



Name of meeting: Corporate Parenting Board
Date: 24th September 2018
Title of report: Outcomes for Looked After Children involved with the Youth Offending Team (YOT)

Purpose of report

To inform Corporate Parenting Board (CPB) about the improvement in outcomes for Looked After Children (LAC) subject to an Intervention by the Youth Offending Team (YOT).

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	Not applicable
Date signed off by <u>Strategic Director</u> & name	Elaine McShane (for Sal Tariq) – 12.9.18
Is it also signed off by the Service Director for Finance IT and Transactional Services?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Not applicable
Cabinet member portfolio	Cllr Viv Kendrick

Electoral wards affected: not applicable

Ward councillors consulted: not applicable

Public or private: Public

1. **Summary**

This report is about the success that the Youth Offending Team (YOT) has had in improving the outcomes for Looked After Children involved with the YOT.

In late 2012 the Legal Aid, Sentencing and Punishment of Prisoners Act (LASPO) was passed by Parliament with the main provisions coming into effect in 2013. The provisions of this Act of significance for the Local Authority and Youth Offending Team are: a) Youth Detention Accommodation was introduced for all young people aged up to and including 17 years, this replaced remands into custody, previously 17 year olds were treated as adults for bail/remand purposes; b) any young person remanded to Youth Detention Accommodation was deemed to be a Looked After Child and the responsibility of their home local authority; c) the costs of Youth Detention Accommodation would be borne by the responsible Local Authority.

At about the same time the YOT were becoming aware of the significant disparity in outcomes for LAC dealt with by the YOT, compared with the general YOT population. Thus, fewer than 30% of LAC successfully completed their intervention with the YOT compared with almost 70% of the general YOT population. It should also be noted that historically Kirklees had performed relatively badly in terms of the proportion of LAC who offended. Thus, in 2010 almost 13% of Kirklees LAC were convicted of an offence, this compared with a national average of about 5% and a local average of under 7%.

In response to the above we took the decision to create a small team of LAC specialists who would take all cases at the YOT involving LAC. Also for the past four or five years the YOT has worked with Kirklees residential homes to increase the use of “restorative justice” as a way of dealing with most minor crimes that occurred within the homes. Over the past couple of years this has changed so that the restorative team within the YOT work with the residential sector to encourage a more general restorative approach to dealing with all issues/problems that may arise.

Further details and outcomes are outlined in section 3.3 below.

2. **Information required to take a decision**

For information only, no decision required.

3. **Implications for the Council**

3.1 **Early Intervention and Prevention (EIP)**
Not applicable

3.2 **Economic Resilience (ER)**
Not applicable

3.3 **Improving Outcomes for Children**

As mentioned above, in 2013 the YOT created a small team of staff who were all social work qualified YOT Officers that took responsibility for all LAC YOT interventions. This included becoming case responsible for all LAC who

became LAC by virtue of being remanded to Youth Detention Accommodation (YDA). The reasons for this were basically two-fold: firstly, developing greater expertise and skills in the additional processes required when working with LAC; secondly, to improve and develop liaison and joint working with other agencies (e.g. residential sector) and staff (e.g. Children's Social Workers and Residential Staff).

Because of our concerns about the poor outcomes for LAC in the YOT we wanted an objective measure that we could use to measure performance. Initially we used the relative rate of breach of LAC compared with the general YOT population. Breach is when a young person is returned to Court because of failure to comply with the terms of their Court Order (Referral Order, YRO). Initial findings were that LAC were more than twice as likely to be breached. Unfortunately this measure was difficult and laborious to collect as the report could not be run by our case management system (Child View) and had to be collected manually. It was also difficult to validate. Thus in 2015 we changed to measuring successful outcomes at the end of a young person's intervention. A successful outcome is defined as completing an order without re-offending or being returned to Court in breach and being resentenced.

The YOT knew that outcomes for LAC were significantly worse than the general YOT population, our aim was to bring outcomes for LAC more in line with the general population.

In the year April 2015 to March 2016 29% of LAC successfully completed their intervention, while 70% of the general population did so.

Last year (April 2017 to March 2018) 75% of LAC successfully completed while 68% of the general population did so, a remarkable transformation. Figures for the latest quarter (April 18 – June 18) maintain the equivalence with 75% LAC and 81% general population successfully completing.

The YOT have been able to achieve this by having a small group of staff (initially 4 now 2.5) who could develop expertise, links and joint working, what was crucial was having the information. Thus we initially had a vague understanding that we weren't doing as well in our work with LAC because it appeared that more were being returned to Court. Once we could show to staff at the YOT the clear, easily understood evidence that less than 30% of LAC were completing compared with almost 70% of non-LAC young people, we were able to work together to come up with strategies to improve and we could easily demonstrate if we were improving.

There has also been an improvement in the percentage of 10-17 year old LAC who are convicted of an offence, though far less dramatic. In 2010 almost 13% of Kirklees LAC were convicted of an offence compared with a national average of under 5%. By 2016 the Kirklees figure was just over 6% compared with a national average that remained at about 5% (2016 is the latest year for which we have comparative data). Unfortunately the figure for 2017 has increased slightly to 7.2% but we don't have any comparative data.

Over the past 4 – 5 years the YOT’s Restorative Justice Team has been working with the residential sector to encourage the use of restorative justice to deal with minor offences that occur within children’s homes. This is basically where, with the agreement of all parties, a young person is given the opportunity to make amends (reparation) for their offence rather than going through the criminal justice system. Thereby reducing the number of young people criminalised for relatively minor offences. More recently the approach has been broadened from just using this approach for minor offences to using a restorative approach as a general problem solving method involving all parties.

The benefits for all of this approach are perhaps best summed up by a quote from the Manager of a children’s home, in the recent YOT Restorative Justice Newsletter.

“As a Children’s home we are often faced with the challenging behaviours that could be addressed using methods other than sanctions, which were ineffective and unproductive. As a team we needed to use the same approach so as not to discriminate or show favouritism when trying to manage difficult situations.

Following the training day, adopting the Restorative Approaches within a home setting will enable a more reflective style of intervention for both the team and the young people. The training has also helped to sign post the team to additional support available in the YOT team, which will also help to embed the practice throughout the home. This has also strengthened the partnership working between children’s residential settings and YOT, which in turn will promote good outcomes for the residents.”

3.4 **Reducing demand of services**

Not applicable

3.5 **Other (eg Legal/Financial or Human Resources)**

Not applicable

4. **Consultees and their opinions**

Not applicable

5. **Next steps**

- a. YOT to continue monitoring LAC performance in terms of outcomes and offending relative to the general YOT population so that we are quickly aware of any developing concerns.
- b. YOT to maintain current level of resources for LAC (specialist YOT Social Workers).
- c. YOT restorative justice workers to continue to support residential sector by delivering training and advice on the use of restorative practices in children’s homes.

6. Officer recommendations and reasons

That the report be noted.

7. Cabinet portfolio holder's recommendations

Not applicable

8. Contact officer

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9. Background Papers and History of Decisions

Not applicable

10. Service Director responsible

Elaine McShane (Family Support and Child Protection)