

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015/16

**CHILDREN & YOUNG PEOPLE SCRUTINY
COMMITTEE**

17TH NOVEMBER 2015

**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 update Members of the continued development of Cwm Taf Youth Offending Service with a focus on the performance of the service and potential risks to future service delivery based financial challenges.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members:
- 2.2 Acknowledge and scrutinize the maintenance of positive performance in relation to the key performance indicators and adherence to National Standards;
- 2.3 Gain an understanding of the complex financial arrangements of the service and the risks relating to potential loss of future funding.
- 2.4 Receive further reports in due course aimed at highlighting specific functions and development of the service.

3. BACKGROUND

Current Arrangements for a Youth Offending Service

- 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. Historically two separate Youth Offending Services existed across the local authority areas. 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

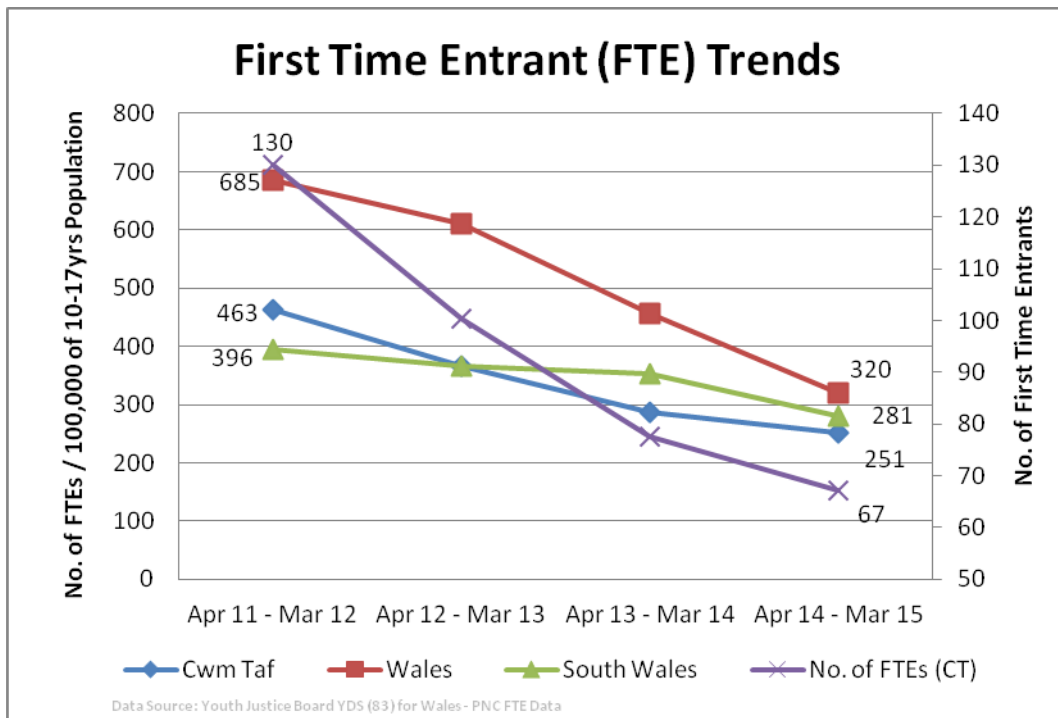
Government and the Office of the Police and Crime Commissioner. The vast majority of funding provided to the service is provided on a one year cycle, contributing to year on year uncertainty.

- 3.4 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.
- 3.5 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 (referred to below). The service is also subject to an inspection regime carried out by Her Majesty's Inspectorate of Probation (HMIP). The YOS was subject to a thematic inspection in March 2015 on the theme of "Desistance" the outcomes of which will now be reported upon in March 2016.
- 3.8 *As is indicated above, the financial contributions for the Youth Offending Service are generated from a range of sources. As has been anticipated, going forward into 2015/16 there have been firm indications of reductions in grant funding and core funding. The Effective Practice Grant provided by the Youth Justice Board will be cut by 6.7% into 2015/16 in comparison to 2014/15. This equates to an overall reduction of £61,111 across the Cwm Taf region from an annual total of £804,093 to £742,982. Additionally, the service has a projected reduction in core budget via the pooled contribution of the local authorities, of £66,660. The anticipation of funding reductions was factored into the initial considerations for the development of a regional service. The current total indicative reduction of £127,771 will be absorbed due to the flexibility afforded via the merge and the ability to reduce the overall establishment via posts that have become/held vacant via the process of regionalisation.*

4. PERFORMANCE

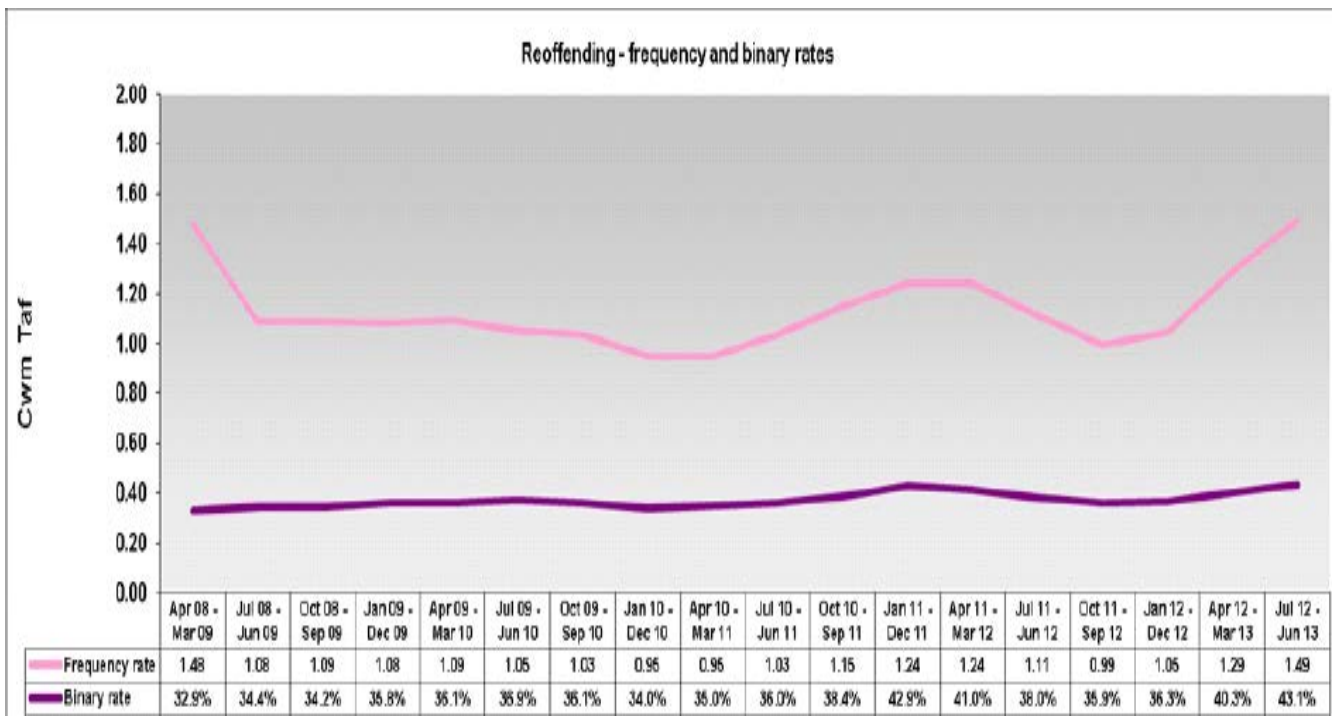
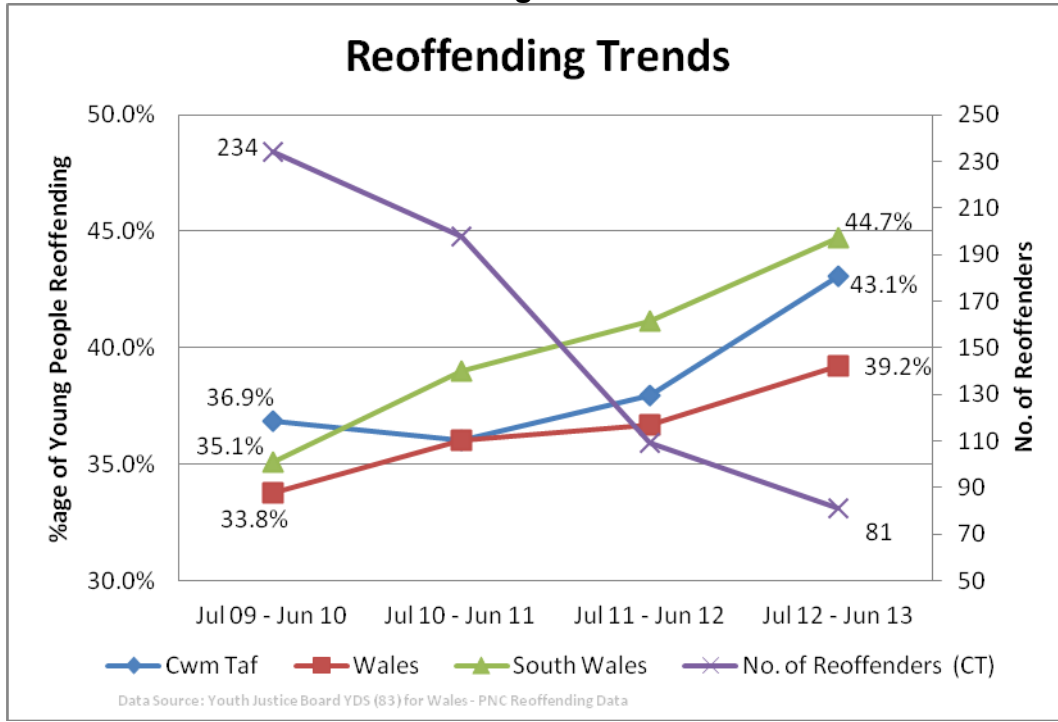
- 4.1 The work of the Youth Offending Service is measured via three national key performance indicators namely:
- A reduction in the number of first time entrants (FTEs) into the youth justice system;
 - A reduction in the use of custody as a sentence;
 - The proven rate of re-offending.
- 4.2 Although the Cwm Taf Youth Offending Service has only been in existence for 12 months, it has been possible to draw upon data from the previous two services that existed across Merthyr Tydfil and Rhondda Cynon Taf in order to provide a Cwm Taf base line for continued comparison.

First Time Entrants



- 4.3 The Cwm Taf area has seen a continued reduction in first time entrants over a four year period with there being a total of 67 FTEs recorded throughout the period April 2014 – March 2015, a reduction by 10 on the previous year’s figure of 77 and is representative of a 13.4% decrease. There has been a 20.4% decrease across the South Wales area and a 30.8% decrease across Wales, although this represents a lower proportion per 100,000 of the 10 – 17 year old population than the overall Wales and South Wales areas.
- 4.4 It will be noted that although FTEs across the Cwm Taf region continue to reduce, the % reduction decreases year on year will (and has) decelerate with the potential for the reduction to plateau off and possibly increase. This will be monitored in line with quarterly performance submissions and acted upon accordingly.
- 4.5 The year on year reduction of FTEs is attributable to the YOS continued investment in the development of early intervention and preventative services as well as its’ links with partner agencies and their preventative strategies. This investment has included the development of the YOS “Bureau” process in dealing with Out of Court Disposals and tailoring packages of support based upon need and risk. This has been instrumental in shifting workload to an earlier point in the system and preventing an escalation and entrenchment within the criminal justice system. Within the 2014/15 cycle Cwm Taf YOS worked with 284 young people via the bureau process, which included the delivery of a range of interventions within the remit of Community Restorative Disposals, Youth Cautions and Youth Conditional Cautions.

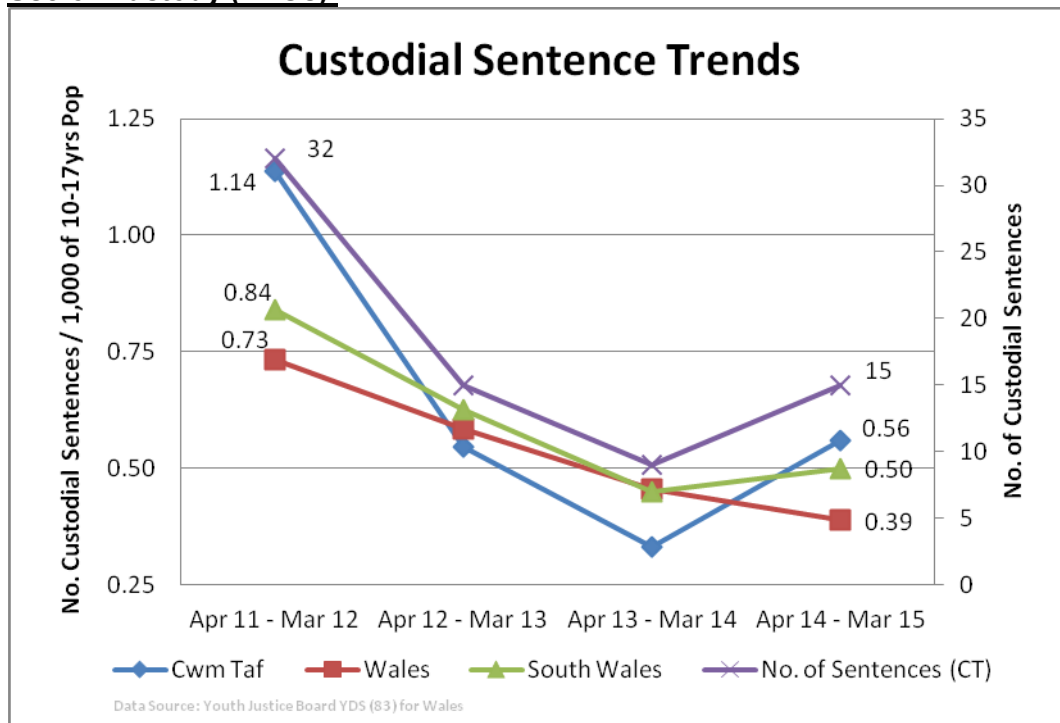
Rate of Proven Re-offending



- 4.6 Due to the tracking processes, timescales involved and the manner within which the information is collated and reported, the re-offending data is not contemporary and provides an indication of trends and potential future direction of travel across the Cwm Taf region.
- 4.7 The trends evidence an increase in re-offending as it relates to both the binary rate and the frequency rate, however, the trends evidence a reduction in the actual numbers of young people within the system who go on to re-offend; this figure falling continually from 234 to 81 between July 2009/June 2010 and July 2012/June 2013.

- 4.8 The frequency of reoffending has increased from 1.11 for Jul 2011-June 2012 to 1.49 for Jul 2012-June 2013. This is compared to an increase from 1.24 to 1.39 for South Wales and 1.07 to 1.17 for Wales. The binary rate of reoffending has increased from 38% to 43.1% for the same period mentioned above. South Wales have reported an increase from 41.2% to 44.7%; Wales reporting an increase from 36.7% to 39.2%. It is important to look at actual numbers relating to this data: Jul 2011 - June 2012: Number of young people identified within the cohort 287, the number of re-offenders 109 and the number of re-offences 319. July 2012-June 2013: Number of young people identified within the cohort 188, the number of re-offenders 81 and the number of re-offences 281.
- 4.9 This supports the local and national view that a reduction in FTEs means that the young people who move into and remain in the Criminal Justice System have more complex needs and as individuals, are likely to be the most prolific.

Use of Custody (DTOs):



- 4.10 The use of custody has reduced significantly since 2011/12 across the Cwm Taf region, which, when previously made up of two YOS areas (Merthyr Tydfil and Rhondda Cynon Taf) was regarded as a “high custody” area. Associated performance has, consequently, been positive. The period between April 2014 and March 2015 has seen an increase in the use of custody as a sentence to 15 custodial episodes in comparison with the previous year’s all time low of 9 custodial episodes. The initiatives highlighted above, which includes prevention and early intervention work, have contributed to the significant reduction of the use of custody as a sentence overall since 2011/12.
- 4.11 It is worthy of note, that within the first two quarters of 2015/16 there was just one recorded instances of custody being used as a sentencing option, evidencing the volatile nature of this specific performance measure now that numbers have reduced significantly in recent years.

5. NATIONAL STANDARDS

- 5.1 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.
- 5.2 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.
- 5.3 The YJB has a responsibility to monitor adherence to National Standards on behalf of the Secretary of State.
- 5.4 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.
- 5.5 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.
- 5.6 National Standards for Youth Justice comprise of 10 key standards with secondary standards within each. For the past two 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”.
- 5.7 Cwm Taf YOS carried out the audit for submission 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**.
- 5.8 The vast majority of marginal areas for improvement that have been identified relate to consistency and development of operational practice since the merger took place and clarity of case recording. The Youth Offending Service will review continued effectiveness and improvement and will report to the Cwm Taf regional Management Board on a quarterly basis.

6. FINANCIAL ARRANGEMENTS

- 6.1 As is indicated above, the financial contributions for the Youth Offending Service are generated from a range of sources (as detailed in the table below).

Individual Contributions (including staffing)	Original 2014/15	Original 2015/16	Original Reduction 2015/16	Revised 2015/16 *	Revised Reduction 2015/16	
YJ Effective Practice Grant	£804,093	£742,982	(£61,111)	£664,406	(£139,687)	
Merthyr Tydfil (Local Authority)	£340,100	£323,100	(£17,000)	£323,100	(£17,000)	
Rhondda Cynon Taf (Local Authority)	£1,011,280	£974,250	(£37,030)	£974,250	(£37,030)	
Police	£164,550	£150,491	(£14,059)	£150,491	(£14,059)	
Probation	£165,000	£165,000	£0	£165,000	£0	
Health	£101,103	£101,103	£0	£101,103	£0	
Other grant funding (welsh govt)	£253,000	£253,000	£0	£253,000	£0	
Total	£2,839,126	£2,709,926	(£129,199)	£2,631,350	(£207,776)	-7%

- 6.2 2015/16 has seen a confirmed overall reduction across the Cwm Taf service of £129,199 compared to 2014/15. The continued year on year reduction, and consequent uncertainty, impacts significantly upon the ability to plan provision and service delivery in the medium to long term. This is further exemplified by an unprecedented indication of an in year reduction of between -10.5% and -14% of the annual Youth Justice Grant. Based upon a further 10.5% reduction there will be an overall reduction of £207,776 in 2015/16 in comparison to 2014/15. In addition to the overall tangible reduction there is a hidden reduction based upon variables associated with year on year increase in costs to overall service delivery. The direction of travel relating to the Youth Justice Grant creates further concern and uncertainty for the financial contribution into 2016/17.
- 6.3 The complexity of funding arrangements, coupled with the year on year volatility, places the continued effectiveness of the service at some risk within a short space of time following the completion of the Cwm Taf merger. Depending upon the overall financial settlement for 2016/17 there may be a cause for the YOS to re-evaluate its service provision with a focus upon statutory provision and in doing so create a risk in relation to the continued effectiveness upon prevention and early intervention.

7. CONCLUSION

- 7.1 The Cwm Taf Youth Offending Service has now been in operation for over 12 months. Key Performance Indicators and the outcomes of the National Standards self assessment audit are representative of continued positive performance and development of operational service delivery, with this being achieved against the challenge of financial cuts.
- 7.2 The reduction in funding to the service, particularly the indicative in year reduction of the Youth Justice Grant, creates pressure on the service and the lack of financial security and foresight places limitations on the ability to carry out planning in the medium to longer term.

- 7.3 Partner funding and grant funding settlements for the service for 2016/17 have not yet been determined, although it is likely that some funding sources will, once again, be reduced. Dependent upon the volume of any cuts, the Youth Offending Service may be required to review and re-evaluate its functions and structure in order to compensate for and counteract any cuts. Clearly this will create a significant risk in terms of service delivery and have the potential to impact upon overall performance and outcomes for the Youth Offending Service.
- 7.4 The financial situation and the consequent abilities to deliver services will continue to be monitored within the Cwm Taf Youth Offending Service regional Management Board with future updates being provided to the scrutiny panel by exception.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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.

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.

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.

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.

Head of Service Signature

Chair of Management Board Signature.....