

# RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2017/18

**CHILDREN & YOUNG PEOPLE SCRUTINY  
COMMITTEE**

**12<sup>th</sup> January 2017**

**REPORT OF THE GROUP DIRECTOR,  
COMMUNITY & CHILDREN'S SERVICES**

**Agenda Item No: 3**

**CWM TAF YOUTH OFFENDING  
SERVICE**

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## **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to provide Members with feedback and an update of progress made from the national standards audit submission to the Youth Justice Board, as requested by members following previous Children and Young people Scrutiny Committee of 17<sup>th</sup> November 2015.

## **2. RECOMMENDATIONS**

- 2.1 It is recommended that Members:
- 2.2 Acknowledge and, where appropriate, scrutinize the feedback, review and performance of the YOS in relation to adherence to National Standards;
- 2.3 Receive further reports following the completion of subsequent National Standard Audits.

## **3. BACKGROUND**

- 3.1 The Cwm Taf Youth Offending Service is a statutory partnership legislated by the Crime and Disorder Act 1998 and provides services across two local authority areas, namely Rhondda Cynon Taf and Merthyr Tydfil. The simple aim of the service is to prevent the offending and re-offending of children and young people. The statutory partners are: South Wales Police; Cwm Taf University Health Board; National Probation Service; and the local authority areas of Rhondda Cynon Taf and Merthyr Tydfil. These partners provide financial and staffing contributions to the Youth Offending Service. The Youth Offending Service also attracts external grant funding from the Youth Justice Board, Welsh Government and the Office of the Police and Crime Commissioner. The vast majority of funding provided to the service is provided on a one year cycle, contributing to year on year uncertainty.

- 3.2 Overall governance of the service is facilitated by a Cwm Taf Regional Management Board which consists of all statutory partner agencies and other agencies / organisations as deemed appropriate by the board (e.g. housing, substance misuse agencies). The board meets quarterly to hold the service to account, examine performance, development and to set the priorities of the service.
- 3.3 In addition to the scrutiny provided via the Regional Management Board, the Youth Offending Service also reports its performance on a quarterly basis to the Youth Justice Board via a set of key performance indicators. The service is also subject to an inspection regime carried out by Her Majesty's Inspectorate of Probation (HMIP) and, as is relevant for the purposes of this report, is subject to an annual self evaluation / audit of its adherence its National Standards.

#### **4. National Standards**

- 4.1. The National Standards for Youth Justice Services are set by the Secretary of State for Justice on advice from the Youth Justice Board for England and Wales (YJB). The standards apply to those organisations providing statutory youth justice services.
- 4.2 These standards should be seen as a distillation of the range of legislation, compliance frameworks (contracts, inspection regimes, etc) and sources of statutory and effective practice guidance, which applies across the youth justice sector.
- 4.3 The YJB has a responsibility to monitor adherence to National Standards on behalf of the Secretary of State and this is currently facilitated by each YOS completing its own audit and self evaluation and random follow up visits by the YJB.
- 4.4 National Standards in Youth Justice must define the minimum required level of service provision consistent with ensuring:
- delivery of effective practice in youth justice services;
  - safeguarding of children and young people who come into contact with youth justice services;
  - protection of the public from the harmful activities of children and young people who offend.
- 4.5 In defining these standards the Secretary of State also requires that:
- where possible and appropriate, youth justice services are afforded the maximum freedom and flexibility to adapt their practice to local context;
  - the public have confidence that children and young people subject to statutory supervision by youth justice services are fairly punished and are supported to reform their lives.
- 4.6 National Standards for Youth Justice comprise of 10 key standards with secondary standards within each. For the past three years, the Youth Justice Board have requested that Youth Offending Service areas carry out a self audit of adherence to select standards. For 2015 the service was required to carry out a self audit on "Preventing Offending," "Out of Court Disposals" and "Work with Victims of Crime".

- 4.7 Cwm Taf YOS carried out the audit and submitted its' findings to the YJB in October 2015. For the large part, the YOS evidenced adherence to the relevant National Standards and the findings of the audit with an implicit action plan, are highlighted within **appendix one**. Additionally, the audit was subject to an external moderation exercise by the YJB who acknowledged the findings of the YOS in its letter dated 26<sup>th</sup> January 2016 (**appendix two**):

**NS 1 Standard met with recommendations for improvements**

**NS 2 Standard met with recommendations for improvements**

**NS 7 Standard met**

Furthermore, the YJB did not feel the need to carry out a further validation visit.

- 4.8 The vast majority of areas for improvement that were identified related to consistency and development of operational practice since the merger took place in the latter part of 2014 and joining together two distinct historical practices to ensure consistency and a cohesive service across the Cwm Taf region.
- 4.9 The YOS has monitored the action plan through its internal management team structure and via its internal Quality Assurance group meetings. More recently, the YOS has completed a full audit review (December 2016), the findings of which are highlighted within **appendix one** in order to provide an ease of comparison and evidence of progress between the initial audit of 2015 and the recent audit of 2016.
- 4.10 The YOS is currently carrying out an audit of a further range of National Standards, which is due for completion and submission by 30<sup>th</sup> March 2017, the findings of which will be reported on in due time. This audit will focus on the overall theme of reducing custody and will include the following:
- National Standard 3: Bail and Remand Management
  - National Standard 5: Reports for courts, youth offender panels and civil courts in Anti-Social Behaviour Order proceedings and gang injunctions
  - National Standard 6: Work in courts
  - National Standard 10: Long-term custodial sentences (sections 90/91 of Powers of Criminal Court (Sentencing) Act 2000 and sections 226/228 of Criminal Justice Act 2003)
  - National Standard 7: Work with Victims of Crime

**5. CONCLUSION**

- 5.1 The Cwm Taf Youth Offending Service has now been in operation for over 2 years. The national standards audit completed in 2015 evidenced some inconsistency in practice across the two historical YOS areas. The audit also evidenced some issues in transition to a database and information management system for both historical YOS areas; this particularly related to how data was recorded across the two areas.
- 5.2 The audit review completed in December 2016 has clearly evidenced an improvement in adherence to National Standards in comparison to the initial audit that took place in 2015. Despite there being clear evidence of improvement, National Standards are the very back bone of Youth Justice practice and so each standard will continue to be monitored in line with the Youth Justice board expectations. The YOS quality assurance group will continue to monitor adherence to each National Standard and report, by exception, to the YOS Management board.

## Cwm Taf YOT Results Submission

### National Standards audit 2015/16 Year 2 Thematic- Reducing First Time Entrants and Work with Victims of Crime

YOT	Region	2012/13	2013/14	2014/15	% Change from 2012/13
Cwm Taf	Wales	100	77	67	-33.1%

### National Standard 1: Preventing offending

Local strategies and services are in place to prevent children and young people from becoming involved in crime and/or anti-social behaviour, and to support their parents/carers and families.

- 1.1 Formally assess all children and young people referred to the YOT to identify the risks and needs associated with potential offending and anti-social behaviour, using a local or nationally recognisable and appropriate assessment tool.
- 1.2 Formulate all intervention plans on the basis of the assessment, and record information accurately and effectively using the local management information systems.
- 1.3 Involve young people and their parents/carers in the design and review of individual programmes.

**YOT results NS1 (delete as appropriate)**

Standard Met With Recommendations for Improvement

### **YOT partnership overview NS1 (if improvements recommended or required – please specify?)**

Did you demonstrate that you are compliant with the standard and if so, is what you are doing having an impact?

Cwm Taf YOS was generally compliant with all elements of this standard. The audit of 64 cases (including 22 prevention cases without Community Resolution Disposal and 42 with a Community Resolution Disposal) identified that 97% (62 out of 64) of cases had a formal assessment completed which identified the young persons risks and needs. A large number of assessments were completed to a high standard. In 2 out of 64 cases the assessment was incomplete or missing.

On 91% (58 out of 64) of cases audited, there was evidence of young people having a plan in place that was based on the needs/ risks identified from their assessment.

There was evidence in 70% (45 out of 64) of cases that the young person and their parent/ carer, where relevant, were involved in the design and review of their plan. Of the remainder, although the young person and their parent/ carer were involved in the design and review of their plan, the evidence was not explicit enough for the purpose of this audit. Whilst there was often reference to young people being part of the process on their contact page, a signed copy of their plan was absent on their file.

**Update December 2016: All plans are now signed and scanned onto the young person's electronic file. 20 cases were reviewed and of them, 19 cases (95%) had plans in place. The missing plan was available, but had not been placed on the relevant file. 100% of those completed showed clear evidence of the young person and their parents / carers involvement in the plan. This included relevant signature and acknowledgement of understanding of the plan.**

**Overall the plans showed an improvement in terms of content with the plans being SMARTer and clearly focussed on risk and need. There was clear evidence that the plans were more "young person friendly" this being corroborated via their (and carers) input into the plans. This has been addressed within individual supervision of staff and within in house training. Plans are randomly examined via the YOS Quality Assurance panel. The YOS has recently changed to a new and mandatory assessment process – ASSETplus. This provides greater opportunity and audit of quality assurance of plans and indeed all components of a young person involvement within the YOS.**

**The YOS has benefitted from a manger having been seconded to Her Majesty's Inspectorate of Probation for a period of time. Their experience and learning has enabled the YOS to develop its plans more in line with the inspectorate's standards.**

Since the merger of Cwm Taf YOS, the service has brought together two historically separate prevention services, one of which was not directly managed by the Youth Offending Service. Since October 2014, processes and expectations have been developed and aligned in order to develop consistency and greater adherence to National Standards.

**Update December 2016: There is greater synergy between the services with one database and assessment process now being utilised. In addition, the line management of the external service has benefitted from line management from within the Cwm Taf YOS.**

The YOS has set up a revised feedback process for young people, parents and Out of Court Disposal panel members. The findings of this feedback will be collated and analysed on a six-monthly basis and recommendations will be fed back in the All YOS development sessions.

**Update December 2016: The YOS has a member of staff whose primary function is to establish and collate evaluations. All young people and carers are provided with the opportunity to partake in this. The YOS has not effectively collated the evaluations in a manner that has impacted upon service delivery but has recently invested in a computer programme that will enable this.**

The YOS has set up a Cwm Taf Quality Assurance Group and has focussed its current audit on analysing the quality of young people's plans. This includes Vulnerability Management planning and Risk Management planning. From this audit, the findings and developments will be shared via YOS staff training events in October / November 15.

**Update December 2016: This action was completed in November 2015. The process of vulnerability and risk management planning has now changed since the mandatory change to ASSETplus assessment in April 2016.**



## **National Standard 2: Out-of-court disposals (Youth Cautions and Youth Conditional Cautions)**

Out-of-court disposals are robust and deliver targeted and tailored interventions for those at risk of further offending.

- 2.1 Undertake or contribute to an assessment of the child or young person within 10 working days of referral by the police, using the YJB-approved assessment tool, which must include where possible a home visit. Any decision to discontinue the assessment as a result of non-compliance must be made in a timely manner.
- 2.2 Offer intervention where assessment identifies any offending behaviour risks and associated needs, and align the intervention programme with any relevant partner agency plans.
- 2.3 Support children and young people in accessing universal and specialist services as appropriate.
- 2.4 Conclude all out of court assessments and inform the police of the conclusions and recommendations within 15 working days of the date of police bail.
- 2.5 Review and update assessment tool where an intervention programme has ended.
- 2.6 Ensure information about the outcome of the disposal is available to the court where the young person has reoffended.
- 2.7 Ensure that all relevant out of court information received from the police is recorded accurately on the YOT case management system.
- 2.8 Promptly refer any notification that has been received from the police for children and young people residing outside the YOT area to the home YOT via secure e-Mail.

### **Local police responsibilities**

2.9 Notify the YOT as soon as is practicable and within 24 hours of:

- all cases where the police are considering charging a child or young person with a criminal offence
- any instances where a child or young person is arrested without a warrant for breach of the conditions of their remand to local accommodation (under section 97 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012)
- cases where an out of court disposal has been issued or a decision has been made to issue one of them and the young person has been bailed for the purpose of delivery, or a YOT assessment is required to help inform the police disposal decision.

- the arrest of any young person who is suitable for receiving a pre-court disposal and bail them, if appropriate, for assessment by the YOT.

2.10 Issue all out-of-court disposals within 20 working days of the date of police bail. These must be given in the presence of the child or young person's parents/carers or other Appropriate Adult where the child or young person is aged 16 years or under.

**YOT results NS2 (delete as appropriate)**

Standard Met With Recommendations for Improvement

### **YOT partnership overview NS2 (if improvements recommended or required – please specify?)**

Did you demonstrate that you are compliant with the standard and if so, is what you are doing having an impact?

The Youth Offending Service evidenced 53% (8 out of 15 cases) compliance with assessments being completed within 10 working days. This was generally due to assessment dates being inaccurately recorded on Childview. 73% (11 out of 15) of assessments were completed via a home visit. The remaining assessments were completed in the YOS building. This, in some cases was due to difficult circumstances at home. Home visits were subsequently carried out post assessment in a number of those cases.

**Update December 2016: The YOS has seen an improvement in this area. Of 15 cases audited, 10 were completed within 10 working days (66%). Of the 6 not completed within 10 working days there were legitimate reasons. 4 were started but not completed within the timescales due to a mandatory closing of the information management system (these were subsequently completed) and one was not completed as it related to a sexual offence where an exceptional decision was made to commence a more in depth and specialist assessment known as AIM 2.**

73% (11 out of 15) of Out of Court Disposal assessments audited were completed within 15 working days of the date of police bail. The Youth Bureau bailing process provides up to 28 days for the young person to return and receive their disposal at the police station. The Youth Bureau panel, which consists of community volunteers, YOS and police receive the report in advance of the panel taking place, however the report conclusions and recommendations are sometimes shared with the panel outside of the 15 working days. In the small minority of cases that fell outside the 15 working day standard, the majority were because the young person did not attend their initial appointments or their initial panel date.

Where there was initial non-compliance by young people with the Bureau process, there was an effective partnership approach between the police and the Youth Offending Service to subsequently engage the young person successfully. This meant that all young people received their disposal through the Bureau panel without being charged to court.

**Update December 2016: All of the 15 cases audited all were completed within 15 working days (100%). The YOS has developed an electronic diary process for all assessments to be completed and provided for quality assurance within a 13 day period to enable some margin and limited flexibility. The YOS has also developed a short screening assessment tool which has prevented an onerous assessment being completed for relatively low level and low risk offending. There are still occasions where young people evidence some initial non compliance, but once again, this is addressed via the partnership.**

There was excellent evidence of young people receiving support to access universal services such as substance misuse services, Education training employment and health. This was evident in the young person's plan and as part of an exit strategy from YOS.

**Update December 2016: This continues to be the case for all young people where needs are evidenced within the YOS intervention and where there are continued needs at the completion of YOS intervention.**

In 67% (10 out of 15) of cases, the assessment had been reviewed and updated when the intervention had ended. Whilst not all cases audited had received an end ASSET, these were older Bureau cases. Since the merger in October 2014, the YOS has reviewed its APIS processes to ensure that all young people receiving an out of court disposal have a start and end ASSET which is reviewed if there are significant changes or at three month intervals.

**Update December 2016: in 15 cases reviewed there was evidence of the assessment being reviewed and updated when completed in 12 cases (80%). Where end assets had not been completed these were subsequently addressed within individual line management supervision and thus completed.**

In the 20% (3) cases that had reoffended, two had received another Out of Court Disposal and in the 1 case where a PSR was requested and completed, there was a clear outline of the detail of the previous offence and outcome presented to the court.

**Update December 2016: There were no cases of the 15 audited, where there was any further re-offending.**

In 100% of cases all information received from the police was recorded accurately on Childview.

**Update December 2016: 100% achievement continues.**

None of the cases examined resided outside the YOT area.

In 93% cases (14 out of 15) the YOS was notified by the police via an F11 when the police were considering charging a young person with a criminal offence.

There was only 1 case where it was difficult to ascertain from recording when the YOS was notified. This was because the information was not recorded on Childview. In 93% (14 out of 15) of cases, the consideration for youth bureau was recorded on the F11.

**Update December 2016: in 100% of cases (15 out of 15) the YOS was notified via an F11 where the police were considering charging a young person with a criminal offence.**

The YOS was notified in 93% (14 out of 15) of cases within 24 hours when the young person was arrested. In the one case where notification did not occur within 24 hours, this was due to the young person being arrested over the weekend.

**Update December 2016: The YOS was notified within 24 hours of all (100%) cases where a young person was arrested. There will continue to be deficits in this particular standard, depending on weekend and bank holiday notification.**

An out of court disposal was issued in 93% (14 out of 15) of cases within 20 working days of the bail date. In the cases where children and young people were under 16, all were accompanied by a parent/ carer to the youth Bureau.

**Update December 2016: Of the cases sampled, 100% had an out of court disposal issued within 20 working days of the bail date. Despite this, we are aware of some cases (not picked up within the random sample) where an OoCD has not been issued within 20 working days. This has been due to non compliance or failure to attend by the young person and these incidents are addressed accordingly by the YOS and police partnership.**

The YOS has set up a Cwm Taf monthly out of court disposal meeting to agree and action ongoing developments required for the service. There are also quarterly partnership meetings in place with the police to ensure improved planning and delivery for Out of Court Disposals.

**Update December 2016: This continues and proves to be beneficial in immediately addressing any operational or strategic issues.**

There is currently an ongoing review of the Bureau process across South Wales. This forum aims to ensure consistency in Bureau practice, share good practice between YOT's and review Out of Court disposal issues to develop positive solutions for improved practice.

**Update December 2016: This has been delayed pending each South Wales YOS area addressing its own local practices.**

## **National Standard 7: Work with victims of crime**

### **Outcome**

YOTs have processes in place to ensure that victims of youth crime are involved, as appropriate, in a range of restorative processes that seek to put right the harm they have experienced.

7.1

Deliver services to victims in compliance with the Code of Practice for Victims of Crime (for community and custody respectively)

7.2

Deliver restorative interventions in line with the Restorative Justice Council's National Occupational Standards and Best Practice Guidance for Restorative Practice

7.3

Ensure that any reparation activity required of a child or young person under a court order or an out of court disposal is set out in writing, specifying the type of activity, dates, times and duration. This must be explained fully to the child or young person and his or her parents/carers.

7.4 Consult with victims and the community (where appropriate) about reparation placements and willingness to engage in restorative processes.

7.5 Obtain the written consent of any victims willing to engage in direct victim reparation or restorative processes.

**YOT results NS7 (delete as appropriate)**

Standard Met

**YOT partnership overview NS7 (if improvements recommended or required – please specify?)**

Did you demonstrate that you are compliant with the standard and if so, is what you are doing having an impact? What progress has been made since the last self – audit 2014

Since the last audit in September 2014 and the merger of Cwm Taf YOS in October 14, the service has created a restorative team which includes police officers, victim liaison officers, a community reparation team and a volunteer coordinator with the aim of improving the delivery of restorative interventions across the service. The YOS has also invested in three whole staff restorative approaches training events. This has improved staff buy-in to practicing restoratively. Team meetings are held using a restorative approach and the YOS now has a restorative policy and victims' policy that clearly outlines the services expectation in line with the victim code of practice and the restorative quality standards. The YOS has also produced a young person friendly version of the policy in consultation with a group of school- aged young people.

All young people plans now contain a restorative element as part of their content. This has helped to significantly increase the amount of direct restorative interventions taking place across the service.

There has been improved use of the YOS Restorative accredited pack which aims to increase young people's awareness on the impact their behaviour/ offence has upon their victim and wider victims/ community.

Since October 2014, there have been several new reparation community projects set up to assist young people's engagement in restorative interventions and build community reassurance services to victims. All reparation activity with young people is set out in writing specifying the nature of the activity and the duration. This is also supported by a health and safety assessment which is completed with the young persona and their parent/ carer where relevant.

As an action from last years victim National Standard Audit, the YOS has devised a formalised written agreement that provides evidence of direct restorative actions agreed between the young person and their victim. When examining files for this years' audit, it was apparent that this agreement is now being used effectively.

All victim work is delivered in compliance with the victim code of practice (revised October 14). Victims receive a home visit and all identified vulnerable victims audited had been offered an enhanced service. ( ongoing support and referral to universal services where necessary)

The restorative team has delivered training within schools, as part of the local authority training plan to care homes, children's services staff and foster carers in line with the Restorative Justice Council standards and will be delivering additional training to community safety and policing teams commencing in November 15.

**Update December 2016: The YOS continues to invest in the overall principles and values of restorative justice and there is evidence of a restorative**



approach within every intervention. As a result of funding cuts in 2016 (primarily via the Youth Justice grant) the YOS lost an operational manager and in doing so had to disband the aforementioned Restorative Justice team with its members being absorbed into the remaining four locality teams. As this was planned and coordinated, it has had no detrimental impact upon the actual provision of restorative interventions and the inclusion of restorative justice “experts” has only served to promote a greater consistency of practice across the operational teams.

All victim work continues to be delivered in compliance with the Victim Codes of Practice.

The YOS has delivered training on restorative justice to the community safety and policing teams. In addition the police service has undergone its own training for locality based officers to be able to deliver restorative justice.

The YOS has tested itself against the RJ council standards and finds itself compliant. The YOS has not invested in formal recognition of this due to the cost involved.

**Head of Service Signature .....**

**Chair of Management Board Signature.....**

## Appendix 2.

Chair of YOT Management Board and Head of Service  
Cwm Taf

26th January 2016

Dear Sir/Madam

National Standards Self - Audit 2015/16 Results

As you recall, we wrote to you in 2015, to ask you, as the Chair of the YOT Management Board, to commission the self-audit for NS 2015/16 thematic on reducing first time entrants, NS 1 Prevention, NS 2 Out of Court Disposals, NS 7 Work with victims of crime.

The results for your YOT were returned to the YJB in September 2015, were subject to a thorough moderation exercise, and are as follows:

**NS 1 Standard met with recommendations for improvements**

**NS 2 Standard met with recommendations for improvements**

**NS 7 Standard met**

In the general analysis it was apparent across England and Wales that there are diverse models of delivery and responsibilities in prevention (NS 1) as anticipated. NS 2 Out of Court Disposals saw some really good co-operation between the police and the YOT in completing the audit. NS 7, work with victims of crime, is being analysed separately and will be disseminated in due course. The YJB has a responsibility to validate a cross section of the self-audits.

As a result of this analysis we did not feel a validation visit was necessary but clarified any outstanding queries via telephone or email. The YOT will remain responsible for any outstanding actions as a result of this audit.

Thank you for your co-operation in this audit and the hard work undertaken.

Yours sincerely



**Dusty Kennedy**  
**Cyfarwyddwr y BCI Cymru - Director of YJB Cymru**