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## **Children's Services Scrutiny Committee – 17th March 2021**

### **Report of the Director of Children's Services**

### **Update on the Youth Offending Service Inspection Action Plan**

#### **Purpose**

1. To inform the Committee of the progress made against the Youth Offending Service Action Plan and service delivery during the COVID-19 pandemic.

#### **Recommendations**

2. It is recommended that Members:-
  - Note the content of this report.
  - Comment on and provide support to aid the progress of the Action Plan and COVID-19 working arrangements.

#### **Background**

3. Members received a report in September 2019 on the findings from the Youth Offending Service Inspection. Arising from that report Members recommended that an update be provided in relation to progress against the Inspection Action Plan.
4. Dudley Youth Offending Service (YOS) was inspected by HMI Probation over a two-week period commencing 8<sup>th</sup> April 2019. This inspection was part of a national programme of inspection carried out by HMI Probation and was carried out under the new inspection framework, which was introduced in August 2018.
5. The inspection covered three broad areas of practice. These were
  - The arrangements for organisational delivery.
  - The quality of court work (those subject to a Court Order).

- The quality of out of court disposal work (those subject to a Community Resolution, Youth Caution or Conditional Caution).

6. Overall, the service was rated as “requiring improvement”.
7. The Inspectors found some significant areas of good practice particularly in relation to planning and delivery of work to support young people’s desistance from offending. However, inspectors went on to identify that Dudley’s rating was pulled down by the quality of work to keep young people safe. This, they say, has been the case with many other areas that they have inspected.
8. The inspectors found that education provisions for children known to the service was poor and has not merited the strategic attention it deserves.

The inspectors made the following five overarching strategic recommendations: -

9. The Chair of the YOS Board should:

Work with the Management Board members, in order that they understand their role, function, data and performance for the YOS, to enable them to advocate on behalf of children and young people known to the service.

10. The YOS Management Board should:

Ensure that children and young people who are known to the service receive their statutory entitlement to education and access to high quality education/training services, which are matched to their needs and interests.

11. Develop an Out of Court Protocol which clarifies the rationale for decision making and includes a performance management system to monitor the effectiveness of this area of work.
12. Strengthen the Partnerships use of performance reports and data analysis in order to influence future service delivery.

13. The YOS Manager should:

Enable staff to assess accurately the risk to a child’s safety and wellbeing and of risk of harm to others and to make sure that the risks are reviewed and managed effectively.

14. The remaining elements of the report drill down into the specific areas of practice that is either highlighted as good practice or areas for improvement.
15. There were two areas of specific concern which were rated as inadequate. Further analysis has taken place since receiving the report to understand the issues in

more depth. The first is regarding reviewing cases, particularly in relation to changes to the risk posed by or to a young person. Our investigation identified significant work being undertaken to safeguard and protect the young person, however this was not recorded in a manner required by the inspectors, and although plans had been updated, the assessments had not been adjusted as appropriate. The other area to highlight was in relation to assessments for Out of Court disposals. This was recognised as an area of weakness. As no national guidance had been given to YOS's we endeavoured to create our own, this was seen as unacceptable by the inspectorate.

16. Through the Action Plan, those above and other areas highlighted for improvement have now been addressed, a copy of the Action Plan was submitted and approved by the Inspectorate. The Youth Justice Board are required to monitor its implementation and locally the responsibility sits with the YOS Management Board.
17. Unfortunately, this rating remains with the service until the next inspection which will be 2 to 3 years in the future

### **Progress against the Action Plan**

18. The following areas have been implemented since the last Children's Services Scrutiny Committee;
  - The YOS Plan for 2019/2020 was submitted to and approved by the Youth Justice Board (YJB) which contained the relevant Inspection Action Plan.
  - The implementation of the Health Review is now being implemented with the Lead Officer from Dudley Integrated Health and Care NHS Trust (formerly CCG)
  - Staff training has taken place with an emphasis on desistance, safeguarding and recording.
  - The Contextual Safeguarding Group continues to meet as a new sub-group of the Safeguarding People's Board arrangements and further developments are taking place to inform future practice.
  - A comprehensive data set to inform the YOS Board on progress against performance was developed. This is also utilised in the bi-monthly performance challenge.
  - Robust arrangements are now in place for the scrutiny of issues relating to young people who are not in education/training or employment.
  - A review of YOS policies and procedures took place and has a rolling programme.
  - An audit of cases against the new National Standards took place, which demonstrates good practice against these standards.
  - Disproportionality is now considered at each performance challenge.
  - Links have been made with the development of the Liquid Logic Social Care System which went live in November 2020.
  - Audit cycles for cases are now embedded in practice.

- Working arrangements have been consulted upon and developed in partnership with the Police with sign off.
- An Assessment Framework was developed for out of court work and is now embedded.

### **COVID-19 and Dudley's Youth Offending Service**

19. The Youth Offending Service (YOS) has adapted its way of working from a traditional "offender management" approach to one that puts the child very much at the forefront of every aspect of service delivery. This has resulted in the service seeing every young person we engage with as a "Child First, Offender Second". Greater emphasis has been placed upon understanding the real lived experience of children, and the adverse childhood experiences that many of them would have encountered.
20. This has led to practitioners adopting a relationship-based approach with a view to strengthening factors for desistance in the ultimate hope that this approach will enable children to remain free of engaging in anti-social and criminal activity.
21. Dudley's YOS have also over the past year developed closer and stronger ties with statutory partners such as Children's Social Care, resulting in a significant proportion of our intervention being carried out with young people in a prevention and diversion capacity, in conjunction with Social Workers from across the Borough.
22. Dudley's YOS also continues to carry out our specialist function, more recently related to addressing Child Criminal Exploitation, which we are doing by working closely with the newly formed Contextual Safeguarding Hub.
23. Since the introduction of the first lockdown in March 2020, the Youth Offending Service has had to learn how to adapt its work practices in order to continue to provide a service during this time.
24. The Service transferred a number of areas of work through an IT platform via Zoom, Teams or WhatsApp. This included Referral Order Panels, Out of Court Disposal Panel Meetings and Prevention and Diversion meetings. The YOS engaged with other agencies and professionals, again through this medium.
25. This included the courts, which had closed completely and the Secure Estate. With the courts not operating as normal, a back log in sentencing was created, which is still being dealt with at the moment. The Secure Estate stopped families and professionals visiting the units with engagement via social media platforms.
26. All open cases went through a rigorous analysis and was rated red, amber or green, dependant on the offence or risk posed. Those rated as red continued to receive time limited face to face contact.

27. Groupwork facilities were still available online, these included the Knife Crime Programme, Street Violence Programme, Street Doctors and the Drive Alive Programme. We also provided Victim Support packs, coupled with an online victim feedback questionnaire.
28. Key partnership work continued to be delivered via online activity for the preparation of College or employment, health and wellbeing programmes and literacy and numeracy.
29. Reparation which is normally carried out directly with a victim or within the community was not possible, so therefore the Reparation Co-ordinator created packages of activities to be carried out at home with the young people and their families. As the initial COVID-19 lockdown eased, and we were allowed to meet up in open spaces, practitioners took this opportunity to work with young people creatively in these open spaces.
30. Despite the unusual circumstances the YOS has been performing well against two of the three National Indicators of reducing First Time Entrants and Reducing Re-offending. There is a slight increase in the number of young people in custody however, the numbers are small and therefore, care should be taken when interpreting the information. However, this is still a reduction on the previous annual comparator.

#### **YOS Data - April to September 2020**

31. **First Time Entrants (FTE) (January-2019 to December-2019 – rates of FTE per 100,000)**

When the FTE rate per 100,000 is examined, Dudley had a higher rate (203) than the Youth Offending Team (YOT) Family average (154), but lower than the national (204) and West Midlands (268) averages.

When compared with the previous year's data, Dudley was at 260 FTE and is now at 203 FTE per 100,000.

32. **Re-offending (rates listed as average number of offences)**

January-2018 to December 2018 (year): Dudley's performance (2.45) was better than the YOT Family average (4.2), the national average (3.93) and the West Midlands average (3.84).

October-2018 to December 2018 (quarter): Dudley's performance (2.25) was better than the YOT Family average (3.95), the national average (3.89) and the West Midlands average (3.5).

33. **Use of Custody (rates per 1000 of the age 10-17 population)**

For the period October 2019-September 2020: Dudley (0.29) had a higher rate than the YOT Family average (0.13), the England & Wales (0.1) average and the West Midlands average (0.16).

### **Finance**

34. There are no financial implications arising as a result of this report.

### **Law**

35. Youth Offending Teams are a statutory multi-agency service required by the Crime and Disorder Act 1998.
36. The Youth Justice Board are required to monitor the effectiveness of the Youth Justice system as set out in Crime and Disorder Act 1998.
37. HM Chief Inspector of Probation's responsibilities are set out in Section 7 of the Criminal Justice and Court Services Act 2000, as amended by the Offender Management Act 2007, section 12(3)(a). This requires the chief inspector to inspect (section 1) and report to the Secretary of State (section 3) on the arrangements for the provision of probation services.
38. Under Section 7(6) of the Criminal Justice and Court Services Act 2000, HM Chief Inspector of Probation is also conferred to inspect and report on Youth Offending Teams (YOTs), established under section 39 of the Crime and Disorder Act 1998, and bodies acting on their behalf.

### **Equality Impact**

39. The Youth Offending Service works with young people that are experiencing a range of social, personal and health challenges. The multi-disciplinary makeup of the team aims to reduce these inequalities through the delivery of services aimed at addressing these issues.
40. This report does not conflict with the Council's Policy on equality. Services are provided in line with the requirements of the Equalities act 2010 and seek to limit the potential impact of contact with the criminal justice system.

### **Human Resources/Organisational Development**

41. There are no issues arising from this report as previous prevention pathways were developed prior to the inspection.

### **Commercial/Procurement**

42. There are no commercial or procurement issues arising from this report.

## **Health, Wellbeing and Safety**

43. Dudley Youth Offending Service is a statutory multi-agency service with staff from the Local Authority, Police, Probation and Health. The aim of the Youth Justice system is to prevent offending by children and young people.
44. The service achieves this by carrying out an in-depth assessment of all young people referred, this assessment seeks to identify the propensity of the young person to offend, the risk that the young person may pose to others, to themselves, or the risk others may pose to them.
45. The assessment also indicates the circumstance in which a young person may be unable to engage appropriately in the community as a consequence of:
  - Substance misuse
  - Mental Health
  - Unemployment
  - Homelessness
  - Lack of education
46. The very nature of the service being multi-disciplinary seeks to address these issues.
47. Whilst the 2019 inspection highlighted good evidence of work being undertaken by the service to remove some of these barriers, greater focus needed to be given to the assessment of risk and protection of and/or the young person and victims. This factor has now been addressed.

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