Care and support in the
secure estate

1. **Are secure hospitals included under the Social Services and Well-being (Wales) Act?**

Health secure units/hospitals are excluded. Hillside Secure Children’s Home and Parc Youth Offending Institution (YOI) are included, as well as prisons, approved premises and bail accommodation. Definition of these are given in Chapter 1 of the [Part 11 Code of Practice](http://gov.wales/docs/dhss/publications/151218part11en.pdf) (Miscellaneous and General).

1. **Who has responsibility for providing social care to adults in the secure estate?**

The Social Services and Well-being (Wales) Act makes clear the responsibility for the social care of adults in the secure estate in Wales rests with the local authority within which that secure estate facility is located. The care and support of those adults in the secure estate in England falls under the Care Act 2014 and the responsibility rests with the respective English local authority in the same way. The [Part 11 Code of Practice](http://gov.wales/docs/dhss/publications/151218part11en.pdf) (Miscellaneous and General), in particular Chapter 1 on those in the secure estate, provides more detail.

1. **Who has responsibility for providing social care for children and young people in the secure estate?**

The duties for the care and support of adults and children and young people differ under the Act. The duty for adults falls to the local authority in which the prisoner is located when in the secure estate. For children, the responsibility falls predominantly on the Welsh home local authority where the child or young person was prior to entering the secure estate. There are some nuances around the responsibilities for children and young people and a table setting out the exact requirements is shown in Chapter 1 of the [Part 11 Code of Practice](http://gov.wales/docs/dhss/publications/151218part11en.pdf) on those in the secure estate. The Code of Practice provides further detail.

1. **How will a local authority know who needs an assessment?**

Two national pathways, one for adults and one for children and young people, have been developed to support local authorities discharge their duty to those in the secure estate. These pathways set out how individuals who are believed to have care and support needs can be identified and how a referral for an assessment can be generated. The [Part 11 Code of Practice](http://gov.wales/docs/dhss/publications/151218part11en.pdf) (Miscellaneous and General), in particular Chapter 1 on

those in the secure estate, provides more detail. The national pathways provide more information and are [available here](http://www.ccwales.org.uk/learning-resources-1/people-in-the-secure-estate/).

1. **Will local authorities provide the same assessment and care planning to those in the secure estate as those in the community?**

The requirements under Part 11 make clear that the duties on local authorities under Part 3 (Assessing the Needs of Individuals) and Part 4 (Meeting Needs) are equally applicable to those in the secure estate as those living in the community. Local authorities must work with their local partners to ensure they deliver effective care and support response to those in the secure estate, whether these are adults in Wales or children and young people in England or Wales. The [Part 11 Code of Practice](http://gov.wales/docs/dhss/publications/151218part11en.pdf) (Miscellaneous and General), in particular Chapter 1 on those in the secure estate, provides more detail.

1. **What is the role of probation in assisting individuals’ access to care and support when they are released from the secure estate?**

Probation support will be pivotal in co-ordinating support agencies and facilitating an integrated approach when an individual is either planning for or is released into the community. The national pathways provide more information and are [available here](http://www.ccwales.org.uk/learning-resources-1/people-in-the-secure-estate/).