



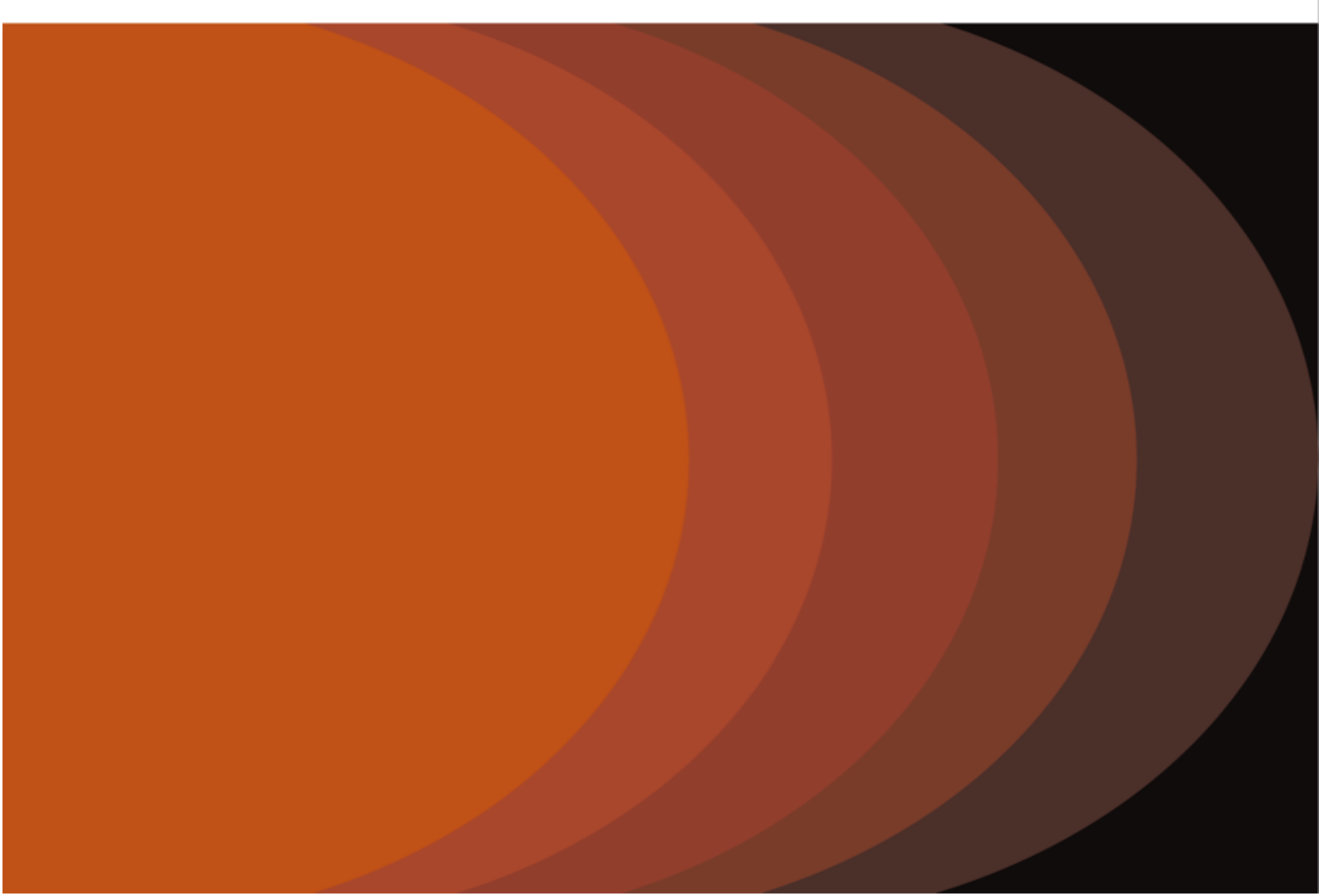
Her Majesty's  
Inspectorate of  
Probation

An inspection of youth offending services in

# Leicestershire

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HM Inspectorate of Probation, December 2021



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## Acknowledgements

This inspection was led by HM Inspector David Miners, supported by a team of inspectors and colleagues from across the Inspectorate. 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.

## 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 report on the effectiveness of probation and youth offending service work with adults and children.

We inspect these services and publish inspection reports. We highlight good and poor practice and use our data and information to encourage high-quality services. We are independent of government and speak independently.

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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## Foreword

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This inspection is part of our programme of youth offending service (YOS) inspections. We have inspected and rated Leicestershire Youth and Justice Service (Y&JS) across three broad areas: the arrangements for organisational delivery of the service, the quality of work done with children sentenced by the courts, and the quality of out-of-court disposal work. Overall, Leicestershire Y&JS was rated as 'Requires improvement'. We also inspected the quality of resettlement policy and provision, which was rated separately as 'Requires improvement'.

In 2019, the youth justice and youth services amalgamated in Leicestershire to form the Y&JS. We found that this amalgamation has largely been a success. Service provision and accessibility for children have expanded and there has been a positive cross-fertilisation of knowledge and skills within the combined services. Staff and managers are positive about the transformation and, generally, morale is high. This is an impressive achievement, especially as the change took place against the background of the Covid-19 pandemic which had a significant impact in Leicestershire.

The management board has strong strategic links to partnership arrangements across Leicester, Leicestershire and Rutland, and there is positive work being done to ensure that Y&JS children remain in education and have opportunities for training. Attendance at the board, however, has been inconsistent in the last 12 months and the lack of speech and language provision for Y&JS children is a significant gap in service provision. This needs to be resolved at board level.

The inspection also found that the board's strategic oversight had failed to identify shortcomings in the out-of-court-disposal process, which we judged to be inadequate. The failure of this process to assess systematically the safety and wellbeing of children, and the risk they pose to other people, is of concern. A revised process should ensure that a more thorough assessment is undertaken; that children and carers are interviewed before the panel meets to inform their decision; and that contact with the victims is a central part of the process.

The inspection of children subject to court orders and of those being resettled after custody, produced a more positive picture, although, overall, these areas still require improvement. The assessment and planning of cases require focus in relation to the safety and wellbeing of children and the risk of harm they pose to others. This should be supported by improved management oversight.

The services and interventions available for the most complex children are impressive. These include the Adverse Childhood Experiences project, which supports mental health, and Project Responsive, which provides a high level of support and intervention. We were pleased to see that both of these services are integral to the recently implemented resettlement policy. Leicestershire Y&JS builds positive relationships with the children it manages and there are good arrangements in place to enable the continuity of these relationships.















In this report, we make a number of recommendations, which, if implemented, we hope will enable Leicestershire to make the improvements needed to deliver a high-quality service for children.



**Justin Russell**

Chief Inspector of Probation

## Ratings

<b>Leicestershire Youth and Justice Service</b>		<b>Score</b>	<b>11/36</b>
<b>Overall rating</b>		<b>Requires improvement</b>	
<b>1. Organisational delivery</b>			
1.1	Governance and leadership	<b>Requires improvement</b>	
1.2	Staff	<b>Good</b>	
1.3	Partnerships and services	<b>Good</b>	
1.4	Information and facilities	<b>Good</b>	
<b>2. Court disposals</b>			
2.1	Assessment	<b>Requires improvement</b>	
2.2	Planning	<b>Requires improvement</b>	
2.3	Implementation and delivery	<b>Requires improvement</b>	
2.4	Reviewing	<b>Requires improvement</b>	
<b>3. Out-of-court disposals</b>			
3.1	Assessment	<b>Inadequate</b>	
3.2	Planning	<b>Inadequate</b>	
3.3	Implementation and delivery	<b>Inadequate</b>	
3.4	Out-of-court disposal policy and provision	<b>Inadequate</b>	
<b>4. Resettlement</b>			
4.1	Resettlement policy and provision	<b>Requires improvement</b>	

## Executive summary

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Overall, Leicestershire Youth and Justice Service (Y&JS) is rated as 'Requires improvement'. This rating has been determined by inspecting the service in three areas of their work, referred to as 'domains'. We inspect against 12 core 'standards', shared between the domains. The standards are based on established models and frameworks, which are grounded in evidence, learning and experience. They are designed to drive improvements in the quality of work with children who have offended.<sup>1</sup> Published scoring rules generate the overall youth offending service (YOS) rating.<sup>2</sup> We inspected the quality of resettlement policy and provision separately and rated this work as 'Requires improvement'. The findings and subsequent ratings in those domains are described below:

### Organisational delivery

The arrangements for governance and leadership are rated as 'Requires improvement'. The arrangements for staffing, partnership and services, and information and facilities are rated as 'Good'.

The successful amalgamation of the youth justice and youth services in 2019 has resulted in improved services for children. The management board has a three-year youth justice plan (2020–2023), which has a strategic focus on the educational needs of Y&JS children and reducing the use of custody. The board has strong strategic partnerships and, despite some inconsistency in attendance, youth justice work is prioritised in Leicestershire County Council. However, there has been a lack of strategic focus on the out-of-court disposal process, which has significant shortcomings in relation to assessment and safeguarding. Similarly, there remains a gap in speech and language provision for Y&JS children more than 12 months after a joint Ofsted and Care Quality Commission report raised concerns.

Workloads are well managed, and the team includes seconded police officers, community psychiatric nurses and probation officers. Staff receive regular supervision. However, management oversight needs to be more focused on the assessment of safety and wellbeing, and risk of harm.

The good partnership arrangements ensure that there is extensive service provision for children managed by the Y&JS. This includes excellent access to mental health and substance misuse services.

The work of the board and the management of the team are underpinned by comprehensive performance and quality assurance information. Following the board's direction, disproportionate service delivery and outcomes will be monitored routinely from September 2021. Leicestershire was particularly affected by the Covid-19 pandemic and was one of the first local authorities to be the subject of additional restrictions imposed by the government. There was a comprehensive Y&JS response to the pandemic, characterised by effective communication between management

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<sup>1</sup> HM Inspectorate of Probation's standards can be found here:

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

<sup>2</sup> Each of the 12 standards is scored on a 0–3 scale in which 'Inadequate' = 0; 'Requires improvement' = 1; 'Good' = 2; 'Outstanding' = 3. Adding these scores produces a total score ranging from 0 to 36, which is banded to produce the overall rating, as follows: 0–6 = 'Inadequate', 7–18 = 'Requires improvement', 19–30 = 'Good', 31–36 = 'Outstanding'.

and staff. These coordinated arrangements prioritised the safe supervision of children and staff wellbeing.

Our key findings about organisational delivery were as follows:

- The amalgamation of the youth justice team with the youth service to form the Y&JS has improved the prevention services and interventions delivered to complex children.
- The partnership arrangements at a strategic level are good and the three-year youth justice plan prioritises appropriately improving education, training and employment (ETE) and reducing custody alongside the national performance indicators.
- The workloads are manageable and there is flexibility within the allocation arrangements to allow equitable workloads.
- Forty per cent of staff are from a black, Asian and minority ethnic background. This increases the ability of the Y&JS to match children from minority backgrounds with officers from similar backgrounds.
- The Y&JS has developed comprehensive Tableau data to analyse its caseload.
- There are a wide range of services available, including projects that target the most vulnerable and complex children.

But:

- There has been inconsistent attendance by statutory agencies at the board meetings in the last 12 months.
- The communication of board priorities and activities to the operational team is inconsistent.
- There is no speech and language provision for Y&JS children, despite the recommendations of an Ofsted inspection of Leicestershire special educational needs and/or disabilities provision.
- There has been insufficient strategic and management oversight of out-of-court disposals. The current process requires urgent review and revision.
- The use of a screening tool, rather than an assessment process, for the out-of-court-disposal process may prevent safeguarding concerns from being identified.
- The Y&JS performance data does not monitor disproportionate outcomes or service uptake routinely.
- There is inconsistent management oversight of cases in respect of the safety and wellbeing of children and the risk of serious harm to other people.

### **Court disposals**

We took a detailed look at 13 community sentences managed by the Y&JS. We also conducted 10 interviews with the relevant case managers. We examined the quality of assessment; planning; implementation and delivery of services; and reviewing.

Each of these elements was inspected in respect of work done to address desistance, keeping the child safe and keeping other people safe.

For assessment, 77 per cent of cases met all our requirements for desistance but the scores for the assessment of safety and wellbeing, and risk of harm were 54 per cent and 46 per cent, respectively. As the lowest score was less than 50 per cent, this falls within our 'Inadequate' range, but the judgement of our internal ratings panel is that this is not representative of the overall work being done. We have therefore rated assessment as 'Requires improvement'. For planning, the scores were similar. For desistance, we rated 77 per cent of cases as sufficient, but this fell to 54 per cent and 46 per cent, respectively, for safety and wellbeing, and risk of harm. Again, professional judgement was used by the internal ratings panel to give an overall rating for planning of 'Requires improvement'.

For implementation and delivery, 77 per cent of cases met our requirements for desistance, with the scores for safety and wellbeing, and risk of harm being 62 per cent and 54 per cent, respectively. The overall rating for implementation and delivery is therefore 'Requires improvement'.

We also rated the court disposals we inspected as 'Requires improvement' for reviewing. The score for desistance in this area of work was 69 per cent, and for safety and wellbeing, and risk of harm was 62 per cent for both.

The Y&JS's 'child first' approach was demonstrated in the consistent building of positive relationships in the court disposal cases. There was also good evidence of services, such as the Adverse Childhood Experience (ACE) project, which is being used to help move children away from crime and into constructive activities. These factors helped contribute to the positive work identified in the area of desistance.

However, there were weaknesses in assessing risk, in the coordination of the work of other agencies and in contingency planning for changes in circumstances. There was also an inconsistent analysis of controls and interventions to manage risk in relation to both the child and other people.

Our key findings about court disposals are as follows:

- Assessment, planning, implementation and delivery, and reviewing were strong for work undertaken on desistance.
- Case managers built effective working relationships with the children they managed.
- Effective and accessible services were deployed to aid the management of complex children.
- Carers and children were involved actively in planning.
- Diversity considerations were considered in the delivery of services.
- Planning incorporated a consideration of a child's maturity and motivation to change.

But:

- Assessments of a child's safety and wellbeing, and their risk to others needs to be improved.
- Planning did not address routinely the concerns of victims and potential victims.

- Contingency planning to manage a child’s safety and wellbeing, and their risk of harm to others, should detail the necessary actions to address the identified risks
- Risk management planning did not sufficiently involve relevant agencies or consider the necessary controls and interventions to improve or restrict behaviour.
- Reviews were not undertaken routinely, in response both to significant events in a child’s life and concerns raised by other agencies.
- The analysis of the risk to a child’s safety and wellbeing was not ongoing and responsive to changes in behaviour and information from other agencies.

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

We inspected 17 cases managed by the Y&JS that had received an out-of-court disposal. These consisted of three youth conditional cautions, seven youth cautions and seven community resolutions. We interviewed the case managers in 15 cases.

We examined the quality of assessment; planning; and implementation and delivery of services, in respect of work done to address desistance, work to keep the child safe and work to keep other people safe. The quality of the work undertaken needs to be above a specified threshold to be rated as satisfactory.

We also inspected the quality of policy and provision for out-of-court disposals, using evidence from documents, meetings and interviews. The new inspections standards introduced in July 2021, for out-of-court disposal cases, continues to focus on the areas of assessment, planning and implementation and delivery, but there is now an enhanced focus on policy and provision rather than joint working arrangements. These new standards were applied for the inspection of Leicestershire Youth Justice Service.

Our inspection of the out-of-court disposal cases resulted in an ‘Inadequate’ rating for the work undertaken across assessment, planning, and implementation and delivery. For assessment, the cases were rated as ‘Inadequate’ for desistance (with only 47 per cent meeting our requirements), safety and wellbeing (29 per cent), and risk of harm (six per cent). For planning, the desistance score was 53 per cent, which is within the ‘Requires improvement’ range, but the safety and wellbeing, and risk of harm scores were 35 per cent and 18 per cent, respectively, which meant that the overall rating for planning was ‘Inadequate’. Similarly, for implementation and delivery the desistance score was 53 per cent, but the scores for safety and wellbeing (41 per cent) and risk of harm (24 per cent) made the overall rating ‘Inadequate’.

The principal reason for the poor quality of work that we found was the absence of a comprehensive assessment process in the Y&JS out-of-court disposal procedures. There is no consistent process to assess the information provided by agencies to inform the out-of-court disposal panel decision-making. In addition, input to the panel from parents or carers and the children themselves is not sought or made available routinely. As a result, inspectors identified concerns in relation to the safety and wellbeing of children and the potential risk of serious harm. Some positive practice was identified by inspectors in youth caution and youth conditional caution cases, but, generally, the deficiencies in this area of work were across all out-of-court disposals.



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

- Partnership services, including substance misuse and mental health, participated actively in the out-of-court process. This includes the Liaison and Diversion project that supports the out-of-court disposal work.
- The panel was held jointly with the police and was prompt in its decision-making.

But:

- There was not an effective assessment process in place to consider the safety and wellbeing of a child, and risk of harm, to inform panel decision-making.
- Neither the child nor their parents or carers were contacted consistently before the panel, so their views did not inform decision-making routinely.
- Victim information was not available to the panel routinely and there was not a consistent process to obtain it.
- The quality of the assessments for youth cautions and youth conditional cautions was poor. Safeguarding and risk of harm issues were overlooked.
- The response to previous out-of-court disposals was not analysed and did not inform decision-making.
- There is conflicting evidence as to whether the panel always considers information on ethnicity, the absence of which would limit its understanding of the child's experience and circumstances.

## **Resettlement**

We inspected the quality of policy and provision in place for resettlement work, using evidence from documents, meetings and interviews. To illustrate this work, we inspected four cases managed by the Y&JS that had received a custodial sentence.

Our key findings about resettlement work are as follows:

- There was a resettlement policy in place which detailed practice expectations in relation to resettlement, safety and wellbeing, and management of the risk of serious harm.
- There were good links between the Y&JS staff and case workers in the custodial establishments.
- The policy linked directly to the involvement of services to provide interventions and practical support in areas such as mental health, ETE and accommodation.

But:

- The transition arrangements with the Probation Service were applied inconsistently, both in terms of timescales and handover arrangements.
- The formal resettlement policy had been introduced only recently and had not yet been embedded into Y&JS procedure and practice.

## Recommendations

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As a result of our inspection findings, we have made six recommendations that we believe, if implemented, will have a positive impact on the quality of youth offending services in Leicestershire. This will improve the lives of the children in contact with youth offending services, and better protect the public.

### **The Leicestershire Youth and Justice Service management board should:**

1. work with Leicestershire Police to ensure that the out-of-court disposal procedures:
  - include an effective process to assess the safety and wellbeing, and the risk of serious harm that children pose to others
  - enable the views of children and their parents or carers to be considered, to inform the panel in its decision-making
  - enable the views of victims to be considered, to inform the panel in its decision-making
2. work with the health authorities to ensure that provision is in place to identify the speech, language and communication needs of children known to the Y&JS
3. work with Leicestershire Police to ensure that service delivery, referrals to services, statutory orders and out-of-court-disposals are monitored and analysed, for disproportionate access and outcomes.

### **The Leicestershire Youth and Justice Service manager should:**

4. improve the quality of management oversight in out-of-court disposal work
5. improve the quality of management oversight of the assessment and planning of safety and wellbeing, and the risk of serious harm, in both statutory and out-court-disposal cases
6. ensure that the decision-making in relation to out-of-court disposals takes into account the ethnicity of children from a black, Asian and minority ethnic background.

## Background

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Youth offending teams (YOTs) work with children aged 10 to 18 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 were dealt with out of court. HM Inspectorate of Probation inspects both these aspects of youth offending services.

YOTs are statutory partnerships, and they are multidisciplinary, to deal with the needs of the whole child. They are required to have staff from local authority social care and education services, the police, the Probation Service and local health services.<sup>3</sup> Most YOTs are based within local authorities, although this can vary.

YOT 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 (YJB) provides some funding to YOTs. It also monitors their performance and issues guidance to them about how things are to be done.

The standards against which we inspect youth offending services 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 children who have offended.<sup>4</sup> In July 2021 HM Inspectorate of Probation introduced revised standards for the inspection of youth services. The new standards include a new resettlement standard and a revised approach to out-of-court disposals. The inspection of out-of-court disposal cases continues to focus on the areas of assessment, planning and implementation and delivery, but there is now an enhanced focus on policy and provision rather than joint working arrangements. These new standards were applied for the inspection of Leicestershire Youth Justice Service.

Leicestershire is a two-tier local authority, with a county council and seven district councils. It has a population of 753,561. Its youth population (aged 10–17 years) is 69,517 which is 9.2 per cent of the population. This is in line with the national demographic for this age group.<sup>5</sup> Twelve per cent of children in Leicestershire live in low-income families, which is below the national average of 18.6 per cent. Twelve per cent of the population is from a black, Asian and minority ethnic background.

Following a restructure of Leicestershire County Council in 2019, the youth justice and youth services were amalgamated to form the youth and youth justice service (Y&JS), which sits within the children and family wellbeing service (CFWS). This involved a reconfiguration of the management team, although youth justice in Leicestershire continues to have designated staff and managers. The Y&JS has a dedicated service manager, who reports to the CFWS head of service.

Leicestershire YOT is commissioned by Rutland County Council, a small rural authority, to deliver statutory and prevention services. It also works closely with

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<sup>3</sup> The *Crime and Disorder Act 1998* set out the arrangements for local YOTs and partnership working.

<sup>4</sup> HM Inspectorate's standards are available here: <https://www.justiceinspectrates.gov.uk/hmiprobation/about-our-work/our-standards-and-ratings/>

<sup>5</sup> Office for National Statistics. (June 2021). *UK population estimates, mid-2020*.

Leicester City Youth Justice Service and strategic partnerships across Leicester and Rutland. Alongside the police and social care services, it is part of a child exploitation prevention hub, which undertakes joint assessments and daily information sharing.

Leicestershire was particularly affected by the Covid-19 epidemic. As well as experiencing the national lockdowns, it was for significant periods, the subject of additional restrictions imposed by the government. The work of Y&JS inspected in this report, was undertaken within this context. This inevitably had an impact on the nature of the service delivery and the development of relationships with children, young people, parents and carers.

## Contextual facts

### Youth justice information

<b>135</b>	First-time entrant rate per 100,000 in Leicestershire <sup>6</sup>
<b>207</b>	First-time entrant rate per 100,000 in England and Wales
<b>30%</b>	Reoffending rate for Leicestershire <sup>7</sup>
<b>38%</b>	Reoffending rate in England and Wales

### Population information

<b>753,561</b>	Total population Leicestershire <sup>8</sup>
<b>69,517</b>	Total youth population (10–17 years) in Leicestershire

### Caseload information<sup>9</sup>

Age	10–14	15–17
Leicestershire Y&JS	22%	78%
National average	22%	78%

Race/ethnicity	White	Black and minority ethnic	Unknown
Leicestershire Y&JS	89%	11%	0%
Leicestershire	88%	12%	0%

Gender	Male	Female
Leicestershire Y&JS	89%	11%
National average	85%	15%

### Additional caseload data<sup>10</sup>

<b>68</b>	Total current caseload: community sentences
<b>4</b>	Total current caseload in custody

<sup>6</sup> Youth Justice Board. (2021). *First-time entrants, January to December 2019*.

<sup>7</sup> Ministry of Justice. (2021). *Proven reoffending statistics, October to September 2019*.

<sup>8</sup> Office for National Statistics. (2021). *UK population estimates, mid-2020*.

<sup>9</sup> Information provided by Leicestershire Youth and Justice Service during the inspection.

<sup>10</sup> Data supplied by the YOS, reflecting the caseload at the time of the inspection announcement.

<b>6</b>	Total current caseload on licence
<b>48</b>	Total current caseload: community resolution or other out-of-court disposal
<b>68%</b>	Proportion of current caseload subject to court disposal
<b>38%</b>	Proportion of current caseload subject to out-of-court disposal
<b>26%</b>	Proportion of current caseload 'Looked After Children' resident in the YOS area
<b>3%</b>	Percentage of current caseload with child protection plan
<b>6%</b>	Percentage of current caseload with child-in-need plan
<b>36%</b>	Percentage of current caseload aged 16 and under not in school/pupil referral unit/alternative education
<b>50%</b>	Percentage of children aged over 16 not in education, training or employment

**For children subject to court disposals:**

<b>Offence types<sup>11</sup></b>	<b>%</b>
Violence against the person	54%
Sexual offence	8%
Robbery	15%
Arson	8%
Drug offences	8%
Other summary offences	8%

<sup>11</sup> Data from the cases assessed during this inspection.

## 1. Organisational delivery

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The youth and youth justice service (Y&JS) arrangements for governance and leadership are rated as 'Requires improvement'. The arrangements for staffing, partnership and services, and information and facilities are rated as 'Good'.

The amalgamation of youth and youth justice services in 2019 has resulted in improved services for children. The management board has a three-year youth justice plan (2020–2023), which has a strategic focus on the educational needs of Y&JS children and reducing the use of custody. The board has strong strategic partnerships and despite some inconsistency in attendance, youth justice work is prioritised in Leicestershire County Council. However, there has been a lack of strategic focus on the out-of-court disposal process, which has significant deficiencies in relation to assessment and safeguarding. Similarly, there remains a gap in speech and language provision for Y&JS children more than 12 months after a joint Ofsted and Care Quality Commission report raised concerns.

Workloads are well managed, and the Y&JS team includes seconded police officers, community psychiatric nurses and probation officers. Staff receive regular supervision. However, management oversight needs to be more focused on the assessment of safety and wellbeing, and risk of harm.

The good partnership arrangements ensure that there is extensive service provision for children managed by the Y&JS. This includes excellent access to mental health and substance misuse services.

The work of the board and the service are underpinned by detailed performance and quality assurance information. Following the board's direction, disproportionate service delivery and outcomes will be monitored routinely from September 2021. Leicestershire was particularly affected by the Covid-19 pandemic and was one of the first local authorities to be the subject of additional restrictions imposed by the government. There was a comprehensive Y&JS response to the pandemic, characterised by effective communication between management and staff. These coordinated arrangements prioritised the safe supervision of children and staff wellbeing.

### Strengths:

- The amalgamation of the youth justice and youth services to form the Y&JS has improved the prevention and support services delivered to complex children.
- The partnership arrangements at a strategic level are good and the three-year youth justice plan prioritises appropriately improving education, training and employment (ETE) and reducing custody alongside the national performance indicators.
- Workloads are manageable and there is flexibility within the allocation arrangements to allow equitable workloads.

- Forty per cent of staff are from a black, Asian and minority ethnic background. This increases the ability of the Y&JS to match children from minority backgrounds with officers from similar backgrounds.
- The Y&JS has developed comprehensive Tableau data to analyse its caseload.
- There are a wide range of services available, including projects that target the most vulnerable and complex children.
- The Y&JS plays a central role in the operation of the Leicestershire child exploitation hub.

### Areas for improvement:

- There has been inconsistent attendance by statutory agencies at board meetings in the last 12 months.
- The communication of board priorities and activities to the operational team is inconsistent.
- There is no speech and language provision for Y&JS children despite the recommendations of an Ofsted inspection of Leicestershire special educational needs and/or disabilities (SEND) provision.
- There has been insufficient strategic and management oversight of out-of-court disposals. The current process requires urgent review and revision.
- The use of a screening tool rather than an assessment process for the out-of-court disposal process may prevent safeguarding concerns from being identified.
- The Y&JS performance data does not monitor disproportionate outcomes or service uptake routinely.
- There is inconsistent management oversight of cases in respect of the safety and wellbeing of children and the risk of serious harm to other people.

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

### 1.1. Governance and leadership



The governance and leadership of the YOT supports and promotes the delivery of a high-quality, personalised and responsive service for all children.

Requires improvement

### Key data

Total spend in previous financial year	£2,080,252
Total projected budget for the current financial year	£2,234,500



In making a judgement about governance and leadership, we take into account the answers to the following three questions:

**Is there an effective local vision and strategy for the delivery of a high-quality, personalised and responsive service for all children?**

The chair of the Leicestershire Y&JS management board is the Chief Executive of Leicestershire County Council, which demonstrates the council's prioritisation of the work of the Y&JS. However, there has been inconsistent attendance across the board, including by the chair, who has been represented by the Director of Children and Family Services. In the last 12 months, statutory representatives have missed 25 per cent of meetings, with a replacement representative present in 34 per cent of them. Despite this variable pattern of attendance, board representatives have demonstrated that they are active in contributing to the Y&JS strategy. Education providers, police and the Probation Service have all made positive contributions to the strategy and the work of the Y&JS.

Leicestershire Y&JS has a three-year youth justice plan (2020–2023). The core principles underlying the plan include a 'child first' strategy; ensuring that services are inclusive and promote equality; and the building of positive and trusted relationships with children. The board has included ETE and reducing the use of custody as priority areas for improvement, alongside the national key performance areas. The Y&JS has key operational policies in place which include the management of risk and resettlement. The board receives comprehensive performance reports to review its effectiveness and implementation. This includes in-depth information from the dip-sampling of cases, and detailed case examples. In June 2021, a child who had been managed by the YOT attended the board and made a presentation on their experiences of the service provided.

The board has also considered over-represented children in relation to its responsibilities under the *Equality Act 2010*. Following board review in March 2021, Y&JS performance data and outcomes will be more granular in relation to gender and ethnicity from September. A 'task and finish' group, to consider how the needs of over-represented children can best be addressed, has been established, although this has yet to make recommendations.

The first-time entry rate is lower in Leicestershire than the national average. This has resulted in a sustained reduction in the number of out-of-court disposals. The use of youth cautions and youth conditional cautions has reduced by 23 per cent and 16 per cent, respectively, compared with national figures of 19 per cent and nine per cent. This positive performance, however, has not precipitated an effective review or monitoring of the operating process, to analyse the reasons for this reduction. The current process has significant weaknesses in relation to assessment and safeguarding, and there is insufficient monitoring of the outcomes of the disposals. These deficiencies are acknowledged by managers in the service, who have stated their intention to revise the arrangements.

**Do the partnership arrangements actively support effective service delivery?**

The Y&JS has strong links to other strategic boards which sit under the strategic partnership board that covers Leicester City, Leicestershire and Rutland. These include the Leicestershire safer communities strategy board, the strategic offender management and the Multi Agency Public Protection Arrangements (MAPPA) board. It is also a key member of the Violence Reduction Network (VRN). The focus of the

VRN is on prevention, where Y&JS is an active participant and has contributed to a joint needs assessment for children identified to be at risk of offending.

Alongside the police and the children's social care service, the Y&JS has two staff linked to the child exploitation hub. This allows information from the hub to be disseminated daily. This ensures a bespoke response to vulnerable children's needs by making sure that engagement is with the most appropriate professional.

The Y&JS has access to a good range of preventative and diversion services. The amalgamation of the youth justice and youth teams in 2019 has helped to develop these services and improved the access for children attending via the youth justice route. For example, Project Responsive, which provides high-level support and services to children with complex needs, has expanded from three to five workers.

A joint Ofsted and Care Quality Commission report into children with special educational needs in Leicestershire was published in March 2020.<sup>12</sup> It identified a lack of access to speech and language support for children managed by the Y&JS. Subsequently, there has been communication between the board and the Leicestershire SEND board, with a health strategic needs assessment for Y&JS children being discussed. However, there has been no progress in provision, and currently Y&JS children have no access to a speech and language service. This is a significant gap as the Y&JS's analysis indicates that 80 per cent of its children require this service.

The arrangements underpinning the transition of Y&JS children to supervision by the Probation Service when they reach the age of 18 are applied inconsistently. Both the timeframes and the handover arrangements vary between cases.

### **Does the leadership of the YOT support effective service delivery?**

The service manager has been in post for two years and has led the formation of the Y&JS. Staff and managers at all levels are positive about both the change and its implementation. This was a significant transformation programme undertaken successfully by the Y&JS management team, during the e Covid-19 epidemic. Both high staff morale and their positive view of the new working structures, underlines the success of transformation programme.

The service manager and the two youth justice managers work together effectively to support the youth justice element of the combined youth justice and youth team. The team managers lead on specific areas of practice, such as domestic abuse or harmful sexual behaviour, and are responsible for ensuring that practice developments are communicated to the teams.

The service manager attends all board meetings, and team managers frequently attend, to report on team performance. Within the Y&JS team, there is an inconsistent understanding of the board's priorities and some staff were not aware of their activities. However, the annual practice focus week, where board members and senior staff observe and undertake frontline roles and activities, is viewed positively across the team.

The principle of 'child first' is well established across the Y&JS and new policies and immediate concerns are communicated via fortnightly online briefings. The key issues are followed up in team meetings or via email. These methods of

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<sup>12</sup> Ofsted and Care Quality Commission. (2020). *Joint area SEND inspection in Leicestershire*.

communication were developed in response to the Covid-19 pandemic and are welcomed by staff.

Although performance reports do not routinely analyse disproportionality in terms of the referral rate or service delivery, this is examined in bespoke deep-dive examinations of practice. For example, the Project Responsive and 'not in education, training or employment' (NEET) performance reports included gender and ethnicity in the analysis of performance.

The Y&JS is designated as a critical service by Leicestershire County Council and there is a business continuity plan in place. Its response to the Covid-19 crisis has been comprehensive and includes doorstep visits for children presenting a high risk of serious harm and a risk assessment for YOT staff.

## 1.2. Staff



Staff within the YOT are empowered to deliver a high-quality, personalised and responsive service for all children.

Good

### Key staffing data<sup>13</sup>

Total staff headcount (full-time equivalent, (FTE))	73
Vacancy rate (total unfilled posts as percentage of total staff headcount)	10.9%
Average caseload per case manager (FTE) <sup>14</sup>	7
Average annual working days sickness (all staff)	10.4

In making a judgement about staffing, we take into account the answers to the following five questions:

#### **Do staffing and workload levels support the delivery of a high-quality, personalised and responsive service for all children?**

The Y&JS covers a rural area, and the service is split into two teams, east and west, each with its own team manager. These arrangements are flexible to workload demands. The teams include police officers, probation officers and two embedded community psychiatric nurses. There is also an accommodation worker; a restorative approaches coordinator who deals with victims; and a part-time post linked to the integrated offender management team. The organisation of the youth teams mirrors the youth justice set-up in having two teams (east and west). This enables consistent information sharing and joint working.

The average caseload is seven. In the staff survey, 93 per cent of staff said that they are comfortable with their workload. Allocation is managed effectively under the guiding principle of 'child first' and the building of consistent relationships with children. Where possible, workers are allocated children with whom they already

<sup>13</sup> Data supplied by the YOS and reflecting staffing at the time of the inspection announcement.

<sup>14</sup> Data supplied by the YOS, based on staffing and workload at the time of the inspection announcement.

have a relationship. In cases where an increase in risk necessitates the involvement of a qualified worker, the unqualified officer also remains involved, to ensure continuity.

The average number of days of staff sickness absence each year has reduced to 10 from 12. This follows a period in 2020 when it was far higher, particularly for youth justice officers. The significant impact of Covid-19 in Leicestershire has inevitably affected the recent level of staff absence and the operation of the team. In response, the management team has prioritised the allocation or re-allocation of children to staff members already known to them. The board has responded to the level of unplanned absence by agreeing to the service managers' request for additional youth justice officer resources.

The Y&JS management team has reviewed these absences but not identified any underlying reasons related directly to the work environment. Return-to-work support packages have been put in place for returning staff.

### **Do the skills of YOT staff support the delivery of a high-quality, personalised and responsive service for all children?**

The ethnic profile of the YOT team includes 40 per cent of staff from a black, Asian and minority ethnic background. This is a four per cent increase on 2020/2021 and exceeds the 12 per cent figure for the general population. This enables managers, in most cases, to consider matching children with workers from a similar background.

Only qualified youth justice workers are permitted to hold high risk of serious harm cases, although other staff may be involved where appropriate. Similarly, only youth justice workers who have undertaken the Assessment, Intervention and Moving-on (AIM) 3 training are allocated cases involving harmful sexual behaviour. MAPPA cases are considered at local information-sharing meetings and, if necessary, referred to the integrated offender management team to review the level of MAPPA management.

The Y&JS has commissioned bespoke training to improve the service delivery to children. 'Restorative Solutions' has delivered restorative justice training to all staff, including the restorative approaches coordinator. The Adverse Childhood Experience (ACE) project provides specialist mental health support to staff, and services to children. Led by a forensic psychologist, the project provides consultation, interventions and case formulation meetings. All children managed by the Y&JS can be referred, including those who will not engage with the community adolescent mental health service (CAMHS).

Unqualified staff are encouraged to undertake the Youth Justice Effective Practice course. Leicestershire County Council also provides opportunities to complete a degree in social work, and the Effective Practice course is recognised as part of this degree. The Y&JS accommodates study days to allow completion of these courses.

Staff in the Y&JS are positive about the appraisal process, and the development and shadowing opportunities afforded to them. The individual learning plans created as part of the process are the basis for accessing relevant training and learning opportunities.

### **Does the oversight of work support high-quality delivery and professional development?**

All Y&JS staff receive formal monthly supervision and are positive about the accessibility of managers outside of these formal meetings. The structured

supervision process allows for both detailed and reflective consideration of cases. In the staff survey, 87 per cent of staff rated management oversight as very or quite good. Our inspection identified a somewhat different picture, with the management oversight of inspected cases deemed sufficient in only 50 per cent of relevant cases. A particular area of concern identified was in the oversight given to risk management planning. The current supervision arrangements provide support and guidance but require a greater focus on the management of cases.

All managers are trained in restorative justice and understand that working with victims can be both emotive and complex. In recognition of this, staff working with victims and complex cases can access clinical supervision through the ACE project.

There are procedures to address staff competency and in the last 12 months, managers have used support plans, to tackle performance issues. For new staff, there is a comprehensive induction programme that details activities and actions with specified timescales. The diversity issues of new staff are addressed within this structured framework.

### **Are arrangements for learning and development comprehensive and responsive?**

The Y&JS has a comprehensive training plan for all staff which divides core training opportunities into essential, developmental and aspirational. Essential training includes risk assessment, adverse childhood experiences and trauma-informed practice. Domestic abuse and harmful sexual behaviour training (AIM3) are identified as developmental training and must be completed before staff undertake work with children in these areas. In the staff survey, 97 per cent of staff said that they mostly or fully had the skills and knowledge to undertake their roles.

The Y&JS undertakes an annual audit of its cases, and the outcomes of these are linked directly to training initiatives. For instance, the 2021 audit identified concerns about the quality of assessment and planning. Silver Bullet was commissioned subsequently to deliver AssetPlus training to all Y&JS managers. In line with the 'child first' approach, all staff have been trained in trauma-informed practice, delivered by the ACE project.

The Y&JS holds an annual 'Pride in Practice' awards event, whereby individuals and teams from across the department can be nominated for reward and recognition. All staff can make nominations for this event. Staff can also be nominated for recognition during the fortnightly management briefings.

### **Do managers pay sufficient attention to staff engagement?**

Staff working in the Y&JS are committed to their work with children. In the staff survey, 90 per cent of staff said that they were very motivated to deliver a high-quality service. Both the consistency and communication methods used in the team ensure effective engagement between staff and managers. The practice focus week was highlighted by staff as an effective method for engagement with senior managers and board members.

The Y&JS's management response to the Covid-19 pandemic has been welcomed by staff. Weekly meetings have ensured that they have been supported in home working and had clear directions in relation to work.

The return to work has been equally supportive. Individual risk assessments have been undertaken on all staff before any expectation that they return to the

workplace. The disproportional impact of the Covid-19 pandemic on people from a minority ethnic background has been incorporated into this risk assessment.

### 1.3. Partnerships and services



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

Good

#### Caseload characteristics

Percentage of current caseload with mental health issues	38%
Percentage of current caseload with substance misuse issues	38%
Percentage of current caseload with an education, health and care plan	14%

In making a judgement about partnerships and services, we take into account the answers to the following three questions:

#### **Is there a sufficiently comprehensive and up-to-date analysis of the profile of children, to ensure that the YOT can deliver well-targeted services?**

The Careworks case management system has limited ability to produce accurate management information. The Y&JS has developed its own Tableau data, to analyse the needs of the children it manages. This data is comprehensive and can analyse the caseload in relation to ethnicity, Looked After Children, mental health and risk of serious harm.

This analysis of the caseload links directly with the team's development and quality assurance plans and is used as the basis of the performance reports presented to the management board. There is some evidence that the information is used effectively to develop provision and to improve services. The NEET figures for the Y&JS have been the subject of detailed analysis, as ETE is a board priority. In 2020/2021, 61 per cent of Y&JS children were in suitable ETE. This was below the target of 80 per cent but a slight increase on the previous year. The Y&JS has worked closely with the education inclusion service, to try to improve this performance. This has included an in-depth analysis of the profile and experiences of children who are excluded from school, and this has been shared with schools and education providers. Youth justice officers also attend education multidisciplinary meetings, to advocate for Y&JS children.

The analysis of diversity factors includes geographical areas and sentence. The current lack of monitoring of referral rates or use of services means that this information is not available to inform improvements to either service accessibility or delivery.

#### **Does the YOT partnership have access to the volume, range and quality of services and interventions to meet the needs of all children?**

The amalgamation of youth justice and youth services has enhanced the prevention services available. The interventions now accessible include crime prevention one-to-one work; family work; and a sport-based project, Kickstart Your Life. Embedded within Y&JS is the Safer Returns project, which works with children who

have gone missing, and the Youth Action Project. The latter offers life skills training, mental health support and peer mentoring, which includes lesbian, gay, bisexual and transgender support. It prioritises listening to children and has, for example, obtained feedback from children on staff behaviour in the Y&JS.

The Y&JS has developed its methods of engaging with children as a result of the Covid-19 pandemic. Its response to the pandemic included a digital groupwork intervention for children assessed as presenting a high risk of serious harm. The electronic podcasts (Epod) sessions are delivered remotely to children via laptop computers and tablets. They focus on 14 areas identified in a Children's Voice survey. These include emotional wellbeing and support for young carers. There is a high level of engagement by children with this programme, and the feedback from them is being used to develop it further. This impressive engagement with children and young people is also demonstrated in the Y&JS's recruitment processes, where children are represented on all recruitment panels.

The Y&JS offers good provision for children with mental health problems. Following a referral, a seconded CAMHS community psychiatric nurse undertakes an initial assessment within two weeks. If further specialist assessments are necessary, they may take longer but the community psychiatric nurse will remain involved with the child during this period. This service also links directly with the ACE project, which offers interventions for those children not requiring specialist support or who will not attend CAMHS because of the stigma associated with mental health issues.

There are two education coordinators located in the joint youth justice and youth team. They work directly with children and their families to ensure that children are in education pre-16 and have access to training and employment post-16. The Y&JS commissions 'Turning Point' to provide a substance misuse service and there are regular management meetings to review the partnership. As with the other partnership arrangements, however, disproportionality and its impact on outcomes are not routinely included in the data reviewed.

The March 2020 Ofsted inspection of SEND in Leicestershire praised the Y&JS's role in assessing and supporting children. However, the lack of access for Y&JS children to speech and language services was highlighted. This gap in provision has still not been rectified. This is recognised by the Y&JS management team. The responsibility for addressing this gap in service sits at board level.

### **Are arrangements with statutory partners, providers and other agencies established, maintained and used effectively to deliver high-quality services?**

The Y&JS has a strong partnership with police and children's social care services. It has two workers embedded in the child exploitation hub, alongside multidisciplinary representatives. This holds a daily multi-agency risk meeting where information is shared. The Y&JS staff are involved in assessments and interventions, which include 'return home' interviews for missing children. The principle of 'child first' is incorporated into the work of the hub, and this helps to identify the most suitable professional to intervene with a vulnerable child. A weekly multi-agency meeting reviews information on vulnerable children and considers children in care in particular. Children assessed as being at high risk have a police officer and a social worker allocated to the case, which is good safeguarding practice.

The high risk of serious harm cases managed by the Y&JS are the subject of local information-sharing meetings. These can be held monthly but their frequency

depends on the level of concern associated with the case. They are attended by the police, children’s social care services staff and the professionals involved, such as substance misuse workers. The restorative approaches coordinator can attend if there are victim issues. Where required, cases will be referred to a MAPPA level 2 meeting. Project Responsive works with complex children, including those assessed as presenting a high risk of serious harm, across the prevention and statutory frameworks. For children assessed as being at high risk of receiving a custodial sentence, activities can be arranged for up to 25 hours per week.

The relationship between the Y&JS and sentencers is positive. Y&JS managers hold quarterly meetings with sentencers, to review practice and to update magistrates on the services available. The response to our inspection questionnaire demonstrated that sentencers have a high level of confidence in the work of the Y&JS and highlighted the individually tailored support packages in pre-sentence reports. The sentencers also highlighted the Y&JS’s willingness to work in partnership, and provided the following example:

*“Their ability to work together in partnership and, when necessary, seeking to collaborate to provide better outcomes for children is also a strength. There was one particular child who was sentenced to an intensive referral order, which was made quite public in the press but the court and YOT worked with senior police to ensure that there was a robust safety plan in place for the child and his family. The YOT also created a professional space, where we could talk this case through to reflect on our experiences ... out of this we decided that a session with youth panel members on intensive referral orders, and the management of them, would be beneficial.”*

### **Involvement of children and their parents and carers**

As part of the inspection process, children are invited to participate in a text survey, and those children whose cases are inspected are offered the opportunity to speak to an inspector, to give their feedback.

For the text survey, six children were contacted and two responded. One child gave the Y&J a score of 5, and the other of 10 (with 10 being ‘fantastic’).

Five children or parents were contacted for interviews but only three responded. Two of the responses were positive about their relationship with their youth justice worker, with one parent stating:

*“My child has special needs and he has been referred to CAMHS ... we have had access to services more effectively through the Y&JS service...”*

The third child held a negative view, believing that they had not received access to appropriate employment training.

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## **1.4. Information and facilities**



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

Good

In making a judgement about information and facilities, we take into account the answers to the following four questions:



### **Do the policies and guidance in place enable staff to deliver a high-quality service, meeting the needs of all children?**

The Y&JS has a comprehensive list of policies in place to deliver its service. These are accessible to staff and include operational guidance, human resources and referral pathways. Staff are clear about the referral pathways, both internally and externally. The amalgamation has improved communication with the youth team, so the youth justice officers have the necessary information about the desistance activities available.

The fortnightly online management briefings are used to communicate new policies or to highlight priority areas. The clear and consistent communication during the Covid-19 pandemic ensured that staff were clear about management expectations in relation to their contact with children.

There are information-sharing protocols in place with key partners, such as the ACE project and Turning Point. These include arrangements to escalate issues where necessary. Staff also have clear guidance and protocols in relation to multi-agency risk assessment conferences, safeguarding incidents and early help pathways.

### **Does the YOT's delivery environment(s) meet the needs of all children and enable staff to deliver a quality service?**

The Y&JS is based in Glenfield, Leicestershire, and uses council offices across Leicestershire to deliver services. Following the amalgamation, staff were initially located in the council offices of local market towns but this was found to be inefficient, in terms of time, and inflexible, in relation to workload allocation. The team is now located in Leicester but uses offices across the county. All premises are risk assessed.

The Y&JS commissioned by Rutland County Council is delivered in offices in that county. The workload generated is small and one Y&JS worker is allocated to work in the area. The Y&JS has the flexibility to provide additional resources if necessary.

Following the Covid-19 lockdown, the Y&JS team worked from home, only undertaking direct work with children assessed as presenting a high risk of serious harm. All doorstep visits were risk assessed. Most of the interaction with children during this period took place online. In response to this online working, risk assessments were developed and completed. With the lifting of Covid-19 restrictions, it is envisaged that staff will balance their time between working in the office and at home.

### **Do the information and communication technology (ICT) systems enable staff to deliver a quality service, meeting the needs of all children?**

All Y&JS staff have access to the children's social care casework system, Mosaic. They also have access to police information via the seconded police officers and the child exploitation hub.

The Careworks case management system is effective for recording but has limitations in terms of its information reports. It is due to be upgraded in December 2021. However, the YOT has developed its Tableau data process, which provides reports across all operational areas. The Tableau reports are detailed and comprehensive, and information is available on individual caseloads and the delivery of services.

Diversity information is available in the Tableau reports, although it has not been produced routinely, to measure and monitor outcomes and referrals. Following the board decision, in March 2021, to rectify this, performance reports from September 2021 will incorporate diversity information.

### **Are analysis, evidence and learning used effectively to drive improvement?**

The Y&JS has a comprehensive monitoring system for quality assuring work, and this is recorded in the development plan. The quality assurance framework includes the routine reviewing of risk assessments. The youth justice application framework has been implemented to improve the exchange of information between youth justice teams and custodial establishments. The quality assurance processes, however, do not result consistently in improved practice. For example, the monitoring of NEET figures and practice resulted in specific practice improvements, but a similar review of the out-of-court-disposal procedures did not result in improvements or significant changes to the pre-panel policy or practice.

The Y&JS undertakes an annual audit of 20 per cent of its cases, and the results of this informs the development plan. In 2021, assessment and planning were identified as areas of improvement. Although AssetPlus training has been arranged with Silver Bullet, there is no specific evidence of subsequent monitoring by team managers to improve these areas of practice.

The Y&JS undertakes peer review exercises with neighbouring youth justice teams, to examine and audit its work. In the last 12 months, it has also undertaken a self-evaluation exercise against HM Inspectorate of Probation standards.

The Y&JS undertakes its own learning reviews into cases, to improve its practice. In April 2021, it undertook two such reviews and, as a result, improved its quality assurance processes for court reports and made changes to the allocation system.

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## Diversity

Throughout our standards, we expect a personalised and responsive approach for all children, which includes taking account of their diversity and protected characteristics. Those factors may influence our judgements in specific standards. Here, we present an overall summary of the approach to diversity that we found in this YOT.

Black, Asian and minority ethnic children account for 11 per cent of the overall Y&JS caseload. The figure for Y&JS's statutory caseload alone is 16 per cent. The over-representation of children in the Y&JS cohort has been recognised as a key issue by the board, which, in March 2021, directed that performance data should include disproportionality in its analysis of service delivery and outcomes. A 'task and finish' group has also been set up, to consider the operation of the YOT in relation to disproportionality.

Leicestershire Y&JS has made some progress in addressing issues of disproportionality, although its approach is still in its infancy. There are examples where protected characteristics are considered in its analysis of caseload and service delivery but there are also some significant gaps. For example, the current information shows that 85 per cent of black, Asian and minority ethnic children are subject to court orders, and 23 per cent to out-of-court disposals (one individual is subject to both). The potential disproportionate use of statutory disposals in these cases should be analysed, to ensure that this has not resulted from discriminatory practice or decision-making. Similarly, the seven girls managed currently by the Y&JS are subject to court orders. These cases should also be reviewed, to ensure that the use of out-of-court disposals does not discriminate against girls.

The Y&JS has made progress in its recruitment of staff and has undertaken targeted recruitment for male worker posts. However, boys make up 89 per cent of the caseload and only 22 per cent of the workforce are men. These figures are in line with those in other YOTs. Significant progress has also been made in recruiting black, Asian and minority ethnic staff, who now make up 40 per cent of the Y&JS workforce, an increase of four per cent on 2019/2020. This has increased the ability of managers to match children with youth justice workers from a similar background, and it is ensured that core panels are representative.

## 2. Court disposals

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We took a detailed look at 13 community sentences managed by the Y&JS. We also conducted 10 interviews with the relevant case managers. We examined the quality of assessment; planning; implementation and delivery of services; and reviewing. Each of these elements was inspected in respect of work done to address desistance, keeping the child safe and keeping other people safe.

For assessment, 77 per cent of cases met all our requirements for desistance but the scores for the assessment of safety and wellbeing, and risk of harm were 54 per cent and 46 per cent, respectively. As the lowest score was less than 50 per cent, this falls within our 'Inadequate' range, but our judgement is that this was not representative of the work being done. Professional discretion was therefore applied by the HM Inspectorate of Probation ratings panel, and the overall rating for assessment was amended to 'Requires improvement'. For planning, the scores were similar. For desistance, 77 per cent of cases were sufficient, but the scores fell, again, to 54 per cent and 46 per cent, respectively, for safety and wellbeing, and risk of harm. Again, professional discretion was used to give an overall rating for planning of 'Requires improvement'.

For implementation and delivery, 77 per cent of cases met our requirements for desistance, with the scores for safety and wellbeing, and risk of harm being 62 per cent and 54 per cent, respectively. The overall rating for implementation and delivery is therefore 'Requires improvement'.

We also rated the court disposals as 'Requires improvement' for reviewing. The score for desistance in this area of work was 69 per cent, and for safety and wellbeing and risk of harm was 62 per cent for both.

The Y&JS's 'child first' approach was demonstrated in the consistent building of positive relationships in the court disposal cases. There was also good evidence of services, such as the ACE project, being used to help move children away from crime and into constructive activities. These factors helped contribute to the positive work identified in the area of desistance.

The key factors that contributed to the overall rating of 'Requires improvement' were weaknesses in assessing risk; the coordination of the work of other agencies; and in relation to contingency planning for changes in circumstances. There was also an inconsistent analysis of controls and interventions to manage risk, in relation to both the child and risks to other people.

### Strengths:

- Assessment, planning, implementation and delivery, and reviewing were good in the area of desistance.
- Case managers built effective working relationships with the children they managed.
- Effective and accessible services were deployed to aid the management of complex children.
- Carers and children were involved actively in planning.

- Diversity considerations were taken into account in the delivery of services.
- Planning incorporated a consideration of a child’s maturity and motivation to change.

### Areas for improvement:

- Assessments of a child’s safety and wellbeing, and their risk to others, should consistently analyse all the available information to identify the potential risks
- Planning needed to address routinely the concerns of victims and potential victims.
- Contingency planning to manage a child’s safety and wellbeing, and their risk of harm to others, should detail the necessary actions to address the identified risks
- Risk management planning should have involved relevant agencies and considered the necessary controls and interventions to improve or restrict behaviour.
- Reviews were not undertaken routinely, either in relation to significant events in a child’s life or concerns raised by other agencies.
- The analysis of the risk to a child’s safety and wellbeing were not ongoing and did not respond to changes in behaviour and information from other agencies.

Work with children 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



Assessment is well-informed, analytical and personalised, actively involving the child and their parents/carers.

Requires improvement

Our rating<sup>15</sup> for assessment is based on the following key questions:

	<b>% yes</b>
Does assessment sufficiently analyse how to support the child’s desistance?	77%
Does assessment sufficiently analyse how to keep the child safe?	54%
Does assessment sufficiently analyse how to keep other people safe?	<b>46%</b>

<sup>15</sup> The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table. See Annexe 2 for a more detailed explanation.

### **Does assessment sufficiently analyse how to support the child's desistance?**

In 11 of the 13 cases inspected, the assessment had sufficient analysis of offending behaviour, including the child's motivation and attitudes towards their behaviour. In 12 cases, the assessment focused on the child's strengths and protective factors, and in 11 cases sufficient attention was paid to the child's maturity, motivation and ability to engage. These ratings underline the 'child first' approach taken by the Y&JS.

One inspector noted:

*"My child has special needs and he has been referred to CAMHS ... we have had access to services more effectively through the Y&JS service..."*

In 11 cases, children and carers were involved meaningfully in their assessment. In eight cases sufficient attention was paid to the wishes of the victim, with only two cases where this did not happen.

The most prevalent factors related to a child's offending were substance misuse, ETE, living arrangements and mental health. These were judged to have been assessed sufficiently in 10 of the 13 cases.

### **Does assessment sufficiently analyse how to keep the child safe?**

Inspectors judged the classification of safety and wellbeing as reasonable in 11 of the cases but judged that the risks to safety and wellbeing had been adequately assessed in only seven cases. In nine out of 13 cases, information informed the assessment sufficiently, but in five cases there was insufficient analysis of interventions and controls to promote wellbeing. Overall, the assessment sufficiently analysed how to keep the child safe in seven of the inspected cases.

### **Does assessment sufficiently analyse how to keep other people safe?**

Inspectors agreed with the classification of risk of serious harm in 10 of the 13 cases but judged that the risk of serious harm presented by children to others was analysed sufficiently in only five cases. Analysis was also weak in the assessment of interventions and controls necessary to manage and minimise the risk of serious harm. This was judged sufficient in seven cases. The assessment of the risk to other people was judged the weakest area overall. It was deemed sufficient in less than half of the cases inspected.

One inspector noted:

*"The factors linked to keeping others safe are not well analysed. The analysis does not sufficiently explain how the identified areas impact on the safety of others and the child (victims, unborn child, future risks). It does not consider violence as a learned behaviour response, or the impact of the child's understanding of domestic abuse and the risks to others. There is no evidence of police call-out information in the assessment. There is a lack of analysis of the information that was gathered".*

## 2.2. Planning



Planning is well-informed, holistic and personalised, actively involving the child and their parents/carers.

Requires improvement

Our rating<sup>16</sup> for planning is based on the following key questions:

	<b>% yes</b>
Does planning focus sufficiently on supporting the child's desistance?	77%
Does planning focus sufficiently on keeping the child safe?	54%
Does planning focus sufficiently on keeping other people safe?	<b>46%</b>

### **Does planning focus sufficiently on supporting the child's desistance?**

The priority accorded to consistent relationships in the Y&JS's 'child first' approach was evident in the planning for desistance. In 11 of the 13 cases, it set out the services most likely to help the child. In 12 of the cases, planning took account of the child's strengths and protective factors. In all cases, planning incorporated a consideration of the child's maturity and motivation to change. Overall, planning to support a child's desistance was judged sufficient in 10 of the cases.

In one case, an inspector noted:

*"Planning was excellent in this case. It incorporated employment, mental health, reparation and the development of strategies to avoid further offending. It was based on the development of a constructive one-to-one relationship, which both motivated the child and provided a trusting framework."*

### **Does planning focus sufficiently on keeping the child safe?**

Overall, the planning to keep the child safe was judged sufficient in only seven of the 13 cases inspected.

Planning promoted the safety and wellbeing of the child, sufficiently addressing risks, in just over half of the cases. There was a need for more detailed planning to address risks relating to specific situations and people. Too little consideration was given to what could change for the child in the future and how this could affect their safety and wellbeing. We saw effective contingency planning in only seven of the 13 cases.

### **Does planning focus sufficiently on keeping other people safe?**

We expected to see effective planning to keep other people safe in all of the 13 cases inspected. However, performance in this area of work was poor. Only six of the inspected cases met our requirements for each aspect of this work.

There was too little risk management planning with other agencies, and limited consideration of the necessary controls and interventions to restrict or improve

<sup>16</sup> The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table. See Annex 2 for a more detailed explanation.

behaviour. There was a need to address specific concerns relating to victims in 11 cases but planning to do this was sufficient in only six cases. Contingency planning was the weakest area of work and only four of the cases set out the necessary arrangements.

## 2.3. Implementation and delivery



High-quality, well-focused, personalised and coordinated services are delivered, engaging and assisting the child.

Requires improvement

Our rating<sup>17</sup> for implementation and delivery is based on the following key questions:

	<b>% yes</b>
Does the implementation and delivery of services effectively support the child's desistance?	77%
Does the implementation and delivery of services effectively support the safety of the child safe?	62%
Does the implementation and delivery of services effectively support the safety of other people?	<b>54%</b>

### **Does the implementation and delivery of services effectively support the child's desistance?**

The strength of the Y&JS's work with children's desistance was also demonstrated in the implementation and planning of services. Overall, this was assessed as sufficient in 10 of the 13 cases. Again, the emphasis placed on understanding a child's experiences and the forming of effective working relationships was apparent. In 11 of the cases, diversity issues affecting the child were taken into account in the delivery of services. In all cases, there was a clear focus on maintaining effective working relationships. There were also good examples of officers ensuring that children had access to the appropriate services.

One inspector reported:

*"There has been a strong focus on desistance, ensuring access to education is in place and also medical needs met, to form some foundation on which to reduce the risk [of] reoffending ... the officer prioritised a number of factors aiming to promote desistance; in doing so, she has experienced challenges around education and medication provision. In spite of this, she has continued to seek access to services, liaising with appropriate agencies, and building on an ECHP [education, health and care plan] to access adapted educational need. The key worker has also supported referrals to CAMHS and eventual access to medication."*

In the cases inspected, enforcement was required in only one case, and this was taken appropriately.

<sup>17</sup> The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table. See Annex 2 for a more detailed explanation.



## Does the implementation and delivery of services effectively support the safety of the child?

Work to support the safety of the child required improvement. In the inspected cases, the focus on safety and wellbeing was not maintained consistently by case managers. In six of the 11 cases, this area of work was not well coordinated with other agencies. Overall, it was sufficient in eight of the cases. The concerns identified by inspectors included the lack of an inquiry when a child moved address, and a passive response to police intelligence about a child’s potential involvement in drug dealing.

## Does the implementation and delivery of services effectively support the safety of other people?

The management of the risk of serious harm to other people was sufficient in only seven of the 13 cases, and required improvement. Inspectors identified some positive cases where youth justice workers coordinated interventions and shared information with other agencies effectively.

One inspector wrote:

*“There has been a strong focus on desistance, ensuring access to education is in place and also medical needs met, to form some foundation on which to reduce the risk [of] reoffending ... the officer prioritised a number of factors aiming to promote desistance; in doing so, she has experienced challenges around education and medication provision. In spite of this, she has continued to seek access to services, liaising with appropriate agencies, and building on an ECHP [education, health and care plan] to access adapted educational need. The key worker has also supported referrals to CAMHS and eventual access to medication.”*

In six of the cases, however, this coordination was absent.

The lack of consistent focus on managing the risk of serious harm was also evident in the attention given to victims and potential victims, which was deemed insufficient in four out the 12 cases where we considered this necessary.

## 2.4. Reviewing



Reviewing of progress is well-informed, analytical and personalised, actively involving the child and their parents/carers.

Requires improvement

Our rating<sup>18</sup> for reviewing is based on the following key questions:

	% yes
Does reviewing focus sufficiently on supporting the child’s desistance?	69%
Does reviewing focus sufficiently on keeping the child safe?	<b>62%</b>

<sup>18</sup> The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table. See Annexe 2 for a more detailed explanation.

Does reviewing focus sufficiently on keeping other people safe?

62%

### **Does reviewing focus sufficiently on supporting the child's desistance?**

The quality of reviewing relating to desistance was good. The Y&JS was good at working with the child and carers to understand and respond to changes in circumstances. Reviews took place alongside the children and carers; in partnership with other agencies; and formally as part of the supervision process. The effectiveness of some of the multi-agency reviews inspected is demonstrated by the following comment on a case, from an inspector:

*“There has been a joined-up focus on reviewing involving other agencies; in the main, this has been as a result of educational loss experienced by the young person, prompting regular review of the ECHP, resulting in dynamic actions; for example; potential new education placements being needed, with the key worker having to take the child to the school, assess suitability and reintroduce to staff. This has evidenced a proactive response by the Y&JS worker, regarded by the young person as trusted.”*

There was also evidence of the child and the carers being involved meaningfully in reviews in 12 of the 13 cases. This underlines again, the priority that the Y&JS gives to building these relationships. Overall, inspectors judged that reviewing to support a child's desistance was sufficient in nine of the cases.

### **Does reviewing focus sufficiently on keeping the child safe?**

The quality of reviewing in relation to safety and wellbeing required improvement. The inspection found that significant events, such as changes in a domestic situation, relationship breakdown or information from the police, did not always prompt the necessary depth of review into safety and wellbeing. One inspector noted:

*“The breakdown of the child's relationship with his father and change in living arrangements has not been adequately explored. Factors linked to the child's lifestyle and associates, and time spent outside the family home have not been sufficiently reviewed (no investigation or exploration of child's activities outside of the family home and while missing). Substance misuse has not been reviewed or addressed.”*

In seven cases, reviewing identified and responded to changes in factors related to safety and wellbeing; in another four cases where inspectors assessed this as necessary, it did not. In five out of the 10 cases where inspectors expected to see changes to the ongoing plan of work were these changes made. Overall, reviewing focused sufficiently on safety and wellbeing in eight of the cases.

### **Does reviewing focus sufficiently on keeping other people safe?**

Work to review how to keep other people safe required improvement. Youth justice workers did not respond consistently to information from other agencies. Similarly, risk management plans were not always adjusted to manage and minimise the risk of harm. Again, significant changes in the child's circumstances and behaviour which might have had an impact on the risk of serious harm did not prompt a review. Overall, reviewing focused sufficiently on keeping other people safe in eight of the 13 cases.

### 3. Out-of-court disposals

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We inspected 17 cases managed by the YOT that had received an out-of-court disposal. These consisted of three youth conditional cautions, seven youth cautions and seven community resolutions. We interviewed the case managers in 15 cases.

We examined the quality of assessment; planning; and implementation and delivery of services. Each of these elements was inspected in respect of work done to address desistance, work to keep the child safe, and work to keep other people safe. The quality of the work undertaken for each factor needs to be above a specified threshold for each aspect of supervision to be rated as satisfactory.

We also inspected the quality of policy and provision in place for out-of-court disposals, using evidence from documents, meetings and interviews.

Our inspection of the out-of-court disposal cases produced a rating of 'Inadequate' across the areas of assessment, planning, and implementation and delivery. For assessment, the cases were rated as 'Inadequate' for desistance (47 per cent), safety and wellbeing (29 per cent) and risk of harm (6 per cent). For planning, the desistance score was 53 per cent, which is within the 'Requires improvement' range, but the safety and wellbeing, and risk of harm scores were 35 per cent and 18 per cent, respectively, so the overall rating for planning was 'Inadequate'. Similarly, for implementation and delivery, the desistance score was 53 per cent, but as the scores for safety and wellbeing, and risk of harm were 41 per cent and 24 per cent, respectively, the overall rating was 'Inadequate'.

The principal deficiency was the absence of a comprehensive assessment process in the Y&JS out-of-court disposal procedures. There is no consistent process to assess the information provided by agencies to inform the out-of-court disposal panel decision-making. In addition, input to the panel from parents or carers and the children themselves is not sought or made available routinely. As a result, inspectors identified concerns in relation to the safety and wellbeing of children and the potential risk of serious harm. Some positive practice was identified by inspectors in youth caution and youth conditional caution cases, but, generally, the deficiencies in this area of work were across all out-of-court disposals.

#### Strengths:

- Partnership services, including substance misuse and mental health, participated actively in the out-of-court process. This includes the Liaison and Diversion project that supports the out-of-court disposal work.
- The panel was held jointly with the police and was prompt in its decision-making.

#### Areas for improvement:

- There was not an effective assessment process for considering the safety and wellbeing of a child and risk of harm, to inform panel decision-making.

- The child and the parent or carers were not contacted consistently before the panel, so their views did not inform decision-making routinely.
- Victim information was not routinely available to the panel and there was not a consistent process to obtain it.
- The quality of the assessments for youth cautions and youth conditional cautions was poor, and safeguarding and risk of harm issues were overlooked.
- The response to previous out-of-court disposals was not analysed and did not inform decision-making.
- The panel did not consider information on ethnicity, which limited the panel's understanding of the child's experience and circumstances.

Work with children receiving out-of-court disposals 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.

### 3.1. Assessment



Assessment is well-informed, analytical and personalised, actively involving the child and their parents/carers.

**Inadequate**

Our rating<sup>19</sup> for assessment is based on the following key questions:

	<b>% yes</b>
Does assessment sufficiently analyse how to support the child's desistance?	47%
Does assessment sufficiently analyse how to keep the child safe?	29%
Does assessment sufficiently analyse how to keep other people safe?	<b>6%</b>

#### **Does assessment sufficiently analyse how to support the child's desistance?**

In 10 of the 17 cases, inspectors judged that there had been sufficient analysis of offending behaviour and the child's attitudes and motivation. However, diversity issues were analysed sufficiently in only eight of the cases, and a comprehensive analysis of the child's personal circumstances was evident in only nine cases. The out-of-court disposal process does not receive information routinely from victims prior to the panel hearing, and our inspectors reported that sufficient attention had been paid to victims' needs and wishes in only six of the necessary 10 cases.

In one case, the inspector noted:

*"The statement of fact and the child's response were recorded on a screening form sent to a panel. While this was a violent group offence, motivations and attitudes to*

<sup>19</sup> The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table. See Annexe 2 for a more detailed explanation.

*offending were not explored, school attendance information was provided with no context, and the family was not spoken to until the time when a youth caution was issued, and that meeting primarily consisted of explaining the implications of this.”*

In the cases inspected, the factors linked to children’s offending in out-of-court disposals were substance misuse; living arrangements and lifestyle issues; and mental health problems. These factors were analysed sufficiently to support a child’s desistance in less than half (eight out of 17) of the cases.

### **Does assessment sufficiently analyse how to keep the child safe?**

Our concerns about the out-of-court disposal assessment process were supported by the findings in relation to safety and wellbeing. Any risks to the child were identified and analysed in only five of the 17 cases. In 11 of the cases, the classification of the child’s safety and wellbeing was either not clear or not recorded.

Overall, the assessment analysed sufficiently how to keep the child safe in only five of the cases.

### **Does assessment sufficiently analyse how to keep other people safe?**

The analysis of keeping other people safe had the lowest rating of any of the areas inspected, with only one of the cases rated as sufficient. Inspectors identified some very poor practice.

In one case the inspector reported:

*“A child received a community resolution for the fourth time on the basis of the offence and the fact [that] other professionals were involved. However, there was police information indicating that the child had previously been persistently involved in serious violent crime. There was no assessment done, although a screening form was provided to the panel which contained information and background on patterns and history of concerns, school attendance data and social care involvement. This was not analysed, nor was the response to the three previous community resolutions and a recent antisocial behaviour contract. The child was not spoken to prior to the date that the community resolution was administered.*

*“A month after the community resolution was issued by the seconded police officer, the child was made subject to a referral order after being involved in a mass fight. He was in possession of a machete. He was subsequently assessed as high risk of serious harm”.*

### 3.2. Planning



Assessment is well-informed, analytical and personalised, actively involving the child and their parents or carers.

Inadequate

Our rating<sup>20</sup> for planning is based on the following key questions:

	<b>% yes</b>
Does planning focus on supporting the child's desistance?	53%
Does planning focus sufficiently on keeping the child safe?	35%
Does planning focus sufficiently on keeping other people safe?	<b>18%</b>

#### **Does planning focus on supporting the child's desistance?**

The planning for out-of-court disposals is inconsistent. For most cases inspected, the planning occurred at the panel meeting. However, for youth conditional cautions it is undertaken by the allocated worker after the panel. Inspectors identified some positive practice in relation to the planning to support desistance, although the overall rating for this area of work is 'Requires improvement'. The out-of-court process benefits from the involvement of diversion and substance misuse services. Inspectors saw examples of these services being utilised effectively to aid a child's desistance.

One inspector noted:

*"The planning process takes place at panel, when the decision is made for a community resolution with a requirement that the child attend at least one appointment with Turning Point. This supported the child's desistance in relation to the possession of cannabis. Planning takes account of the child's level of maturity and motivation to engage with the out-of-court disposal".*

The lack of direct contact with children and parents or carers was, however, evident in other inspection findings. In only seven of 17 cases was diversity considered in the planning, and just under half the of cases took account of a child's strengths and protective factors. Overall, planning was sufficient to support the child's desistance in nine of the 17 cases.

#### **Does planning focus sufficiently on keeping the child safe?**

In view of the poor assessment practice, it is not surprising that inspectors found similarly poor practice in the planning of safety and wellbeing. In only five of the cases was the planning found to promote safety and wellbeing sufficiently, and to address the necessary risks. Similarly, only five of the relevant cases involved other agencies appropriately in the planning. These findings underpin our overall concerns about the current out-of-court disposal process, particularly in relation to safeguarding concerns. Overall, we found that planning focused sufficiently on keeping the child safe in six out of the 17 relevant cases.

<sup>20</sup> The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table. See Annexe 2 for a more detailed explanation.

### Does planning focus sufficiently on keeping other people safe?

The planning to keep other people safe was also of concern, and inspectors rated only three of the 17 cases as sufficient in this respect. We saw planning to address specific victim issues in only four of the 11 cases where we would have expected to see it. Inspectors saw cases where police information on gang involvement; a child's contact with their own very young child; and the analysis of previous disposals were absent from the planning to keep other people safe.

One inspector noted:

*“Plans to keep others safe in this case are insufficient. Some of the factors linked to risk of harm have not been sufficiently addressed in planning. There has not been adequate planning to explore the child’s understanding of sexual behaviours and boundaries; relationships; and learned behaviours and responses”.*

### 3.3. Implementation and delivery



High-quality, well-focused, personalised and coordinated services are delivered, engaging and assisting the child.

Inadequate

Our rating<sup>21</sup> for implementation and delivery is based on the following key questions:

	% yes
Does service delivery effectively support the child’s desistance?	53%
Does service delivery effectively support the safety of the child?	41%
Does service delivery effectively support the safety of other people?	<b>24%</b>

### Does implementation and delivery focus sufficiently on supporting the child’s desistance?

The Y&JS’s good partnership arrangements were evident in the service delivery identified in some of the cases. In nine of the 17 cases, the delivered services were those most likely to achieve desistance. The priority that the Y&JS accords to developing effective relationships was evidenced by the fact that, in 11 of the cases, sufficient focus was identified in maintaining relationships with the parent or carer and child.

One inspector commented:

*“The case manager has established a good relationship with the child, father and social worker. This has helped promote a move from [the] mother (assessed as being at risk) to the care of [the] dad and other family members. This has been given priority and soon produced positive outcomes, with school attendance improving and the achievement of GCSE results before finally leaving education”.*

<sup>21</sup> The rating for the standard is driven by the lowest score on each of the key questions, which is placed in a rating band, indicated in bold in the table. See Annex 2 for a more detailed explanation.

Overall, service delivery to support a child’s desistance was deemed sufficient in nine (53 per cent) of the cases.

### **Does implementation and delivery focus sufficiently on keeping the child safe?**

The concerns identified by the inspection, in the overall out-of-court disposal process, were evident in the cases inspected. Inspectors saw community resolution cases where concerns about vulnerability had not been assessed and investigated. There were also cases where there had been minimal discussion with children’s social care services despite their involvement with the family. In one case, a child protection plan had previously been open but no enquiries about the child had taken place. There were also youth caution cases where concerns about gang involvement and domestic abuse had not been fully assessed.

Overall, service delivery supported the safety of the child effectively in seven of the 17 cases.

### **Does implementation and delivery focus sufficiently on keeping other people safe?**

The weaknesses of the current out-of-court disposal process were also evident in the delivery of services to support the safety of other people. Overall, only four of the 17 cases were judged sufficient in this respect. The inspection of cases also discovered concerns in relation to the coordination of work with other agencies and the investigation of issues related to the risk of serious harm. A recurring theme identified in the inspection of these cases was that the post-panel process is too focused on the administration of the disposal and does not give sufficient regard to further enquiry into the child’s situation and wellbeing. One inspector made the following note:

*“There is no assessment of risk of serious harm, and this impacts on both planning and service delivery. The screening document completed for [the] panel is insufficient. The incorrect assumption is that, as the index offence relates to possession of cannabis, this is a victimless crime. However, what is not considered is that this offence is linked to the child being arrested for offences of burglary, and on being searched, this is when the cannabis is discovered. There is other intelligence relating to risk of serious harm incidents and behaviours. These are not considered ... it cannot be evidenced that service delivery effectively supports the safety of other others”.*

## **3.4. Out-of-court disposal policy and provision**



There is a high-quality, evidence-based out-of-court disposal service in place that promotes diversion and supports sustainable desistance.

Inadequate

In making a judgement about out-of-court disposal policy and provision, we take into account the answers to the following three questions:



### **Is there a policy in place for out-of-court provision that promotes appropriate diversion and supports sustainable desistance?**

Leicestershire Y&JS has a protocol for out-of-court disposals which has been agreed with Leicestershire Police and the Leicester City YOS. The panel sits weekly and is made up of representatives from the police and the two youth justice services. The panel has access to the Mosaic social care case management system, and further information is sought if a child is involved with social care services. The policy outlines the process and criteria for youth cautions and youth conditional cautions but does not refer specifically to the criteria for community resolutions. An escalation procedure is detailed in the policy, in the event of the panel failing to agree on an outcome.

The policy allows for police officers to issue one community resolution independently, and without referring the child to the out-of-court disposal panel. However, any case involving lower level cannabis possession or use, should always be referred to the panel. There is, however, limited monitoring and limited oversight of these arrangements.

The Liaison and Diversion project and Turning Point (a substance misuse service) contribute information about children to the panel routinely and are also used regularly by the panel to provide services and support to children.

The policy is flawed at the pre-panel stage, by both the absence of an effective assessment process and the non-involvement of the children and parents or carers. Information is collated and a screening form with relevant background information is submitted to the panel. However, this information is not analysed routinely, and our inspection identified that key issues, such as potential vulnerabilities and patterns of behaviour, were not examined. In effect, the assessment of the case is undertaken by the panel on the basis of the limited information submitted.

In our judgement, the current policy is inadequate for the purposes of out-of-court disposals. The police and the Y&JS are committed to the process, and key desistance services, such as those for mental health and substance misuse, participate. However, the current framework does not marshal these services and resources effectively, to ensure that there are safe, systematic procedures for assessment and decision-making.

### **Does out-of-court disposal provision promote diversion and support sustainable desistance?**

The information submitted to the panel for consideration includes the screening form completed by a team leader, police information (F7 form) and any relevant information and intelligence from organisations which are known to be involved with the child. Inspectors were given conflicting information as to whether references to the child's ethnicity are removed from the F7 and screening forms, to ensure that there was no unconscious bias in the decision-making. At two initial meetings, we were informed this is the case but at subsequent meetings this assertion was withdrawn. Our view is that the removal of ethnicity data is not appropriate. A child's ethnicity can be key to understanding their experience and behaviour. This understanding should be central to the decision-making.

The community resolutions made by the panel are administered by the police officer in charge of the case, if the Y&JS is not involved. If the child is already known to the Y&JS or an intervention is to be delivered, the case is allocated to a seconded police officer. A local agreement is in place with Leicestershire Police, to ensure that all

cases involving cannabis possession are presented to the out-of-court disposal panel before a disposal is agreed. Community resolutions in these cases will be administered by the seconded officer and a Turning Point referral is made for substance use intervention services to be delivered.

The process following a youth caution is inconsistent. First youth caution cases are allocated to either the police officer in charge of the case or to a seconded police officer in the Y&JS. Youth justice officers become involved if a further youth caution is subsequently administered. The inspection identified inconsistencies in the assessment of the child, implementation of the disposal and coordination of activities. For example, there were youth caution cases where an assessment had been completed, but also cases, including for violent offences, where no assessment of safety and wellbeing, or risk of harm had been undertaken.

An assessment involving direct contact with the parents or carers and the child is undertaken routinely only in the youth conditional caution cases, and only after the panel decision. The lack of a consistent assessment process for other disposals means that potential safeguarding concerns are missed. The victim is also not contacted consistently for their views before a case is heard at the panel, and the process relies on the police providing any relevant victim information.

**Are the out-of-court disposal policy and provision regularly assessed and updated to ensure effectiveness and maintain alignment with the evidence base?**

The annual audit completed in February 2020 resulted in some practice and process changes in relation to the number of reparation hours and the timeframes for youth conditional cautions. The out-of-court disposal policy was last reviewed in November 2020. In the same month, a dip-sampling of out-of-court disposal cases was undertaken as part of the quality assurance framework. No improvements or significant changes were made to either the policy or procedure for the pre-panel process, as a result of these exercises.

The service manager and the senior police officer responsible for out-of-court disposals recognise the need for improvements to the current framework. They intend to review the policy, with the aim of improving the assessment of risk of harm and the safeguarding procedures.

The current monitoring of the out-of-court disposal process does not consider diversity in its evaluation of referrals or outcomes. However, in line with the March 2021 board decision, the out-of-court disposal process will, from September 2021, be monitored for disproportionality in its operation.

## 4. Resettlement

### 4.1. Resettlement policy and provision



There is a high-quality, evidence-based resettlement service for children leaving custody.

Requires improvement

We inspected the quality of policy and provision in place for resettlement work, using evidence from documents, meetings and interviews. To illustrate that work, we inspected four cases managed by the YOT that had received a custodial sentence. Our key findings were as follows:

#### Strengths:

- There was a resettlement policy in place which detailed practice expectations in relation to resettlement, safety and wellbeing, and the management of the risk of serious harm.
- There were good links between the Y&JS staff and case workers in the custodial establishments.
- The policy linked directly to the involvement of services to provide interventions and practical support in areas such as mental health, ETE and accommodation.

#### Areas for improvement:

- The transition arrangements with the Probation Service are applied inconsistently, in terms of both timescale and handover arrangements.
- The formal resettlement policy had been introduced only recently and had not yet been embedded into Y&JS procedure and practice.

We gathered evidence for this standard from documents and meetings, and inspected four cases to allow us to illustrate the qualitative standards. We do not provide a separate rating for the quality of work in resettlement cases inspected under this standard. In making a judgement about resettlement policy and provision, we take into account the answers to the following three questions:

#### **Is there a resettlement policy in place that promotes a high-quality, constructive and personalised resettlement service for all children?**

The YOT has a resettlement policy that sets out actions and timescales in relation to children who are sentenced to custody. The actions include planning for accommodation, ETE and contact with the child's family or carer. This includes understanding the needs of the whole family and the consideration of making a referral to early help.

The assessment of risk and release planning is considered in the directions for the completion of AssetPlus. The framework under which a child's risk should be managed is also detailed. In addition, the policy specifies the actions for cases that meet the criteria for MAPPA and integrated offender management.

The policy does not address diversity needs directly but it details a clear framework for the involvement of the ACE project and Project Responsive. These services provide individualised interventions and a high level of support to children with complex needs.

The Y&JS introduced the policy only recently, although key elements have previously been implemented informally. Staff are aware of its implementation but there has been no specific resettlement training.

### **Does resettlement provision promote a high-quality, constructive and personalised resettlement service for all children?**

Resettlement provision is based on a trauma-informed approach, supported by services providing a high level of support and bespoke interventions. The involvement of the ACE project and Project Responsive underlines the Y&JS's commitment to this approach. Accommodation and ETE on release are planned at the start of the sentence.

In three of the four cases inspected, the children remained in custody and there was some evidence of the policy being implemented. Planning for release was evident at the start of the sentence and joint reviews were undertaken with custodial staff. However, some assessments left gaps in the subsequent planning. There was also inconsistent use of the youth application framework, which is designed to enhance the communication between youth justice officers and custodial institutions.

However, in one case a child was not transferred to an adult prison after his 18th birthday but was kept in a secure training centre until his release, to meet his resettlement needs and in consideration of his maturity. This was an example of good practice. In another case, where the child had been released from custody, the Y&JS worker had addressed accommodation concerns effectively, in liaison with children's social care services.

The transition arrangements for a child's management by the Probation Service after the age 18 are understood and applied inconsistently across the partnership. This can affect the timescales, handover arrangements and the child's preparation for management by the adult service.

### **Are resettlement policy and provision regularly assessed and updated to ensure effectiveness and maintain alignment with the evidence base?**

The formal resettlement policy had been introduced only recently and was based on a review of the informal practices within the team, and national guidance in relation to effective practice.

Children remanded into custody are treated as a priority for the board, and information and analysis are included in the management performance reports. This analysis highlights the complexity of the children involved.

Key elements of the resettlement policy are in operation but there continue to be inconsistencies in its application. In view of its recent implementation, it is also too early for an overall view of effectiveness. On that basis, overall, we have rated resettlement as 'Requires improvement'.

## Annexe 1: Methodology

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### HM Inspectorate of Probation standards

The standards against which we inspect youth offending services 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 children who have offended.<sup>22</sup>

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

#### Domain one: organisational delivery

The youth offending service submitted evidence in advance and the Director of Children and Family Services 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 who have offended are improved?
- What are your priorities for further improving these arrangements?

During the main fieldwork phase, we conducted 25 interviews with case managers, asking them about their experiences of training, development, management supervision and leadership. We held various meetings, which allowed us to triangulate evidence and information. In total, we conducted 44 meetings, which included meetings with managers, partner organisations and staff. The evidence collected under this domain was judged against our published ratings characteristics.<sup>23</sup>

#### Domain two: court disposals

We completed case assessments over a one-week period, examining case files and interviewing case managers. Forty of the cases selected were those of children 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 13 court disposals. The sample size was set to achieve a confidence level of 80 per cent (with a margin of error of five), and we ensured that the ratios in relation to gender, sentence or disposal type, risk of serious harm, and risk to safety and wellbeing 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. Sixty per cent of cases selected were those of children who had received out-of-court disposals three to five months earlier. This enabled us to examine work in relation to assessing, planning, and implementation and delivery.

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<sup>22</sup> HM Inspectorate's standards are available here: <https://www.justiceinspectors.gov.uk/hmiprobation/about-our-work/our-standards-and-ratings/>

Where necessary, interviews with other people significantly involved in the case also took place.

We examined 17 out-of-court disposals. The sample size was set based on the proportion of out-of-court disposal cases in the YOT.

### **Resettlement**

We completed case assessments over a one-week period, examining four case files and interviewing case managers, in cases where children had received custodial sentences or been released from custodial sentences four to 12 months earlier. This enabled us to gather information to illustrate the impact of resettlement policy and provision on service delivery. Where necessary, interviews with other people significantly involved in the case also took place.

In some areas of this report, data may have been split into smaller sub-samples – for example, male/female cases. Where this is the case, the margin of error for the sub-sample findings may be higher than five.

## Annexe 2: Inspection data

In this inspection, we conducted a detailed examination of a sample of 13 court disposals and 17 out-of-court disposals. In each of those cases, we inspect against standards regarding assessment, planning and implementation/delivery. For court disposals, we also look at reviewing. For each standard, inspectors answer a number of key questions about different aspects of quality, including whether there was sufficient analysis of the factors related to offending; the extent to which children were involved in assessment and planning; and whether enough was done to assess the level of risk of harm posed, and to manage that risk. We reviewed a further four cases to obtain data to illustrate our findings about resettlement policy and provision.

To score an 'Outstanding' rating for the sections on court disposals or out-of-court disposals, 80 per cent or more of the cases we analyse have to be assessed as sufficient. If between 65 per cent and 79 per cent are judged to be sufficient, then the rating is 'Good' and if between 50 per cent and 64 per cent are judged to be sufficient, then a rating of 'Requires improvement' is applied. Finally, if less than 50 per cent are sufficient, then we rate this as 'Inadequate'. Resettlement cases are not rated separately; the data is for illustrative purposes only.

The rating at the standard level is aligned to the lowest banding at the key question level, recognising that each key question is an integral part of the standard. Therefore, if we rate three key questions as 'Good' and one as 'Inadequate', the overall rating for that standard is 'Inadequate'.

Lowest banding (key question level)	Rating (standard)
Minority: <50%	Inadequate
Too few: 50-64%	Requires improvement
Reasonable majority: 65-79%	Good
Large majority: 80%+	Outstanding ☆

Additional scoring rules are used to generate the overall YOT rating. Each of the 12 standards are scored on a 0–3 scale in which 'Inadequate' = 0; 'Requires improvement' = 1; 'Good' = 2; and 'Outstanding' = 3. Adding these scores produces a total score ranging from 0 to 36, which is banded to produce the overall rating, as follows:

- 0–6 = Inadequate
- 7–18 = Requires improvement
- 19–30 = Good
- 31–36 = Outstanding.

Domain one standards, the qualitative standard in domain three (standard 3.4) and the resettlement standard (standard 4.1) are judged using predominantly qualitative evidence.

The resettlement standard is rated separately, and does not influence the overall YOT rating. We apply a limiting judgement, whereby any YOT that receives an 'Inadequate' rating for the resettlement standard is unable to receive an overall 'Outstanding' rating, regardless of how they are rated against the core standards.

Where there are no relevant resettlement cases, we do not apply a rating to resettlement work.

**Data from inspected cases:<sup>24</sup>**

<b>2.1. Assessment (court disposals)</b>	
<b>Does assessment sufficiently analyse how to support the child's desistance?</b>	
a) Is there sufficient analysis of offending behaviour, including the child's attitudes towards and motivations for their offending?	85%
b) Does assessment sufficiently analyse diversity issues?	62%
c) Does assessment consider personal circumstances, including the wider familial and social context of the child?	77%
d) Does assessment utilise information held by other agencies?	92%
e) Does assessment focus on the child's strengths and protective factors?	92%
f) Does assessment analyse the key structural barriers facing the child?	62%
g) Is enough attention given to understanding the child's levels of maturity, ability and motivation to change, and their likelihood of engaging with the court disposal?	85%
h) Does assessment give sufficient attention to the needs and wishes of victims, and opportunities for restorative justice?	62%
i) Are the child and their parents or carers meaningfully involved in their assessment, and are their views taken into account?	85%
<b>Does assessment sufficiently analyse how to keep the child safe?</b>	
a) Does assessment clearly identify and analyse any risks to the safety and wellbeing of the child?	54%
b) Does assessment draw sufficiently on available sources of information, including other assessments, and involve other agencies where appropriate?	69%
c) Does assessment analyse controls and interventions to promote the safety and wellbeing of the child?	54%
<b>Does assessment sufficiently analyse how to keep other people safe?</b>	

<sup>24</sup> Some questions do not apply in all cases.



a) Does assessment clearly identify and analyse any risk of harm to others posed by the child, including identifying who is at risk and the nature of that risk?	38%
b) Does assessment draw sufficiently on available sources of information, including past behaviour and convictions, and involve other agencies where appropriate?	62%
c) Does assessment analyse controls and interventions to manage and minimise the risk of harm presented by the child?	54%

## 2.2. Planning (court disposals)

<b>Does planning focus sufficiently on supporting the child's desistance?</b>	
a) Does planning set out the services most likely to support desistance, paying sufficient attention to the available timescales and the need for sequencing?	85%
b) Does planning sufficiently address diversity issues?	62%
c) Does planning take sufficient account of the child's personal circumstances, including the wider familial and social context of the child?	85%
d) Does planning take sufficient account of the child's strengths and protective factors, and seek to reinforce or develop these as necessary?	92%
e) Does planning take sufficient account of the child's levels of maturity, ability and motivation to change, and seek to develop these as necessary?	100%
f) Does planning give sufficient attention to the needs and wishes of victims?	69%
g) Are the child and their parents or carers meaningfully involved in planning, and are their views taken into account?	92%
<b>Does planning focus sufficiently on keeping the child safe?</b>	
a) Does planning promote the safety and wellbeing of the child, sufficiently addressing risks?	54%
b) Does planning involve other agencies where appropriate, and is there sufficient alignment with other plans (e.g. child protection or care plans) concerning the child?	62%
c) Does planning set out the necessary controls and interventions to promote the safety and wellbeing of the child?	62%

d) Does planning set out necessary and effective contingency arrangements to manage those risks that have been identified?	54%
<b>Does planning focus sufficiently on keeping other people safe?</b>	
a) Does planning promote the safety of other people, sufficiently addressing risk of harm factors?	46%
b) Does planning involve other agencies where appropriate?	46%
c) Does planning address any specific concerns and risks related to actual and potential victims?	46%
d) Does planning set out the necessary controls and interventions to promote the safety of other people?	38%
e) Does planning set out necessary and effective contingency arrangements to manage those risks that have been identified?	31%

### 2.3. Implementation and delivery (court disposals)

<b>Does the implementation and delivery of services effectively support the child's desistance?</b>	
a) Are the delivered services those most likely to support desistance, with sufficient attention given to sequencing and the available timescales?	77%
b) Does service delivery account for the diversity issues of the child?	85%
c) Does service delivery reflect the wider familial and social context of the child, involving parents or carers, or significant others?	77%
d) Does service delivery build upon the child's strengths and enhance protective factors?	85%
e) Is sufficient focus given to developing and maintaining an effective working relationship with the child and their parents or carers?	100%
f) Does service delivery promote opportunities for community integration, including access to services post-supervision?	46%
g) Is sufficient attention given to encouraging and enabling the child's compliance with the work of the YOT?	100%
h) Are enforcement actions taken when appropriate?	100%

<b>Does the implementation and delivery of services effectively support the safety of the child?</b>	
a) Does service delivery promote the safety and wellbeing of the child?	62%
b) Is the involvement of other organisations in keeping the child safe sufficiently well-coordinated?	46%
<b>Does the implementation and delivery of services effectively support the safety of other people?</b>	
a) Are the delivered services sufficient to manage and minimise the risk of harm?	54%
b) Is sufficient attention given to the protection of actual and potential victims?	62%
c) Is the involvement of other agencies in managing the risk of harm sufficiently well-coordinated?	46%

#### 2. 4. Reviewing (court disposals)

<b>Does reviewing focus sufficiently on supporting the child's desistance?</b>	
a) Does reviewing identify and respond to changes in factors linked to desistance?	54%
b) Does reviewing focus sufficiently on building upon the child's strengths and enhancing protective factors?	62%
c) Does reviewing include analysis of, and respond to, diversity factors?	54%
d) Does reviewing consider the personal circumstances, including the wider familial and social context of the child?	54%
d) Does reviewing consider motivation and engagement levels and any relevant barriers?	38%
e) Are the child and their parents or carers meaningfully involved in reviewing their progress and engagement, and are their views taken into account?	92%
f) Does reviewing lead to the necessary adjustments in the ongoing plan of work to support desistance?	31%
<b>Does reviewing focus sufficiently on keeping the child safe?</b>	

a) Does reviewing identify and respond to changes in factors related to safety and wellbeing?	54%
b) Is reviewing informed by the necessary input from other agencies involved in promoting the safety and wellbeing of the child?	46%
c) Does reviewing lead to the necessary adjustments in the ongoing plan of work to promote the safety and wellbeing of the child?	38%
<b>Does reviewing focus sufficiently on keeping other people safe?</b>	
a) Does reviewing identify and respond to changes in factors related to risk of harm?	38%
b) Is reviewing informed by the necessary input from other agencies involved in managing the risk of harm?	46%
c) Does reviewing lead to the necessary adjustments in the ongoing plan of work to manage and minimise the risk of harm?	23%

### 3.1. Assessment (out-of-court disposals)

<b>Does assessment sufficiently analyse how to support the child's desistance?</b>	
a) Is there sufficient analysis of offending behaviour, including the child's acknowledgement of responsibility for, attitudes towards and motivations for their offending?	59%
b) Does assessment sufficiently analyse diversity issues?	47%
c) Does assessment consider personal circumstances, including the wider familial and social context of the child?	53%
d) Does assessment utilise information held by other agencies?	35%
e) Does assessment focus on the child's strengths and protective factors?	59%
f) Does assessment analyse the key structural barriers facing the child?	24%
g) Is sufficient attention given to understanding the child's levels of maturity, ability and motivation to change?	47%
h) Does assessment give sufficient attention to the needs and wishes of victims, and opportunities for restorative justice?	35%

i) Are the child and their parents or carers meaningfully involved in their assessment, and are their views taken into account?	41%
<b>Does assessment sufficiently analyse how to keep the child safe?</b>	
a) Does assessment clearly identify and analyse any risks to the safety and wellbeing of the child?	29%
b) Does assessment draw sufficiently on available sources of information, including other assessments, and involve other agencies where appropriate?	29%
<b>Does assessment sufficiently analyse how to keep other people safe?</b>	
a) Does assessment clearly identify and analyse any risk of harm to others posed by the child, including identifying who is at risk and the nature of that risk?	0%
b) Does assessment draw sufficiently on available sources of information, including any other assessments that have been completed, and other evidence of behaviour by the child?	24%

### 3.2. Planning (out-of-court disposals)

<b>Does planning focus on supporting the child's desistance?</b>	
a) Does planning set out the services most likely to support desistance, paying sufficient attention to the available timescales and the need for sequencing?	59%
b) Does planning sufficiently address diversity issues?	41%
c) Does planning take sufficient account of the child's personal circumstances, including the wider familial and social context of the child?	47%
d) Does planning take sufficient account of the child's strengths and protective factors, and seek to reinforce or develop these as necessary?	47%
e) Does planning take sufficient account of the child's levels of maturity, ability and motivation to change, and seek to develop these as necessary?	47%
f) Does planning take sufficient account of opportunities for community integration, including access to mainstream services following completion of out-of-court disposal work?	35%
g) Does planning give sufficient attention to the needs and wishes of the victims?	41%

h) Are the child and their parents or carers meaningfully involved in planning, and are their views taken into account?	41%
<b>Does planning focus sufficiently on keeping the child safe?</b>	
a) Does planning promote the safety and wellbeing of the child, sufficiently addressing risks?	29%
b) Does planning involve other agencies where appropriate, and is there sufficient alignment with other plans (e.g. child protection or care plans) concerning the child?	29%
c) Does planning include necessary contingency arrangements for those risks that have been identified?	18%
<b>Does planning focus sufficiently on keeping other people safe?</b>	
a) Does planning promote the safety of other people, sufficiently addressing risk of harm factors?	18%
b) Does planning involve other agencies where appropriate?	18%
c) Does planning address any specific concerns and risks related to actual and potential victims?	24%
d) Does planning include necessary contingency arrangements for those risks that have been identified?	6%

### 3.3. Implementation and delivery (out-of-court disposals)

<b>Does service delivery effectively support the child's desistance?</b>	
a) Are the delivered services those most likely to support desistance, with sufficient attention given to sequencing and the available timescales?	53%
b) Does service delivery account for the diversity issues of the child?	53%
c) Does service delivery reflect the wider familial and social context of the child, involving parents or carers, or significant others?	41%
d) Is sufficient focus given to developing and maintaining an effective working relationship with the child and their parents or carers?	65%
e) Is sufficient attention given to encouraging and enabling the child's compliance with the work of the YOT?	65%

f) Does service delivery promote opportunities for community integration, including access to mainstream services?	53%
<b>Does service delivery effectively support the safety of the child?</b>	
a) Does service delivery promote the safety and wellbeing of the child?	35%
b) Is the involvement of other agencies in keeping the child safe sufficiently well utilised and coordinated?	29%
<b>Does service delivery effectively support the safety of other people?</b>	
a) Are the delivered services sufficient to manage and minimise the risk of harm?	12%
b) Is sufficient attention given to the protection of actual and potential victims?	12%