

Cabinet
Council

13 October 2020
20 October 2020

Name of Cabinet Member:

Cabinet Member for Children and Young People - Councillor P Seaman

Director Approving Submission of the report:

Director of Children's Services

Ward(s) affected:

All wards

Title:

Contingency and Recovery Plan 2020/21 (Youth Justice Plan)

Is this a key decision?

No – Although the Plan covers all wards of the City, it is not anticipated that the impact will be Significant.

Executive Summary:

This report is being submitted as notification that The Coventry Youth Offending Service (CYOS) Contingency and Recovery Plan has been agreed and signed off by its Chair, the Director of Childrens Services, and to seek Council endorsement.

The Youth Justice Board (YJB), in recognition of the unprecedented circumstances and challenges created by Covid 19, removed the expectation and grant condition that youth offending teams submit a standard Youth Justice Plan.

The new grant condition, notified to Youth Offending Teams (YOTS) on the 7 April 2020, was that each service must submit a Covid 19 Contingency and Recovery Plan by the 30 April 2020, which was done. Given the indeterminate period that the impact of Covid 19 will be experienced for, this decision by the YJB is entirely appropriate and welcomed.

Youth Offending Teams were established under the Crime and Disorder Act 1998 ('the Act'). The functions assigned to the Youth Offending Service include the duty upon the local authority, under the Children Act 1989, to take all reasonable steps to encourage children not to commit offences. The Act imposed a duty on each Local Authority, acting in cooperation with its Statutory

Partners (Police, Health and Probation), to ensure that all Youth Justice services are available in their area to such an extent as it appropriate for the area.

The key tasks of the service are:

- Assessing and delivering interventions to the out-of-court-disposal cohort
- Management and delivery of community sentences
- Management and delivery of secure estate sentences and resettlement
- Servicing the Youth Court and Crown Courts (in terms of provision of a court team, bail & health assessments, provision of pre-sentence reports and stand down reports)
- Victim services
- Parenting services and management of Parenting Orders

The Crime and Disorder Act also imposed a duty to complete and submit a Youth Justice Plan each year, this year as an exception, a Contingency and Recovery Plan.

The Plan provides an overview of Coventry Youth Offending Services activities, in response to Covid 19, in order to discharge its statutory functions and activities to aid recovery.

Recommendations:

The Cabinet is requested to:

- 1) Recommend that Council endorse the Youth Justice Contingency and Recovery Plan 2020/2021.

Council is requested to:

- 1) Endorse the Youth Justice Contingency and Recovery Plan 2020/2021.

List of Appendices included:

Appendix - The Youth Justice Contingency and Recovery Plan 2020-21

Background papers:

None

Other useful documents

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes - 20th October 2020

Report title: **Contingency and Recovery Plan (Youth Justice Plan)**

1. Context (or background)

The plan demonstrates, in line with the YJB grant requirement, the continued delivery of statutory responsibilities as described in the Crime and Disorder Act 1998 part 111 (section 38) by CYOS, since restrictions were imposed.

The recovery element of the plan is dynamic as it needs to reflect the dynamic nature of the Government's exit strategy and variable restrictions. It will be monitored by the CYOS Management Board.

In statutory terms, the Contingency and Recovery Plan meets the requirements of the Crime and Disorder Act and the YJB grant requirement. It does not replicate the format of previous Youth Justice Plans as that is not its function.

CYOS has submitted its plan which demonstrates its delivery of its statutory functions and the methods for achieving this to the YJB, in line with the grant requirement. The plan outlines priority impact areas for the next twelve months and the CYOS Management Board approach, which is the regular review of recovery steps in line with changes in Government guidance against local practice and needs.

1.2 Headlines 2018/19

1.2.1 Performance

While there is no expectation that performance from the previous year needs to be included in the Contingency and Recovery Plan, the service has referenced its outcomes against its National Indicators.

Regarding First Time Entrants to the criminal justice system (FTEs), there has been a positive reduction of 71 in the counting period, a rate of 224 per 100,000, which is very slightly down from 235 in the previous financial year (2018/19).

The Reoffending data is provided by the YJB and the last available data shows a small increase in both the binary and re-offences rate. It is important to note these changes reflect the Service working with fewer children and that the number of substantive offences has reduced considerably; they are down by 138 from the 319 in the previous year (2018/19), alongside the number where a Community Resolution (CR) has been issued is also down 66 from 141.

Custody has increased in 2019/20 at 14 compare to 9 in 2018/19. Despite an increase, it is still the second lowest rate achieved since the introduction of the indicator as a historic low was achieved by Coventry in 2018/19. Custody should only be used as last resort and the local increase in custody use is linked heavily to the serious youth violence agenda. Activity to address criminal exploitation, and the resulting youth violence, features within CYOS priorities and will be supported through The Youth Violence Partnership Board.

While the Youth Justice Plan would contain a broad overview of quality indicators, such as Victim feedback, compliments from families and young people, this is not a function of this year's plan and performance data is not required.

1.3 Our priorities for 2020/21 Include

1.3.1 Improve the response to criminal exploitation and youth violence.

This activity includes:

- Working in partnership with strategic groups at a regional and local level. This includes: The West Midlands Violence Reduction Unit, The Office of The West Midlands Police Crime Commissioner, and the Coventry Youth Violence Partnership Board.
- Working with key agencies, using The National Referral Mechanism¹ to ensure young people who are trafficked, receive the right support and their status is considered when decisions to prosecute are being made.
- Ensuring, where required, stringent controls are in place to protect the public and this can, in certain circumstances include electronic tracking of young people.
- Expanding the “reachable, teachable” moments offer. For example, this is where young people who may come into police custody, arrive at hospital injured, or become subject to a custodial remand, are seen face to face by worker with “lived experience”. It is a moment where young people may be ready to listen and change with the right support. Currently, these are mentors who have experienced some of the same challenges as the young people they are seeking to mentor (provided by St Giles²).

1.3.2 Tackling disparity in the criminal justice system.

Local analysis tells us that there is a slight overrepresentation of some ethnic groups and, while it is in single figures, it is important to ensure that this is monitored and responded to. Key activities include broadening the range of interventions to strengthen their ability to meet diverse needs. New activities for this year include: Levelling the Playing Field, a national project supported by the YJB, and part funded by The London Marathon Trust; further information is available in the Contingency and Recovery Plan. Coventry are one of two areas in the West Midlands who will seek to use mentors to engage young people from BAME communities who are at risk of entering, or are in, the criminal justice system to engage in sport.

1.3.3 Recognising and responding to young people who have had multiple adverse childhood experiences, which has impacted on their resilience.

CYOS works closely with its health partners to deliver a trauma informed response to young people and the Service has invested in further training for its staff to support this approach. There is also a review of the resources required to deliver the Enhanced Case Management pathway. It is recognised that health services have been under unprecedented pressures due to Covid 19 and, therefore, a case for increased resource will be presented in the latter part of the year.

1.3.4 Improving good outcomes through quality assurance activity.

This area remains essential and will continue to provide multiple lenses for scrutiny and learning across this challenging time. This focus will ensure that the services offered remain consistent and appropriate to individual need, balanced with support and controls to protect victims and the community from the risk of reoffending.

1. *The National Referral Mechanism (NRM) is a civil process for identifying victims of human trafficking and ensuring they receive the appropriate protection and support. The NRM was introduced in 2009 to meet the UK's obligations under the Council of Europe Convention on Action against Trafficking in Human Beings.*

2. *St Giles is a charity using expertise and real-life past experiences to empower people through mentoring.*

1.3.5 Deliver the YJB National Standards improvement activity.

The YJB standards were recently revised in their totality and, in April this year, CYOS submitted the outcome of its self-assessment against the new standards as part of the national baselining activity. The YJB recognised that, with the introduction of new standards, it was likely that YOTs would change their performance position in the baselining year. The expectation is that nationally, with YOT learning from the self-assessment activity, key actions were identified to support services to deliver against standards. The local action plan, which is currently being delivered against, is monitored by CYOS Management Board.

1.3.6 Maintain a high-quality workforce.

The people within an organisation are central to its success. CYOS has a continuing professional development pathway for its staff and has an excellent track record of enabling staff to progress into senior roles. This year CYOS is on the national development group led by the YJB to introduce the Youth Justice degree into the apprenticeship offer providing further opportunities for staff development. Staff morale, overall, remains high, which is evidenced by good retention levels and sickness rates below the average for Coventry City Council and wider Children's Services.

2. Options considered and recommended proposal

2.1 Completion and submission of this plan is compulsory under the Act. It is requested that Cabinet recommend that the Council endorse the Contingency and Recovery Plan.

3. Results of consultation undertaken

3.1 All statutory partners are consulted under a statutory duty imposed by the Act. All Management Board members are consulted and contribute, although only statutory partner's cooperation is required.

3.2 Statutory Members are represented by:

- Director of Children's Services
- Strategic Lead Children's Services
- Chief Inspector, Coventry, West Midlands Police
- Head of National Probation Service, Coventry, Solihull & Warwickshire
- Joint Commissioning Manager Coventry and Rugby Clinical Commissioning Group & Coventry City Council
- Head of Specialist Health Services for Children and Young People

3.3 Other members include:

- Head of Environmental Services Street Scene and Regulatory Services
- Operations Manager, Coventry and Warwickshire, Prospects Services
- Chair and Deputy Chair of The Magistrates Youth Panel
- Head of Service, Education Entitlement
- Head Teacher, Coventry Virtual School

4. Timetable for implementing this decision

- 4.1 YJB grant conditions state that receipt of grant is conditional on submission of a strategic plan. The YJB recognise that local political processes do not necessarily tie in with submission dates and therefore they accept a draft plan, which had to be submitted by the end of April 2020; the plan was submitted in line with the deadline.

5. Comments from the Director of Finance and the Director of Law and Governance

5.1 Financial implications

Grant funding from YJB may be withheld/withdrawn if the plan is not submitted in line with the Crime and Disorder Act and grant requirements.

Agency	Annual Budget	
	2019-20	2020-21
Local Authority	766,382	717,127
YJB	520,878	531,607
Police and Crime Commissioner	105,064	105,064
Health	103,959	110,645
Police	56,188	57,593
Probation	53,066	48,400
Budget	1,605,537	1,570,436

The finance tables, when compared to the Contingency and Recovery Plan, has the Health contribution confirmed and reflects the reduced local authority contribution from April 2019, which was later reduced to £750,175 in Mar-20 due to the mid-year impact of the business services review.

Overall, the changes to the local authority contribution is due to reduced costs (Local Government Pension Scheme) contributions and salary re-structuring as part of the mentioned business services review (October 2019). The local authority will be required to fund the pay award once it has been confirmed. The YJB contribution has increased due to distribution of efficiency savings and a 2% uplift to the grant for 2020/21. The probation contribution has reduced due to salary grading.

5.2 Legal implications

Section 40 Crime and Disorder Act 1998 places a duty on the local authority, after consultation with the relevant bodies, to formulate and implement a yearly 'Youth Justice Plan'. The Plan must set out how Youth Justice Services in the area are to be provided and funded, how the Youth Offending Service established are to be composed and funded, and how they will operate and what functions they are to carry out. Such Plans are submitted to the Youth Justice Board for England and Wales.

The Youth Justice Board has issued 'Covid-19 Recovery Plans: guidance for youth offending teams, which confirms that:

"Given the pressures faced by YOTs during the Covid-19 pandemic... In lieu of the full annual YJ plan we are requesting a higher level YJ Plan for the 2020/21 financial year which we describe as Recovery Plans."

Grant conditions have been amended to reflect this change, with the expectation that the requirement for the annual YJ Plan to remain a requirement for future periods.

6. Other implications

6.1 How will this contribute to the Council Plan www.coventry.gov.uk/councilplan/ Primarily activities support;

- Protecting our most vulnerable people
- Improve health and well being
- Make communities safer
- Improving educational outcomes
- Reducing the impact of poverty

Activity within The Contingency and Recovery Plan is aligned locally to plans that include;

- Local Police and Crime Board
- Local Policing Plan
- Coventry Sustainable Communities Strategy

6.2 How is risk being managed?

Risk to the YJB grant, has been managed by consulting with partners in a timely manner to facilitate sign off and submission of the draft plan (grant requirement). The report is also submitted now for endorsement in line with statutory duties and good practice requirements.

6.3 What is the impact on the organisation?

The Plan presents a balanced budget and no immediate implications for other groups. The Plan details the risks going forward in to 2020/21.

6.4 Equalities/Equality Impact Assessments (EIA)

Legislative changes, such as pre court disposal options, have been subject to substantial Equalities/Equality Impact Assessments activity under Ministry of Justice and Youth Justice Board; no adverse impact has been identified.

This is not a new activity.

6.5 Implications for (or impact on) climate change and the environment

None

6.6 Implications for partner organisations?

Partners have all participated in agreement and sign off the Plan and there are no implication arising post sign off.

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John Gregg	Director of Children's Service	-	21.08.20	21.09.20
Councillor P Seaman	Cabinet Member for Children and Young People	-	21.08.20	15.09.20

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