway Safeguarding Board training is available for all case workers and forms part of the individuals annual SPDR/PDR.

ACCT training has been arranged, facilitated by Cookham Woods ACCT trainers for the Resettlement Team as a whole.

Ongoing specific training will be identified for each case worker to develop and update their skills and knowledge.

The Case Workers have now received guidance from the YJB in relation to the types of accommodation available and new referral process to transfer a young person if needed. At all Remand and Sentence planning meetings/reviews attendees discuss whether Cookham Wood and/or the equivalent establishment is the appropriate placement for the young person as requested by the Placement Review and Transfer Protocol, YJB Placement Service (June 2013). This new policy lays down the process by which a transfer request may be made. However, the final decision sits with the YJB placements Team.

YJB National Standards (NS) state that “the Initial Planning meeting should be arranged within 10 days of the young persons custodial sentence being imposed”

YJB NS (9.16). As already stated earlier National Standards (9.27) states that the YOT should maintain a level of contact consistent with supporting them through custody which should be every two months or more.

Immediately prior to release YJB NS (9.47) states that a final release meeting should be arranged to finalise release plans.

All Case Workers are now obliged to attend annual training in relation to the ACCT process and the use of enhanced reviews. A record of this training is maintained and monitored by the YOT Manager at Cookham Wood.

ACCT training has been arranged, facilitated by Cookham Woods ACCT trainers for the Resettlement Team as a whole. The facilitator is currently a Band 4 Officer, who has a great deal of relevant prison related knowledge.

An enhanced review is one in which a Governor will oversee the ACCT process when the young person is on a constant watch.

Point 3,c; Early Release paperwork (if the sentence is appropriate) is submitted to the Governor for consideration regardless of whether the young person has engaged with the sentence plan. The progress of the young person, measured against agreed targets will be discussed at each of the sentence planning reviews.


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YJB NS (9.16). As already stated earlier National Standards (9.27) states that the YOT should maintain a level of contact consistent with supporting them through custody which should be every two months or more.

Early Release documents should be with the Governor for approval at least 1 month before the first early release date, in order that a decision in principle can be made and final arrangements approved at least two weeks prior to release.

Immediately prior to release YJB NS (9.47) states that a final release meeting should be arranged to finalise release plans, by which time accommodation and Education Training or employment should have been secured.

When Early Release is an option, progress against this target is measured and discussed with the young person, so that they are aware of each stage of the Early Release process. The young person will be fully informed and assisted where appropriate to comply and succeed with the targets set with the consent by the YOT and Case Worker.



Youth Offending Team Manager
Medway Youth Offending Team
February 2015.