

# **Youth Offending Service Remote Peer Review**

Torbay Council

October 2020

Feedback Report

# 1. Executive Summary

The Director of Children's Services (DCS) has recognised the need to strengthen governance arrangements and, along with the Youth Offending Team (YOT) Management Board members, wishes to increase the Board's effectiveness and impact. The representation of partners on the Board has recently been widened. The changed relationship with the Pan -Devon YOT Board and ending of the joint Children's Safeguarding Partnership Board provides a good opportunity to do this. This peer review was commissioned to assist Torbay's efforts to strengthen the governance and leadership of the Youth Offending Service (YOS).

The findings of this peer review need to be set in the context of the Covid-19 pandemic which has required the Council and its partners to quickly adopt new ways of working affecting all staff and service users. In addition, Children's services improvement (following an Inadequate inspection assessment in 2016 and again in 2018) has required significant leadership and senior management focus. However, there is now recognition that progress is being made in this wider improvement work. The Council has restructured the education and children's social care services and intends to review the YOT as the next stage in this modernisation of children's services.

The YOT Management Board is not as effective as it needs to be – its profile across partners, other relevant Boards and with staff is low. With some exceptions it does not drive action or effectively challenge partners and there is little awareness or buy-in to the 2019-20 Youth Justice Plan (or its successor Covid-19 recovery plan) and the priorities it contains. There is a gap in strategic direction which is not being provided by a Pan-Devon Board as originally intended.

Governance arrangements can be strengthened reasonably quickly through a smaller strategic board with senior partner representation, clear terms of reference and some organisational leadership and discipline. Some key priorities should be agreed and shared with partners and the wider service, and reinforced through the new Youth Justice Plan now in development. The Executive Member will certainly bring enthusiasm and ambition for improvement to the YOT Management Board which she has recently joined.

The key challenge will be in agreeing a clear vision for modernising the operation of the YOT, including a possible review of the use of specialist workers to ensure Torbay is fully utilising their skills and experience. Securing more effective YOT management and leadership will be vital, leadership which is willing and capable of sustaining the positive team culture and further strengthening of practice. This development of practice in the YOT should include embedding the restorative practice model further, for example within Asset Plus, placing victim's views and wishes at the centre of interventions and prioritising desistance led interventions in order to reduce re-offending.

Improved, two-way communication is needed to ensure continuing confidence in the leadership of the service. As a priority, the rationale for the closure of Parkfield YOT base in response to the Covid-19 pandemic and plans for effective, alternative arrangements for working with children and young people need to be better

communicated and understood. (As a virtual peer review the team are unable to form a view on the suitability of the Parkfield building, but the strength of staff and some partner's feelings on this issue is evident).

Clarifying the remit, role, oversight and leadership expected of the Head of Service will be important, given the other significant responsibilities attached to this role. Consideration should be given to establishing a dedicated YOT Manager post to provide specialised management and strategic planning for the service, work at strategic level with key partners, and to support the YOT Board. This post could continue to report to a Head of Service role. It may be possible to fund a YOT Manager post through a review of current structures and ways of working within existing budgets or as part of further efficiency measures which may be anticipated in the face of growing pressure on local authority budgets in response to the Covid-19 pandemic.

Torbay has a number of strengths on which to build in responding to these challenges. These include experienced and committed practitioners in the YOT who have a real focus on achieving better outcomes for the children and young people they work with; a well resourced team with reasonable caseloads; and an improving picture of joint working with children's social care and good partnership working at an operational level. There is now better awareness and shared approaches to case management of children known to other areas of the service and in relation to both criminal and sexual exploitation (although work in response to criminal exploitation is less advanced). The preparation of pre-sentence reports and presentation by officers is well regarded by the Magistrates courts.

These foundations for the service are underpinned by improving wider children's social care services following inadequate judgements over several years, informed political support from the lead member and strong leadership from the DCS. Commissioning external challenge via this peer review demonstrates Torbay's commitment to strengthening the governance, leadership and performance of the YOT. Torbay Council and its partners on the YOT Management Board will wish to consider the findings of this peer review alongside the outcome of the YOS inspection scheduled for late October in moving the service forward.

## 2. Key recommendations

The following are the main recommendations of the peer review. There are further suggestions for improvement contained in the body of the report.

- a) Re-establish the YOT Management Board as a smaller, strategic Board with more senior, consistent partner representation with clear terms of reference to reflect that strategic role and better links to other relevant Boards for children's services.
- b) Agree the key priorities for the service and share with partners and clearly communicate to the wider service.
- c) Clarify the remit, role, leadership and management oversight of high risk cases expected of the Head of Service role.
- d) Consider the establishment of a dedicated YOT Manager post.
- e) Review the current structure of the YOT, including consideration of the YOT manager post (as per recommendation d) above), and to ensure the best use is made of existing resources including case officers and specialist workers.
- f) Clearly communicate the future vision for the service, including plans for the Parkfield building and alternative arrangements for working with children and young people.
- g) Strengthen engagement and ensure that effective two-way communication is in place between the Board, senior management and the YOT team.
- h) Increase the proactive use of performance information and insight to challenge and improve the service, by both the Board and YOT managers, drawing on data from a wider range of partners including additional children's services performance information relevant to the YOT cohort.
- i) Further training for staff should be commissioned to ensure the AssetPlus assessment tool is used to its full potential in undertaking assessments, recording case information and identifying and managing risk and to underpin the quality and consistency of assessments.
- j) Further enhance and embed restorative practice approaches and develop a better understanding and use of desistance factors to tackle re-offending and review the Out of Court Disposal process to ensure its continuing effectiveness.

### 3. Summary of the Remote Peer Challenge approach

As a result of the Covid-19 pandemic, and the social distancing restrictions this has given rise to, this peer review, like other LGA reviews at this time, was undertaken remotely with both interviews and the case records review taking place off-site with meetings conducted virtually via MS Teams.

#### 3.1 The peer team

Peer challenges are delivered by experienced peers. The make-up of the peer team reflected your requirements and the focus of the peer challenge. Peers were selected on the basis of their relevant experience and expertise and agreed with you. The peers who delivered the peer challenge for Torbay were:

- Kevin Hall, independent consultant (former Director of Children, Families & Schools, East Riding of Yorkshire Council)
- Heather Pearson, independent consultant (former Police officer leading safeguarding work and current Safeguarding Unit Manager, North Yorkshire CC)
- Sam Matthews, Youth Offending Service Manager, East Riding of Yorkshire Council
- David Armin, LGA Peer Challenge Manager.

#### 3.2 Scope and focus

The following key lines of enquiry were agreed with Torbay City Council. The key focus was to be the governance and leadership of the service, including the Youth Justice Management Board, and the impact this has on the performance of the Youth Offending Service (YOS).

##### ***Leadership and vision***

- Does the governance and leadership of the Torbay Youth Offending Team (YOT) support and promote the delivery of a high-quality, personalised and responsive service for all children and young people?
- Does the Torbay YOT Board have a clear vision that is well communicated and understood by board members, operational staff and wider partners?
- Is there evidence that Board Members are active participants in, and advocate for, the work of the Youth Justice Service in their primary role?
- Does the Board have a good understanding of the needs of young people known to the service?

##### ***Resources and capacity***

- Does the Board support a learning culture where staff are supported and there are development opportunities?
- Does the Board have a clear understanding of budget and resources in the current financial year?

- Is there evidence that Board Members act upon Board priorities and the personalised needs of young people and that they deploy their organisational resources in doing so?
- How are Board Members assured that available resources are deployed against agreed priorities?

### ***Effective practice and outcomes for young people***

- Does the Board ensure that interventions are outcome focused, address desistance factors and effectively manage risk?
- Does the Board have a clear understanding of its impact, including evidence of robust challenge based on both qualitative and quantitative data?
- Is there evidence that the views and experiences of young people are consistently used to inform planning and the future direction of services?

## **3.3 The peer review process**

The fundamental aim of each peer review is to help councils and their partners reflect on and improve the impact of services to children and young people. It is important to remember that a peer challenge is not an inspection, rather it provides a critical friend to challenge the council and their partners in assessing their strengths and identifying their own areas for improvement. The main elements of the peer review were:

- A review of data and key documentation
- A review of case records – the LGA Peer Team reviewed ten assessments and case histories in detail, these cases were selected by the peer team from the cases currently open to the YOT to reflect the range of cases and different methods of disposal. The cases were reviewed during w/c 21<sup>st</sup> September, on the basis of a copy of the Asset Plus record and extracts from case notes. The reviewers also had virtual interviews with six practitioners about these cases. The findings of the case review have been reported separately to Torbay, given the potentially confidential information this contains, but the main messages from the case review are reflected in this report.
- Virtual interviews over two days (6<sup>th</sup> and 13<sup>th</sup> October 2020) including individual interviews and focus groups. The peer team met with the lead member and senior officers from the council and other statutory children's safeguarding partners (viz. the police and health); other members of the YOT Management Board including the courts and probation service; YOT staff and managers

The documentary evidence provided to the peer team was used to guide its focus in assisting you with your on-going improvement. The case records review helped to inform the peer team's findings in relation to frontline practice.

By its nature, the peer review is a snapshot in time. We appreciate that some of the feedback may be about things you are already addressing and progressing. The peer team would like to thank colleagues in Torbay for their assistance in planning and delivering the peer challenge, and for their engagement and openness during the process.

## 4. Feedback

### 4.1 Leadership and vision

Senior leaders, including the DCS, recognise the need to strengthen governance and the effectiveness of the YOT Management Board. Some actions to address this are already underway, including the recent widening of YOT Management Board membership to include the Cabinet member for Children's Services and Magistrates Courts representative to more fully reflect key stakeholders. The lead member is passionate and ambitious about better outcomes for children and young people. The impact of Children's Services leadership on the increasing pace and progress in improvements to wider children's social care services is now being recognised. However, the necessary focus on children's services improvement following the Inadequate judgement may well have reduced the attention given to the YOT.

A number of Management Board members felt that it was engaged and took ownership of the self-assessment process in early 2020, but progress in action planning was overtaken by the necessary focus on responding to the Covid-19 crisis. The regular reporting and presentation of performance information to the Board is regarded as valuable and has enabled it to focus on the three key PIs it has identified (drawn from those used by the YJB nationally) - first time entrants to the justice system (FTEs); re-offending rates and the use of custody. In Torbay FTEs compare unfavourably to regional and national rates. A key priority for the Board is a reduction in FTEs to below the South West regional rate. Discussion at Board helped to bring about changes to enable more joint decision making between police and YOT to avoid criminalising young people. Wider use of the 370 process<sup>1</sup> has helped to bring together the YOT, police and other partners in the Out of Court Disposal panels (OOCs).

Although its understanding of operational issues is seen as a strength by Board members, the YOT Management Board is not strategic and needs consistent and more senior representation across all partners. It was originally envisaged that the Pan-Devon YOT Board would provide that strategic oversight but in practice this has not happened. Separation of Torbay from Pan-Devon arrangements and Joint Children's Partnership with Plymouth provides the opportunity to focus on local issues and re-boot governance arrangements. This should be used to develop a strong framework that links the YOT Board with the Children's Board and the Community Safety and Safeguarding partnerships in Torbay.

Attendance of Board members at Board meetings has been patchy and inconsistent in recent years. There has been insufficient challenge at the Board to hold partners to account for service delivery, or clear evidence of action when such challenge does take place. The Board does not proactively manage performance or drive improvement (with some exceptions such as the focus on FTEs noted above). The data analyst in the YOS largely determines the format and focus of performance reporting. This is appreciated by Board members but their greater engagement in the focus of performance reporting

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<sup>1</sup> The process whereby decisions are made in partnership on how to proceed against a juvenile offender – ie. through the criminal justice system (caution etc.) or other means of disposal, based on the use of Form 370



and provision and analysis of data by other partners in addition to the Council would enhance the ownership of performance management across the partnership.

There is very limited awareness of the YOT Management Board or 'buy-in' to the Youth Justice Plan 2019-20 and its priorities among staff in the YOT and other partners. Staff have little engagement with or understanding of the role of the Board and would value more involvement and the opportunity to showcase their work.

The Council's Head of Service has a wide range of responsibilities with limited capacity to drive forward innovative practice within the YOT. The peer team understands that this has been a part time role since 2017, reflecting the relatively small size and caseload of the YOT in Torbay. There have been several post holders over that period. The current postholder has been the Head MASH / Early Help. When he moved to become Head of Regulated Services he retained responsibility for the YOT to provide continuity in management responsibility.

Many staff believe that senior managers are not visible in the service and that communication and oversight is limited. Some staff feel that there is little knowledge or understanding of the work of the YOT which may be giving rise to mistrust and a sense of being undervalued. Many staff raised issues regarding the decision to close the Parkfield building – that closure was driven by COVID restrictions and a direction to all council staff to work at home wherever possible. However, staff (and some Board Members) remain anxious and concerned about alternative arrangements now and into the future and how these have been communicated. Staff feel that arrangements to meet with young people in the current circumstances are not always effective for strong engagement.

Partners and staff feel that management arrangements for the YOT need to be clarified and strengthened. There is a need for a dedicated service manager with youth justice experience to lead and advocate for the service, and challenge the decisions of other services, and partners, where necessary. There are two team manager posts in the YOS, but these posts have an operational and team leadership focus. The Service Manager for Children's Services 'front door' (the MASH etc.) has been brought in to provide support and capacity to the Head of Service, but the purpose, extent, line management and ways of working for this arrangement remain unclear to some.

One person summarised these issues describing a "perfect storm because safeguarding will always trump other management responsibilities and so there is no management capacity to innovate, and no challenge at the board".

## **4.2 Resources and capacity**

The YOT team is well resourced with manageable caseloads for case workers – typically six to seven cases per worker. This gives additional capacity for early intervention and prevention work. The sample of cases reviewed by the peer team included good examples of working with children on a voluntary basis. The service benefits from committed and widely experienced practitioners in both case worker and



various specialist roles. There are seconded staff from the police and probation and specialist CAMHS and Speech & Language Therapy workers. Discussion at the YOT Board has helped to sustain funding for these roles from health. The Data analyst post gives some capacity for greater insight of YOT client group and performance issues, but is shared with the Troubled Families team so good use needs to be made of this resource.

Staff have felt well supported by approachable Team Managers in the YOT. Good team working is evident across the YOT, including between case workers and specialists, through both case work and regular team meetings. Staff within the YOT have developed packages of support and resources to cover specific work with young people, for example to help tackle knife crime and One Punch Kills.

Staff described an extensive and relevant training programme, including external facilitation. There has been significant investment in training in the Trauma Recovery Model and the peer team could see evidence of this approach in practice. Training has also been provided in addressing harmful sexual behaviours. Joint training with the Magistrates courts is helping to foster good working relationships. Managers have recognised the need for refresher training to make better use of AssetPlus assessment tool for maintaining case records and supporting effective practice, and are now seeking to arrange this. The peer team's review of a sample of case records suggested that the system was not being used to its full potential in undertaking assessments and identifying and managing risk, or recording victim's views and wishes. Practitioners were able to talk in detail about individual cases although some of this information had not been captured in the assessment tool.

There are good partnerships at an operational level, including information and intelligence sharing with the police. Joint working with social care is improving, with frontline staff in the YOT and social care working hard to improve communications. This has been helped by a growing awareness and focus on both criminal and sexual exploitation and a developing understanding of the wider contextual safeguarding issues. However, staff report that there has not been child criminal or sexual exploitation training recently, despite the growing emphasis on this. Over the Covid-19 lockdown period, on-line training resources and webinars etc. have been made available to staff across Children's Services. The onus is on staff to access such resources. There may need to be more communication with YOT staff to ensure that they engage more with resources and support available across the Directorate. There is scope for further work and development with the police around exploitation, in terms of ensuring that young people are identified as victims early in the 370 process to prevent unnecessary criminalisation.

Notwithstanding the improvements in joint working driven by individuals across the services, there is still a sense of 'us and them' between the YOT and the remainder of Children's Services and a sense that some staff within the team would prefer to be seen as separate from the wider service, or at least with their own identity within that service. This was summed up by one person; "the team has been well regarded and left alone as the focus has been elsewhere and the reduction in management capacity over time has led to the isolation of the team – and they now don't really want to be included".

This may stem from the perception that the YOT is a generally well performing service, whereas Children's Services are grappling with the challenges arising from the Inadequate inspection judgement. Good joint working with social services is important, given the high proportion of the YOT cohort who are open to social care (and in particular about a quarter of the cohort are children looked after).

There is also a perception from some that the YOT team are "set in their ways" and "resistant to change" – for example the Covid enforced closure of the dedicated team office and other resources at Parkfield was simply seen as a loss, not an opportunity to develop new ways of working with young people and to move beyond 'business as usual'. However, staff see Parkfield as a valuable resource for working with young people in a safe and confidential environment and described having to meet young people in what they consider inappropriate settings in recent times, such as sitting on the kerbside or in courtyards next to rubbish bins. There is a strong belief among staff that the closure of Parkfield is detrimental to the service offered to young people, such as links with leaving care teams, kitchen and laundry facilities and the garden as a safe place to meet and visit. Managers advised that appropriate alternative facilities are being made available, but staff did not seem to be aware of this or convinced that they would be suitable. (As this was a virtual peer review the peer team were unable to visit Parkfield to form a view on its suitability or otherwise for such work, but is aware that there are a range of views on this matter).

These differences of view and perception may largely derive from limited and ineffective two way communication. There is a need for greater engagement between senior managers and staff in the YOT to build trust and in particular give greater clarity around future arrangements in respect of facilities to work with children, and the developing strategy across the Council around the future balance between office based and homeworking.

The Council and Management Board should ensure that the best use is made of the skills and experience of the specialist workers in the YOT, whilst avoiding duplication and possible gaps in risk assessment where several workers may be involved with a particular young person. In particular, it should consider if case holding by the seconded police officer in the YOT is the best use of this specialist resource, or should this be focused more towards collating intelligence, disruption work and cautions etc.

### **4.3 Effective practice and outcomes for young people**

The Torbay YOT is perceived by partners and staff as a relatively well performing service. Of the three KPIs identified by the Youth Justice Board, two (Re-offending and Custody rates) compare favourably with regional and national comparators and the third (FTEs) is now reducing although remaining above target (the South West average). However, there is little evidence of Board oversight of outcomes and challenge to performance across youth offending services beyond these three selected KPIs. More use could be made of performance insight and information to improve service, by both the Board and service managers.

This reduction in the number of FTEs is being achieved through improved partnership working with the police through the 370 process and the OOC Panel. This process gives the opportunity for joint working with a range of partners and can capture victim's views prior to Panel decision.

The sample of ten cases reviewed in detail by the peer team showed examples of working with young people to achieve better outcomes, and the commitment and care demonstrated by staff in that work. They also demonstrated good joint working with other YOTs on casework, focused around the needs of the young person. There was a good example of use of the National Referral Mechanism (NRM) in respect of modern slavery.

However, assessments and in particular the rationale for assessed levels of risk were not always apparent from the AssetPlus record and service managers should seek assurance around risk management and the appropriateness of assessed levels of risk. The AssetPlus assessment tool was not being used to its full potential in undertaking assessments, recording case information and identifying and managing risk. The quality of assessments was variable – some were well written and coherent, others lacking information and analysis. This indicates a need for refresher training in the preparing and reviewing assessments and in the use of the AssetPlus assessment tool in support of this.

The weekly Case Planning Forum within the YOT provides opportunity for collaborative working with colleagues across the team on cases that are high risk or present other challenges. Team members identify the cases where they would value colleagues input and the practice of rotating the chairing role provided development opportunities for staff. In addition, a fortnightly to three weekly Case Officer meeting has recently been introduced – this seems similar to the Case Planning Forum but without the input of team managers. There seems to be potential duplication and both meetings may need a clearer focus / agenda to ensure good use of time.

Child focused practice is being increasingly adopted. There is increased awareness of contextual safeguarding and a strengthened approach to tackling exploitation, such as the regular multi agency risk management meetings for exploitation cases or cases presenting such a risk (the CEMOG arrangements). The exploitation toolkit recently developed in Torbay is used by the YOT. There is quarterly clinical supervision for case workers managing harmful sexual behaviours. A restorative practice approach is becoming established, enabling a more child focused approach with the Victim Support worker exploring creative solutions.

Court work by the YOT is well regarded by Magistrates courts, including pre-sentence reports and presentation by officers.

Practitioners welcomed the supervision received from their team managers as accessible, regular, challenging and helpful. However, there needs to be continuing attention to ensuring consistent management and supervision across teams within the YOT, given there are two Team Managers and staff seconded in from other partners.

The review of case files and discussions with staff suggest that there should be greater senior management oversight of very high risk cases, which may be related to the wide range of responsibilities held by the Head of Service; frequent changes in postholder and the difficulties of communication up the management tiers.

Increasing the proportion of the YOT cohort who are in employment, education or training (EET) is seen as a priority by the Board, because of the positive impact these have on long term outcomes for young people. The plan to reduce the number of Young People who are NEET will require increased focus and attention across partners as the environment for this will be made much more challenging by Covid-19. As a coastal area with a relatively weak economy and a high reliance on tourism, the impact on employment can be expected to be significant in Torbay. Staff and partners report an encouraging picture of generally strong relationships between the local authority and schools, colleges and other providers in this work.

## 5. Next steps

We appreciate you will want to reflect on these findings and suggestions with your senior managerial and political leadership and across the wider partnership in order to determine how the Council wishes to take things forward.

As part of the peer review, there is an offer of further activity to support this. The original proposal for the peer review included further engagement with members of the YOT Management Board to help them take forward your response to the findings of the peer review. Since that proposal was agreed, an HMIP inspection of the YOS was scheduled for late October 2020. You will no doubt wish to take forward the findings of the peer review in the context of the outcome of that inspection. We would be happy to discuss how best to do this. The regional Principal Adviser, Paul Clarke, and Children's Improvement Adviser, Claire Burgess, are the main contacts between your authority and the LGA. Their contact details are: [paul.clarke@local.gov.uk](mailto:paul.clarke@local.gov.uk) or tel. 07899 965730 and [claire.burgess23@gmail.com](mailto:claire.burgess23@gmail.com) or tel. 07854 407337.

In the meantime, we are keen to continue the relationship we have formed with you and colleagues through the peer review. We will endeavour to provide additional information and signposting about the issues we have raised in this report to help inform your ongoing consideration.