
10 November 2014

Charles Bell
request-172367-1a41859b@whatdotheyknow.com

Dear Mr Bell,

RE: FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST (REF 222183628)

Your request for information has now been considered and the information you have requested is enclosed. We apologise for the delay in responding to your request.

Please note that the information provided may be subject to copyright and you may require further permission from the Council to re-use it. If you require further guidance please write to FOI (contact details below).

Details enclosed.

If you are dissatisfied with the response or how the Council has handled your request you can complain to the Council by writing to the following address: FOI at Brent Civic Centre, Floor 4, Engineers Way, Wembley HA9 0FJ. Telephone 020 8937 1426 e-mail foi@brent.gov.uk. It is the Council's policy to ensure that, where practicable, your complaint is dealt with by someone who was not involved in the original decision. You also have a right of appeal about our decision to the Information Commissioner, however, the Information Commissioner will not normally consider an appeal until you have exhausted your rights of redress and complaint to the Council. The Information Commissioner can be contacted as follows:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF;
Telephone: 01625 545 700 www.informationcommissioner.gov.uk

As part of our commitment to improve our service to our customers we would welcome any feedback on the way that we have dealt with your request.

If you have any questions, please contact us at asc-freedomofinformationrequests@brent.gov.uk.

Yours sincerely

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Graham Genoni
Operational Director
Social Care



Phil Porter
Strategic Director Adults
Adult Social Care

1.00 Policy documents

1.1. Youth Justice Board Guidance envisages local protocols between Youth Offending Teams and local police.

a. Do you currently have a protocol concerning:

(i) the provision of appropriate adults

(ii) post-charge bail support and

(iii) the transfer to LA accommodation of children refused bail and detained after charge (section 38 PACE, sections 21(2)(b) and section 17 Children Act)? If so, I would be very grateful if you could provide copies.

Daytime (9am-5pm): A request is sent by the police to the Council's Family and Adolescent Support Team (FAST), who will provide a social worker. If no social worker is available, the request will then be referred to The Appropriate Adult Service, ('TAAS') who hold a contract with Brent Council.

Out of hours: A request is sent by the police to the Council's Emergency Duty Team, who will then contact TAAS to arrange an appropriate adult.

1.1.(ii) FAST do not have policy on post charge bail support unless part of FAST family support work.

1.1 (iii) FAST have not had to transfer to LA accommodation of detained children so far.

Please provide any other service agreement, policy or practice guidance concerning the delivery of these specific services for children in conflict with the law noting that such arrangements would usually cover the LA and the police, and, possibly voluntary/private sector organisations delivering services on behalf of the LA.

No other agreement, policy or practice under FAST in conflict with the law.

1.2. Please include and highlight any amendments, variations, new documents that address:

i. 17 year olds and

ii. Arrangements for the provision of appropriate adults for children who are cautioned or charged after initially being granted bail.

1.2 No new documents that address

i. 17 year olds

ii. not aware of any provision for children who are cautioned or charged after initially being granted bail.

2.0 17 year olds

2.1. How many 17 year olds have required appropriate adult services after being detained at the police station and what proportion of the total number of requests over a 12 month period do they form?

Total requests received by TAAS for 17 years old = 110

% of total = 4.5%

September 2013 – September 2014 - 9 17 year olds required AA services from FAST.

Proportion of the total number of requests over a 12 month period is 9/27

2.2. What is the actual or estimated annual cost of providing an appropriate adult service for all children and how much of this is accounted for by 17 year olds?

**Out of hours charge - £40 per hour provided by TAAS since September 2013.
Approximately 110x40 - £4400**

**Contract value: details available to the public -
http://www.londoncontractsregister.co.uk/public_crs/contracts/contract-052484/**

FAST team provide AA service in house within the council's children and families department.

2.3. Knowing that the Home Office have yet to agree how they will meet this additional expense; from where has the money been found or is the service simply not provided pending a funding decision by the Home Office?

**Contract in place until 2016: details available to the public -
http://www.londoncontractsregister.co.uk/public_crs/contracts/contract-052484/**

3.00 Cautions

3.1. How many requests have been received and appropriate adults provided (these figures may be different) to be present when:

i. a conditional caution has been administered or

September 2013-May 2014

Children – 4 out of 235

Adults – 16 out of 270

i. Data not collected.

ii. a person is subsequently charged having been initially released on bail ?

September 2013-May 2014

Children – 24 out of 235

Adults – 23 out of 270

ii. Data not collected.

4.00 Service arrangements

Is your appropriate adult service provided by the voluntary sector; the youth offending service exclusively; the youth offending service in conjunction with the out-of-hours service; the private sector; some other arrangement (please describe)? Who provides your service if it has been contracted out?

**TAAS - Contract: details available to the public -
http://www.londoncontractsregister.co.uk/public_crs/contracts/contract-052484/**

**FAST team within Children and Families department provide AA service for under 18s
On one occasion YOS provided service.
On two occasions another Local Authority provided service as a LAC child in their care.**

5.00 Qualifications and profile

5.1. How many appropriate adults deliver services in your local authority area? **68**

What proportion have:

- i. formal qualifications in social work; **10%**
- ii. other accepted professional criminal justice qualifications for YOT purposes; **50%**
- iii. non-criminal justice qualifications suitable for YOT purposes; iv. other Degree; **24%**
- v. GCSE only, without qualifications? **6%**

What proportion of these appropriate adults:

- i. have served as police officers (including special forces such as the Military police) **3%**
- ii. have worked previously in the legal profession (barrister, solicitor, accredited police station representative but not other para-legals **6%**
- iii. have worked or currently work in a professional capacity as a social worker, teacher, nurse, psychologist. **70% (this includes other professional roles within child care / youth justice system, such as foster carer, support workers etc)**
- iv. were recruited with no qualifications higher the GCSE? **10% (relevant experience but no formal qualifications)**

FAST team have Social Work qualifications or SWA experience.

5.3. What proportion broken down by gender are:

aged no older than 25; **4 (all Female)**

25 – 40; **21 (9 male 11 Female)**

40 – 55; **28 (8 male, 28 Female)**

over 55? **16 (3 male, 13 Female)**

FAST team are proportionately 5 female to 2 males over the time specified September 2013-2014.

5.4. What proportion of your appropriate adults have:

English; **100%**

Indian languages;

Pakistani/Bangladeshi languages;

Arabic or its dialects ;

other African languages;

Polish;

other European languages;

as their mother tongue (first language spoken at home)?

TAAS do not further monitor which languages their staff speak, as for the purposes of a PACE interview they are required to communicate in English. An approved police interpreter is required to interpret during the interview. FAST staff have 100% English; other languages not collated.

5.2. On how many occasions during the last 12 month period for which information is available was the first language of the child not English and different to that of the appropriate adult?

Data not held

5.3. On how many occasions in such circumstances was a professional interpreter (as envisaged in the National Agreement on Arrangements for the use of Interpreters, Translators and Language Service Professionals in Investigations and Proceedings within the Criminal Justice System) present? (this question is asked because of the fact that in a number of areas English is the minority first language of some local authorities and may become so nationally by 2050).

Data not held

5.4 On how many occasions in such circumstances was some other person present to translate between parties to a PACE interview?

Data not held

5.5 On how many occasions was the first language of the appropriate adult different to that of the detained child?

Data not held

6.00 Cost

6.1. What is the average hourly cost of appropriate adult provision during

i. the daytime and

Service provided by in-house social workers

ii. out-of-hours? What was or do you estimate to have been the total cost of the service over the 12 month period for which figures have been provided?

Out of Hours – £40 per hour.

7.00 Recruitment

7.1 Please give details of recruitment strategy and outcomes over the last 12 months such as advertisements in national or local publications; websites; word of mouth; numbers recruited through job centre advertisements etc. Please provide the number of applicants and the numbers appointed (after training if completion is a condition of appointment).

Data not held.

7.2. If recruiting to positions including sessionally paid positions (regardless of contractual status) were persons paid for the number of hours when they undertook training?

The Working Time Regulations 1998 section 42 (non-employed trainees) state:

Data not held.

For the purposes of these Regulations, a person receiving relevant training, otherwise than under a contract of employment, shall be regarded as a worker, and the person whose undertaking is providing the training shall be regarded as his employer."

7.3 Where payments were made in accordance with the Regulations what was the total cost over the last 12 month period?

Data not held.

7.4. If your service is undertaken by a voluntary or private organisation is the local authority satisfied that the provider is complying with the Regulations?

FAST do not have this information

7.5. How many hours training do your appropriate adults receive?
Please include hours for 'shadowing.'

**ASDAN has accredited TAAS' training to equate to approximately 40 hours in total.
On average a new appropriate adult would spend approximately 6 hours shadowing.**

8.0 Requests

8.1 For the last 12 months for which information is available how many requests have been received by the local authority for appropriate adults in respect of children?

Total requests received by TAAS from September 2013-May 2014 are 235.

FAST have received a total of 27 requests for AA for children.

8.2. Where requests have been made on how many occasions have appropriate adults been provided?
Please break this down between those children aged under 14; 14 – 16 year olds and 17 year olds.
Please also distinguish between requests for the purposes of interview, charge or caution subsequent to initial arrest.

**Under 14 year olds – 13
14 – 16 year olds– 112
17 year olds - 110**

**FAST have provided AA service for
Under 14 year olds - 2 (1 in relation to DV)
14 -16 year olds - 11 recorded but not all ages captured
17 year olds - 9 recorded but not all ages captured**

8.3. On how many occasions upon receipt of a request was action taken to visit parents to encourage their attendance as appropriate adult rather than go directly to the police station once a request had been received? On how many occasions did such action lead to the attendance of a parent?

FAST have on all occasions attempted to contact parents to make them aware of request and encourage them to attend and or inform police to do this. Data not held on how many parents have attended.

8.4. Please provide as a percentage the proportion of appropriate adult requests that arose because:

- i the child was accommodated/looked after by the LA; **September 2013 – May 2014: 13/235 = 6%**
- ii. whilst not being looked after the parent was otherwise legally excluded from having contact with a child (an explanation mooted by one LA in 2013); **Not a category in monitoring data.**
- iii. the child was estranged from his or her parents; **Not a category in monitoring data.**
- iv. the parent was a victim, alleged accomplice or witness; **September 2013 – May 2014: 39/235 = 17%.**
- v. the parent was at work **September 2013 – May 2014: 3/235 = 1%.**
- had other children to care for **September 2013 – May 2014: 14/235 = 6%.**
- was out of the area; **Not a category in monitoring data.**
- vi. the parent could not access transport (e.g. no buses late at night in rural areas); **September 2013 – May 2014: 7/235 = 3%.**
- vii. the parent was deemed incapable of acting in the role; **Not a category in monitoring data.**

viii. some other reason 12 categories used for monitoring purposes

8.5 In relation to children who were placed in:

a. residential care and

b. foster care,

in how many cases was an appropriate adult requested? In how many cases was this provided by the residential establishment; foster family; the child's social worker; your usual service arrangements?

Data not held.

8.6. What proportion of all requests for appropriate adults have arisen because of alleged offences committed in or against persons concerned with residential or foster placements?

Data not held.

8.7 Please provide any policy or protocol you have developed in response to YJB concerns about the criminalisation of looked after children together with any data that has been collated to monitor its effectiveness.

Data not held.

9.00 External placements

9.1 Please provide any policy document, protocol and data that you have collated concerning alleged offences committed by children looked after within your local authority AND applying within local authorities and accommodation providers where your local authority places children externally.

Data/protocol not held.

9.2 What is your practice in relation to children placed in residential or foster care within your local authority area but who are the statutory responsibility of an external local authority? If such children are charged and detained is the responsibility to accommodate under section 21(2)(b) Children Act seen as being yourselves or the local authority with legal responsibility?

Guidance not held.

10.0 Outcomes

10.1 In what proportion of cases concerning requests acted upon in the last 12 months for which you have data did the appropriate adult leave the police station:

i. when the child was released; **September 2013 – May 2014: 17/235**

ii. when a disposal decision had been made; **September 2013 – May 2014: 75/235**

iii. after interview but before a disposal decision being made? **September 2013 – May 2014: 142/235**

10.2 On how many occasions within the 12 month period for which you have provided information have juveniles (under 17s) been charged and detained under section 38? On how many of those occasions did an appropriate adult from or contracted by your service:

i. attend for interview and leave before the juvenile was charged; **Data not held.**

- ii. Attend for interview and was present when the juvenile was charged; **September 2013 – May 2014: 36/235.**
- iii. Make arrangements and representations in relation to the accommodation of the juvenile pursuant to section 38(6) PACE? **Data not held.**

11.0 Response times

11.1 For the last three months where an appropriate adult was provided what was the average length of time between:

- i. detention of a child being authorised by a custody officer and a request for an appropriate adult being received; **Data not held.**
- ii. receipt of a request and arrival at the police station; **Data not held.**
- iii. arrival at the police station and rights being given; **Data not held.**
- iv. arrival at the police station and commencement of first interview; **Data not held.**
- v. authorisation of detention (or receipt of request if you do not record initial detention time) and the release of the child. **Data not held.**

11.2. In how many cases where you received a request for an appropriate adult (even if the request was delayed until daytime hours) was a child

- a. held overnight (overnight meaning between midnight and 6.00 a.m.) in police cells or **September 2013 – May 2014: 9**
- b. bailed to the morning or a later date because:

- i. the appropriate adult service was not available overnight; **Data not held**
- ii. the Out of Hours social work service should provide the appropriate adult service but was unable to do so because of having to prioritise other emergencies; **Not applicable**
- iii. The custody officer authorised a lay down for other reasons ...police overtime not authorised, other accomplices to be arrested, officers not ready to interview etc. **Data not held.**
- iv. Some other reason. **Not applicable.**

11.3. How many members does your Out of Hours Service have? How many are qualified social workers? How many have received formal training on PACE?

Same as above – TAAS provide out of hours service.

11.3 As above - 6-8 members, either qualified Social Workers or Social Work Assistants, none received formal training on PACE.