



An inspection of youth offending services in

# Hampshire

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HM Inspectorate of Probation

SEPTEMBER 2018

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This inspection was led by HM Inspector Tracy Green, supported by a team of inspectors, as well as staff from our operations and research teams. The Head of Youth Offending Team Inspections, responsible for this inspection programme, is Alan MacDonald. We would like to thank all those who helped plan and took part in the inspection; without their help and cooperation, the inspection would not have been possible.

Please note that throughout the report the names in the practice examples have been changed to protect the individual's identity.

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# Contents

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<b>Contents</b> .....	<b>3</b>
<b>Foreword</b> .....	<b>4</b>
<b>Overall findings</b> .....	<b>5</b>
<b>Summary of ratings</b> .....	<b>7</b>
<b>Recommendations</b> .....	<b>8</b>
<b>Introduction</b> .....	<b>9</b>
<b>Key facts</b> .....	<b>10</b>
<b>1. Organisational delivery</b> .....	<b>11</b>
1.1. Governance and leadership .....	11
1.2. Staff .....	12
1.3. Partnerships and services .....	12
1.4. Information and facilities .....	13
Summary .....	14
<b>2. Court disposals</b> .....	<b>15</b>
2.1. Assessment.....	15
2.2. Planning .....	16
2.3. Implementation and delivery .....	17
2.4. Reviewing .....	18
Summary .....	19
<b>3. Out-of-court disposals</b> .....	<b>20</b>
3.1. Assessment.....	20
3.2. Planning .....	21
3.3. Implementation and delivery .....	22
3.4. Joint working .....	22
Summary .....	23
<b>Annex 1 - Methodology</b> .....	<b>24</b>
<b>Annex 2 – Inspection results</b> .....	<b>26</b>
<b>Annex 3 – Glossary</b> .....	<b>31</b>

## Foreword

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This inspection is part of our new programme of youth offending service (YOS) inspections. As planned, we have inspected and rated Hampshire YOS across three broad areas: the arrangements for organisational delivery first of all, and then the quality of court disposals, and out-of-court disposals work.

We have given Hampshire YOS an overall rating of 'Good'. Our inspection found a mixed picture, with outstanding areas of practice alongside aspects that required improvement.

Hampshire YOS had a good management board, and its members have helped to secure additional resources, such as therapeutic well-being officers. We found the YOS provided an excellent range of interventions to reduce the likelihood of offending.

Staff were skilled, motivated and worked creatively to engage young people. They were particularly adept at delivering interventions to address desistance and showed tenacity in advocating for young people. The YOS was committed to maintaining stable professional relationships between staff and those under supervision.

Our inspection found Hampshire YOS could do more to strengthen the delivery and review of court and out-of-court disposals. It needs to strengthen its work to manage the safety and well-being of children and young people, and the potential risk to others.

Hampshire YOS also needs to ensure its planning aligns with other partner agencies. It should also look again at its restorative work; we found examples of children and young people failing to complete work if there was no direct victim.

The YOS had recently changed its case management system and was still developing its use and analysis of data. Once fully developed, the service should have a better understanding of the offending characteristics of the children and young people in Hampshire.

The recommendations in this report have been designed to assist Hampshire YOS to build on its strengths and focus on areas for improvement.



**Dame Glenys Stacey**  
Chief Inspector of Probation

## Overall findings

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Overall Hampshire was rated as: **good**. This rating was determined by inspecting the youth offending services in three domains of their work. The findings in those domains are described below.

	<b>Organisational delivery</b>
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Our key findings about organisational delivery were as follows:

- There was a well chaired, fully constituted management board with good commitment from statutory partners.
- There was a vision for the service, which staff were aware of, and they had developed plans to deliver the vision.
- Staff were skilled, motivated and received appropriate training and line management.
- Partnerships were particularly strong, and had led to the development of additional resources and staffing to meet the needs of the children and young people supervised by the YOS.
- Facilities were good and the provision of detailed performance information was improving.
- Communication from senior management was effective and staff were recognised for their good work.
- There was a child-centred approach to case allocation and a smooth transition across teams.
- There was a lack of statistical analysis of data on reoffending and the characteristics of the offending population.

	<b>Court disposals</b>
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Our key findings about court disposals were as follows:

- Assessments were thorough and staff knew their young people well.
- Staff were very good at assessing where children and young people were on their desistance journey.
- Staff were skilled at developing child-friendly plans.

- Staff delivered interventions that were creative and made effective use of partner and community resources.
- The YOS prioritised continuity between workers and children or young people to promote desistance.
- Staff had a good awareness of 'county lines' issues.
- Planning to address risk of harm to others and safety and well-being was a weakness and other agencies' plans were not aligned to youth offending team (YOS) planning.
- There was a lack of indirect reparation.



### **Out-of-court disposals**

Our key findings about out-of-court disposals were as follows:

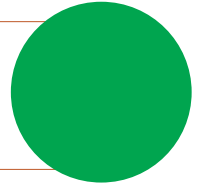
- The recent changes in the delivery of out-of-court disposals had already seen an improvement in timeliness, and the information sheet for children and young people was good.
- Prevention was good and interventions were provided following community resolution in appropriate cases.
- Good joint working took place to meet the needs of the children and young people and parents/carers.
- There was insufficient focus on the needs of potential future victims.
- Planning to address risk of harm to others and safety and well-being was a weakness and other agencies' plans were not aligned to YOS planning.

Service: Hampshire Youth Offending Service

Fieldwork started: June 2018

Overall rating

Good



### 1. Organisational delivery

1.1	Governance and leadership	Good	
1.2	Staff	Good	
1.3	Partnerships and services	Outstanding	
1.4	Information and facilities	Good	

### 2. Court disposals

2.1	Assessment	Outstanding*	
2.2	Planning	Requires improvement	
2.3	Implementation and delivery	Requires improvement	
2.4	Reviewing	Requires improvement	

### 3. Out-of-court disposals

3.1	Assessment	Requires improvement	
3.2	Planning	Requires improvement	
3.3	Implementation and delivery	Requires improvement	
3.4	Reviewing	Requires improvement	

\* Professional discretion was exercised for 2.1 as the lowest score within the three summary questions was 77% (and this fell within a 5% margin of error and the other summary questions were outstanding).

## Recommendations

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As a result of our inspection findings we have made seven recommendations that we believe, if implemented, will have a positive impact on the quality of youth offending services in Hampshire.

### **The Hampshire YOS should:**

1. develop and deliver a risk management policy that ensures the YOS's specialist skills and knowledge are central in managing the potential for reoffending and risk of harm to others
2. ensure YOS planning takes account of and is aligned with other agencies' planning e.g. Children in Need plans
3. develop guidance for staff on how to complete plans incorporating risk of harm to others and safety and well-being, while maintaining the quality of their child-friendly young people's plans
4. strengthen the use of performance information to assist in the development of services
5. develop suitable indirect reparation placements, to be delivered through a restorative approach, when no direct restorative intervention is available
6. track offending from prevention cases to ensure the children and young people offered an intervention are those identified as most likely to offend.

### **The National Probation Service should:**

1. review the impact of their revised allocation formula for probation officers on front line delivery. Ongoing guidance should be sought from the Youth Justice Board to appreciate the practice implications of these decisions.



## Introduction

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YOSs supervise 10-18 year-olds who have been sentenced by a court, or who have come to the attention of the police because of their offending behaviour but have not been charged – instead, they are dealt with out of court. HMI Probation inspects both these aspects of youth offending services.

YOSs are statutory partnerships. They are multi-disciplinary so they can deal with the needs of the whole child. They are required to have staff from local authority social care and education departments, the police, the National Probation Service (NPS) and local health services<sup>1</sup>. Most YOS are based within local authorities, however, this can vary.

YOS work is governed and shaped by a range of legislation and guidance specific to the youth justice sector (such as the National Standards for Youth Justice) or else applicable across the criminal justice sector (for example Multi-Agency Public Protection Arrangements guidance). The Youth Justice Board for England and Wales provides YOSs with some funding. It also monitors their performance and issues them with guidance on how things should be done.

Hampshire YOS is based in Hampshire County Council and delivers youth justice services from four regional offices. The Head of Service is also responsible for youth justice services on the Isle of Wight. The YOSs prevention work is delivered by youth crime prevention teams, which were brought under YOS line management in 2016.

### **The role of HM Inspectorate of Probation**

Her Majesty's Inspectorate of Probation is the independent inspector of youth offending and probation services in England and Wales. We provide assurance on the effectiveness of work with adults and children who have offended to implement orders of the court, reduce reoffending, protect the public and safeguard the vulnerable. We inspect these services and publish inspection reports. We highlight good and poor practice, and use our data and information to encourage good quality services. We are independent of government, and speak independently.

### **HM Inspectorate of Probation standards**

The standards against which we inspect are based on established models and frameworks, which are grounded in evidence, learning and experience. These standards are designed to drive improvements in the quality of work with people who have offended.<sup>2</sup>

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<sup>1</sup> The *Crime and Disorder Act 1998* set out the arrangements for local YOTs and partnership working.

<sup>2</sup> HM Inspectorate of Probation's standards are available here:

<https://www.justiceinspectrates.gov.uk/hmiprobation/about-our-work/our-standards-and-ratings/>

## Key facts

**Total recorded crime**  
(rate per 1000 households)<sup>3</sup>

81.7

Hampshire  
Constabulary

82.3

England and Wales

**Youth Justice Board indicators**

203

FTE (rate per 100,000) Oct 16 - Sep 17<sup>4</sup>

301

England and Wales

1.73

Reoffending

1.61

England and Wales

### Caseload information<sup>5</sup>

#### Age

Hampshire

National average

#### 10-14

28%

24%

#### 15-17

72%

76%

#### Race/ethnicity

Hampshire

National average

#### White

92%

73%

#### Black and minority ethnic

7%

24%

#### Gender

Hampshire

National average

#### Male

85%

83%

#### Female

15%

17%



### Young people cautioned or sentenced in Hampshire<sup>6</sup>

Sentenced	Hampshire		England and Wales	
	Hampshire	England and Wales	England and Wales	England and Wales
Referral order	95	10,497	Youth caution	100
Reparation order	0	162	Youth conditional caution	118
Youth Rehabilitation Order	86	7,577		
Detention & Training Order	17	1,786		
Section 90-91 Detention	0	285		
Section 226b	1	29		

<sup>3</sup> Home Office (n.d) Crime in England and Wales: Police Force Area Data Tables, year ending 2017.

(Table P3: Police recorded crime by offence group and police force area, English regions and Wales, rate of offences, year ending December 2017.)

<sup>4</sup> Ministry of Justice (2018) Proven Reoffending Statistics, July 2015 - June 2016.

<sup>5</sup> Youth Justice Board (2018) Youth Justice annual statistics: 2016 to 2017.

<sup>6</sup> Youth Justice Board (2018) Youth Justice annual statistics, Outcome data. (Youth caution figures only relate to young people where the caution has been referred to the YOT by the police and includes second cautions - reported figures depend on the relationship between the YOT and the police.)

# 1. Organisational delivery



Organisations that are well led and well managed are more likely to achieve their aims. We inspect against four standards.


<b>1.1. Governance and leadership</b>	<b>Good</b>
The governance and leadership of the YOS supports and promotes the delivery of a high-quality, personalised and responsive service for all children and young people.	

There was a clear youth justice plan, which was agreed and endorsed by the management board. The board was well attended by statutory and additional partner organisations; it showed a commitment to meeting the needs of the children and young people subject to YOS supervision. Board members helped to organise additional resources for the YOS, such as the therapeutic well-being officers and the Break for Change programme. The board was supportive of the YOSs prevention work through the youth crime prevention team. This team had recently been transferred from the social care early help department and was working on community resolutions and voluntary youth cautions. This had helped reduce the number of first time entrants.

The board was aware of threats to the delivery of the service. One area of concern was the reduction in probation officer staffing levels, resulting from the NPS's new national resources allocation formula. The board was supporting the board Chair in challenging this decision.

The majority of YOS staff were aware of the youth justice plan and had developed locality plans to implement the plan at a team level.

There was a very strong commitment to a restorative approach and the YOS had received the Restorative Service Quality Mark. There were good examples of restorative work being delivered, including victim awareness work and 'shuttle' mediation, where there was no direct victim or where the victim did not wish to engage in a restorative outcome, however, little indirect reparation was provided. Staff were unsure whose responsibility it was to set up and supervise this work. Indirect reparation, where the community benefits from the work of the child or young person, can help a young person understand the impact of their offending, if it is supervised in a restorative manner. It is also a suitable intervention for children and young people who have had adverse childhood experiences, as their sense of injustice could make victim awareness work less meaningful.

1.2. Staff	Good
Staff within the YOS are empowered to deliver a high-quality, personalised and responsive service for all children and young people.	


Staff reported that caseloads were manageable, felt they had the necessary skills and resources to manage their cases and were motivated to do so. Sound processes were in place at a team level, which enabled staff to share resources, examples of good practice and feedback from learning or training opportunities. Teams had a process for recognising good practice, which was celebrated, and the Head of Service also provided positive feedback. Staff felt valued.

Staff had a positive view of line management. However, higher-risk cases and cases where harmful sexual behaviour was involved were co-allocated to two workers and therefore two line managers, in some cases creating confusion as staff managing them received differing information from each of their managers.

A clear induction programme was in place and staff training was good. It was a mix consisting of training provided by the local authority, through the children's safeguarding board and other training commissioned for the YOS.

Staff had a range of skills and backgrounds: there was a restorative team, parenting officer, education, training and employment workers, seconded police and probation staff. Most staff had been with the service for over five years.

Case reviews identified that staff were good at undertaking assessments and delivering interventions for children and young people to promote desistance. However, they were less strong in assessing and managing safety and well-being and risks of harm to others. This was because most of the YOS planning for these cases sat outside YOS structures, either through routine child in need plans, or specialist social care risk planning. This meant planning to address risks of harm to others and safety did not appear sufficiently in YOS case records and YOS staff did not know the plans as well as they should have. The important specialist role of youth justice work in managing the likelihood of future offending, was not clear in the planning process. YOS managers were aware that further work needed to be done on planning.

1.3. Partnerships and services	Outstanding
A comprehensive range of high-quality services is in place, enabling personalised and responsive provision for all children and young people.	

The partnership in Hampshire was particularly strong: partners demonstrated a commitment to meet the needs of the children and young people. Therapeutic well-being officers, recruited to meet an identified need in the YOS caseload, made a very good health contribution to the partnership. The role of the police was also strong and the service committed to resource the YOS seconded police officer role. The police had also responded to concerns raised by the YOS and had changed its community resolutions practice after the partnership identified a problem.

The seconded police officers also identified the YOS caseload on their database so that information could be shared easily if those children or young people came to the attention of the police. Police and YOS staff had recently changed the way they


delivered out-of-court disposals (OOCs), which had a positive impact on their timeliness and quality.

Probation staff had developed a specific programme for children who were reaching 18 known as Y2A. It was delivered on a one-to-one basis, either in preparation for a transfer to probation, or to raise their awareness of the difference in adult criminal justice services as a potential consequence of offending intervention. There were concerns that this intervention would no longer take place following the cut in probation officer numbers. The management board was aware of this risk and was liaising with the NPS to address this issue.

The partnership responded very positively to the development of the Break for Change programme: district authorities provided venues and social care, and the YOS provided staff and the Office of the Police and Crime Commissioner (OPCC) provided funding for art therapy. Break for Change is an evaluated programme for families where the child has carried out acts of violence against the parent/carer. The programme is delivered simultaneously, but separately, to both the child and the parent/carer. The partnership arrangement enabled the programme to be delivered seven times across Hampshire in areas that children and families could easily get to.

Staff had access to a range of partnership services and resources, including Catch 22 for substance misuse provision, Hampshire Futures for post-16 education, and Wessex Dance Academy offering an alternative education curriculum. Most staff reported that they had access to suitable partner resources, with speech and language services being the only gap identified.

The YOS had recently moved case management systems and staff were adapting to this change.

1.4. Information and facilities	Good
Timely and relevant information is available and appropriate facilities are in place to support a high-quality, personalised and responsive approach for all children and young people.	

A comprehensive range of policies and procedures was provided as evidence in advance. Most of them were contained within the local authority's suite of policies and were updated on a rolling programme. All staff reported that they knew the policies either well, or very well. The YOS risk management policy was due to be reviewed in August 2018, but it should have been done earlier, when AssetPlus was implemented. The policy did not take the assessment tool into account, was out of date and did not reflect current practice for managing risk of harm to others.

The YOS worked from four area offices, which were suitable. Staff covering rural areas of the county had access to community venues where they could see children and young people. A budget was available for these sites and the settings were risk assessed. Staff were not always keen to use them as they needed to undertake much more pre-planning to book and use them, so they preferred to make home or school visits instead. Risk assessments were completed for all home visits and a buddy system was in place for staff safety.

Staff had all recently been provided with Wi-Fi-enabled laptops. This meant they could access their case records in remote venues and make use of internet-based resources, such as websites with material on working with children and young

people. Seconded probation staff had a probation laptop and could access probation records, and police officers could connect to police databases at YOS offices.

YOS staff had access, on a read-only basis, to the social care database. This meant they could obtain information about their children and young people. However, the YOS did not refer to this information in their own documentation and safety and well-being planning was not referenced in YOS planning.

The board was provided with performance data on key indicators and teams had access to performance data on a more localised basis. The YOS performance manager was working with their case management provider to make better use of performance information. This would assist in improving future performance.

## Summary

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### **Strengths:**

- There was a well chaired, fully constituted management board with good committed partners.
- There was a wide range of resources to meet the needs of the children and young people and their families, which the partnership arranged and supported.
- There was a skilled and stable workforce, who demonstrated skills in undertaking assessments and delivering interventions to promote desistance.
- A comprehensive induction and training programme was available for staff, and management oversight of their workload was good.
- There was a commitment to preventive work.

### **Areas for improvement:**

- Planning and interventions on safety and well-being and risk of harm to others needed to be better integrated into YOS planning and delivery.
- The risk management policy needed to be updated.
- Children on the prevention caseload who reoffended should have been tracked by the YOS to see how effective their intervention was.
- Indirect reparation should have been given greater consideration and could have been delivered in a restorative manner.



## 2. Court disposals

Work with children and young people sentenced by the courts will be more effective if it is well targeted, planned and implemented. In our inspections, we look at a sample of cases. In each of those cases we inspect against four standards.

2.1. Assessment	Outstanding
Assessment is well-informed, analytical and personalised, actively involving the child or young person and their parents/carers.	

Initial assessments were good and case managers made use of a range of information when making these assessments, including police intelligence. Case managers also had a good understanding of 'county lines' issues. Seconded police officers were a good source of information – they flagged the young people on their database so they could automatically receive an update if any of them came to the police's attention. Education information was also available and case managers had access to social care records. Case managers worked well with parents/carers.

Assessments took account of the children's maturity and ability to comply with a court order. There was also a good recognition of the potential impact of adverse childhood experiences and staff understood mental health problems well. They knew how these factors could impact on behaviour and the capacity of the young person to engage in interventions. There was less of an understanding of the potential negative impact of living in a household where domestic violence was present. Three-quarters of cases focused sufficiently on the needs and wishes of the victim and offered opportunities for restorative justice.

In the case of M (m) the inspector commented:

*"This was a first offence, an assault in retaliation to a peer who had been reported for continuous bullying of the young person. The assessment took into account the learning needs and functional age of the young person and the most appropriate way to work appropriately to enable an understanding of victim impact, and self-management despite the circumstances."*

Factors relating to the young person's safety and well-being were identified in 80 per cent of cases and inspectors mostly agreed with the classifications. In the small number of cases where inspectors did not agree, it was because the classification was judged to be too low.

Risk of harm to others was assessed accurately in nearly two-thirds of cases. Where inspectors disagreed with the assessment, it was because the classification was too low. Case managers were aware of risk concerns that had not led to a criminal outcome, but did not always incorporate this information into the risk of harm assessment. For example, information about a young person who was known to be carrying a knife was not included in the risk assessment.

2.2. Planning	Requires improvement
Planning is well-informed, holistic and personalised, actively involving the child or young person and their parents/carers.	

Inspectors found that planning was less effective than initial assessment. Staff used a combination of child-friendly bespoke plans, referral order contracts, and AssetPlus planning, but there did not seem to be a clear direction on which plan staff should use. Staff reported that they did not find the AssetPlus plan 'child friendly' and adapted their own plans. When inspectors saw them, they were good, but they focused on desistance and did not incorporate safety, well-being or risk of harm to others. Plans were weaker when referral order contracts were used. These plans were very simple and did not adequately address offending-related needs.

Some staff reported that they were just using the AssetPlus plan to ensure the document was completed in full and the plan they were using was separate from this. Staff would benefit from guidance on this issue (see recommendation 3).

Social care processes managed the planning for cases that were open to children's social care. They included drawing up child in need plans, looked after children plans and child protection plans. This was designed to minimise additional meetings and coordinate planning. Inspectors found this was not always effective, and social care plans were not incorporated into YOS planning documents, particularly AssetPlus.

Inspectors found planning had a sufficient focus on keeping the young person safe in just over half of cases.


Staff had the opportunity to use other planning forums for cases not open to social care. They included Multi-Agency Public Protection Arrangements, Multi-Agency Risk Assessment Conference, Structured Assessment of Violence Risk in Youth meetings, as well as High Risk Strategy meetings and Priority Young Persons meetings. If children and young people did not meet the criteria for these forums, the YOS could set up an ad hoc meeting of professionals to discuss the case. As with other cases with multiple plans, inspectors found the planning from these meetings was not incorporated into the core YOS intervention plan. The YOSs key skills and knowledge relating to managing risks of harm to others were omitted from other services' plans for the children and young people.

Contingency planning for safety and well-being and risk of harm to others was not well developed and half of cases had suitable contingency plans in place.

Planning for cases where harmful sexual behaviour was involved was stronger and staff had access to a multi-agency harmful sexual behaviour forum. They could discuss cases at the forum and obtain advice, which staff valued.

Staff reported that they were still learning how to use the AssetPlus planning module, which the management team had recognised as an area for development.



2.3. Implementation and delivery	Requires Improvement
High-quality, well-focused, personalised and coordinated services are delivered, engaging and assisting the child or young person.	

The delivery of interventions to reduce offending and support desistance was done well in Hampshire. Staff were good at building positive relationships with young people and liaised well with parents/carers. There were good examples of staff undertaking personal research on the issues facing young people so that they could provide interventions that met their needs.

In the case of L (m) the inspector commented:

*“It is abundantly clear from interview that this Case Manager knows this young man very well. She has gone out of her way to support compliance and clearly feels very strongly about this young person. She has a very good understanding of the trauma that he has been through. What she doesn’t understand she has researched.”*

Inspectors saw good joint working with a range of partner agencies, including the police, Catch 22, Break for Change and the Willow team. The Willow team was a multi-agency team that identified and worked with children at risk of sexual and criminal exploitation. Staff delivered creative interventions, including for one young person whose offence was a knife crime. The young person created an online tool to research the views of his peers on carrying knives, which was used to challenge his view that such behaviour was normal. Another young person attended a football hooligan seminar run by the police. Joint work on desistance was well coordinated and structured.

There was an emphasis on providing a consistent case manager, which was evident in the case assessments. Staff maintained good contact with children and young people who were placed out of their home area, and if feasible, maintained management of the case.


Engagement with YOS education workers was good and there was evidence that they were determined to re-engage young people so that they went back into education. They often helped the young person to obtain a school place or an increase in education hours.

Early revocation was used effectively and appropriately in cases where the young person had made particularly good progress in complying with their court order. In most cases, planning for the end of the court order enabled the young person to access community resources.

Good restorative input was available from the restorative justice team, but it was limited by the small number of victims who were engaged in a restorative process. Little use was made of indirect reparation, even where it would have been appropriate.

The implementation and delivery of services to reduce risk of harm to others was not as strong as other areas of implementation. There was a sufficient focus on the protection of actual and potential victims in less than half the cases. Other agencies’ involvement in managing risks of harm was insufficiently coordinated in half the cases.

Breach action was taken in the majority of cases where it was required. In some cases, there was evidence of disguised compliance, which was not addressed.

2.4. Reviewing	Requires Improvement
Reviewing of progress is well-informed, analytical and personalised, actively involving the child or young person and their parents/carers.	

Young people’s circumstances can change rapidly resulting in increased and sometimes decreased likelihood of reoffending, risk of harm to others or risks to their safety and well-being. Case managers should review their plans when there is a change in the young person’s circumstances that could affect their behaviour. Young people subject to referral orders had to attend a review panel every three months, often resulting in a higher frequency of reviews in those cases.

Overall, in nearly three-quarters of cases, reviews identified and responded to changes in factors linked to offending, and there was evidence that young people and parents/carers had contributed to the review.

Reviews focused less effectively on managing risk of harm and keeping other people safe. In over half the cases, review processes had identified and responded to changes in factors relating to risk of harm to others. Partner agencies were not as involved in risk of harm reviews as in those for other areas of risk. Reviews did not always lead to an updated intervention plan, and in some cases a review was completed but no information was updated and none of the plans changed.

In case N (m) the inspector commented:

*“The review did not include information or discussion around the allegation that N is known to carry a weapon, had made serious threats of violence to one peer and had allegedly hit another with a brick. There seems to have been an escalation of behaviour and there was no review of the plan to accommodate this, or reviewed assessment of potential risk to the young person, who he may have been associating with or the risk he poses to others in this context.”*

Reviews responded to changes in the young person’s safety and well-being in only half the cases; in the same proportion of cases, there was no evidence that the review had been informed by partner agencies.

## Summary

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### **Strengths:**

- Staff built positive working relationships with young people.
- Information from partner agencies was used effectively when assessments were undertaken.
- Staff had good knowledge of 'county lines' issues and strong links with the police.
- Creative planning and interventions met the desistance needs of the young person.
- Engagement with parents/carers was good.
- There was good use of early revocation.

### **Areas for improvement:**

- Staff did not make sufficient use of intelligence (such as from the police, school or family) when they made assessments.
- Staff were unsure about how to use the AssetPlus planning module.
- There were a large number of different meetings that were used to manage planning, which created a confused picture, and the YOSs key skills in managing risks of offending were not apparent.
- Indirect reparation for suitable cases was not used sufficiently.
- There was a lack of response to disguised compliance.

### 3. Out-of-court disposals



Work with children and young people receiving out-of-court disposals (OOCs) will be more effective if it is well targeted, planned and implemented. In our inspections, we look at a sample of cases. In each of those cases, we inspect against four standards.

Many young people receive an informal warning from the police following a minor offence. In Hampshire, this was known as a community resolution or C32. A service was offered to all those who received a second C32 who met certain criteria, and the work was delivered by the youth crime prevention team. The team had been brought under the direct management of the YOS in 2016. In addition to an intervention for certain C32 young people, the youth crime prevention team also offered a prevention service for cases that had received a youth caution. The YOS team managed children or young people receiving a youth conditional caution.

The YOS had recently changed its processes for delivering an OOC, and had moved to a clinic-based model. The clinics were area based, either in a police station, or other suitable premise, and the OOC was administered by the seconded police officer along with the YOS case manager who would be supervising the case. They had also created a good child-friendly information sheet for children and young people. It covered what the disposal was and the implications for them in relation to a police record.

The cases that were reviewed as part of the inspection predate these changes.

3.1. Assessment	Requires Improvement
Assessment is well-informed, analytical and personalised, actively involving the child or young person and their parents/carers.	

Hampshire used the AssetPlus tool for all their OOCs. Although a shortened version was available, staff were unsure about when they should use it.

Overall assessments of the child and young person's progress toward desistance were good, as was engagement with parents/carers. There was a good understanding of the child or young person's maturity and how well they could engage in the intervention. There was evidence that creative interview techniques were used to get the best information from the child.

In case A (m) an inspector commented:

*“Great involvement of child in exploring their needs – excellent use of different techniques by practitioner to get child comfortable enough to discuss what happened such as asking questions out loud but allowing child to answer on piece of paper and fold it up.”*

Some assessments were good, but completed too late. The assessment took the victim's wishes into account in two-thirds of cases.

Assessments of risk of harm to others and safety drew on available sources of information in most cases, but there was a lack of analysis on how to keep people safe in over a quarter of cases. Inspectors agreed with the risk of harm classification in the majority of cases; where they did not agree, it was because the classification was judged to be too low.

The YOS was less strong in its assessment of safety and well-being. There was less evidence of the use of information from other agencies and inspectors judged more cases to have been inaccurately assessed. In some cases, this was because staff did not recognise the negative influence of domestic abuse on the child.

<b>3.2. Planning</b>	Requires improvement
Planning is well informed, holistic and personalised, actively involving the child or young person and their parents/carers.	


The majority of the plans were good where desistance factors were concerned and staff drew up creative plans that made sense to young people. There was a mix of hand-written plans and those using the AssetPlus planning module. There were examples of good hand-written plans that engaged the young person's interests and reflected their learning styles.

In case C (m) the inspector commented:

*“The plan is robust, there is a hand-written copy completed with the young person with a selection of cars heading for a finish line, these aims have then been translated into the AssetPlus plan. The plan focuses on the young person accessing mainstream education, working on attitudes, thinking and behaviours, consequences, and peer influences.”*

Planning to ensure other people were safe was good, but there was a lack of contingency planning in cases where this was assessed as necessary.

The YOS was less strong where safety and well-being planning was concerned and in only just over half of cases, it suitably promoted the safety and well-being of the child. With many of these cases also being open to social care services, staff often felt that their social care colleagues took the lead in this area of planning. There was, however, a lack of alignment with the YOS plan and any other existing plans.

3.3. Implementation and delivery	Requires improvement
High-quality, well-focused, personalised and coordinated services are delivered, engaging and assisting the child or young person.	

The implementation and delivery of interventions following an OOCd to support desistance were done well. Activities and interventions to support desistance were evident in 80 per cent of the cases and the parent/carer was engaged well. In a number of cases the parenting officer was involved in the case, and liaison and joint working between the case manager and parenting officer were good.

Access to appropriate education was a desistance factor in a number of the cases and inspectors saw examples of case managers and education workers actively advocating on behalf of the children and young people to secure suitable education.

There were examples where restorative work appeared among the conditions of a youth conditional caution, but if there was no direct victim, the work was not delivered.


The delivery of safety and well-being interventions was less strong and the involvement of other organisations was not well coordinated.

Inspectors also saw a case where a C32 was delivered, and there was a long delay in the case being allocated to a YOS worker. Inspectors also noted the level of contact with staff in some cases was not frequent enough, even though they were assessed as having high safety and well-being requirements.

This was illustrated by case D (m), where an inspector commented:

*“Whilst delivery of services around mental health and substance misuse were appropriate to support safety and well-being, the case manager only saw the young person four times in three months despite him being registered as high safety and well-being; he was seen twice by someone else, each time the sessions seemed to be essentially check-in sessions with no structured work completed.”*

Interventions to manage the risk of harm to others were delivered in just over half of the cases. Sufficient attention was paid to the protection of previous and potential victims in less than half the cases.

3.4. Joint working	Requires improvement
Joint working with the police supports the delivery of high-quality, personalised and coordinated services.	

There were two processes in place for OOCds. Operational police could deliver first and second C32s, while further offending, or more serious offending that met the criteria, were referred to a triage decision-making panel.

The panel, involving police and the YOS, had access to a good range of information to assist in decision making. A full range of disposals were available to the panel, including no further action, if appropriate, C32, as well as a youth caution,

conditional caution, and charge. Records outlining the rationale for decision making did not clearly show who had made the decision and the record of the decision did not demonstrate that it was tailored to the young person.

In some C32 cases, the police had made the decision and included recommendations for interventions without with the involvement of the YOS.

In nearly one third of cases not enough attention was paid to the child or young person or to their parents'/carers' understanding of the implications of receiving an OOC.

An inspector commented in case D (m):

*“There have been lots of issues in this case in terms of how the disposals have been explained to the parents. They stated that they have felt under pressure from the police to sign things that they didn’t agree with. There seems to have been a lack of joint working between the police and the YOS.”*

In nearly half the cases, there was no evidence that the YOS had fed information back to the police about the progress or outcomes of the case.

The YOS was good at providing information to help reach a suitable decision, making recommendations that were appropriate and taking the maturity and culpability of the young person into account.

The YOS had very recently changed a number of its processes in relation to the joint delivery of OOCs and the cases that were inspected predate these changes.

## Summary

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### Strengths:

- Interventions for all out-of-court cases were very good and included C32s.
- The triage panel had access to good quality information from a full range of sources.
- Staff wrote creative child-friendly plans.
- Staff demonstrated good engagement skills.
- Effective joint working took place, particularly for parenting work and education.

### Areas for improvement:

- YOS plans did not align with other existing plans.
- There was a lack of restorative work when there was no direct victim.

## Annex 1 - Methodology

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The inspection methodology is summarised below, linked to the three domains in our standards framework. Our focus was on obtaining evidence against the standards, key questions and prompts in the framework.

### **Domain one: organisational delivery**

The youth offending service submitted evidence in advance and the Chief Executive, or delegated representative, delivered a presentation covering the following areas:

How do organisational delivery arrangements in this area make sure that the work of your YOS is as effective as it can be, and that the life chances of children and young people who have offended are improved? What are your priorities for further improving these arrangements?

During the main fieldwork phase, we surveyed 54 individual case managers, and 23 volunteers, asking them about their experiences of training, development, management supervision and leadership. Various meetings and focus groups were then held, allowing us to triangulate evidence and information. In total, we conducted 19 meetings, either face to face, or by telephone.

### **Domain two: court disposals**

We completed case assessments over a one-week period, examining case files and interviewing case managers. Sixty per cent of the cases selected were those of children and young people who had received court disposals six to nine months earlier, enabling us to examine work in relation to assessing, planning, implementing and reviewing. Where necessary, interviews with other people significantly involved in the case also took place.

We examined 30 post-court cases. The sample size was set to achieve a confidence level of 80 per cent (with a margin of error of 5 per cent), and we ensured that the ratios in relation to gender, sentence or disposal type, risk of serious harm, and risk to safety and well-being classifications matched those in the eligible population.

### **Domain three: out-of-court disposals**

We completed case assessments over a one-week period, examining case files and interviewing case managers. Forty per cent of cases selected were those of children and young people who had received out-of-court disposals three to five months earlier. This enabled us to examine work in relation to assessing, planning, implementing and joint working. Where necessary, interviews with other people significantly involved in the case also took place.

We examined 20 out-of-court disposals. The sample size was set to achieve a confidence level of 80 per cent (with a margin of error of 5 per cent), and we ensured that the ratios in relation to gender, sentence or disposal type, risk of serious harm, and risk to safety and well-being classifications matched those in the eligible population.



## **Ratings**

Details of our standards and ratings are available on our website:

<https://www.justiceinspectors.gov.uk/hmiprobation/about-our-work/our-standards-and-ratings/>

## Annex 2 – Inspection results

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### 1. Organisational delivery

Standards and key questions	Rating
<p><b>1.1. Governance and leadership</b></p> <p>The governance and leadership of the YOS supports and promotes the delivery of a high-quality, personalised and responsive service for all children and young people.</p> <p>1.1.1. Is there a clear local vision and strategy for the delivery of a high-quality, personalised and responsive service for all children and young people?</p> <p>1.1.2. Do the partnership arrangements actively support effective service delivery?</p> <p>1.1.3. Does the leadership of the YOS support effective service delivery?</p>	<b>Good</b>
<p><b>1.2. Staff</b></p> <p>Staff within the YOS are empowered to deliver a high-quality, personalised and responsive service for all children and young people.</p> <p>1.2.1. Do staffing and workload levels support the delivery of a high-quality, personalised and responsive service for all children and young people?</p> <p>1.2.2. Do the skills of YOS staff support the delivery of a high-quality, personalised and responsive service for all children and young people?</p> <p>1.2.3. Does the oversight of work support high-quality delivery and professional development?</p> <p>1.2.4. Are arrangements for learning and development comprehensive and responsive</p>	<b>Good</b>
<p><b>1.3. Partnerships and services</b></p> <p>A comprehensive range of high-quality services is in place, enabling personalised and responsive provision for all children and young people.</p> <p>1.3.1. Is there a sufficiently comprehensive and up-to-date analysis of the profile of children and young people, to</p>	<b>Outstanding</b>

ensure that the YOS can deliver well-targeted services?

- 1.3.2. Does the YOS partnership have access to the volume, range and quality of services and interventions to meet the needs of all children and young people?
- 1.3.3. Are arrangements with statutory partners, providers and other agencies established, maintained and used effectively to deliver high-quality services?

<b>1.4. Information and facilities</b>	<b>Good</b>
Timely and relevant information is available and appropriate facilities are in place to support a high-quality, personalised and responsive approach for all children and young people.	

- 1.4.1. Are the necessary policies and guidance in place to enable staff to deliver a quality service, meeting the needs of all children and young people?
- 1.4.2. Does the YOSs delivery environment(s) meet the needs of all children and young people and enable staff to deliver a quality service?
- 1.4.3. Do the information and communication technology (ICT) systems enable staff to deliver a quality service, meeting the needs of all children and young people?
- 1.4.4. Is analysis, evidence and learning used effectively to drive improvement?

## 2. Court disposals

Standards and key questions	Rating and % yes
<b>2.1. Assessment</b>	<b>Outstanding</b>
Assessment is well-informed, analytical and personalised, actively involving the child or young person and their parents/carers.	
2.1.1. Does assessment sufficiently analyse how to support the child or young person's desistance?	90%
2.1.2. Does assessment sufficiently analyse how to keep the child or young person safe?	80%
2.1.3. Does assessment sufficiently analyse how to keep other people safe?	77%

<b>2.2. Planning</b>	<b>Requires improvement</b>
Planning is well-informed, holistic and personalised, actively involving the child or young person and their parents/carers.	
2.2.1. Does planning focus sufficiently on supporting the child or young person's desistance?	70%
2.2.2. Does planning focus sufficiently on keeping the child or young person safe?	58%
2.2.3. Does planning focus sufficiently on keeping other people safe?	59%
<b>2.3. Implementation and delivery</b>	<b>Requires Improvement</b>
High-quality, well-focused, personalised and coordinated services are delivered, engaging and assisting the child or young person.	
2.3.1. Does the implementation and delivery of services effectively support the child or young person's desistance?	80%
2.3.2. Does the implementation and delivery of services effectively support the safety of the child or young person?	67%
2.3.3. Does the implementation and delivery of services effectively support the safety of other people?	55%
<b>2.4. Reviewing</b>	<b>Requires improvement</b>
Reviewing of progress is well-informed, analytical and personalised, actively involving the child or young person and their parents/carers.	
2.4.1. Does reviewing focus sufficiently on supporting the child or young person's desistance?	73%
2.4.2. Does reviewing focus sufficiently on keeping the child or young person safe?	56%
2.4.3. Does reviewing focus sufficiently on keeping other people safe?	63%

### 3. Out-of-court disposals

Standards and key questions	Rating and % yes
<p><b>3.1. Assessment</b></p> <p>Assessment is well-informed, analytical and personalised, actively involving the child or young person and their parents/carers.</p>	<p><b>Requires improvement</b></p>
<p>3.1.1. Does assessment sufficiently analyse how to support the child or young person's desistance?</p>	<p>89%</p>
<p>3.1.2. Does assessment sufficiently analyse how to keep the child or young person safe?</p>	<p>60%</p>
<p>3.1.3. Does assessment sufficiently analyse how to keep other people safe?</p>	<p>70%</p>
<p><b>3.2. Planning</b></p> <p>Planning is well-informed, holistic and personalised, actively involving the child or young person and their parents/carers.</p>	<p><b>Requires improvement</b></p>
<p>3.2.1. Does planning focus sufficiently on supporting the child or young person's desistance?</p>	<p>95%</p>
<p>3.2.2. Does planning focus sufficiently on keeping the child or young person safe?</p>	<p>57%</p>
<p>3.2.3. Does planning focus sufficiently on keeping other people safe?</p>	<p>67%</p>
<p><b>3.3. Implementation and delivery</b></p> <p>High-quality, well-focused, personalised and coordinated services are delivered, engaging and assisting the child or young person.</p>	<p><b>Requires improvement</b></p>
<p>3.3.1. Does the implementation and delivery of services effectively support the child or young person's desistance?</p>	<p>75%</p>
<p>3.3.2. Does the implementation and delivery of services effectively support the safety of the child or young person?</p>	<p>64%</p>
<p>3.3.3. Does the implementation and delivery of services effectively support the safety of other people?</p>	<p>56%</p>

<b>3.4. Joint working</b>	<b>Requires improvement</b>
Joint working with the police supports the delivery of high-quality, personalised and coordinated services.	
3.4.1. Are the YOSs recommendations sufficiently well-informed, analytical and personalised to the child or young person, supporting joint decision-making?	61%
3.4.2. Does the YOS work effectively with the police in implementing the out-of-court disposal?	69%

## Annex 3 – Glossary

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<b>AssetPlus</b>	Assessment and planning framework tool developed by the Youth Justice Board for work with children and young people who have offended, or are at risk of offending, that reflects current research and understanding of what works with children.
<b>CAMHS</b>	Child and Adolescent Mental Health Service: services provided locally by the NHS for the assessment and treatment of children who may have emotional, behavioural or mental health difficulties.
<b>CP</b>	Child Protection: work to make sure that all reasonable action has been taken to keep to a minimum the risk of a child experiencing significant harm.
<b>Community Resolution</b>	Used in low-level, often first-time, offences where there is informal agreement, often also involving the victim, about how the offence should be resolved. Community Resolution is a generic term, in practice many different local terms are used to mean the same thing.
<b>County Lines</b>	A term used to describe a form of criminal exploitation of children and young people. Used to describe the way in which gangs and organised crime networks force children and young people into selling and transporting drugs, across counties, often using dedicated mobile phone lines.
<b>Court Disposals</b>	The sentenced imposed by the court. Examples of youth court disposals are Referral Orders, Youth Rehabilitation Orders and Detention and Training Orders (explained below).
<b>CSE and CE</b>	Child Sexual Exploitation, is a type of child abuse, occurring when a child or young person is encouraged, forced and manipulated to take part in sexual activity for something in return, for example presents, drugs, alcohol or emotional attention. Criminal Exploitation occurs when children and young people are exploited, forced or coerced into committing crimes.
<b>Desistance</b>	The cessation of offending or other antisocial behaviour.
<b>Disguised Compliance</b>	A child or young person giving the appearance of cooperating with agencies to avoid raising suspicions, allay professional concern and to diffuse intervention.
<b>ETE</b>	Education, training and employment: work to improve learning, and to increase future employment prospects.
<b>Enforcement</b>	Action taken by a case manager in response to a child or young person's failure to comply with the actions specified as part of a community sentence or licence. Enforcement can be punitive or motivational.

<b>FTE</b>	First-time entrants: a child or young person who receives a statutory criminal justice outcome (youth caution, youth conditional caution or conviction) for the first time.
<b>Intervention</b>	The work undertaken by the YOS or other agency directly with the young person to change their behaviour.
<b>Learning Style</b>	A theory that individuals have a preferential way to absorb, process, comprehend and retain information. They can include, for example, solitary or group learning, discussion or practical teaching styles.
<b>LAC CLA</b>	Looked After Child/Child Looked After: a child or young person in the care of the local authority because of a court order, a voluntary agreement with the parents or due to being remanded in custody.
<b>MAPPA</b>	Multi-Agency Public Protection Arrangements: where probation, police, prison and other agencies work together locally to manage offenders who pose the highest risk of harm to others. Level 1 is single agency management where the risks posed by the offender can be managed by the agency responsible for the supervision or case management of the offender. This compares with levels 2 and 3, which require active multi-agency management.
<b>National Standards for Youth Justice</b>	Issued by the Youth Justice Board outlining the minimum contact levels and timescales for key tasks in the YOT's delivery of court orders.
<b>OPPC</b>	Office of the Police and Crime Commissioner: a locally elected representative, responsible for securing the effective and efficient policing of a police area. This can include representing the rights and views of victims.
<b>Out-of-Court Disposal (OCD)</b>	The resolution of a normally low-level offence, where it is not in the public interest to prosecute, through a Community Resolution, youth caution or youth conditional caution.
<b>RO</b>	Referral Order: a restorative court order which can be imposed when the child or young person appearing before the court pleads guilty, and whereby the threshold does not meet a Youth Rehabilitation Order.
<b>Reparation</b>	Work by young people who have offended by repairing the harm they have caused to victims or the community. The type of reparation provided should be based on the victim's wishes, where possible.
<b>RJ</b>	Restorative Justice: a system of criminal justice which focuses on rehabilitation through reconciliation with victims and the community.
<b>Risk of Serious Harm</b>	Risk of Serious Harm (ROSH) is a term used in AssetPlus. All cases are classified as presenting either a low, medium, high or very high risk of serious harm to others. HMI Probation uses this term when referring to the classification system, but uses the broader term risk of harm when referring to the analysis which has to take place in order to determine the classification level. This helps to clarify the distinction between the probability of an event occurring



	and the impact/severity of the event. The term Risk of Serious Harm only incorporates 'serious' impact, whereas using 'risk of harm' enables the necessary attention to be given to those young offenders for whom lower impact/severity harmful behaviour is probable.
<b>Safety and Well-Being</b>	AssetPlus replaced the assessment of vulnerability with a holistic outlook of a child or young person's safety and well-being concerns. It is defined as "...those outcomes where the young person's safety and well-being may be compromised through their own behaviour, personal circumstances or because of the acts/omissions of others" (AssetPlus Guidance, 2016).
<b>Self-Assessment Form/Questionnaire</b>	Questions answered by the child or young person and their parent/carer which informs the AssetPlus.
<b>Y2A</b>	Youth to Adult transition whereby the child or young person turns 18 and works alongside the seconded probation officer to move from the YOT to probation services.
<b>YOS Management Board</b>	The YOT management board holds the YOT to account to ensure it achieves the primary aim of preventing offending by children and young people.
<b>YC</b>	Youth Caution: a caution accepted by a child following admission to an offence where it is not considered to be in the public interest to prosecute the offender.
<b>YCC</b>	Youth Conditional Caution: as for a youth caution, but with conditions attached that the child is required to comply with for up to the next three months. Non-compliance may result in the child being prosecuted for the original offence.
<b>YOT/YOS</b>	Youth Offending Team, is the term used in the Crime and Disorder Act 1998 to describe a multi-agency team that aims to reduce youth offending. YOTs are known locally by many titles, such as youth justice service (YJS), youth offending service (YOS), and other generic titles that may illustrate their wider role in the local area in delivering services for children.
<b>YRO</b>	Youth Rehabilitation Order: overarching community sentence to which the court applies requirements (e.g. supervision requirement, unpaid work etc).
<b>YJB</b>	Youth Justice Board: government body responsible for monitoring and advising ministers on the effectiveness of the youth justice system. Providers of grants and guidance to the youth offending teams.



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