

## **YOUNG PEOPLE IN CUSTODY WITH SEN/EHCP**

The Children and Families Act 2014 places increased responsibility upon the Local Authority from 1.4.15 in terms of young people either remanded or sentenced to custody who have SEN and an EHCP. This includes young people aged 18 years and under.

The Youth Offending Team will work closely with the 0-25 SEN Team and other partners to support the Local Authority in the execution of these responsibilities to ensure that all young people in custody receive the interventions and support needed to enable them to achieve their potential.

The Local Authority has responsibility to ensure that the content of the EHCP is delivered appropriately during any custodial period and that this is reviewed in readiness for release with appropriate plans being put in place.

NHS England are responsible for providing health care identified in the plan during any period in custody with responsibility transferring to the Clinical Commissioning Group upon release into the community. Social Care must retain their responsibilities throughout any custodial period. The 0-25 SEN Team will have responsibility for educational needs and oversight of all elements of EHCPs,

The YOT ETE Adviser/YOT Officer will liaise with young people and their families/carers, custodial establishments and the Local Authority 0-25 SEN Team to ensure that appropriate interventions take place in custody to meet the needs identified in EHCPs. EHCP Panel meetings will be the forum for case discussion.

As a matter of good practice the Local Authority 0-25 SEN Team and EHCP Panel will also monitor cases where SEN have been identified but no plan is in place, to ensure that the most suitable provision is provided in all SEN cases.

Any requests for assessment for an EHCP during a custodial sentence/remand will be processed by the Local Authority via routine channels.

In terms of young people over the age of 18 but under the age of 25 years subject to an EHCP on entering custody or during custody going into education on release the LA must maintain and review the Plan and liaise with the Offenders Learning & Skills Service and The National Careers Service provider.

The Principal SEN Officer 0-25 will be the nominated contact for young people in custody.

The attached process will support the implementation of the legislative changes and provide guidance as to how these responsibilities can be expedited in practice.

## **YOUNG PEOPLE AND CUSTODY PROCESS**

At the point of sentence/remand the YOT ETE Adviser will contact the 0-25 SEN Team and arrange for the case to be listed at the next EHCP Panel. Case information will be provided to the EHCP Panel by the YOT and presented by the Youth Direction Manager. In cases where the Local Authority have concerns about appropriate provision being available a member of the 0-25 SEN Team will contact the secure establishment for further discussion.

The YOT ETE Adviser/YOT Officer will attend custodial planning meetings to agree the plan of interventions. A copy of any existing EHCP will be made available to the secure establishment.

The YOT ETE Adviser will provide updated information from the custodial establishment to the EHCP Panel to meet timescales agreed at the initial Panel, which will depend upon the length of sentence/remand, to ensure appropriate interventions are being delivered. At a minimum reviews will take place at the midpoint of sentence and the pre-release stage to identify and confirm availability of provision needed in the community.

If at any point the Local Authority has concerns about delivery of suitable provision in custody the Principal SEN Officer will contact the secure establishment.

SEN cases without Plans will be raised at Panel at the pre-release stage to ensure that appropriate provision is available upon release into the community.

A representative from the 0-25 SEN Team will attend Pre-release meetings to discuss plans for release into the community however this is something which will be given attention throughout the custodial period. Relevant persons will be identified via EHCP Panel to attend pre-release meetings of those with plans in terms of health and social care

(See attached Flowchart)

