

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**21 APRIL 2016**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

### **CABINET DECISION**

**Children and Young People – Lead Cabinet Member – Councillor Mrs McCoy**

**Access, Communities & Community Safety – Lead Cabinet Member – Councillor Mr Steve Nelson**

#### **YOUTH OFFENDING TEAM**

1. Summary

This report informs Cabinet of positive feedback received from the Youth Justice Board about the performance of the Youth Offending Team partnership in Stockton on Tees. It includes information on the external inspection process and provides an update on national policy drivers which are likely to impact upon future arrangements for the delivery of local youth justice services.

2. Recommendations

1. Members note the positive feedback received from the Youth Justice Board.
2. Members note the national policy drivers which are likely to impact upon future delivery arrangements.

3. Reasons for the Recommendations/Decision(s)

To ensure that Cabinet members are aware of the feedback received and national policy drivers.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a

member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

#### **Disclosable Pecuniary Interests**

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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**SUMMARY**

This report informs Cabinet of positive feedback received from the Youth Justice Board about the performance of the Youth Offending Team partnership in Stockton on Tees. It includes information on the external inspection process and provides an update on national policy drivers which are likely to impact upon future arrangements for the delivery of local youth justice services.

**RECOMMENDATIONS**

1. Members note the positive feedback received from the Youth Justice Board
2. Members note the national policy drivers which are likely to impact upon future delivery arrangements.

**DETAIL**

1. The Youth Offending Team (YOT) is a statutory body established by The Crime & Disorder Act 1998. The Local Authority is the Lead Agency, with Probation, Police, Education and Health having a duty to cooperate. This includes the provision of staff and other resources to the YOT.
2. The YOT partnership has 3 key objectives:
  - a. To reduce the number of first time entrants to the youth justice system through the delivery of preventative and diversionary activities
  - b. To reduce re-offending by children and young people
  - c. To reduce the number of children and young people in custody

It delivers a range of statutory functions relating to youth justice and shares statutory responsibilities to safeguard children and young people and to protect the public from serious harm. To that end, a number of partnership arrangements across criminal justice, community safety and children's services have been developed and sustained over the years.

**Governance & Performance**

3. Accountability for the delivery of local youth justice services and its performance is held by the local YOT Management Board, which is comprised of statutory and other local partners. The Board is chaired by the Council's Chief Executive.

4. The local partnership has a strong performance record. National and local data show that the number of first time entrants (FTE) and reoffending rates are lower in Stockton than compared with local, regional, family and national averages.
5. For the first nine months of 2015/16, there has been a 36% reduction in FTE on the same period in the previous year. More children and young people are being successfully diverted into early help programmes for low-impact offences and reoffending rates for this cohort are low. It also means that fewer children and young people have a criminal record which results in more positive outcomes in terms of education, training and employment opportunities.
6. For those young people who enter the youth justice system, there are fewer young people who have reoffended and they have committed fewer reoffences, than in the same period in the previous year. The current reoffender rate is 23%. Reoffending and reoffender rates are well below the local, regional, family and national rates.
7. Custody targets have proved more challenging to achieve. Whilst the number of children and young people being sentenced to custody has reduced significantly in recent years (from 22 in 2011/12 to 13 in 2014/15), the level of reductions have not been in line with other areas.
8. There were fewer custodial sentences imposed in the first nine months of 2015/16, compared to the same period in the previous year. This is encouraging as this has been an area of considerable scrutiny and focus and the YOT has been working hard to engage young people, particularly those who are the most difficult to engage.

### **External Scrutiny – Youth Justice Board**

9. Local performance is monitored by the Youth Justice Board (YJB), which has a statutory duty to improve the performance of the youth justice system across England and Wales. The Board has a network of local partnership advisers who adopt a risk led approach to how they monitor local areas. Stockton on Tees is classified as a 'low risk' partnership
10. At the last YOT Management Board meeting in February 2016, the YJB provided some feedback on their assessment of the YOT partnership:
  - a. Very well-functioning partnership with a very good reputation
  - b. Excellent performance on first time entrants and rates of reoffending
  - c. Excellent case management processes
  - d. The YOT provides very good value for money in terms of performance versus budget
  - e. One of the most partnership focused and engaged Board witnessed by the YJB representative
11. Subsequent to the meeting, correspondence was received by the Chief Executive confirming the feedback in writing (attached at Appendix A)

### **External Scrutiny - Inspection**

12. The YOT partnership is subject to external inspection by HMI Probation and the other inspectorates. The inspection process is underpinned by the following considerations: quality of case work and arrangements for safeguarding, public protection and reducing likelihood of offending; along with governance / management arrangements.

13. At the present time, there are three types of inspections for YOTs:
  - a. Full Joint Inspection – led by HMI Probation, with Ofsted (education and social care), HMI Constabulary and the Care Quality Commission. Inspection is focused upon joint working arrangements and case work across agencies
  - b. Short Quality Screening – undertaken by HMI Probation and focused upon case work in the YOT
  - c. Thematic Inspection – undertaken by HMI Probation. They can be in partnership with other inspectorates depending upon the theme being explored
14. The YOT has received both a Short Quality Screening Inspection (December 2013) and a Thematic Inspection (July 2015). Very positive feedback was received on both occasions. Any points of learning and recommendations were implemented quickly.
15. It is unlikely that the YOT will receive a Full Joint Inspection under the current framework but this cannot be ruled out. Any significant drops in performance or significant events could trigger the inspection.
16. A new inspection framework is due to be introduced later in 2016 and it is anticipated that Stockton YOT may be one of the early recipients given that the last case work inspection was in 2013.

### **National review of youth justice services**

17. In 2015, the Ministry of Justice announced a national review of youth justice services. Charlie Taylor, a recognised specialist education Head teacher, who had previously worked with the Department of Education, was appointed to lead the review.
18. An interim report was published in February 2016 and interim recommendations include young people serving their custodial sentences in secure schools rather than youth prisons and that local areas are best placed to make the decisions about the delivery of community based youth justice services. The report floats the idea of devolving responsibility and funding of youth justice services to regional / local areas. This would include the cost of custodial sentences.
19. At the time of writing, Charlie Taylor and the review team are engaging with the sector and key stakeholders, including here in the North East. Charlie Taylor visited the region for two days in early March and there was an opportunity to learn more about the emerging themes and contribute to the discussions.
20. The scope of the review has now been expanded to incorporate the youth justice system in its broadest sense, including how children and young people are managed and sentenced by courts. The full report is due to be published in the summer and future planning for the YOT is likely to be influenced by its findings.

### **YJB funding contributions to the YOT**

21. The YOT receives funding from local authority and partners, as well as grant funding from the YJB. Over time, YOT funding has decreased year on year, including from the YJB.
22. In 2015/16, the YJB took the unprecedented step of 'clawing back' some of their funding from the YOT. Further larger reductions from the YJB are likely in 2016/17.

23. The YOT Management Board has been proactive in managing this and has adopted a medium term approach to planning. It is now necessary to start exploring future YOT delivery in the face of anticipated reductions in income for 2016/17 (and beyond), the national review of youth justice services, as well as the council's own transformation programme. There are some savings that can be utilised from the YOT pooled budget to manage the transitional period.

24. The work will be overseen by the YOT Management Board and regular reports on progress and impact will be brought to the Board to inform decision making. Progress will also be reported via the Safer Stockton Partnership and Stockton Local Safeguarding Children Board.

## **FINANCIAL IMPLICATIONS**

25. There are no new financial implications from this Report.

## **LEGAL IMPLICATIONS**

26. There are no new legal implications from this Report.

## **RISK ASSESSMENT**

27. This issue is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## **COUNCIL PLAN THEMES**

28. Promoting Safer Communities and the wellbeing and safeguarding of children are key components of the corporate plan. Positive performance by the YOT partnership helps to contribute to the achievement of corporate objectives.

## **EQUALITIES IMPACT ASSESSMENT**

29. This report is not subject to an Equality Impact Assessment because it does not seek approval for a new policy, strategy or change in the delivery of a service.

## **CORPORATE PARENTING**

30. For those children who are looked after, the Council has a responsibility as Corporate Parent to ensure that their needs are appropriately met. A core theme of the YOT partnership is to reduce offending by looked after children. There is a joint working protocol between the YOT and children's social care, last reviewed in 2015, and a Reducing Criminalisation by LAC between the YOT, children's social care and Police.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

31. No consultation was required in preparing this Report.

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Background Papers

Correspondence from the YJB, dated 15<sup>th</sup> February 2016

Ward(s) and Ward Councillors:

Not applicable

Property

There are no implications for Council property