
Location Review

Location name

Author name

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Purpose of the review

To review the appropriateness and suitability of the location of the premises, to include the identification of any risks and opportunities presented by the home's location and strategies to manage these.

The location assessment will seek to address two issues:

1. Safeguarding concerns
2. Accessibility to local services

The review will seek to collate publicly available local data and consult with appropriate local services. Based upon the information and evidence collated undertake risk assessment and development of risk management strategies.

Service Context

Legal Criteria for Admission on Youth Justice Grounds

Remand to Youth Detention Accommodation, under the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Conditions 1 for YDA

- The young person has reached the age of 12
- The offence is of a violent or sexual nature **or**
- Is punishable in the case of an adult with a prison term of 14 years or more
- Only remanding a young person would protect the public from death or serious personal injury by offences carried out by the young person **or**
- To prevent the child committing imprisonable offences
- The young person was legally represented **or**
- Was not legally represented due to their conduct, they were not eligible to representation because of their financial resources, or they refused representation.

Conditions 2 for YDA

- The young person has reached the age of 12
- There is a real prospect the young person will be given a custodial sentence for one or more of their offences
- The young person has a recent history of absconding whilst on custodial remand **or**
- One or more of the offences were committed whilst remanded to local authority accommodation or youth detention accommodation.
- The young person committed imprisonable offences whilst on bail or custodial remand
- Only remanding a young person would protect the public from death or serious personal injury by offences carried out by the young person **or**
- To prevent the child committing imprisonable offences

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- The young person was legally represented **or**
- Was not legally represented due to their conduct, they were not eligible to representation because of their financial resources, or they refused representation.

Extradition cases

Conditions 1 for YDA (extradition)

- The young person has reached the age of 12
- The offence relating to the extradition
- is of a violent or sexual nature **or**
- Is punishable in the case of an adult with a prison term of 14 years or more
- Only remanding a young person would protect the public from death or serious personal injury by offences carried out by the young person **or**
- To prevent the child committing imprisonable offences
- The young person was legally represented **or**
- Was not legally represented due to their conduct, they were not eligible to representation because of their financial resources, or they refused representation.

Conditions 2 for YDA (extradition)

- The young person has reached the age of 12
- There is a real prospect the young person will be given a custodial sentence for one or more of their offences relating to the extradition
- The offence relating to the extradition is an imprisonable offence
- The young person has a recent history of absconding whilst on custodial remand **and**
- One or more of the offences relating to the extradition were committed whilst subject to a custodial remand.
- The young person committed imprisonable offences relating to the extradition together with any other imprisonable offences whilst on bail or custodial remand
- Only remanding a young person would protect the public from death or serious personal injury by offences carried out by the young person **or**
- To prevent the child committing imprisonable offences
- The young person was legally represented **or**
- Was not legally represented due to their conduct, they were not eligible to representation because of their financial resources, or they refused representation.

Sentenced to serve a period of detention under Section 90/91 of the Powers of Criminal Courts (Sentencing) Act 2000

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If a young person has already been convicted of a serious offence, there is no need to keep going back to court for permission for them to remain in Secure Accommodation. The placement is made under the authority of the Home Secretary and the young person is placed by agreement between the Prison Service Section 90/91 Unit and the Juvenile Operations Management Group, in consultation with the YJB and the Secure Unit.

Section 90 applies if the conviction is for murder. Such sentences are termed "Detention at Her Majesty's Pleasure" and a mandatory life sentence will apply. The sentencing court will set a minimum term (also known as the tariff) to be spent in custody, after which the young person can apply to the Parole Board for release. The Secretary of State's directions to the Parole Board (issued August 2004) set out the assessment criteria for the release of those serving a life sentence. Once released, the young person will be subject to a supervisory licence for an indefinite period

Section 91 applies where a person aged under 18 is convicted of :-

an offence that, if they had been over 21, would be punishable by imprisonment for 14 years or more, as long as it is not an offence with a sentence-length which is fixed by law; **or**
an offence under section 14 of the Sexual Offences Act 1956 (indecent assault on women); or
an offence under section 15 of the Act (indecent assault on a man) committed after 30th September 1997.

It also applies where a person aged at least 14 but under 18 is convicted of an offence under

section 1 of the Road Traffic Act 1988 (causing death by dangerous driving); or
section 3A of that Act (causing death by careless driving while under influence of drink or drugs)

The outcome of all case reviews, planning meetings and sentence care plans are reported to the Section 90/91 Unit.

Detention and Training Order, Crime and Disorder Act 1999

The authority for Detention and Training Order (DTO) placements lies with the Home Secretary or persons authorised by him. The YJB is authorised by him to make DTO placements in the following circumstances -

The young person must be convicted of an offence which, had they been over 21, would be punishable with imprisonment, **and**

The court must be of the opinion that either or both of paragraphs (a) of (b) of section 1(2) of the Criminal Justice Act 1991 apply or the case falls within section 1(3) of the 1991 Act (section 73(1)(b)

The 1991 Act states that a court shall not pass a custodial sentence unless it is of the opinion that the offences (or offences) were so serious that the only sentence that can be justified is a custodial sentence, **or** where the offence is sexual or violent and only custody would be adequate to protect the public from serious harm. It does not prevent a court from passing a custodial sentence if the young person fails to express their willingness to comply with:

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A requirement which is proposed by the court to be included in a probation order of supervision order, **or**

A requirement which is proposed by the court to be included in drug treatment and testing order or an order under section 61(6) of the 1998 Act.

If a child or young person is aged 12 and under 15 the court must be of the opinion that he or she is a persistent offender.

The Secretary of State's permission is required to place any child under thirteen and over ten in secure accommodation.

Breach of a DTO-Legal Aid, Sentencing and Punishment of Offenders Act 2012.

- A court may order detention for breach of the conditions of a DTO, this may be before or after the completion of the DTO

Detention for Public Protection under the Criminal Justice Act Section 226 and Extended Sentence for certain violent and sexual offences Section 228 of the Criminal Justice act 2003.

Section 226; Equivalent to a Discretionary Life Sentence, this is an indeterminate sentence imposed where a young person is convicted of a specified serious offence, but not so serious to justify a Detention for Life and where the court is of the opinion there is a significant risk to members of the public of serious harm occasioned by the offender's commission of further specified offences.

Section 228; A determinate sentence imposed on young people who have committed a violent or sexual offence where it is considered that they pose a significant risk to the public and therefore need to be on a licence for an extended period of time following release from custody. Young people can be released at the half way point of the custodial part of their sentence on the recommendation of the Parole Board.

We also accept young people who are detained under the Police and Criminal Evidence Act 1984, who otherwise would otherwise be detained in a police cell overnight.

Legal Criteria for Admission on Welfare Grounds

Section 25 of the Children Act 1989, in conjunction with the Secure Accommodation Regulations 1991 (SI 1991/1505), sets out the criteria for placing a young person in secure accommodation.

We will admit –

Young people under the age of 16 years who are accommodated under Section 20 (1) of the Children Act and are subject to a Secure Order under Section 25, **or**

Young people up to the age of 18 years who are subject to a care order under Section 31 of the Children Act and are also subject to a Secure Order under Section 25.

Thus, a young person may not be placed in secure accommodation unless:

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They have a history of absconding and are likely to abscond from open accommodation, **and** if they abscond, are likely to suffer significant harm, **or**

If kept in any other form of accommodation, are likely to injure themselves or someone else.

The **maximum** periods for which a court can issue a secure order to keep a young person in secure accommodation on welfare grounds are: -

Three months on first application to court, **or**

Six months for any further application.

The court may make shorter orders, and in Section 25 cases a Children's Guardian is normally appointed to ensure that the court remains focussed on the welfare needs of the young person. The court must be sure that there is factual evidence to show that the statutory criteria apply.

Emergency Admissions

No child or young person can be held in secure accommodation for more than 72 hours without the authorisation of a court (Secure Accommodation regulations 10(1)). This is known as the "72 hour ruling" and the decision to apply it can only be made by a Senior Social Services Officer. It is expected that a court date will have been arranged to obtain a secure order prior to us admitting a young person on the "72 hour ruling". The placing authority must produce written evidence that the decision has been made by a senior officer and that it will be making an application for an order under Section 25 of the Children Act 1989.

Risk statement

Due to the high level of staffing and security it is unlikely the young people will be at risk of being drawn in to gang crime or anti-social behaviour. Likewise, young people are safeguarded and protected to reduce the risk of them being subject to a victim of crime or be targeted for sexual exploitation.

[Location] has good links with the local police.

[Location Name]

Property

[Location] is a purpose built local authority secure children's home. It has a high level of security including a secure perimeter and CCTV surveillance. Access to the property is via the road and the property has its own drive with parking to the front of the building. [Location] is set in its own grounds it's surrounded by security fencing. [Location] is situated on xxx in the historic market town of xxx. It is within easy walking distance of the town centre, churches, parks, youth centre, library, shops, theatre, leisure centre restaurants and café etc. There is easy access to local amenities with reliable public transport via rail and bus links to the city of Lincoln and larger towns e.g. Grantham, Boston and Peterborough these towns are also easily accessible by car.

Visitors

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Only authorised visitors or personnel are permitted to enter the building, visitors are required to show ID and to sign in and out. Visitors are not left unattended unless it is appropriate i.e. social worker undertaking a Child in Need statutory visit.

Staffing levels

The home operates a high staffing ratio of a mix of male and female staff; the carers on duty support the young people in all aspects of their daily routine, care needs and recreational. The overall aim of the staff team is to provide a safe, nurturing, caring and homely environment for each child, where issues and concerns affecting both their past and their future can be positively addressed and supported. Each young person has a carefully matched keyworker to oversee all aspects of the young person's care. Staff work in partnership with each child, their families and other professionals.

Health

All young people are registered with local Doctors, Optician's and our visiting Dentist and have regular check up's.

All young people at [Location] have access to our internal Healthcare team who are available from 9am to 9pm weekdays and available on call.

For all medical emergencies we would seek onsite assistance from the Emergency Ambulance Service and if appropriate support a child to access further medical treatment at Lincoln County Hospital or Grantham Hospital. In all such situations the child's parent would be contacted and staff would be used to escort the young person.

Education

[Location] has an education department including classrooms and teaching staff within its grounds.

Education, in all of its forms, is one of the cornerstones of personal growth and development. All children will be actively encouraged to partake of educational opportunities appropriate to their need(s).

Lincolnshire has set ambitious targets for the future educational achievement of each child in its care and is determined to support this by the widest means possible. This support should also, in all cases, be available for all members of the 'multi-disciplinary team' and/or any other appropriate person. The home has education on site which offers individualised education.

The provision of and attendance at education must, in all cases be the subject of active planning by those in the 'multi-disciplinary team' for each child. It will not be uncommon for a child to be accommodated at the home, following a number of episodes of concerns. Typically, this may include either a failure to attend school for some time, or the exclusion from school by the school authorities.

Each accommodated child will have a 'Personal Education Plan' (PEP) which outlines all plans for the child's education. Where appropriate, this will also include a copy of any Education Health Care Plan.

Each child is an individual, is unique and will respond differently to various stimuli. It is imperative that any learning issues are addressed, with plans agreed for resolution.

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Lincolnshire County Council provides a range of further specific services to Children in Care, through The Education Policy. Copies of this policy are available at all Lincolnshire Children's Homes and in all social work offices. In short, however this determines that all children accommodated at the home will be provided with education.

The County Council has developed an LAC Educational Support Service who will actively promote a range of supports to children who experience difficulties with learning and access to education.

We have areas available to study in, for use by all children, complete with appropriate learning equipment, and books. In addition, each child has the facility for further private study in their own bedroom. Staff will actively support children with homework.

The Head Teacher maintains an accurate record of all school attendance. This is available for inspection by official visitors.

Staff will attend school to give extra support to young people. Educational achievements will be celebrated.

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Hazard	Existing controls – generic Each child's hazards, risk and controls can change therefore are subject to continual review	Risk rating Low Medium High	Are risks adequately controlled Yes or no	If no, what other actions are required to reduce risks
Main road near to property	<ul style="list-style-type: none"> • Young people are always risk assessed and escorted when leaving the grounds. • Security checks of the perimeter are routinely carried out. 	Low	Yes	
Car parking	<ul style="list-style-type: none"> • [Location] has parking to the front of the building for approx.25 vehicles. • A secure compound is used to transfer young people in and out of the building • The area of parking is restricted and vehicles cannot travel at more than 5mph. There is a speed bump in the car park area and CCTV cameras 	Low	Yes	
Surrounding properties	<ul style="list-style-type: none"> • [Location] has a high grade security fence surrounding its grounds. • CCTV cameras monitor the area but neighbours properties are shielded so they cannot be viewed. • bedroom blinds support and promote privacy and dignity of the young person 	Low	Yes	
Access to services and community resources	<ul style="list-style-type: none"> • [Location] is within easy walking distance of the town centre • Within a short walking distance there is access to public buses and if going by train the station is in the town centre • [Location] has two lease cars available to transport young people. 	Low	Yes	
Medical treatment	<ul style="list-style-type: none"> • [Location] has a Healthcare team who assess young people and meet their healthcare needs. • [Location] requests parental consent to seek emergency treatment in the event their child was to become ill or as a result of an accident requires medical treatment • Staff complete emergency first aid at work training. • Staff would contact the duty Healthcare worker if out of hours treatment is required 	Low	Yes	

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Hazard	Existing controls – generic Each child's hazards, risk and controls can change therefore are subject to continual review	Risk rating Low Medium High	Are risks adequately controlled Yes or no	If no, what other actions are required to reduce risks
	<ul style="list-style-type: none"> • In the event of a health emergency we use normal emergency ambulance services and young people are escorted. • At [Location] all medications (including non-prescribed) are stored in locked receptacles, in accordance with Quality standards 2015, and are recorded on individual medical records held at the home • All young people are registered with Doctor's, our visiting dentist and opticians and attend regular check up • All young people at [Location] can access direct specialist therapeutic and counselling services from the Healthcare team 			
Access to the wider amenities and attractions	<ul style="list-style-type: none"> • Young people are risk assessed before being allowed out of the building, they are escorted by care staff. • Each venue or destination are risk assessed at the planning of the outing to ensure they meet the needs of the young person 	Low	Yes	
Accommodation in the event of a critical incident	<ul style="list-style-type: none"> • In the event of a critical incident that renders the home inhabitable or dangerous the home has made links with the police, who have agreed to accommodate the young people and staff in an emergency. • The Youth Custody Service would find alternative placements for longer term relocation. • The home operates an on-call manager for all out of hours support to staff 	Low	Yes	

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Conclusion

All nine hazards identified are rated as low.

The service provided at [Location] continues to safely meet the needs of young people. Given the town location access to local services is excellent. Access to wider community based activities or resources are made possible by the use of lease hire vehicles and easy access to local transport services such as bus and rail.

[Area] has a low crime rate and the home is located on the edge of a private housing estate.

There have been no safeguarding concerns raised in respect of neighbourhood in which the home is located.

This assessment will be reviewed at least annually, or sooner, if hazards or controls change.

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