Foreword from the Lead Member

Councillor M. Statham

I am pleased to present this report containing the findings of the Youth Justice Working Group. Elected Members had the opportunity meet both staff and a young service user. The Group commenced this review prior to the Covid-19 pandemic, and has held one subsequent meeting to ensure that the Group had access to the most up to date information when preparing this report.

As a group, we were impressed by the dedication of staff, and felt that this should be recognised. The young people who are supported by the Youth Justice Service have often suffered many adversities in their short lives and this impacts upon their education and, subsequently, on their opportunities for gaining employment. It is important that this be mitigated to prevent further involvement in criminal activity, to enable the young people to actively participate in adult life and realise their full potential. The working group recognised the complex nature of the issues young people face which are very often deep rooted and that there is no 'one size fits all' solution, support needs to be specifically tailored to meet individual challenges.

The Working Group hopes, that the recommendations of this Group will assist the Authority in achieving the recommended outcomes, as contained within the Her Majesty's Inspectorate of Probation report.

Terms of Reference

The draft terms of reference were discussed and agreed by a meeting of the Working Group that took place on 23 October 2019. The terms of reference were subsequently considered at a meeting of the Children's Services Overview and Scrutiny Committee on 7 November 2019.

The full version of the Working Group's terms of reference can be found at Appendix 1 to this report. The Working Group was supported by two officers:

Philip Rutherford – Group Manager - Strategic Lead for Youth Justice Services Nikki Gough – Democratic Services Officer

Membership

The working group consisted of the following Councillors:

Councillor M. Statham Councillor C. Statham Councillor T. Jukes Councillor M. Follows Councillor H. Bashir

Methodology

The Working Group has held six meetings during its investigations, taking into account the views of four witnesses.

The Working Group has considered progress with the implementation of the following two recommendations from 'Her Majesty's Inspectorate of Prisons' (HMIP)

- 1. Review the budget allocation to the Youth Justice Service to determine the correct level of resource that allows the service to undertake the function well.
- 2. To make sure that all children and young people working with the youth justice system receive their full entitlement to education and that provision is tailored to their specific needs (post 16)

The Working Group proposed to review the actions, measures and timescales for tackling these recommendations and, in order to achieve this, adopted the following approach:

- Who do you want to see?
- When do you want to see them?
- What will you ask them?
- What other information will you want to see?

Witnesses

The Working Group met and interviewed the following witnesses:

Title				
Young Person (receiving support from the Youth Justice Service)				
Phil Rutherford – Head of the Youth Justice Team				
Kerry Wootton – Post-16 Strategic Lead				
Emma Trevis – Key Worker				
Lorraine Thompson - Virtual School & Vulnerable Groups Lead				

Introduction

Walsall Youth Justice Service (YJS) is a statutory multi-agency service under section 37 of the Crime and Disorder Act 1998, in partnership with the Local Authority, Walsall Children's Services, West Midlands Police, the National Probation Service and the National Health Service. The Youth Justice Service is supported by a number of partners who also contribute to the Service's agenda. The principal aim of the Youth Justice Service partnership is to prevent and reduce offending and re-offending behaviour in children and young people.

Locally, performance and outcomes for young people in the Youth Justice Service is monitored by the Youth Justice Performance and Partnership Board, which is chaired by the Executive Director of Children's Services. Strategic leaders from across the partnership attend the Board quarterly and represent the needs and risks of young people within the youth justice system. The Youth Justice Partnership has lines of accountability into the wider Safer Walsall Partnership and the Safeguarding Partnership.

Findings

HM Inspection of Probation Findings

Walsall's Youth Justice Service (YJS) was inspected by HM Inspectorate of Probation (HMIP) in April 2019. This inspection focussed on three broad areas:

- The arrangements for organisational delivery;
- Quality of court disposals work; and
- Out-of-court disposals work.

Walsall YJS was given an overall rating of 'requires improvement' by the HMIP. During the inspection, it was acknowledged that the Walsall YJS Board has a clear vision for the service, and its aims were shared by the Council and its partners. Work to prevent children re-offending was strong and assisted by good partnership work and timely access to a wide range of help and support. Staff, managers and partners are committed to providing an effective service and to improving the lives of children.

The HMIP found that Walsall's YJS had been affected by ongoing budget cuts, and noted that the Youth Justice Board had the lowest budget allocation in the region, with a further efficiency savings planned. Although the attempts made to minimise these savings were noted, the loss to the Service of the Victim Worker and the Data Analyst was highlighted with the YJS working at, and beyond capacity. This challenge was compounded by the loss of wider youth services, such as youth clubs.

The loss of the Victim Worker has meant that at times caseworkers faced a conflict of interest, as staff work with both victims and perpetrators. The loss of this post also means that there was little strategic or operational focus for victim support work. The inspection stated that this needed to improve. HMIP also noted that children and young people needed access to education, employment and training and that progress in this area had been too slow.

Financial Information

The overall budget of the Youth Justice Service has decreased by 27% over the past five years due to reductions in contributions from partners and financial savings required by the Local Authority. Between 2014/15 and 2019/20, the Council's contribution to the Youth Justice Service has been reduced by £0.100m (27%). This is due to savings allocated over 2018/19 and 2019/20, as shown below:

- 2018/19 £0.050m
- 2019/20 £0.050m

In 2017, savings of £0.266m were initially proposed within Youth Justice Service over two years (2018/19 to 2019/20). Following further budget consultation, it was agreed to reduce the level of saving to £0.100m. The savings of £0.050m for 2018/19 were fully achieved through the Service's relocation to the Council House from the Blakenall Village Centre, and a reduction in associated lease costs, which has saved a total of £0.123m. The remaining £0.073m was reinvested into Youth Justice staffing budgets, as agreed with the Youth Justice Board and Group Manager.

The savings for 2019/20 have been achieved by the deletion of a post following an options paper delivered to the Youth Justice Board via the Youth Justice Manager. This proposal was approved by the Board during 2018/19, delivering a full year effect in 2019/20. There are currently no future plans to allocate any further savings against the Youth Justice Service budget.

In 2018/19, there was an overall underspend of £0.089m due to:

- Holding a vacant Youth Justice Officer post in order to achieve 2019/20 approved savings, as agreed with the Youth Justice Board;
- A high number of staff within the Service are on maternity leave and thre has been an inability to backfill;
- An additional £0.022m received from West Midlands Police
- Holding a reserve from 2014/15 of £0.041m.

A request to carry these funds forward to reserves in 2019/20, to pay for the agency costs associated with maternity cover was approved by the Cabinet in June 2019.

During 2019/20, £0.096m of this reserve was utilised in order to fund agency cover for an employee on maternity leave and the employment of an additional Youth Justice Officer on a temporary basis. This left a balance of £0.035m carried forward to 2020/21. No use of the reserve is currently expected in 2020/21.

There has been an increase in expenditure budget in 2020/21, which is due to staff increments, entry of new staff into pension scheme and allocation of action plan funding on a permanent basis and, as such, the Local Authority has invested ongoing funds of £0.210m to cover these committed costs.

The YJS is currently forecasting a net nil position for the end of 2020/21 and will aim to carry forward a reserve of £0.035m.

The Group noted the innovative ways in which the YJS had sought to overcome financial challenges, such as a partnership with Victim Support to mitigate against the loss of the victim worker. It was acknowledged that this would be the most effective way for the Service to work in the future due to the impact of ongoing public sector efficiency savings.

Youth Justice Grant

The Youth Justice Grant, received from the Ministry of Justice, has been reduced by 26% since 2014/15. Funding arrangements from the national Youth Justice Board are directly linked to maintaining and improving best practice and the Youth Justice grant stipulates that it cannot be used for core practice. Walsall's compliance with this requirement has reflected the national picture of adopting a flexible approach.

In February 2019, the Youth Justice Board for England and Wales confirmed that, as the Ministry of Justice is facing a tight financial settlement, the way in which the grant is distributed, or the grant conditions for 2019/20, would not change. The Group heard that the Youth Justice Board had confirmed that the Youth Justice Board Good Practice Grant would remain the same for 2020/21. In addition, the grant conditions have been relaxed due to the Covid-19 pandemic.

Other partner contributions have remained stable, including the additional Police contribution (£0.022m) and the Police and Crime Commissioner income, which has seen a small increase since 2017/18. The funding applied for and received from the Office of the Police and Crime Commissioner is subject to review each year and was due to be considered in 2020/21 as part of a wider review of Police funding to youth offending services. However, this did not take place due to the Covid-19 pandemic. Should this funding reduce it will have a direct impact upon crime prevention staffing levels, which delivers upon the conditions of grant. Any reductions in funding will pose a significant risk to service delivery.

Contributions from the National Probation Service saw a large reduction in 2016/17, following the transformation of the Service as a whole. In addition to reduced funding, resources allocated to assisting the Service were also withdrawn. However, the National Probation Service reviewed their national formula in 2020/21 and have increased the Walsall Youth Justice Service resource from 0.5 FTE Probation officer to 0.6 FTE Probation Officer + 0.25 FTE Probation Service Officer. The YJS made the decision to work in partnership with Children's Social Care and amalgamate the position into the Multi-Agency Safeguarding Hub (MASH) to improve both joint work and information sharing. This forms part of the wider transformation journey within Children's Services.

Public Health contributed £0.035m to the Youth Justice Service in 2014/15 and 2015/16 to fund the costs of a substance misuse worker. This Service ceased in 2016/17 due to reductions in Public Health budgets. However, there is now a referral pathway in place with the Beacon, to ensure a similar facility is still available

In 2017/18, the Walsall Youth Justice Board was successful in applying for funding of £0.013m through the Community Safety Partnership to develop a training programme and for participation in a Childhood Adversity Research Project with the West Midlands

Combined Authority. In 2018/19, further bids made by the Youth Justice Board in relation to Early Intervention funding in 2019/20 were also successful. This is to be used to fund positive boxing activities at a local club (£3,150) and to fund a sport coaching course for young people with a local community interest company (£6,000). Walsall Youth Justice Service have showed initiative in working with the Safer Walsall Partnership and the Police and Crime Commissioner in applying for small grants to deliver better opportunities for young people. In 2020/21, the Youth Justice Service was successful in obtaining grants to the value of £0.015m to address BAME disproportionality within the youth justice system and £0.010m to provide a much needed lived experience mentoring scheme. However these grants are 'one-offs' and do not support the infrastructure of the service and enable staff to better undertake their statutory duties. The ability to provide these opportunities benefits young people and helps them desist from offending.

There is no ongoing training budget available to provide young people with positive activities, therefore, any additional services and related costs need to be found through grants and further funding.

Youth Offending Services are funded in different ways, depending upon the funding and resourcing obligations of statutory partners and the varying wider partnerships that form the overseeing partnership management board. Therefore, exact comparisons of total youth offending service budgets is not possible. However, there are clear similarities between the ways in which services are funded, which indicates that Walsall's overall budget and individual contributions from some partners is low.

The data indicates that Walsall Youth Justice Service's overall budget is £0.875m, which is the second lowest in the West Midlands region behind Solihull. A further budget comparison has been completed by the LA finance team of Youth justice Services within the Black Country which indicated that Walsall received the lowest overall budget and had the lowest amount spent upon staffing. When reviewing the staffing budget against the number of disposals each Youth Justice Service worked with during 2019/20, Walsall worked with 25 fewer disposals than Sandwell, but 36 more than Wolverhampton and 100 more than Dudley.

When comparing the total budget against the number of disposals that were measured by the Youth Justice Board, this equates to £4,508 per disposal. This suggests that Walsall Youth Justice Service receives the second lowest funding per disposal in the region.

Demographic information of those young people 'not in educational employment or Training' (NEET)

The table below provides a breakdown of the young people within the youth justice system who were not receiving education, employment or training as at 5 December 2019. Although this was only a snapshot in time, it indicated the demographic composition of young people entering the youth justice system. The Group noted that:

- There is a disproportionate number of young people within this cohort who have experienced exclusion from school.
- There is a disproportionate number of young people who have had previous involvement from social care.
- There is a disproportionate number of young people with an SEN.
- There is a theme of young people in the youth justice system missing education for long periods.

Disposals, such as a Youth Caution, Referral Orders and Youth Rehabilitation Orders are imposed on a young person either by the Police or at Court following a conviction. They are considered for any young person who has committed an offence with the aim to ensure outcomes are both proportionate to the crime committed and effective in reducing the risk of further offending.

Disposals		Ethnicity		Age		Care Status		Exclus (6 perma		SEN		Gender	
Youth Rehabilitation Order	6	White/British	9	16 years	7	N/A		Yes	11	No	13	Male	15
Referral Orders	11	Black/ any other ethnic background	1	17 years	6	Child In Need	1	No	8	Yes	6 (5 EHCP)	Female	4
Out of Court	2	Pakistani	1	18 years	6	Sec 20	2						
		White/Irish	2			Sec 31	2						
		Black/Caribbean	1			Previous involvement	5						
		White/European	2										
		Black/Africa	1										
		Asian/any other ethnic group	1										

Current Service Offer (Education for Young People)

Connexions and Black Country Impact

One way in which the YJS tries to help young people to break the cycle of offending is by assisting them into education or employment. The Connexions Service, which was a UK governmental information, advice, guidance, and support service for young people aged 13 to 19 (up to 25 for young people with learning difficulties and/or disabilities) was created in 2000. There was a Connexions Centre in Walsall, which had offered support and advice on topics including education, housing health, relationships, drugs and finance. Since 2012, Connexions had not been a coherent national service, following changes to the delivery of careers in England and the establishment of the National Careers Service. In Walsall, the Connexions Service had been replaced, to a lesser extent, with 'Black Country Impact'.

Black Country Impact is comprised of five key delivery partners, namely Dudley Council, Sandwell Council, Walsall Council, the City of Wolverhampton Council and Black Country Talent Match. The project is made up of £34 million funding, of which £17 million is from the European Social Fund and £17 million from the Youth Employment Initiative, plus £8 million from the Big Lottery Fund, and funding from Partners. The Black Country Impact Project helps people aged 16-29 years living in the Black Country to find a job, provide support to find a college or further education course, and offers free training for skills development. Young People can sign up for the following support:

- Apprenticeships
- Traineeships
- Training courses
- Coaching
- Work placements
- Self-employment advice, including social enterprises
- · Customised training and more.

Young People have access to advice and guidance through a key worker. Additional items such as personal protective equipment, interview clothes, childcare and travel can also be provided to support young people.

At the time of investigation by the Working Group, a Black Country Impact worker was based in the Youth Justice office one day per week to support this group of young people. Bespoke provision can be purchased for young people in the youth justice system to enable them to access education and training. Provision is tailored to individuals to enable those with complex issues to access provision.

The Group was advised that attendance at employment or education (unless stipulated as part of an intensive supervision and surveillance programme reserved for young people as an alternative to custody) could not be enforced as part of the reoffending plan but development meetings could be, and young people were offered interview skills workshops and opportunities to participate in different projects. However, by enforcing appointments, young people could be escalated up the criminal

justice system if they failed to comply. It was not possible to incentivise participation in education or training through payment due to funding restrictions.

Members were concerned that since careers, advice and guidance has become the responsibility of schools, young people within the youth justice system who did not attend education or training, do not have access to this provision. Compounded with this, young people in the youth justice system need additional support to access opportunities due to confidence, self-esteem, and lack of social skills. Often, they lack the basic literacy and numeracy skills as they have may have missed schooling or they have struggled with a SEN. Another major issue was that this group of young people often have is a lack of aspiration and motivation. This may be compounded by the time lost by these young people (who are within the youth justice system and may be in an educational setting) due to the Covid-19 pandemic, which could make it more difficult for them to return to education, catch up on schoolwork and achieve qualifications.

The Virtual School

The Virtual School is responsible for liaising with and working in partnership with agencies to support the education of looked after/vulnerable children. The Virtual School for looked after children is not a teaching institution; it is "a model by which the Local Authority provides services and support for the education of looked after children and a constructive challenge to those providing the services". The Virtual School works closely and in partnership with other schools, Health, Impact Advisors and Social Care, so that there is an holistic and comprehensive approach to the support of looked after children in all areas of their lives.

In Walsall, the team has provided support to the Youth Justice Team for almost two years. This support has consisted of a 'Key Worker' providing one day per week dedicated to working on youth justice cases, including tracking and monitoring the education of all young people. Consideration has been given to decide whether young people need an Education Health and Care Plan (EHCP) to ensure that they receive the correct help. It is acknowledged that poor behaviour is a barrier to young people accessing education, and young people in the youth justice service have found it difficult to be in educational settings and are at high risk of exclusion from school. The need for early intervention for these children has been stressed to ensure that they are equipped to enter education and training.

'Personal Education Plans' (PEPs) for looked after children, identify any issues and further support that may be needed by the child. Members questioned if this approach could be trialled for young people within the youth justice system. Members also acknowledged that the Virtual School was a good partner to the Youth Justice Team and suggested that they continue to work closely together in the future to maximise opportunities for young people in the youth justice system.

Charlie's Story (name changed to protect identity)

The Working Group met with a young person, who shall be referred to as Charlie for the purpose of this report. Charlie is an eloquent and aspirational 15 year old, and it was noted by the Group that his was not actually a typical profile of a child within the youth justice system. However, his risk-taking and offending behaviour was, and he had links to drugs, criminal exploitation and knife crime. Charlie has moved to the area from London with his mother and siblings to start a new life. He had been involved in criminality in London and this had led to his involvement with the Youth Justice team in Walsall. Charlie spoke positively about his experience of the Walsall Youth Justice Team; he felt that staff in Walsall went above and beyond to help him. The Group heard that this young person required a significant amount of support from his Youth Justice Officer. This high level of support could place considerable pressure on staff capacity and wellbeing of team members.

The Group heard that Charlie had a difficult background having experienced 'adverse childhood events' whilst living with his father, and he had been diagnosed with Attention Deficit Hyperactivity Disorder and had negative experiences of school. This was a common profile for children within the Youth Justice System, and often made attendance and participation at school difficult for them. Charlie was keen to study but was not able to access education, as schools were reluctant to admit him due to his record of offending. Through the Virtual School, an application had been made for Charlie to every school in Walsall. Charlie felt that he had much to offer and did not want to be judged on his criminal record. It was noted that if Charlie was to access education, he would need to receive continued support in order to succeed and that this would require additional resources.

Through the Youth Justice Team, Charlie accessed positive activities and early help offerings such as bike maintenance, fishing and boxing, which helped to occupy him whilst he was out of school. However, without the structure and discipline of school he was vulnerable to becoming involved in criminality again.

Further to their meeting with Charlie, the Group were advised that he had an episode of being 'missing'. Before this event, a school place had been secured for him; however, it was unlikely that this could be progressed even though he had now returned. This provided evidence of the difficulties and challenges in place for this profile of children when accessing education and training. The Group heard that despite his aspirational attitude, Charlie had continued to be involved in criminal behaviour and had periods when he was missing from home.

Conclusions

The Working Group considered the inspection recommendations and heard evidence in relation to these. Members of the Group acknowledge that there are many challenges to ensuring that all children and young people supported by the youth justice system receive their full entitlement to education and that provision is tailored to their specific needs. These challenges come from adverse events, special needs (often unidentified) and behavioural problems experienced by the young people, and from educational settings, organisations and employers who may not feel equipped to deal with these compounded issues. The Covid-19 pandemic is likely to exacerbate difficulties with maintaining attendance, and accessing education, for young people within the Youth Justice Service. National funding should be accessed, where possible, to mitigate the impact of the pandemic for young people within the youth justice service. The Group considered that the Virtual School might be best placed to assist the Youth Justice Service to liaise with schools to progress this.

A restricted financial position for the service makes achieving the improvements difficult. However, the Service is progressing further partnerships and identifying opportunities to meet its responsibilities whilst further funding is not available.

The report identified that there is a dedicated workforce who are committed to improving the outcomes for children and young people known to the Youth Justice system. The Youth Justice Service is in an strong position to deliver the recommendations of the inspection, as it is supported by strong staff, governance arrangements, and is closely working with partnership agencies (both statutory and community organisations) to achieve these outcomes.

Recommendations

HMIP Recommendation 1: To make sure that all children and young people working with the youth justice system receive their full entitlement to education and that provision is tailored to their specific needs

Working Group recommendations:

- 1. A mentor scheme is established for young people supported by the youth justice system, to raise their aspirations and provide them with positive role models.
- 2. The Local Authority should consider providing apprenticeships (with tailored support in place) to be available for children in the youth justice system.
- 3. Consideration is given to incentivising local employers to provide training and employment opportunities to young people in the youth justice system.
- 4. Socially minded organisations should be identified to work in partnership with the Youth Justice Service to offer training and employment to young people.
- 5. Given that young people in the youth justice system are often unable to access education, careers advice should be made readily available to them, which would include closer working with the Local Authority's Access team.
- The Youth Justice team should maximise the partnership with the Virtual School
 to develop and trial Vulnerable Personal Education Plans (VPEPs) for young
 people in the youth justice system in order to tailor education to their specific
 needs.
- 7. The 'Virtual School' be requested to contact schools to encourage access the Coronavirus (COVID-19) catch up premium to further support young people within the youth justice Service.

HMIP Recommendation 2: Review the budget allocation to the Youth Justice Service to determine the correct level of resource that allows the service to undertake the function well.

Working Group recommendations:

- 1. Commitment should be sought from a wide range of partners to meet the needs of the youth justice service in order to improve outcomes for young people.
- 2. The Youth Justice System continue to work with the 'Virtual School' to explore further support that could be provided to looked after young people in the youth justice system.

Work Group Name:	Youth Services Working Group		
Committee:	Children's Services Overview and Scrutiny		
	Committee		
Municipal Year:	2019-2020		
Lead Member:	Councillor M. Statham		
Lead Officer:	Philip Rutherford		
Support Officer:	Nikki Gough		
Membership:	Councillor M. Follows, Councillors C. Statham, T.		
-	Jukes, and H. Bashir, Councillor M. Statham.		
Co-opted Members:			

1. Context

In April 2019, Walsall received a Her Majesty's Inspectorate of Probation (HMIP) single inspection in youth offending and a rating of 'requires improvement'.

At its meeting on 24th September the Children's Services Overview and Scrutiny Committee agreed that a working group should be established to carry out a more in-depth examination of the improvement plan.

2. Objectives

The working group propose to review the actions, measures and timescales for tackling recommendation 1 and 2 (with a focus on post 16 education) as contained within the HMIP inspection report.

- 3. Review the budget allocation to the Youth Justice Service to determine the correct level of resource that allows the service to undertake the function well.
- 4. To make sure that all children and young people working with the youth justice system receive their full entitlement to education and that provision is tailored to their specific needs

And to submit a report and recommendations to the meeting of the Children's Services Overview and Scrutiny Committee to be held on 23rd April 2020.

3. Scope

Initially the group would like to invite the following to attend a meeting of the working group

- Group Leader Youth Justice
- The Post 16 Strategic Lead.
- Black Country Impact

In order to consider recommendations 1 and 2 (with a focus on post 16 educaiton) the Group request the following;

Information on the current post 16 education offer,

- Statistics on post-16 education/benchmarking (if available) and comparison to pre-16 education
- What else could the partnership do?
- Any other information that may be useful for the group in their deliberations and evidence gathering.

4. Equalities Implications

The working group will ensure that its recommendations will take into account the different strands of equality and ensure that no group is disadvantaged.

4. Who else will you want to take part?

Think about who else, other than lead officers and members, it would be useful to include either as part of the working group or to bring information at specific points. For example- partners, stakeholders, other authorities.

5. Timescales & Reporting Schedule

Date	Action	Who		
1 st Meeting	Prepare terms of	Working group		
Wednesday 23rd	reference.			
October	Information session.			
Thursday 7 th	Approve terms of	CS O&S Committee		
November	reference			
Wednesday 13 th	Review information in	Working group		
November	relation to			
	recommendation 1			
	and 2.			
Thursday 5 th	Review information in	Working group		
December	relation to			
	recommendation 1			
	and 2.			
Wednesday 15 ^h	Review information in	Working group		
January	relation to			
	recommendation 1			
	and 2.			
Thursday 13 th	Review information in	Working group		
February	relation to			
	recommendation 1			
	and 2.			
Thursday 12 th	Review final report	Members of Working		
March, 6pm		Group		
Thursday 23 rd March	Present final report/	CS O&S Committee		
2020.	recommendations			

6. Risk factors

Are there any obstacles that can be predicted? For example, is it dependent on other organisations outside your control and duty to

cooperate? Identifying these factors early and how they will be mitigated should help minimise their impact.

Risk	Likelihood	Measure to Resolve
Being unable to cover all identified themes within the available time	High	Organise a schedule of meetings to plan ahead
Officer time available to support the working group may limit its ability to deliver the outcomes desired	Medium	Ensure that the working group is focused and able to deliver its objectives within the timescales.