

# Report of the Cabinet Member for Children's Services Young People Cabinet – 18 April 2019

# Establishment of a Stand-Alone Youth Offending Service for Swansea

Purpose: • To inform Cabinet of the outcome of the recent

Youth Offending Service (YOS) inspection.

 To gain approval to disaggregate the YOS for Swansea from the regional Western Bay Youth Justice and Early Intervention Service

(WBYJEIS) collaboration.

**Policy Framework:** Crime and Disorder Act 1998

**Consultation:** Access to Services, Finance, Legal and WBYJB

**Recommendation(s):** It is recommended that:

1) The final inspection report from the inspection of YOS is noted and

the initial action plan agreed.

2) Agreement is reached to disaggregate the regional arrangements for

YOS and develop a stand-alone service for Swansea.

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#### Introduction

1.1 The Western Bay Youth Offending Service (WBYOS) was inspected in December 2018, and the final inspection report confirms that the service has been found inadequate and an organisational alert has been issued.

1.2 An extraordinary meeting of the WBYJB was held on Thursday 17<sup>th</sup> January, 2019, where it was agreed to disaggregate the service and establish three separate teams for Swansea, NPT and Bridgend, with separate management boards. It is a statutory requirement for management boards to be established.

# 2. Background

- 2.1 The Crime and Disorder Act 1998 (the Act) is the primary legislation leading to the requirement and establishment in April 2000 of Youth Offending Teams (YOTs) across England and Wales.
- 2.2 Youth Offending Services/Teams (YOTs) are statutory multi-agency partnerships who have a legal duty to co-operate in order to secure youth justice services appropriate to their area, funded from a variety of sources including UK Government, Welsh Government and the statutory partners. (I.e. the Local Authority, Police, the National Probation Service and Health).
- 2.3 Bridgend, Neath Port Talbot and Swansea Youth Offending Teams have been a merged service since 29 May 2014 when the first Western Bay Youth Justice and Early Intervention Service (WBYJEIS) Management Board was held and all local management boards ceased. The regional management board is chaired by the Neath Port Talbot Director of Social Services, Health and Housing and has a membership in line with the requirements of the Crime and Disorder Act 1998, including Cabinet Members from all three local authorities and the Police and Crime Commissioner. The service is hosted by Bridgend CBC.
- 2.4 During 2012 the three YOS managers of Bridgend, Neath Port Talbot and Swansea collectively agreed with their respective management boards that to make the service more resilient, in light of the likely financial challenges, that collaboration following the ABMU footprint would be explored. In December 2012 an interim combined Western Bay regional YOS management board was established. In 2013 each of the three Cabinets agreed to amalgamate the three Youth Offending Services in the Western Bay (WB) region. Local management boards and management arrangements of the services remained and a time limited, project manager appointed, funded by Welsh Government, until March 2014, to drive plans forward. The shared Service Manager post was appointed to at end of October 2014 and Locality Managers appointed by the end of the financial year 2014.
- 2.5 The vision was to develop a single identity concentrating on;
  - Developing and sharing good practice and quality service delivery
  - Creative vacancy management looking for opportunities as they present
  - Effective joint resource management

- 2.6 This would provide
  - Cost savings with no reduction in service
  - Or improved delivery with no increase in resource
  - An ability to sustain & improve current high performance
  - An ability to deliver on the multi-agency partnership aspect of the service.
- 2.7 The WBYJ and EISB expected significant reductions in grant funding for the year 2018/19, however grants were not reduced and the table below outlines how the service is currently funded;

	BCBC	SCBC	NPTCBC	TOTAL
Youth Justice Grant	193,357	383,200	217,000	793,557
WG PPE Grant	319,641	262,321	136,249	718,211
Other Income *	221,229	220,606	163,281	605,115
LA Core Budgets	384,060	697,555	431,250	1,512,866
TOTAL	1,118,287	1,563,682	947,780	3,629,749

<sup>\*</sup> Other income includes smaller grants and income from partners re shared posts

The development of regional working came at a time of significant financial challenge for all partners. As the service joined in 2014-2015 each local authority realised a 20% saving against core funding as a result of the amalgamated approach to the delivery of services.

- 2.8 The Annual Youth Justice plan was presented to Cabinet in Swansea in September 2017. The YOS annual performance report was presented to Scrutiny in October 2017 and 2018.
- 2.9 Over the past 4 years the service has gone through a period of constant change, including
  - Moving from 3 locality managers to themed management arrangements delivered by 2 managers.
  - Reducing the overall number of staff from 106.9 full time equivalent in 2016 to 84.5 full time equivalent in 2017/18 by absorbing vacancies and staff adopting regional approaches to service delivery.
  - The information system moved from 3 individual databases to one achieving more efficient use of business support staff and allowing greater capacity for quality assurance purposes. This database, CACI, is hosted by Bridgend.
  - The plan for the Intervention Centre, currently based in Swansea, was to move to Neath Port Talbot. This will not take place with the provision remaining in Swansea.
  - Sharing expertise and good practice with key performance indicators improving year on year and comparatively across Wales. Only the three required YJB Pl's were reported to the board. The inspection

feedback highlights that this resulted in the Board not truly understanding the work of YOS across the region.

The overall picture reported to the Board over the last 4 years was positive, with no safeguarding or performance issues emerging.

- 2.10 On 2<sup>nd</sup> November 2018 the WBYJEIS were given notice by HM Inspectorate of Probation that they intended to carry out a joint inspection of youth justice services delivered by Western Bay YOT in conjunction with the following partner inspectorates: Care Inspectorate Wales (CIW), Estyn, Healthcare Inspectorate Wales (HIW) and Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS) during the weeks commencing 26<sup>th</sup> November 2018 and 10<sup>th</sup> December 2018.
- 2.11 A telephone planning meeting took place on Tuesday 6<sup>th</sup> November 2018 between Alan MacDonald Head of Youth Inspections and Huw Fyfe Interim Service Manager along with other relevant representatives of the YOT. During this meeting the inspection process was discussed at length along with the requirement to provide the inspectorate with a substantial amount of evidence in advance to help them understand the organisation. In addition to this the inspectorate requested a list of cases from which they were able to select a sample which they looked at in detail during fieldwork week one.
- 2.12 On the 26<sup>th</sup> November 2018 in fieldwork week, inspectors examined case samples as well as interviewing case managers. Following concerns identified in the first fieldwork week, an organisational alert was raised on 30<sup>th</sup> November 2019 and the chair of the management board was asked to provide a plan of how the YOS and partners intended to satisfy the inspectors and themselves that:
  - All children open to the YOS have an accurate assessment of their safety and wellbeing and are being safeguarded.
  - That the risk of harm posed to others by children under YOS supervision are fully understood and that plans are in place to manage these risks.
  - In all cases where there are concerns that children are vulnerable to, or are victims of child sexual exploitation, there are plans in place to ensure the safety of these children.
- 2.13 During fieldwork week two of the inspection Governance and Leadership was the main focus and members of the management board and the leads of key partner agencies were interviewed by inspectors. Verbal feedback and sight of the confidential draft report indicates that at a strategic level partnership arrangements were inadequate and the difficulties of working across three different social care arrangements had not been addressed at set up. The inspectors fed back that in relation to YOS, Local Authorities operated as three separate entities and that any positive cross authority working was largely dependent on individual initiatives, rather than being supported by appropriate management

structures and consistent policies and procedures. A ratings decision panel subsequently took place on 18<sup>th</sup> December 2019 and the indication is that the service will be rated as inadequate overall. A note of the ratings decision panel was provided at that time. The final report was published on the 28<sup>th</sup> March 2019.

- 2.14 A list of priorities was identified to satisfy the organisation alert. The organisational alert required a response from Swansea in relation to three cases. This was completed and no additional concerns expressed. Additional to this, insufficient operational management capacity and confusing structural arrangements were highlighted in the ratings panel decision note. Actions to address these issues are included in Appendix A. Following receipt of the final report, a comprehensive action plan has been developed to address all of the areas of concern that are contained within the published report. Good progress is already being made in key areas.
- 2.15 The likely findings around poor governance, ineffective strategy and particularly issues around safeguarding risks has led to an agreed position that it would be best for Swansea and NPT Councils not to proceed to set up a new regional service as planned. Instead the two Councils want to return to Local Youth Offending Services which work closely with their CFS and Young People's services on jointly assessing and managing risk and putting in place early intervention and prevention strategies for young people. This is important as more and more young people open to the YOS are also open cases to CFS and Young People Services and so joint working between the two is critical.
- 2.16 The Swansea YOS will move to the Directorate of Social Services. The statutory accountability for the YOS lies with the Chief Executive of each Local Authority Council.

#### 3 Legal implications

- 3.1 There is no longer a requirement for a S33 agreement, as the service will cease to be a regional collaborative service.
- 3.2 The establishment of a Local Management Board will be required as this is a statutory requirement.

#### 4. Equality and Engagement Implications

- 4.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

- 4.2 An EIA has not been completed as the YOS is a statutory service with clearly defined duties and responsibilities as outlined in the YJB and WG Youth Offending Strategy. The service focuses on diverting children and young people away from the youth justice system wherever appropriate. Service delivery will continue to prioritise helping children and young people avoid criminal records that can hinder them reaching their potential in future years. The strategy is compatible with the UNCRC as children are seen as children first rather than offenders and their welfare remains paramount. Developing a Swansea locality team will provide opportunities to fully integrate YOS into local arrangements e.g. CFS and young people's services.
- 4.3 The Inspection feedback highlights that currently the service is not taking into account opportunities for people to use the Welsh language. This will be addressed in the action plan following the full inspection report becoming available.

### 5. Financial Implications

The financial implications are to be worked through as part of the disaggregation plan. Swansea is in a good position, as there is less impact in terms of vacancies resulting in shared posts. It is likely that the move will be cost neutral, although the appointment of an additional Senior SW Practitioner is advisable. Should additional funding be required, this will result in an equivalent increase in Social Services medium term financial plan savings requirements.

The PPE grant will require disaggregation for 2020/21, but will be distributed by Bridgend to NPT and Swansea for 2019/20.

**Background Papers:** None

Appendices: Appendix A

## Action plan for Western Bay up until 31st March, through to its disaggregation starting from April 1st 2019

Appendix A

Shown below is a high level Improvement Plan that has been developed in response to the Joint Inspection by HM Inspectorate of Probation. This builds upon the list of priorities that were developed on receipt of the minute note from the Ratings Panel which was held on 18<sup>th</sup> December 2018.

The plan currently reflects the overarching actions that all Youth Justice Service's will need to take forward. The next stage of the process will be for each Youth Justice Service to develop this plan going forward within their local authorities.

Service Areas	Western Bay Youth Justice and Early Intervention Service – (Until March 31st 2019)  From April 1st 2019, each local authority names below will be developing this action plan in relation to their own YJS area.  Neath Port Talbot  Swansea  Bridgend
Principal officers/Strategic Leads for NPT/Swansea/Bridgend YJS	Alison Davies – Strategic lead for Neath Port Talbot Jay McCabe – Strategic lead for Swansea David Wright - Strategic lead for Bridgend

Priority area	Action	Who	Target Date	Status
<ul> <li>Organisational</li> </ul>	Commission an	Duncan Hodgson	Agreement in principal	Completed
Alert.	experienced consultant	Director of Silver Bullet	for this work to be	
	to undertake a review of	Consultancy Services.	undertaken and	
	post-court cases as	Duncan has extensive		

	required under the organisational alert	experience and knowledge of Child view and asset plus and has worked with numerous Youth Justice Services.	completed by 31st March 2019.	
Identify a Partner in practice to assist with improvement Journey.	As recommended by the inspection team, Hertfordshire YOS has agreed to be a partner in practice to assist in our improvement journey. Hertfordshire previously had an organisational alert and since have had an outstanding inspection outcome.	Nick Smith Service Manager (Hertfordshire YOS) and strategic leads will meet to discuss in what way Hertfordshire can assist in our improvement journey.	Strategic leads and operational managers have emailed Hertfordshire and Wrexham to arrange to visit.  Further links have been made with Cwm Taff and visits are being booked within the fortnight	Completed
Operational     Managers and     Senior Practitioners     to receive training     on QA of Asset +     Assessments.	A two day training event has been arranged to focus on the quality assurance & countersigning of assessments.	Duncan Hodgson Director of Silver Bullet Consultancy Services will deliver this training on 24 <sup>th</sup> January 2019 & 25 <sup>th</sup> January 2019.	25 <sup>th</sup> January 2019	Completed
Asset + training to be delivered to staff.	Refresher training to be arranged for all staff who under take asset plus assessments.	Duncan Hodgson Director of Silver Bullet Consultancy Services will deliver this training	Training has been booked for  Bridgend – 14 <sup>th</sup> – 16 <sup>th</sup> May 2019	Completed

			NPT - 30 <sup>th</sup> April – 1 <sup>st</sup> May 2019 Swansea - 29 <sup>th</sup> - 30th- May 2019	
Strategic mapping exercise to identify all the strategic partnership meetings the Service Manager needs to attend.	All strategic meetings to be identified and a structure chart to be developed for WBYJEIS.	Interim service manager Huw Fyfe to complete in conjunction with the operational managers.	Strategic meetings identified and structure provided chart provided on 12/03/2019.	Completed
Structure to be reviewed in light of the inspection feedback and lack of operational management capacity.	All structures to be reviewed and implemented.	Each local strategic and operational leads to review their organisations structures.	19 <sup>th</sup> February 2019	Completed
Clear lines of supervision of staff to be established.	All staff to revert to being supervised within their locality teams.	Operational Managers and Senior Practitioners will assume responsibility for supervising all qualified Social Workers and partnership staff.	Lines of supervision finalised and appropriate line management is now in place – All qualified workers are being supervised by an appropriately qualified lead.  Plans are now in place	Completed

Formal Action Plan to be developed.	On receipt of the report from HM Inspectorate of Probation a comprehensive draft action plan will be developed.	Strategic leads for each local authority in conjunction with their Youth Justice Boards. The Management board members will oversee the implementation and completion of the Action Plan.	Each Local Authority YJS will develop a specific action plan from April 1st 2019 will be put in place after the WBYJEIS Management board meeting on the 26th March 2019.  It was in agreed at the management board meeting on the 26th March 2019 that an initial improvement board would be in place to oversee the first three months of the action planning process and ensure smooth transition through the disaggregation process.	Completed
Develop a clear plan to manage the disaggregation from the Western Bay arrangements – to limit any detrimental effect on the services offered to children and young people	YJS Strategic Leads to formulate a disaggregation plan for the management board's consideration who will in turn provide the resources and support to the management team to provide services effectively.	YJS Strategic Leads for each Local Authority.	Next management board on the 26 <sup>th</sup> March 2019 NPT – Completed Swansea - Completed Bridgend – In progress	In progress

in each local authority.	The disaggregation plan will be shared with the YJB for their oversight.			
Follow up actions identified by Duncan Hodgson to be completed.	Duncan Hodgson will email follow up actions in the agreed feedback templates to operational managers so that the necessary actions can be completed.	Operational Managers/ Senior Practitioners to oversee that the actions are completed and liaise with Duncan Hodgson for him to review the changes that have been made.	30 <sup>th</sup> April 2019	In progress
In all cases where there are concerns that children are vulnerable to, or are victims of child sexual exploitation, there are plans in place to ensure the safety of these children.	Cases where there CSE concerns have been identified and the plans that are in place will be reviewed to ensure the safety of these children.	Operational managers are reviewing the CSE cases with children services correctly and that they agree that any CSE risks are being adequately addressed	By 31 <sup>st</sup> March 2019	Completed
Review of out of court assessments.	Review the assessment of safety and well-being in relation to out of court cases.  Strategic leads will liaise with Social Services to ask them to provide information regarding their involvement in each	Each YJS Operational management team.	31st March 2019 – this will need to be extended to May.	In progress

	of the identified local authorities cases so that this can be checked against the completed screening tool or Asset Plus assessment to ensure all safety and wellbeing issues have been identified and adequately addressed.			
New data set to be developed to report to the management board to allow for the effective oversight of the services work and provide effective challenge to partners.	Partner in practice to share their good practice model in how they inform their management board of the work they do via a formal report.  Data reporting to include:  Social Services referrals and follow up.  Mental & emotional health referrals.  CSE cases  MAPPA cases  Absence & sickness impact on the service.	Nick Smith Partner in practice, strategic leads and operational management teams to implement.  Oversight by each management board	Strategic leads and operational managers have emailed Hertfordshire and Wrexham YOS to arrange to visit.  Further links have been made with Cwm Taff and visits are being booked within the fortnight  Jay McCabe to act as the strategic link for NPT and Bridgend	In progress

	<ul> <li>YP not in receipt of a full education entitlement.</li> <li>Where safety and wellbeing issues have been highlighted, evidence to is provided around the referrals to other services (section 9 of the report)</li> <li>Staff sickness and its impact on operational capacity.</li> </ul>			
Ongoing monitoring of the action plan.	YJS Strategic Leads and Operational Managers will meet with the YJB on a frequent basis to review progress against the action plan	Mark Cox/Sue Thomas  Swansea – Mark Robinson and Jay McCabe  Bridgend – David Wright and Daniel Morgan  NPT- Alison Davies and Amanda Turner	Frequent and ongoing until the re-inspection unless otherwise agreed with the YJB.	In progress

New management board to created and formed – to oversee the work of the YJS.	Senior managers to make the necessary arrangements to create the new management board and review and clarify its role and function, include all statutory partners, and work in an effective way to ensure that the service operates to a sufficient standard  Also, senior managers to ensure that the board is appropriately represented by partner agencies and that they provide appropriate support and services	Swansea - Julie Thomas/David Howe NPT - Andrew Jarred/Ceri Warren Bridgend - Nicola Echanis/David Wright	Monthly – or as agreed by the board	To be completed
YJB to provide training to the new Management Board.	Once the new management boards have been formed the YJB will deliver training to the board on areas relating to the function of the board, induction requirements for board members and selfevaluation of the service.	YJB in consultation with the chairs of the management boards and board members.	By 31 <sup>st</sup> May 2019	To be completed

<ul> <li>Development of a robust Quality Assurance Framework.</li> </ul>	A Quality Assurance Framework to be developed to ensure that a consistent approach is applied when quality assuring and countersigning Asset Plus assessment and screening tools.	YJS strategic leads/ operational management team members supported by our partner in practice.	By 31 <sup>st</sup> May 2019	To be completed
Review the role and function of the prevention service.	Each local authority YJS and the management board will address concerns raised by the inspectors in relation to age criteria for prevention cases.	Management Board and YJS Management Team.	Next management board meeting (under the new management board arrangements)	To be completed
Improve the quality and awareness from staff of the referral systems, so that children and families receive the services they need.	Develop a process and flow chart to ensure staff are aware of what the referral process is to Children Services and how to use it.	Operational mangers and strategic leads	By 30 <sup>th</sup> July 2019	To be completed
All YJS policies and procedures to be reviewed to reflect the needs of the newly formed YJS's.	All YJS policies /procedures and case management guidance to be reviewed.	Operational managers and strategic leads	By 31st December 2019. Operational managers and management team, business support manager and information Officer are	In progress

			having regular meetings and have begun writing the case management procedures document for their YJS	
Review     effectiveness of     information sharing     protocols to ensure     all schools and     workers involved     have the     information they     need to provide     support tailored to     children and young     people's individual     needs.	Heads of Education Services	Swansea NPT Bridgend	By 30 <sup>th</sup> September 2019	To be started
Develop effective strategies to encourage children and young people who speak Welsh, to access services in their preferred language.	Each Local Authority education division to review the current arrangements in place regarding promoting the Welsh language	Each local authority education lead	By 31 <sup>st</sup> May 2019	To be started
To develop a     literacy and	Education leads to review and update their	Education leads	By 31st May 2019	To be started

numeracy strategy to support children and young people to develop these skills to improve the chances of a future free of offending.	strategy in relation to literacy and numeracy			
To provide relevant and timely physical, sexual, emotional and mental health services.	The Swansea Bay University Health/Cwm Taff to regularly attend the management board meetings and set out its plans to ensure these services are in place without any unnecessary delay	Swansea Bay University Health Board/Cwm Taff and the YJS management boards	30 <sup>th</sup> April 2019 onwards	To be started
To ensure the     Board is adequately     represented by all     partner agencies.	Management Board to keep an attendance log of every board meeting held.	Follow-up letters to be sent after each Board meeting to any partner agency who does to attend.	30 <sup>th</sup> April 2019 onwards.	To be started
Management of staff sickness levels both short and long term.	The Board and the Management Team to monitor staff sickness on an ongoing basis to ensure it is aware of how staff sickness may be impacting on operational capabilities.	The YJS management teams are in consultation with Human Resources Department to closely monitor staff sickness and to make the board aware of any detrimental impact this	30 <sup>th</sup> April 2019 onwards.	To be started

		is having on operational capacity.		
Service Training     Plan to be     developed.	Annual Training Plan for the Service to be developed identifying key areas for training.  Training areas may include:  Child Protection Referral Training. CSE specific training. Asset Plus Training County Lines training. PSR writing training National Referral Mechanism NRM Training. Supervision of staff. Training for Management Board members.	The YJS management team to develop and review in consultation with the management board.	30 <sup>th</sup> April 2019 onwards Each strategic lead and operational manager from each local authority YJS has met with the CFS training coordinator/manager and begun to map the training needs of the team. Silver Bullet consultancy commissioned to provide Asset+ training	To be started
To create a culture that supports learning	In addition to the Youth Justice Information Learning Service (YJILS) a Learning Resource	Each local authority Management Team	By 30 <sup>th</sup> September 2019	To be started

and continuous improvement.	Library to be developed identifying all intervention packages that are used by staff with children and young people.		
	In addition, a staff learning resources library to be created containing resources from internal and external training courses and any research that may help inform practice and support staff with their continued professional development (CPD).		