

Monday, 6 June 2022

CABINET (REVISED AGENDA)

A meeting of **Cabinet** will be held on

Tuesday, 14 June 2022

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room - Town Hall

Members of the Committee

Councillor Steve Darling (Chairman)

Councillor Carter

Councillor Long

Councillor Cowell

Councillor Morey

Councillor Law

Councillor Stockman

Together Torbay will thrive

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Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

CABINET REVISED AGENDA

1. **Apologies**
To receive apologies for absence.

2. **Minutes** (Pages 4 - 15)
To confirm as a correct record the Minutes of the meeting of the Cabinet held on 24 May 2022.

3. **Disclosure of Interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda.

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda.

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

4. **Communications**
To receive any communications or announcements from the Leader of the Council.

5. **Urgent Items**
To consider any other items the Chairman decides are urgent.

6. **Matters for Consideration**

7. **Notice of Motion - Cost of Living Crisis** (Page 16)
To consider the attached motion, notice of which has been given in accordance with Standing Order A14 by the members indicated.

8. **Levelling Up Fund Round 2 and UK Shared Prosperity Fund** (Pages 17 - 41)
To consider a report on Round 2 of Levelling Up Fund and UK Shared Prosperity Fund (Core UK SPF and Multiply).

9. **Youth Offer and Torbay Youth Trust (Youth Work and Young Carers Services)** (Pages 42 - 63)
To consider a report on the above.
10. **Torbay Youth Justice Plan 2022-23** (Pages 64 - 99)
To consider a report that recommends the approval of the Torbay Youth Justice Plan 2022-23.
11. **Community Safety Case Management System Contract Approval** (Pages 100 - 107)
To consider a report that seeks approval for renewal of a contract.

Meeting Attendance

Please note that whilst the Council is no longer implementing Covid-19 secure arrangements attendees are encouraged to sit with space in between other people. Windows will be kept open to ensure good ventilation and therefore attendees are recommended to wear suitable clothing.

If you have symptoms, including runny nose, sore throat, fever, new continuous cough and loss of taste and smell please do not come to the meeting.

Live Streaming and Hybrid Arrangements

To encourage more people to engage in our public meetings the Council is trialling live streaming our Cabinet meetings on our YouTube channel in addition to recording the meetings and publishing the recording on our website. To watch the meeting live please visit <https://www.youtube.com/user/torbaycouncil>.

We are trialling hybrid meeting arrangements to enable officers and Councillors who are not members of the Cabinet to either attend the meeting in person or to attend the meeting remotely via Zoom. Anyone attending the meeting remotely must use their raise hand function when they wish to speak and to declare any interests at the appropriate time. As this is a trial if anyone attending the meeting remotely uses connection the meeting will continue and they will have the option to follow the meeting via the YouTube live stream.

Minutes of the Cabinet

24 May 2022

-: Present :-

Councillor Cowell (Chairman)

Councillors Carter, Law, Long and Morey

(Also in attendance: Councillors Bye and Chris Lewis (virtually))

343. Apologies

Apologies for absence were received from Councillors Steve Darling and Stockman. In the absence of the Leader of the Council, the Deputy Leader of the Council, Councillor Cowell chaired the meeting.

344. Minutes

The Minutes of the meeting of the Cabinet held on 19 April and 10 May 2022 were confirmed as a correct record and signed by the Chairman.

345. Communications

Members received a presentation from Liz Muir and Davina Luther on the work of Groundwork across Torbay and the wider South Devon area. The Deputy Leader and Cabinet Member for Finance, Councillor Cowell welcomed the projects developed by Groundwork in Torbay and appreciated the innovative approach to creating forms of green space in predominantly urban areas.

The Cabinet Member for Children's Services, Councillor Law referred to the recent judgment on Children's Services in Torbay following an Ofsted inspection which took place between 21 March to 1 April 2022. Ofsted had judged the Council as 'Good' in all four areas of inspection. Councillor Law thanked all staff across the Council for their support in delivering significant improvements.

The Cabinet Member for Regeneration, Tourism and Housing, Councillor Long informed Members that the Leader of the Council would be writing to the Government expressing alarm at the current cost of living crisis and requesting consideration be given to imposing a 'windfall' tax on oil and gas companies to assist with rising energy bills, reducing the standard rate of VAT and financial support for pensioners.

346. Matters for Consideration

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions) are set out in the Record of Decisions appended to these Minutes.

347. Regeneration of 12-14 Strand (former Debenhams building)

348. English Riviera Destination Management Plan Review

349. Torbay on the Move; 'More people, more active, more often'

350. Adults Social Care Governance Changes and appointment of Adults Continuous Improvement Board

351. Safe Places for Young People - Report of the Children and Young People's Overview and Scrutiny Board

Chairman/woman

Record of Decisions

Regeneration of 12-14 Strand (former Debenhams building)

Decision Taker

Cabinet on 24 May 2022.

Decision

1. That Cabinet authorise up to £9,600,000 funding from the Growth Fund to redevelop (demolition and construction) 12-14 Strand;
2. That delegated authority be given to the Director of Finance in consultation with the Cabinet Member for Finance to approve the detailed business case once the contractor procurement and further due diligence is completed, on the basis that the financial criteria continue to be met for the economic growth fund;
3. That delegated authority be given to the Director of Finance in consultation with the Cabinet Member for Economic Regeneration, Tourism and Housing to agree and finalise the detailed terms of any agreement for lease with perspective tenants of the commercial units; and
4. That delegated authority be given to the Director of Finance in consultation with the Cabinet Member for Finance to agree the sales terms of any residential unit sold and authorise the disposal on a long leasehold basis.

Reason for the Decision

To provide funding for the regeneration and redevelopment of 12-14 Strand.

Implementation

This decision will come into force and may be implemented on 8 June 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Currently 12-14 Strand is empty, as a result of, Debenhams having ceased trading. This has left the Council with an empty property in a strategically important location, thereby providing the opportunity to rejuvenate this part of Torquay. It was hoped that a mixed used development along with the Strand Public Realm improvements would increase footfall into the town centre and provide a more attractive commercial floor area.

At the meeting Councillor Long proposed and Councillor Cowell seconded a motion, that was agreed unanimously by the Cabinet.

Alternative Options considered and rejected at the time of the decision

No alternative options were considered as the property is empty and in a strategically important location.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

27 May 2022

Signed: _____ Date: _____
Deputy Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

The English Riviera Destination Management Plan (DMP) Review

Decision Taker

Cabinet on 24 May 2022.

Decision

That the draft English Riviera Destination Management Plan 2022-27, be approved for public consultation.

Reason for the Decision

The Destination Management Plan 2022-2027 sets out the interventions that can help propel the English Riviera forward and ensures there is a planned approach to the recovery and growth of the visitor economy post Covid-19 and over the next five years.

Implementation

This decision will be implemented immediately.

Information

The Cabinet's approval was sought to launch public consultation on the reviewed English Riviera Destination Management Plan (DMP). The new Destination Management Plan 2022-27 sets out the vision and objectives, markets for growth, destination development, management, delivery model and action plan to take the destination forward.

At the meeting Councillor Long proposed and Councillor Morey seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An alternative option would be to continue with the existing plan, this option was discounted as the existing plan was no longer appropriate and out of date.

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

27 May 2022

Signed: _____ Date: _____
Deputy Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Torbay on the Move; 'More people, more active, more often'

Decision Taker

Cabinet on 24 May 2022.

Decision

That the Torbay on the Move Findings Report and recommendations as set out below, be approved:

- i) Endorse the proposed Strategic Outcome Themes and pull them together into overarching strategy documentation;
- ii) Commit to a 'Whole Systems' approach as the way of working to deliver the outcomes of Torbay on the Move;
- iii) Communicate Torbay on the Move internally within the Council (including SWISCO & TDA) to ensure broad support for the strategy, break down silos and foster internal collaboration; and
- iv) Give its support to the formation of a 'Strategy Oversight Group' to consist of leaders from within the Council and Community partner organisations. The Group's remit is to be taking forward delivery, overseeing and distributing investment (where available) and providing collective leadership.

Reason for the Decision

Increasing activity levels across Torbay has the potential to make a positive contribution, not just to health and wellbeing agendas but also to the local economy and the environmental agenda with an established link to cleaner air, less carbon produced and cleaner and safer roads.

Implementation

This decision will come into force and may be implemented on 8 June 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

In 2018 a series of recommendations were made through the Director of Public Health's Annual Report; Torbay on the Move. In partnership with Active Devon, the Council had undertaken a review of Torbay on the Move and delivered a consultation with partners and key stakeholders across Torbay.

The consultation models used, increased our understanding of the strengths of Torbay and its residents as well as the opportunities for making a difference for our communities. Four main findings arose from the consultation process together with a series of recommendations which the Council was asked to consider and commit to.

At the meeting Councillor Morey proposed and Councillor Carter seconded a motion, that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An alternative would be to do nothing at all, this option was discounted as there would be very little impact on activity rates in Torbay.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

1. That the current Adults Improvement Board be revised and replaced with a newly appointed Adults Continuous Improvement Board, with an independent Chair, to provide the principal mechanism by which Torbay Council oversees the delivery of Adult Social Care, jointly with Torbay and South Devon NHS Foundation Trust. The Head of Governance Support be delegated authority to prepare the terms of reference and membership for the revised Board in consultation with the Cabinet Lead for Adult Social Care and Director of Adult Social Services.
2. That the overall governance structure for Adult Social Care (as set out at Appendix 1 and 2), including relationship with the newly appointed Adult Social Care and Health Scrutiny Sub Board, be noted.

Published

27 May 2022

Signed: _____ Date: _____
Deputy Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Adults Social Care Governance Changes and appointment of Adults Continuous Improvement Board

Decision Taker

Cabinet on 24 May 2022.

Decision

1. That the current Adults Improvement Board be revised and replaced with a newly appointed Adults Continuous Improvement Board, with an independent Chair, to provide the principal mechanism by which Torbay Council oversees the delivery of Adult Social Care, jointly with Torbay and South Devon NHS Foundation Trust. The Head of Governance Support be delegated authority to prepare the terms of reference and membership for the revised Board in consultation with the Cabinet Lead for Adult Social Care and Director of Adult Social Services.
2. That the overall governance structure for Adult Social Care (as set out at Appendix 1 and 2), including relationship with the newly appointed Adult Social Care and Health Scrutiny Sub Board, be noted.

Reason for the Decision

To ensure the Council has sound governance and oversight in place to assure itself, and the people of Torbay that Adult Social Care (ASC) is delivering what it should, and that the voice of the lived experience of the people and communities of Torbay is informing and shaping everything the Council does.

Implementation

This decision will come into force and may be implemented on 8 June 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Torbay Council is, and will remain, accountable for its statutory adult social care functions (ASC). Through a partnership arrangement, the Council has delegated responsibility for the delivery for much of those functions to Torbay and South Devon NHS Foundation Trust (TSDFT).

The proposed governance arrangements, set out how the Council can assure itself that the functions it has delegated are being delivered to a good standard. The governance arrangements also ensure that the strategic direction it is setting for adult social care is being implemented in practice and that the desired outcomes for the public are being secured. Including the duties set out in the recent White Paper, 'People at the Heart of Care'.

At the meeting Councillor Long proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

27 May 2022

Signed: _____ Date: _____
Deputy Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Safe Places for Young People - Report of the Children and Young People Overview and Scrutiny Board

Decision Taker

Cabinet on 24 May 2022.

Decision

That the Cabinet's response to the Safe Places for Young People – Report of the Children and Young People Overview and Scrutiny Board be approved, as published.

Reason for the Decision

The Cabinet was required to respond to the findings of the review undertaken by the Children and Young People Overview and Scrutiny Board.

Implementation

This decision will come into force and may be implemented on 8 June 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet received the report of the Children and Young People Overview and Scrutiny Board on Safe Places for Young People. In accordance with section D7 of Standing Orders in relation to Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Children and Young People Overview and Scrutiny Board within two months. Subsequently the Cabinet prepared a response to the recommendations of the Children and Young People Overview and Scrutiny Board which was proposed by Councillor Law and seconded by Councillor Cowell and agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

None.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

27 May 2022

Signed: _____ Date: _____
Deputy Leader of Torbay Council on behalf of the Cabinet

Agenda Item 7

Notice of Motion – Cost of Living Crisis

Cabinet 14 June 2022

It is shocking and extremely worrying for many local residents in Torbay on limited incomes, that Ofgem announced that the energy price cap could rise to £2,800 in October 2022.

Earlier this year on 1 April 2022, Ofgem increased the energy price cap by 54 per cent.

Over the coming summer months, Torbay residents who in the main are already financially challenged, face the average standard tariff energy bill increasing by £693 per year. The average pre-pay meter energy bill increasing by £708 per year (Ofgem, 2022)

On 6 April 2022, the Government increased National Insurance by 1.25 percentage points, which is projected to cost the average Torbay family an additional £108 per year.

The Government has suspended the pensions ‘triple lock’ for 2022/23, meaning that Torbay’s 37,143 pensioners will see a rise of 3.1 per cent this year (instead of 8.3 per cent under the triple lock formula). This year, this will cost a Torbay resident on the full new state pension an average of £487, and a Torbay resident on the full basic state pension an average of £373 (TUC, 2022)

Torbay has opened a Household Support Fund upon which there has been phenomenal demand, demonstrating a significant unmet need.

This Council therefore declares a ‘Cost of Living Emergency’ and instructs the Leader and Deputy Leader of the Council to write to Chancellor of the Exchequer to:

- Welcome the imposition of the ‘Windfall Tax’ on the super profits of oil and gas companies and question whether this has gone far enough.
- Immediately reduce the standard rate of VAT from 20% to 17.5% for one year, saving the average family £600.
- Immediately re-introduce the pensions triple lock to support Torbay’s pensioners.
- Extend free school meals to all those families on universal credit.

Proposer: Councillor Steve Darling

Secunder: Councillor Cowell

Meeting: Cabinet **Date:** 14 June 2022

Wards affected: All wards

Report Title: Levelling Up Fund Round 2 and UK Shared Prosperity Fund

When does the decision need to be implemented? 14th June

Cabinet Member Contact Details: Cllr Swithin Long, Cabinet Member for Regeneration, Tourism and Housing, swithin.long@torbay.gov.uk

Director/Divisional Director Contact Details: Alan Denby, Divisional Director of Economy, Environment and Infrastructure, alan.denby@torbay.gov.uk

1. Purpose of Report

1.1 Government has recently announced Round 2 of Levelling Up Fund and UK Shared Prosperity Fund (Core UK SPF and Multiply). The objectives of the Funds and a recommended way forward are summarised below.

Current Position

1.2 The **Levelling Up** Round 1 bid focussed on expanding Brixham Fish Market and developing an Electronics and Photonics Production Park. This was unsuccessful however feedback from government indicated that despite the failure, it was a strong bid. This report sets out below how the issues of the earlier bid will be addressed and the approach to allow for a revised bid for submission which is needed by **6th July**.

1.3 Concerns were received regarding the Brixham Fish Market element of the programme particularly around the impact on the Yacht Club therefore a revised option has been developed by the Harbour Master. Recent discussions with the Yacht Club are positive about the revised option. The revised option is set out in Appendix 1 to the report. Feedback from Department for Levelling Up, Communities and Homes officials also highlighted that rather than the measure of productivity gain (Gross Value Added) the economic impact of the scheme on land values is the metric that they require. This will be included in the revised bid.

1.4 Cabinet are asked to note that like Round 1, there will be a requirement for Torbay Council to provide match funding but until projects have been fully costed, the amount of borrowing required cannot be finalised.

1.5 Torbay Council has received £125,000 of capacity funding to support Levelling Up Round 2 bids. This funding will be used to procure relevant services in support of the bid.

1.6 Government has also released guidance on **UK Shared Prosperity Fund (UKSPF)**. This is predominantly a revenue fund and replaces the EU Structural Funds. Torbay has been allocated £1.76M under the core UKSPF programme with an additional allocation of £614,000 for the Multiply element focusing on adult numeracy. Torbay's allocation is recognised locally as being insufficient to address the challenges facing Torbay's economy.

1.7 UKSPF has 3 investment priorities that are:

- Communities and place – enabling places to invest to restore community spaces and relationships and create the foundation for economic development at the neighbourhood level
- Supporting local business – create jobs and boost community cohesion through investment in existing industries and institutions
- People and skills – boost core skills and support adults to progress in work

1.8 To secure the funding, Torbay Council is required to develop an Investment Plan, setting out how Torbay intends to use and deliver the funding based on local need and opportunities. Torbay Council has been allocated £20,000 of capacity funding to develop the Investment Plan. This funding will be used to support the development of the Investment Plan. **Deadline for submission is 1st August.**

1.9 As the Investment Plan will have to demonstrate need, this report recommends that the emerging Economic Strategy should be used to inform the Investment Plan however some of the available UKSPF interventions are outside of the emerging economic strategy (e.g., tackling energy efficiency, fuel poverty and climate emergency) meaning that there will be work with services and external partners to develop the strongest possible plan. However, the insufficient allocation will be referenced in the Investment Plan.

1.10 Government has also released guidance on **Multiply**. This is a component of UKSPF designed to tackle adult numeracy. Torbay has been allocated £614,000. As this is a component of UKSPF, Torbay Council is required to develop an Investment Plan, setting out how it intends to use and deliver the funding. The capacity funding referenced above would cover the cost, in terms of time and professional services, to support the development of this Investment Plan. **Deadline for submission is 30th June.**

1.11 Both UKSPF and Multiply have menu of interventions to select from (see background document links for further information). These are pre-determined interventions government wants to see rather than locally determined ones that we can select from. The investment plans will identify the most appropriate interventions based on need and available funding for both funds.

2. Reason for Proposal and its benefits

2.1 We want Torbay and its residents to thrive.

2.2 We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

2.3 We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

2.4 Both Levelling Up Fund and UKSPF are designed to level up opportunity and prosperity, develop places and communities. These focus on infrastructure that will drive regeneration, build pride in place, create high quality skills training, support pay, employment and productivity growth. The emerging Economic Strategy should be the principal policy used to inform the Investment Plans however some interventions on the menu fall outside (e.g., tackling energy efficiency, fuel poverty and climate emergency) of the focus meaning that there will need to be work with services and external partners to develop a broadly supported bid.

3. Recommendation(s) / Proposed Decision

3.1 That (subject to the outcome of the Harbour Committee on 8 June 2022), Cabinet accept the Harbour Committee's recommendation to invest in port infrastructure at Brixham Harbour, as set out in appendix 1 and that the Divisional Director of Economy, Environment and Infrastructure instructs TDA to develop a revised application for Levelling Up Fund Round 2.

3.2 That £125,000 capacity funding be utilised to procure services in support of the development of the Levelling Up Fund Round 2 application.

3.3 That the Divisional Director of Economy, Environment and Infrastructure instructs TDA to develop the UKSPF Investment Plans using, principally but not exclusively, the emerging Economic Strategy as the foundation for this Plans.

3.4 That the £20,000 UKSPF capacity funding be utilised to develop the UKSPF Investment Plans

3.5 That, in order to meet the deadlines for the funding bids, the Director of Finance, in consultation with the Leader of the Council, be requested to exercise his delegated authority

(under paragraph 5.5 of Financial Regulations) to approve the revised application for Round 2 Levelling Up Fund and the Divisional Director of Economy, Environment and Infrastructure be given delegated authority, in consultation with Cabinet Member for Regeneration, Tourism and Housing and the Section 151 Officer, to approve the UKSPF Investment Plans.

Appendices

Appendix 1: Harbour Committee Report - Developing Commercial Fishing Capacity at Brixham Harbour

Background Documents

UKSPF Guidance - [UK Shared Prosperity Fund: prospectus - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/642222/UKSPF_Guidance.pdf)

UKSPF Menu of Interventions - [Interventions list for England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/642222/UKSPF_Menu_of_Interventions.pdf)

Multiply Guidance - [Multiply Investment Prospectus \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642222/Multiply_Guidance.pdf)

Levelling Up Fund Guidance - [Levelling Up Fund Round 2: prospectus - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/642222/Levelling_Up_Fund_Round_2_prospectus.pdf)

1. Introduction

Levelling Up Fund – project overview

The Levelling Up Fund is a £4.8Bn UK wide fund which will be allocated over 4 years and is designed to drive growth and regeneration in places that Government has assessed need it most to reduce economic inequality. Funding proposals are to be led by Local Authorities with support and endorsement from stakeholders, particularly MPs.

The Government's Spring Statement saw the launch of Levelling Up Fund Round 2.

Torbay's unsuccessful Round 1 bid was for a programme of two projects including investment at Brixham to improve the capability and capacity at the fish quay through a market extension and a complementary electronics and photonics production park to provide grow on and production space for this key sector. The projects are summarised below;

- Fish Market
 - Deliver 7,000 sq. m of new quay side
 - 1200 sq. m of new fish market space – doubling the current size
 - Create 150 new jobs
 - £20M of extra catch into Brixham
 - Potential income of £560,000 per annum
 - £11M GVA per annum

- Electronics and Photonics Production Park
 - 2,000 sq. m of production space for EFFECT Photonics
 - Infrastructure that will enable a further 3,700 sq. m of production space
 - 175 new jobs from EFFECT Photonics
 - £18M GVA per annum
 - Minimum of 100 further jobs

Feedback from Government officials on the Round 1 bid was that, despite its failure, the bid was strong with a clear strategic rationale for the investment that made sense at a local, regional and national level. The weaknesses of the bid were in the selection of one of the key metrics, GVA was used whereas Government required land value uplift, and some queries over the required investment for the production park. Each of these issues can be easily remedied.

There are risks with the Fish Market project in that several objections were received from Brixham Yacht Club from Round 1 and a campaign has been mobilised by an interest group "Build Back a Better Devon" who have written to all members. The Yacht Club's key objection was that they

wanted to see the Northern Arm developed ahead of this project. This has been discounted as there is no current business case for a Northern Arm. The campaign from Build Back a Better Devon sets out objections centred around environmental concerns of the impact of fisheries also querying engagement with partners on the bid. The Harbourmaster has identified ways to improve the round 1 bid in respect of the impact on the yacht club and this is currently being developed.

A further risk is the level of cost inflation being experienced by projects for materials, labour and the willingness of contractors to accept risk. The nature of this project, requiring land reclamation in a marine environment, means that there is inherently risk and the cost of the scheme will be kept under constant review to ensure that it is able to deliver within available funding.

Torbay Council has received £125,000 capacity funding to aid the development of the Levelling Up Fund application. TDA requests that this funding is released to appoint a consultant to write the funding bid and where required procure technical services in support of the bid. Alternatively, allocated economic development spend could be used to support the development of this bid but money would be moved away from activity planned in the Economic Repositioning Plan to accommodate this.

Deadline for application is 6th July.

UK Share Prosperity Fund

UKSPF will provide £2.6Bn over three years until March 2025, It will replace European Structural Investment Funding and Local Growth Funding and provide a mix of revenue (approx. 90%) and capital (approx. 10%) funding with the primary goal to build pride in place and increase life chances across the UK by reducing geographical inequalities. Local authorities have been given responsibility for:

- Developing an Investment Plan for approval by the UK government
- Receiving an area's allocation to manage
- Assessing and approving project applications
- Processing payments and day-to-day monitoring

Torbay has been allocated £1,764,043 of core UKSPF over 3 years.

UKSPF has 3 investment priorities that are:

- Communities and place – enabling places to invest to restore community spaces and relationships and create the foundation for economic development at the neighbourhood level
- Supporting local business – create jobs and boost community cohesion through investment in existing industries and institutions
- People and skills – boost core skills and support adults to progress in work

To secure the funding, Torbay Council is required to develop an Investment Plan, setting out how Torbay intends to use and deliver the funding to meet local need and opportunities.

Investment Plans can be submitted between 30th June and 1st August. £20,000 of capacity funding will be made available to Torbay Council to undertake preparatory work and acquire professional services/ resource to help prepare the investment plan. In addition, up to 4% (£70,561) of the allocated core funding can be used to support the administration, management and monitoring of the fund during the delivery.

Government has provided a menu of interventions against each theme and are encouraging places to identify activities from this menu. As the Investment Plan will have to demonstrate need, this report recommends that the emerging Economic Strategy should be the principal policy used to inform the Investment Plan however some interventions on the menu fall outside (e.g., tackling energy efficiency and fuel poverty) of the focus meaning that there will need to be work with services and external partners to develop a broadly supported bid.

There will also be an expectation of alignment with Devon partners through the County Deal.

It is recommended that TDA is instructed to develop the Investment Plan using the Economic Evidence Base and emerging Economic Strategy to inform the Plan. TDA will ensure that interventions related to fairer employment, reflecting the needs of the turning the tide on poverty recommendations, are considered, as are climate emergency interventions.

TDA requests that the capacity funding is released to support the development of the Investment Plan.

Deadline for submission of the Investment Plan is 1st August.

Multiply

In addition to this core funding, Torbay has been allocated a further £613,959 of UKSPF to deliver the Multiply programme aimed specifically at tackling adult (19+) numeracy skills. This funding is part of the £2.6Bn UKSPF programme but will require a separate Investment Plan.

Again, a menu of interventions are provided, and areas are encouraged to identify activities from this menu.

TDA is leading on this Investment Plan and requests that the capacity funding is released to support the development of the Plan. This will be developed in partnership with Children's Services to join up with the post 16 agenda.

Deadline for submission of the investment Plan is 30th June.

2. Options under consideration

- 2.1 To commission out to external provider to develop on behalf of Torbay Council however they will not have the local knowledge or partnership links needed. Furthermore, the procurement process will further delay progress.
- 2.2 Adopt the recommendations set out.

3. Financial Opportunities and Implications

- 3.1 Capacity funding is available to enable the development of the Levelling Up Fund application and the 2 Investment Plans for UKSPF and Multiply.
- 3.2 Subsidy control (state aid) assessment will be needed for the capital projects in the Levelling Up Fund application. Based on the outcome, there is likely to be a requirement for the Council to borrow money to support the projects and ensure their compliance. The amount will not be known until the assessment has been done. To note, the Council agreed to borrow circa £3M to support the Round 1 application.
- 3.3 Torbay has been allocated £1.76M of UK Shared Prosperity Fund (core funding) over 3 years, subject to government agreeing the investment Plan, that could be used to support the delivery of the Economic Strategy Action Plan.
- 3.4 Torbay has been allocated £0.61M of UK Shared Prosperity Funding (Multiply funding), subject to government agreeing the investment Plan, to tackle adult numeracy.

4. Legal Implications

- 4.1 There will be a requirement to ensure both Levelling Up Fund Application and Investment Plans are subsidy control compliant (previously state aid).

5. Engagement and Consultation

- 5.1 Consultation with business and community groups has taken place through the development of the Economic Strategy, further engagement with these partners in respect of UK Shared Prosperity Fund will take place alongside work with Council services, stakeholders and community groups.
- 5.3 In respect of the Levelling Up Fund Brixham partners including the Town Council, Chamber of Commerce and Yacht Club will be briefed on the proposals alongside the Torbay Hi Tech Cluster.
- 5.4 Torbay Place Board will be engaged in respect of all three aspects with the Levelling Up Fund bid being a request for support whereas for the UKSPF investment plan the Place Board will be given the opportunity to help identify gaps based on the work of the Place Board over the past 12 months.
- 5.5 The Levelling Up Fund Application will need the support of Torbay MP's.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 TDA intends to procure a consultant to support with the Levelling Up Fund application. Given the timescale, we would intend to use a Devon Framework of approved Economic Development Consultants.

- 6.2 Legal advice will be needed to ensure legal requirements around subsidy control are met.
- 6.3 Further professional services may be required to develop the business case for the fish market project.

7. Tackling Climate Change

- 7.1 Projects within the Levelling Up Fund Application will need to address the issue of environmental sustainability as this will be a direct question within the application, an environmental impact assessment will not be possible at this stage of design, but the application will set out the potential issues and mitigations leading to a further assessment as the design develops.
- 7.2 UKSPF presents an opportunity to develop a project that directly tackles climate emergency. Discussions are underway with Torbay Council's Climate Emergency Officer to identify the most relevant intervention(s).

8. Associated Risks

- 8.1 Concerns raised regarding the fish market project in Brixham present a risk. However, the initial objections that came from the Yacht Club appear to have been overcome with the revised option being developed by the Harbour Master. Recent concerns appear to be coming from environmental campaigners, possibly outside of Brixham. It is possible that if significant objections remain, this might impact upon the bid outcome.
- 8.2 Given the timescales for the bids, a decision not to allow delegated authority for sign off will impact upon our ability to develop the bids in a planned way.
- 8.3 The work required to take forward the Levelling Up Fund Application and the Investment Plans will impact upon work being delivered. As a result, planned and reactive work will likely be delayed.
- 8.4 Cost inflation presents a risk for the Council as costs will inevitably change as the projects develop particularly in respect of the Levelling Up Fund capital projects. The project teams will continue to review advice, seek to identify additional capital investment to allow for the schemes to be delivered.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
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Older or younger people	Positive impact through interventions, through UKSPF		
People with caring Responsibilities			No differential impact
People with a disability			No differential impact
Women or men			No differential impact
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			No differential impact
Religion or belief (including lack of belief)			No differential impact
People who are lesbian, gay or bisexual			No differential impact
People who are transgendered			No differential impact
People who are in a marriage or civil partnership			No differential impact
Women who are pregnant / on maternity leave			No differential impact
Socio-economic impacts (Including impact on child poverty issues and deprivation)	UKSPF will positively impact here		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	UKSPF will positively impact here.		

10. Cumulative Council Impact

None

11. Cumulative Community Impacts

None

Meeting: Harbour Committee

Date: 8th June 2022

Wards Affected: All

Report Title: Developing Commercial Fishing Capacity at Brixham Harbour

When does the decision need to be implemented? 14th June 2022

Cabinet Member Contact Details:

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Chair of Harbour Committee

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1. Purpose of Report

- 1.1 Brixham Harbour is uniquely placed geographically by way of immediate access to some of the richest fishing grounds in Europe. Tor Bay Harbour has seen significant success within the industry and now boasts to be the largest commercial fishing port in England, Wales and Northern Ireland when measured by value of catch landed. Having recently been awarded the 'Port of the Year 2022' by industry members and Fishing News readers, Brixham Harbour is increasingly the 'market of choice' for fish products landed along the entirety of the south coast and beyond.
- 1.2 Brixham and its success has driven the requirement for expansion over the past ten years and it is now reaching a critical point for Torbay Council, as the port owner and operator. Brixham has reached capacity in terms of volumes of fish that can be accommodated from both seaward and overland. Due to the level of proven service delivery, Brixham has seen an increase in customer base nationally and therefore our auctioneers have raised their business and infrastructure needs in order to capture the potential increase in volume. The Tor Bay Harbour Masterplan has consistently indicated the need for further port infrastructure in response to the growth and success of the fishing industry in Brixham. We are at a key decision point in relation to expansion if the local economy is to benefit from the opportunities presented by the UK's transition to an independent coastal state, combined with a lack of clear competition regionally.

- 1.3 On the 21st February 2019 the Council unanimously agreed to support the principle of a capital infrastructure investment scheme to expand the fabric of the commercial fishing port at Brixham harbour, and the Director of Place was instructed to prepare a detailed business case including all available grant funding opportunities (ref: decision 180/19).
- 1.4 Preparatory wave modelling, environmental studies and ground condition bore-holes were all undertaken in preparation for a Levelling Up Fund (LUF) Round 1 bid in 2021. Initial consultations were also held with statutory consultees and local stakeholders.
- 1.5 Unfortunately, the Levelling Up Funding Round 1 was unsuccessful but feedback from the funders was positive, however the project could not be taken forward. In December 2021, a review of the proposed project and potential alternatives was undertaken.
- 1.6 Local feedback on the bid was mixed but focus was centred around objections from Brixham Yacht Club and some local residents, linked to encroachment of port operations into Oxen Cove. These views were expressed despite the consistent strategic objective to expand the harbour estate into this space, contained within the original and subsequent versions of the Port Masterplan. Objections were focussed on the plans which showed an increase in capacity for the movement of articulated lorries and a perceived increase in road traffic. Also, the plans did raise legitimate potential conflict over freehold title, given the area of proposed land reclamation.

2. Reason for Proposal and its benefits

- 2.1 To seek approval from the Harbour Committee to develop commercial fishing capacity at Brixham Harbour in line with the strategic vision set out in the 'Tor Bay Harbour Port Masterplan' and for the Harbour Committee to recommend to Cabinet that the Council submit a bid into the Levelling Up Round 2 fund, in support of this outcome.
- 2.2 Expansion of Brixham's commercial fishing infrastructure will contribute to the following Council themes:
 - a. **Thriving people.** Commercial fishing in Torbay already supports around 600 full time equivalent (FTE) jobs; the proposed expansion will support up to 150 additional direct and 450 indirect FTE employment opportunities with an outreach for further potential growth nationally.
 - b. **Thriving economy.** The expansion of the commercial port will facilitate approximately £5m pa growth in the value of fish and shellfish landed in Brixham. This growth is expected to reach £20m within 5 years. It will also provide a new quayside area of 4500m² for the siting of an extended fishmarket facility to take the extra capacity. It will also provide additional quay space for the smaller distribution vehicles, operated by the fish merchants, thus deconflicting with the lorry park and easing the present congestion.
 - c. **Council fit for the future.** The Council (Tor Bay Harbour Authority) will benefit from increased revenue from additional fish toll income, which should

continue to grow over the next 5 years. This will allow the Harbour Authority to rebuild its reserve fund and address the growing cost of maintaining existing port infrastructure. The additional space will improve efficiency and safety for the landing of vessels and therefore facilitate an improved and safer service delivery that will invariably encourage further landings from sea.

d. **Tackling poverty and deprivation.** The project will directly provide an additional £21m pa Gross Value Added (GVA) into Torbay - an area of recognised coastal deprivation. This funding and the project outputs will be capacity builder for future funding opportunities in order to facilitate employment within areas of deprivation. An example of this is the recent Merchant Naval Welfare Board £2 million fund to support the maritime sphere in areas of mental health and the ability to provide work in areas such as ours.

2.3 The proposed expansion has already been agreed in principle by the Council, through the well-established Port Masterplan and the previous submission of a funding bid into Levelling Up Round 1. This scheme also has the support of the local MPs and the Heart of the South West LEP but it cannot be achieved without external grant funding.

2.4 In December 2020 the Government announced that a £100m fund to “revive the British fishing industry” would be made available ‘imminently’ and this fund has recently been launched. It is expected that the fisheries structural fund will provide further opportunities for external grant funding, which may well be related to future projects at Brixham harbour.

2.5 National Alignment with Joint Fisheries Statement

a. A draft Joint Fisheries Statement (JFS) has been published in order to set the direction of fisheries management as required by the Fisheries Act 2020 this is the key framework that is replacing the Common Fisheries Policy (CFP). This statement sets out the high-level policies that will guide fisheries over the next 5 to 10 years. Consultation closed in April 2022 and the final JFS will be published in November 2022

b. As its first ambition the draft JFS seeks to protect fish stocks. This project does not go against this ambition as the extension to the fish market is to land, grade and sell fish for and on behalf of their customers. This extension does not facilitate additional targeting of species within the catching sector other than encourage the sale of catch already designated within the Total Allowable Catch as set within the quota system.

c. The draft JFS also seeks to reduce the effects of fishing on the marine and coastal environment. This project will set Brixham as the lead landing facility and service provider for the sale of fish in England and Wales. As a focused centre the control and enforcement of the catching sector is better placed to be effective.

d. A further aim of the JFS is to have a modern, resilient and environmentally responsible industry. The industry is attempting to reduce its impact on the environment by way of trialling alternative methods of fishing for example the changing of trawl beams to the new sum wing method. A full integration of

sustainable projects will be included in the Levelling Up bid and future bids for grant funding.

3. Recommendation(s) / Proposed Decision

- 3.1 That the Harbour Committee approve plans to develop commercial fishing capacity at Brixham Harbour, as set out in Appendix 2 (Plan B), in line with the strategic vision set out in the 'Tor Bay Harbour Port Masterplan'.
- 3.2 That the Harbour Committee recommend to Cabinet the expansion of port infrastructure to develop commercial fishing capacity at Brixham Harbour, as set out in Appendix 2 (Plan B), and that the Council submit a bid into the Levelling Up Round 2 fund, in support of this outcome.

Appendices

Appendix 1 - Expansion of port infrastructure at Brixham Harbour - Original Levelling Up Bid Round 1, Option 1 (Plan A)

Appendix 2 - Expansion of port infrastructure at Brixham Harbour, Option 2 (Plan B)

Supporting Information

1. Introduction

- 1.1 Brixham harbour is the largest commercial fishing port in England, Wales and Northern Ireland when measured by value of catch landed. With initial total value in 2011 of £25 million in comparison to £43 million in 2021 and projected figures of £48 million for 2022 and £55 million in 2027. It is quite clear the market share will continue to grow, in this vein due to the high level of service activity centred at Brixham, but this will only happen with further investment.
- 1.2 The uplift in allowable catch along the south coast of England in 2021, recommended by International Council for the Exploration of the Sea (ICES), could see up to 20% greater volume of landed product (approximately 3,000 to 4,000 tonnes pa), worth an estimated £5m pa.
- 1.3 The transition to an independent coastal state from 2021 is realising significant uplifts in landings through Brixham by both volume and value.
- 1.5 Brixham has effectively reached capacity in terms of ability to service vessels. Additional alongside berthing space is also a requirement but does not form part of this proposal, but future developments and funding will facilitate future quay designs for both the fishing industry and other maritime spheres.

2. Options under consideration

- 2.1 There are 3 options currently under consideration:
 - a. **Do nothing (retain the status quo).** This option will not deliver additional capacity to the Bay's commercial fishing industry, which will mean that Brixham will be unable to land the additional catch allowances from either sea or overland. This option will push our fishers and related tenants to look for areas to relocate in order to realise their growth potential within the sector. This is not a recommendation
 - b. **Expand the port infrastructure and resubmit the Levelling Up Round 1 bid (Plan A)** This option will deliver the benefits outlined in the previous reports prior to the LUF Round 1 bid and a land-bridge linking the fishmarket area to Oxen Cove. This bid was unsuccessful and although it provided a good strategic solution, in line with the strategic vision set out in the 'Tor Bay Harbour Port Masterplan', the tight timelines associated with the bid would not allow the Harbour Authority the opportunity to consider and overcome objections received from Brixham Yacht Club. Diagram 1 below sets out the original bid.

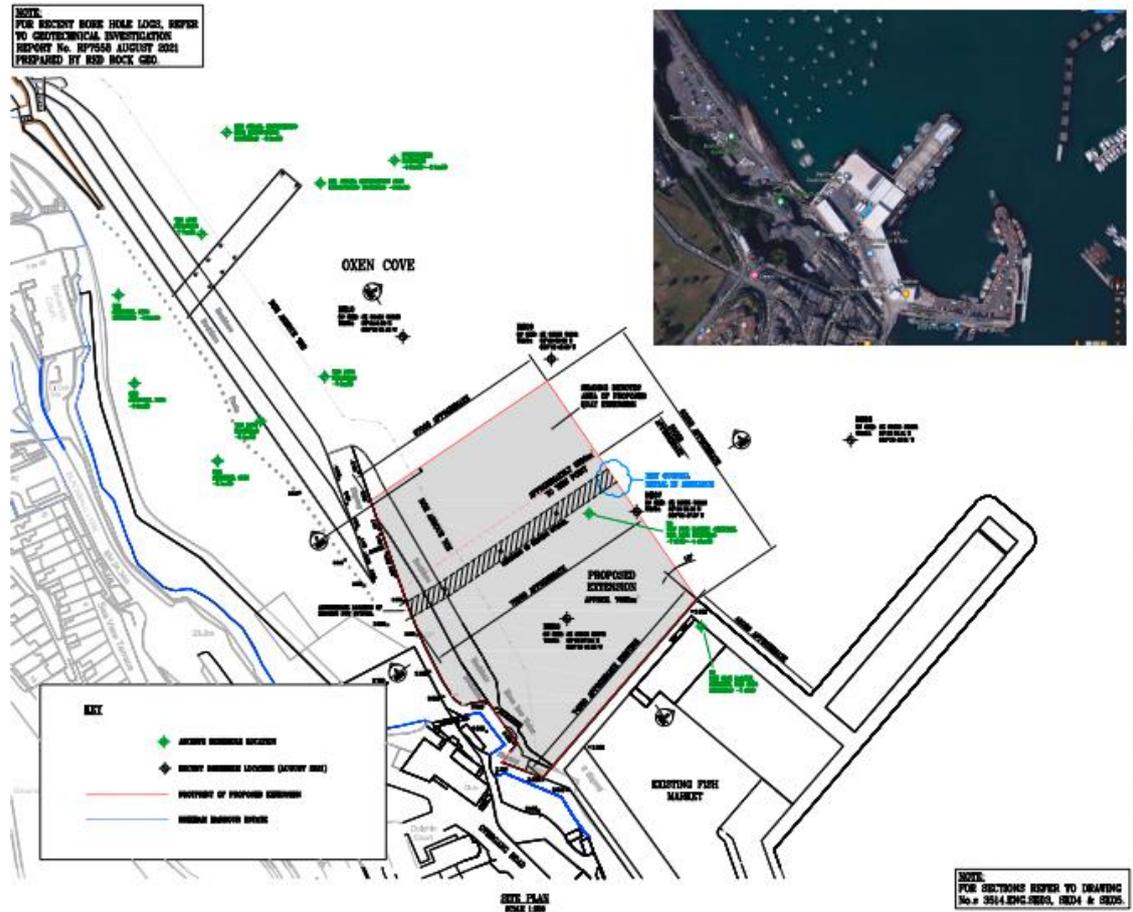


Diagram 1

c. Expand the port infrastructure at Brixham Harbour (Plan B) (the recommendation of this report.)

This plan is a compromise on the original LUF Round 1 bid as there is no conflict or areas for conflict with local neighbouring landowners or title holders. The main focus on the previous bid in comparison to this is that there is no through road (land-bridge) as detailed in Diagram 1/Option 1. There has been firm resistance in the perceived project and its focus on articulated lorries. This option will aim to create a lip and access to the fish market for the smaller vehicles used by buyers and normally the partial cause of congestion within the present lorry parking area.

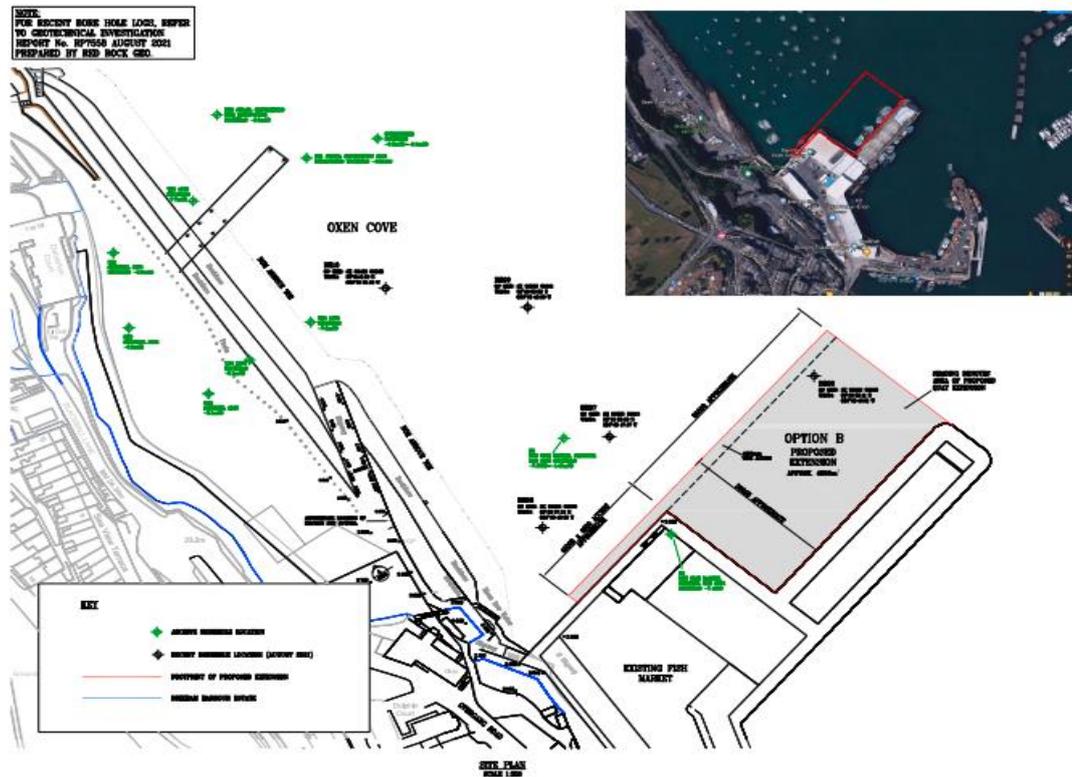


Diagram 2

Notes

- i. Initial discussions with TDA have highlighted that this option in principle would be more cost effective however with the ever-increasing cost of building materials we may not see savings as high as before.
- ii. The floor space provided is 4500 m² and will provide a market with a capacity of 4000m² if the present cuttle market remains. This will be costed however due to the time constraints it is recommended that any amalgamation of the old cuttle market can be attempted via the new fisheries structural funds.
- iii. Diagram 2 shows that with the extension as in Option B the long-term programme plan is to potentially create an alternative basin. One major point raised with the objections to LUF Round 1 was that focus should be given to a Northern Arm. Funds for a capital spend of that size are not present and unlikely to be so due to the present financial climate. This project will facilitate the use of the fisheries funds and potential projects could include the extension of the present shellfish quays which would provide shelter and continual use of the landing berths on the northern side. This could placate the need for a Northern Arm but will need further investigation.

3. Financial Opportunities and Implications

- 3.1 If built, the uplift in fish tolls to the Council will be beneficial but certainly not sufficient to fund the scheme, additional revenues can also be achieved from leasing the storage and market halls.

3.2 This report assumes that delivery of the scheme by the Council solely on the basis of borrowing against the income is unaffordable and the scheme will require additional project funding from the following sources:

- Levelling Up Fund Round 2
- The new Fisheries Structural Fund

3.3 A full and detailed business plan will be submitted as part of the Levelling Up Round 2 submission, as required by the funder. Council borrowing is likely to be required in addition to any external grants, any borrowing will be sought on the basis of an affordable and viable business case.

3.4 The Harbour Committee cannot authorise capital spend above £25,000.

3.5 Project development costs are anticipated to be fully supported by the Levelling Up Fund capacity grant received by the Council. Any spend that the Council incurs beyond the available grant will be abortive costs in the event that no scheme progresses or if the bid is unsuccessful.

4. Legal Implications

4.1 The Tor Bay Harbour Authority already have the power to undertake such works under section 18 of the Brixham Harbour Act 1836 (and incorporated into the Tor Bay Harbour Act 1970); and section 9 of the Harbours Act 1964.

4.2 The above powers are subject to the successful granting of a licence by the Marine Management Organisation under powers granted to them in the Marine and Coastal Access Act 2009 (as amended). The cost of seeking a pre-application consent is one of the deliverables that can be achieved through the LUF feasibility funding.

5. Engagement and Consultation

5.1 Extensive engagement has taken place for LUF Round 1 and Option B has seen initial consultation with Brixham Yacht club and Brixham Town Council due to the previous objections received. If this report is successful further consultation will take place.

- Local MPs (and also briefed to Prime Minister during his visit in 2019);
- Marine Management Organisation;
- Inshore Fisheries Conservation Authority;
- Natural England;
- Local Enterprise Partnership;
- Brixham Town Council;
- Brixham Yacht Club;
- Brixham Junior Sailing Club;
- Marine Developments Limited (Brixham);
- Brixham Trawler Agents;
- Fishing industry representatives;
- South West Water;
- Harbour liaison fora.

5.2 Some special interest groups such as Better Devon, Ocean Rebellion and Extinction Rebellion have raised concerns regarding this project, however numbers have been low.

6. Purchasing or Hiring of Goods and/or Services

6.1 The TDA will be commissioned to undertake this work and all subsequent phases of the project.

7. Tackling Climate Change

7.1 Recent protests have raised the profile of this capital request but this is based on a potential lack of understanding of the industry. This infrastructure upgrade will make Brixham the lead in landing facilities and enable the industry to encourage additional companies to the area to assist the fleet to meet Government targets in emission reduction and fishing methods. Recent industry trials have included but are not limited to the following :

- Completed a successful gear trial of a Sumwing. Innovative trawl design that uses a wing to lift the gear off the seabed and reduce drag and seabed impact. Achieved 30% reduction in fuel use, 80% reduction of surface area on the seabed and 69% reduction in benthic material brought up in the trawl. The report is available on the Seafish website, and the skipper is still using the Sumwing. Collaboration still underway with the inventor of the sumwing so this can be used across the entire fleet.
- Trailing the Ecomotus technology on a vessel. The technology splits hydrogen from water and injects it into the fuel to improve the efficiency of the burn, reducing fuel use and improving engine power so the skipper can throttle back
- Stakeholders are Members of the Maritime UK SW innovation group focusing on decarbonization of fishing. This group meets bi-weekly to discuss the issues to do with technologies, regulations, and infrastructure. We are pulling together case studies and recommended pilot projects.
- Working with Exeter University Centre for Future Clean Mobility. We are providing them data on fuel use and engine power of different vessels and they provide us with recommendations of technologies and improvements
- Working with Bangor University on a research project which will gather empirical evidence to quantify blue carbon released by mobile benthic gears. Funded by the Fishing Industry Science Partnership Fund
- Providing data to PhD researcher at Heriot Watt University on emissions, engine maintenance, vessel modifications
- General reduction in weight of gear through reducing the amount of throme-rope, to improve fuel efficiency
- Engaging with a Centre for Environment Food and Rural Affairs project on 'pathways to net zero for fishing' project. This involves attending workshops and interviews
- Working with Keep Britain Tidy, Odyssey Innovation and Millspeed recycling on ensuring all the parts of the net that can be recycled do get recycled
- A new form of throme-rope was trialled to see if it wears away less quickly and therefore produces less marine microplastic, a report is being produced by Seafish

Equality Impacts

8.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	Increased access to the industry and additional skilled job opportunities will assist people of all ages		
	People with caring Responsibilities			No discernible impact
	People with a disability	While there are very few roles at sea for people with a disability, the creation of additional roles ashore may provide new opportunities.		
	Women or men	Additional employment opportunities will be open to all.		Not a relevant consideration in the industry
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	Additional employment opportunities will be open to all.		Not a relevant consideration in the industry
	Religion or belief (including lack of belief)	Additional employment opportunities will be open to all.		Not a relevant consideration in the industry
	People who are lesbian, gay or bisexual	Additional employment opportunities will be open to all.		Not a relevant consideration in the industry
	People who are transgendered	Additional employment opportunities will be open to all.		Not a relevant consideration in the industry
	People who are in a marriage or civil partnership	Additional employment opportunities will be open to all.		Not a relevant consideration in the industry

	Women who are pregnant / on maternity leave			No discernible impact
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	If delivered the project will provide an additional £21m GVA pa into the local regional economy		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Fishing is an active occupation and will have a positive effect on public health		
9	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)	The Council could receive c£500,000 additional fish toll revenue from the project. In contrast, the loss of Oxen Cove as a pay and display car park will impact Council revenues however the overall benefit is positive.		
10.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	The loss of Oxen Cove car park to the public will have a minor impact		

Appendix 1 - Expansion of port infrastructure at Brixham Harbour - Original Levelling Up Bid Round 1, Option 1 (Plan A)



Meeting: Cabinet **Date:** 14 June 2022

Wards affected: All

Report Title: Youth Offer and Torbay Youth Trust (Youth Work and Young Carers Services)

When does the decision need to be implemented? June 2022

Cabinet Member Contact Details: Cordelia Law, Cabinet Member for Children's Services, cordelia.law@torbay.gov.uk

Director/Divisional Director Contact Details: Nancy Meehan, Director Children's Services, nancy.meehan@torbay.gov.uk

1. Purpose of Report

- 1.1. The contract with Torbay Youth Trust (TYT) for the targeted youth and young carers services is due to expire on 31 January 2023, a commissioning and procurement process should be starting by 01 June 2022 for a new contract(s) to be place for 01 February 2023.
- 1.2. It is recognised that these services will need to align with the Council and wider stake holding partners offer to our children and young people, including a Torbay wide youth offer and also young carers, and that the commissioning / procurement process should not commence until the review and future options appraisal has been completed.
- 1.3. We are therefore proposing; i) to commission an independent review and future options appraisal of Torbay's youth offer and the young carers service, and ii) that the contract with TYT be extended by 6 months, with an option for a further 6 months extension to enable this work to fully inform the future commissioning of internal and external provision.
- 1.4. The review and options appraisal will be informed by the voice of children and young people, with clear evidence of how children and young people's views have informed the review and options appraisal about services at a local level.

2. Reason for proposal and its benefits

Youth Offer

- 2.1. The Council has a statutory duty under section 507B of the Education Act 1996 (by virtue of section 6 of the Education and Inspections Act 2006) to secure, as far as is reasonably practicable, positive educational and recreational leisure time activities for young people aged 13 to 19, and to those with SEND up to the age of 25, in its area that is sufficient to meet local needs and improve well-being and personal and social development.
- 2.2. An independent review of the youth offer will ensure that young people in Torbay have access to youth services that are relevant and responsive to their current and future needs.

It will aim to align budgets to maximise the resources available to support universal youth provision, alongside targeted youth work that reaches and supports the more vulnerable young people in Torbay and their emerging needs.

- 2.3. The review provides the opportunity to map out; analyse the current youth offer and commissioned services in place and draw together and strengthen partnership work currently taking place in Children Services and the wider Council, education, training and employment, Public Health, community and voluntary sector, the arts, culture, leisure, and sport. With key partners this will ensure an integrated, coordinated, effective, and efficient operational Youth Offer is in place from universal through to targeted offer and that these services meet and are responsive to emerging needs and inform co-production commissioning activity and decisions.
- 2.4. This review will be informed by Statutory legislation and 'duty'; national and local best practices; and our current key priorities and initiatives including 'Child Friendly Torbay'. Our Child Friendly vision: 'We want Torbay to be a great place for all of our children and young people to grow up in. We want to work together to deliver this; every contribution counts, and we can all play a part in making a difference.'
- 2.5. The independent review will build upon the 2018 Imagine This consultation survey when children and young people told us they wanted: • More spaces to hang out • Reduced stress and anxiety • Greater access for ALL • Safer streets • Ways to protect our environment.
- 2.6. Diversity and inclusion of ALL our Children and Young People voices will be sought and heard including the LGBTQ+ community, young carers, cared for and care experienced young people – endorsing the Bright spots survey outcomes and those young people who have a SEND.
- 2.7. Our Early Help strategy and new relationship-based Early Help Model with the development of three partnership wide Early Help Family and Community Hubs within each town to create community resilience and support for families at the earliest opportunity also provides the opportunity to refresh and align our Youth Offer.
- 2.8. National Youth Review findings: February 2022:
The published [Youth Review: Summary findings and government response - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/youth-review-summary-findings-and-government-response) confirms a £560 million investment in young people, including the new National Youth Guarantee: that by 2025, every young person in England will have access to regular out of school activities, adventures away from home and opportunities to volunteer. The £368 million Youth Investment Fund (YIF) is a key part of that investment, targeted at improving youth services in parts of the country most in need. The money will be made available across the next three financial years - 22/23 to 24/25 - for facilities from which open access services for young people can be delivered.
- 2.9. The YIF's objective is to create, expand and improve local youth facilities and their services, to drive positive outcomes for young people and their communities:
 - Improve the health and wellbeing of young people
 - Equip young people with skills for work and life
 - Empower young people to be active members of their communities and society
 - Level up provision in 'left behind' areas. Torbay has been identified as a local authority that qualifies for YIF and will be able to apply for funding.
- 2.10. A meeting with the YIF team Department for Digital, Culture, Media and Sport due to take place on 12 May 2022 to discuss in more detail this funding opportunity for investing in

open access facilities and as such provides potential investment opportunity to create Youth Hubs facilities alongside our planned Family and Community Hubs

Young Carers Service

- 2.11. The Council has a statutory duty to undertake young carers needs assessment. A young carer is someone aged 18 and under who cares for a friend or family member who, due to illness, disability, a mental health problem or an addiction, cannot cope without their support.
- 2.12. “The Children Society estimates that there are around 800,000 young carers under 18 caring for an adult or family member in the UK, and of those aged 11-15 27% miss or have difficulties at school due to their caring responsibilities. These statistics mean that there will be at least 1,380 young carers under 18 in Torbay, but with Torbay’s deprivation and the correlation between deprivation and caring, the number is likely to be higher” (Torbay Young Carers Under 25 Strategy 2022-2025)
- 2.13. Identifying and supporting Young Carers is our business: An independent review and resulting options appraisal for the future commissioning and delivery of Young Carers Service will be informed by statutory guidance, national and local best practices and strategies, wider stakeholder engagement including young carers and family members, schools and further education, Public Health, Torbay and South Devon NHS Foundation Trust and Devon Partnership Trust.
- 2.14. There is currently a live school survey on identification and support offered to young carers in schools and academies and we have just partnered alongside some other local authorities including Tower Hamlets with the Children’s Society on a project to support local authorities to effectively implement the duties required under the Children and families Act 2014 and Care Act 2014 about young carers and their families (funded by the Co-op Foundation). The Building Connections project will provide consultation and support (as a critical friend) to local authorities and will help to inform the independent review:

To develop clear, embedded, collaborative models for identifying, assessing and supporting young carers and their families

How does this proposal link to the delivery of the Community and Corporate Plan?

- 2.15. This links primarily with the Thriving People Vision within the Community and Corporate Plan, in particular:
 - Turning the tide on poverty
 - Having high aspirations for all of our residents
 - Building safer communities

3. Recommendation(s) / Proposed Decision

- 3.1. That authority be delegated to the Director Children’s Services to commission an independent review and future option appraisal, including an appraisal of a collaborative approach with key partners, of Torbay’s youth offer and young carers service, and
- 3.2. That an extension to the existing contract with Torbay Youth Trust on a 6 month + 6 month basis be approved.

Appendices

Appendix 1: Torbay Youth Trust additional funding secured

Appendix 2: Generated Income Torbay Youth Trust – details provided by Torbay Youth Trust on 13 June 2022

Background Documents

[Youth Review: Summary findings and government response - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/youth-review-summary-findings-and-government-response)

Supporting Information

1. Introduction

Current situation

- 1.1. The Council does not currently have a published integrated youth offer, whilst there are services in place these are not commissioned in an integrated or collaborative way to provide a seamless offer from universal through to targeted for our young people. The current contract with Torbay Youth Trust (TYT) forms only a part of a youth offer.
- 1.2. In 2015 a proposal to full council was submitted and approved for the creation of a Torbay Youth Trust, incorporated as a Charity. This was based upon an options appraisal undertaken back in 2013 and the rationale that a Torbay Youth Trust would be able to access funding opportunities not available to the Council.
- 1.3. TYT were directly awarded a three-year contract 1st Feb 2020 – Jan 2023 to deliver specific targeted Youth Work Services (part of Youth Offer) and Young Carers Service and the respective council staff transferred to TYT via TUPE arrangements accordingly. Budget details are provided in Appendix 1. TYT therefore entered its final year of the contract as from 1st Feb 2022.

What is currently being provided by the service?

- 1.4. Across the Council individual pieces of youth work are being discretely commissioned and include funding from Safer Communities for ASB Youth Work, Public Health for a Youth Service Safe Bus, the HAF Healthy Holidays programme and Edge of Care and SEN intensive level 4 youth work interventions.
- 1.5. Under its core contract with the Council Torbay Youth Trust currently provides the following:

TYT Young Carers Service:

- A 0.8 fte Team Manager and 3.44 fte practitioners, delivering:
- Tier 1: Identification and awareness
- Tier 2: Assessments (statutory duty); and
- Tier 3 Support activities and direct support

The Young Carers services sits within the wider strategic work for all carers as does Children Services. There is a 16-25 Young Adult Carers Service (Torbay and South Devon NHS Foundation Trust) and 16-25 carers work stream and a Torbay Young Carers under 25 Strategy 2022-2025

TYT Youth Work Service:

- 2 fte senior Youth Workers and 0.5 fte youth workers, delivering:
- Identification of needs and emerging trends
- Targeted level 2 and 3 (via Early Help pathway) Individual programmes and rolling targeted group programmes based on needs
- Delivery of the Torbay LGBTQ group.

- 1.6. The core budget also funds the TYT Director post and administration support.
- 1.7. In addition to the core contract there is an annual contract variation in place for a participation worker for Cared for Community represented by the Circle (previously known as the Children in Care Committee) and a participation group for care experienced young people called the Voice. The work of TYT is further supplemented through additional funding sourced directly by TYT, as set out in Appendix 1.

Why do things need to change?

- 1.8. The contract with TYT is due to expire in January 2023 and we need to put new arrangements in place. With this contract coming to an end and a number of issues and priorities emerging, such as Child Friendly Torbay, development of the Early Help Community and Family Hubs, the outcomes of the SEND inspection and pending outcome of the Ofsted ILAC inspection present the ideal opportunity to review, formalise and publish our youth offer and re-commission our provision for young carers.

Costs / benefits

- 1.9. Funding for the resource required to support the independent review and options appraisal will be required. The level of spend identified is estimated to be £50,00 as in line with other similar independent reviews undertaken by the Council.
- 1.10. The budget for the youth work and young carers service currently provided by TYT has been budgeted for in the current and subsequent financial years' budget.
- 1.11. There will be an opportunity to consolidate, deliver efficiencies and maximise the benefit achieved through Council spend across the youth offer and young carers service. For example, alongside the core contract value of £352,850 the Council currently provides further funding under a range of separate agreements to TYT of approximately £85,000, this includes an element of HAF funding for children, young people and their families.

2. Options under consideration

- 2.1. The following options have been considered:
 - Option 1: Do nothing
 - Option 2: Continue to commission TYT
 - Option 3: Externally commission and procure targeted Youth Work and Young Carers services
 - Option 4: Commission an independent review and full options appraisal for our wider youth offer and young carers service and bring the current TYT contract back in house
 - Option 5: Commission an independent review and full options appraisal for our wider youth offer and young carers service and extend the current TYT contract

2.2. The advantages and disadvantages of each option are set out in the table below:

Option 1: Do Nothing		
Description	Advantages	Disadvantages
<p>When the TYT contract ends on 31 January 2023 services would not be re-commissioned, meaning there would be no services in place from 01 February 2022.</p>	<ul style="list-style-type: none"> The Council would save the budget allocated to these services. 	<ul style="list-style-type: none"> The Council would not be carrying out the following statutory duties: <ul style="list-style-type: none"> Young Carers: <ul style="list-style-type: none"> The responsibility to meet the assessed needs of young carers is covered by the Children and Families Act 2014. Young carers have the right to a 'carer's assessment', which is the duty of the local authority. This assesses the effect on the young carers' wellbeing, health, education or friendships – and whether they should continue carrying out that level of care. Youth Work Services: <ul style="list-style-type: none"> Local Authorities have a statutory duty to "secure, so far as is reasonably practicable, sufficient provision of educational and recreational leisure-time activities for young people" and to make sure young people have a say in the local offer. This is often referred to as the 'youth services duty'. TYT Youth Work Services commissioned are currently for targeted Youth Work provision as part of this offer Outcomes will not be improved for children and young people and their needs will not be met Poor commissioning practice to allow the contract to end without a clear plan in place to ensure we are meeting our statutory duties..

Option 2: Continue to commission Torbay Youth Trust

Description	Advantages	Disadvantages
<p>Continue to commission TYT to deliver the youth and young carers services under the existing specification</p>	<ul style="list-style-type: none"> • This option is the most expedient. • The service specification for Youth Work and Young Carers services have been reviewed to ensure improved performance reporting monitoring. • Continuity and consistency for children and young people by staff team: There is a core staff team in place. • The Youth Trust can submit fund-raising bids for services beyond Jan 2023 when their contract ends. 	<ul style="list-style-type: none"> • The original contract was put in place through a direct award for a fixed contractual period, a further direct award with no legal justification under the Public Contracts Regulations 2015 will put the Council at significant risk of legal challenge from other potential providers. • The risk of challenge would be further increased with a direct award that prevents the wider provider market being able to influence future commissioning options and commissioning models or be able to tender for the contract. • We will not be able to demonstrate the service provides best value for the Council. • Specification may not meet our future or emerging needs and level of demand and does not take into account the Council's wider youth offer and the service's place within that. • The limited investment in the provision makes the alignment of resources and streamlining of services to avoid duplication difficult to achieve. • The existing budget may not be sufficient to meet needs and demands, beyond the end of the existing contract. • Within existing budgets there is no scope to develop the service and options to work with the provider to further develop the provision in line with Children Services strategic priorities and developments will be overly reliant on their ability to source additional external funding.

		<ul style="list-style-type: none"> Without a wider review and mapping of provision, resources the potential opportunities including alignment of budgets and/or services will be missed. Current capacity, budget and re-commissioning timescales do not afford the scope for a wider review to be undertaken.
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Option 3: Externally commission and procure targeted Youth Work and Young Carers Services

Description	Advantages	Disadvantages
Re-commission an external provider/(s) to deliver the youth and young carers service under the existing specification and budget	<ul style="list-style-type: none"> The service specification for Youth Work and Young Carers services have been reviewed to ensure improved performance reporting monitoring. Reduces the risk of legal challenge as there is an opportunity for the market Helps develop a contestable market in the med/long term Budget is likely to be retained Separate service Lots so potential for providers to tender for one or both Lots attracting the right expertise and experience to each of the services Clarity on what the successful provider/(s) will be delivering to meet the specification. Potential for externally commissioned providers to access other sources of funding not open to the Council. Potential to secure additional social value. 	<ul style="list-style-type: none"> Specification may not meet our future or emerging needs and level of demand and does not take into account the Council's wider youth offer and the service's place within that. The limited investment in the provision makes the alignment of other resources and streamlining of services to avoid duplication difficult to achieve. The existing budget may not be sufficient to meet needs and demands under a new contract, resulting in limited, poor quality or no bids. Within existing budgets there is no scope to develop the service and options to work with the successful provider to further develop the provision in line with Children Services strategic priorities and developments will be overly reliant on their ability to source additional external funding. Potential upheaval and disruption to services; staff will have to be transferred under TUPE arrangements.

Option 4: Undertake a full independent review of wider youth offer and young carers service and bring the current TYT contract back in house

Description	Advantages	Disadvantages
<p>Commission an independent review and full options appraisal for our wider youth offer and young carers service and bring the targeted youth work and young carers provision currently provided by TYT back in house at the ends of its current term</p>	<ul style="list-style-type: none"> • The voice of children, young people and their families will be central to the independent review and options appraisal. • Provides the opportunity to: <ul style="list-style-type: none"> ▪ map out; analyse the current youth offer and universal and commissioned services and community assets in place across the system ▪ identify future needs, demands and priorities to ensure provision is responsive and fit for purpose ▪ draw together and strengthen partnership work currently taking place in Children Services and the wider Council, education, training and employment, Public Health, community and voluntary sector, the arts, culture, leisure, and sport. ▪ Work with key partners, children, young people and their families to co-design/co-produce a coordinated, effective and efficient operational Youth Offer including specific provision for young carers from universal through to targeted for those most at risk and/or more vulnerable • Services will meet and be responsive to emerging needs and inform co-production commissioning activity and decisions. • Build on and will be informed by: <ul style="list-style-type: none"> ▪ statutory legislation and 'duty'; ▪ national and local best practices; and our current ▪ key priorities and initiatives including 'Child Friendly Torbay'. ▪ the 2018 Imagine This consultation survey and the Bright spots survey outcomes 	<ul style="list-style-type: none"> • Potential upheaval and disruption to services; staff will have to be transferred under TUPE arrangements, with the possibility that they may be transferred again if the outcome of the review is to outsource the services. • Council may not be able to access the additional external funding available to TYT. • Council may not be able to deliver the service within the current budget. • Will require resource and capacity to bring the service in-house. • Will take longer to implement.

	<ul style="list-style-type: none"> ▪ our Early Help strategy and new relationship-based Early Help Model • Provides an opportunity to maximise budgets including the potential for pooled budgets. • Avoids duplication and increase efficiency and effectiveness across the system. • Enables existing the provision under the Torbay Youth Trust contract to be maintained whilst the work is undertaken. 	
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Option 5: Undertake a full independent review of wider youth offer and young carers service and extend the TYT contract

Description	Advantages	Disadvantages
<p>Commission an independent review and full options appraisal for our wider youth offer and young carers service and extend the current TYT contract to enable this work to be completed</p>	<ul style="list-style-type: none"> • The voice of children, young people and their families will be central to the independent review and options appraisal. • Provides the opportunity to: <ul style="list-style-type: none"> ▪ map out; analyse the current youth offer and universal and commissioned services and community assets in place across the system ▪ identify future needs, demands and priorities to ensure provision is responsive and fit for purpose ▪ draw together and strengthen partnership work currently taking place in Children Services and the wider Council, education, training and employment, Public Health, community and voluntary sector, the arts, culture, leisure, and sport. ▪ Work with key partners, children, young people and their families to co-design/co-produce a coordinated, effective and efficient operational Youth Offer including specific provision for young 	<ul style="list-style-type: none"> • Potential risk of challenge in respect of the extension to the Youth Trust Contract, this is mitigated by the short term nature of the arrangement and justification of the extension to facilitate wider review. • Will require resource and capacity to deliver the work. • Will take longer to implement.

carers from universal through to targeted for those most at risk and/or more vulnerable

- Services will meet and be responsive to emerging needs and inform co-production commissioning activity and decisions.
- Build on and will be informed by:
 - statutory legislation and 'duty';
 - national and local best practices; and our current
 - key priorities and initiatives including 'Child Friendly Torbay'.
 - the 2018 Imagine This consultation survey and the Bright spots survey outcomes
 - our Early Help strategy and new relationship-based Early Help Model
- Provides an opportunity to maximise budgets including the potential for pooled budgets.
- Avoids duplication and increase efficiency and effectiveness across the system.
- Enables existing the provision under the Torbay Youth Trust contract to be maintained whilst the work is undertaken.

- 2.3. Option 1 has been discounted as we have a statutory duty to provide youth and young carers services.
- 2.4. Option 2 has been discounted as it would not be possible to justify a further direct award to Torbay Youth Trust under the Public Contracts Regulations 2015. There is a risk that the provision within the current funding envelope would not be sustainable in the long term and would not meet the future needs of children, young people and their families. only provide the opportunity to commission a like for like service
- 2.5. Option 3 has been discounted as we would be going out tender with the current specification and budget which may not be sustainable or continue to meet the needs of children, young people and their families. only provide the opportunity to commission a like for like service.
- 2.6. Option 4 has been discounted at this time as this may only be a short term solution to accommodate the period of the review and could result in further upheaval for service users and staff in the event provision is outsourced following the review. The decision to set up and put these services within a Youth Trust was in part made to enable access to additional sources of funding not available to the Council, bringing back in house would reduce the level of additional external funding potentially available.

2.7. Option 5 is being recommended as the preferred option as this gives us the opportunity to:

- maintain short term stability in the system
- reduce impact on services users and staff in relation to interim arrangements for delivery targeted youth work and the young carers service
- understand needs and demands across the system
- meaningful co-design and co-production
- deliver on the One Torbay –vision looking across the system to identify the potential alignment of provision and building upon community assets to meet current, emerging and future drivers/priorities, alignment and pooling of budgets and opportunities to work collaboratively and co-commission to increase efficiency and effectiveness of provision and reduce duplication, leading to better outcomes for children, young people and families
- identify and inform other options and alternatives that we cannot not fully understand or consider at this stage

3. The Scope of and anticipated time-frame of the Independent Review

3.1. The Required Outcomes

- A comprehensive independent review of Torbay's Youth Offer: to map the current existing youth provisions and activities and community assets for young people aged 12-18 and for those aged up to 25 with a SEND from universal offer through to targeted and more specialist provision across Torbay
- To undertake stakeholder wide engagement and consultation to inform and identify needs, demands and priorities co-producing a Torbay Youth Offer that is responsive to and fit for purpose
- Analysis of what is currently being commissioned and/or delivered council wide and by wider partners and identify potential opportunities to strengthen partnership work for improved system wide alignment, potential of pooled budgets and efficiencies in line with Torbay One Vision and our key priorities and drivers
- Draw up an Options Appraisal for the future delivery options of youth work provision and services including targeted provision for more vulnerable young people
- A comprehensive review and options appraisal for the future commissioning and delivery of a Young Carers Service ensuring the voice of young carers and their families is central

3.2. Timescale for the Independent Review

We anticipate commencing the review in mid-August 2022, following the completion of a procurement process to appoint the consultant(s) and have allowed 6 month period for the review to be undertaken and options appraisal to be completed. This timescale will enable any subsequent external commissioning and re-procurement of services to be completed by 31 January 2024.

4. Financial Opportunities and Implications

- 4.1. Long term there is the potential to align and pool budgets to increase efficiency and maximise value, however this requires the review and options appraisal to be undertaken to identify these opportunities.
- 4.2. Taking into account the scope of the review and other independent reviews undertaken by the Council the cost of this work is estimated to be £50,000.

5. Legal Implications

- 5.1. There is a risk of challenge if the Youth Trust Contract is extended.
- 5.2. The risk is more significant if a long term contract is awarded under option 2, as this decision cannot be justified in accordance with the strict requirements set out in the Public Contracts Regulations 2015.
- 5.3. The risk of challenge is reduced in respect of the direct award of a short term contract under option 4, as there is justification for the decision to maintain the current contracting arrangements as long as these are put in place for only the length of time needed to reasonably carry out the work.

6. Engagement and Consultation

- 6.1. At this stage engagement and consultation is not required.
- 6.2. The proposal is based on the need for full engagement and consultation with all stakeholders, including children, young people and families, throughout the review phase and beyond as we move into developing and commissioning services.

7. Purchasing or Hiring of Goods and/or Services

- 7.1. An added value offer is already included in the contract between the Council and Torbay Youth Trust.
- 7.2. The procurement of the external consultant to undertake the review and options appraisal and any new services externally commissioned as a result will consider Social Value within the procurement and any resultant contract(s) in accordance with the Council's Social Value Policy.

8. Tackling Climate Change

- 8.1. Any procurement processes and resultant contracts will include as standard requirements and obligations relating to proposals on tackling climate change.
- 8.2. In carrying out the review the views of children, young people and their families in relation to tackling climate change will be sought and used to inform the requirements within any services commissioned.

9. Associated Risks

- 9.1. If the proposal is not implemented there is a risk that services will not deliver better outcomes for or meet the needs of children, young people and families or deliver against Council priorities and statutory responsibilities.
- 9.2. There is some risk of challenge in relation to the direct award of a short term contract to Torbay Youth Trust, this is mitigated by justification for the decision to maintain the current contracting arrangements as long as these are put in place for only the length of time needed to reasonably carry out the work.

10. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	Positive impact for children and young people if the review is undertaken – they will be consulted and their voices heard to ensure services deliver better outcomes for them		
People with caring Responsibilities	Positive impact for young carers if the review is undertaken – they will be consulted and their voices heard to ensure services deliver better outcomes for them		
People with a disability	This review is about meeting the needs of all children and young people including those who have a SEND		
Women or men			Neutral impact
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)	This review is about meeting the needs of all children and young people		
Religion or belief (including lack of belief)	This review is about meeting the needs of		

	all children and young people		
People who are lesbian, gay or bisexual	This review is about meeting the needs of all children and young people		
People who are transgendered	This review is about meeting the needs of all children and young people		
People who are in a marriage or civil partnership			Neutral impact
Women who are pregnant / on maternity leave			Neutral impact
Socio-economic impacts (Including impact on child poverty issues and deprivation)	This review is about meeting the needs of all children and young people		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	This review is about meeting the needs of all children and young people		

11. Cumulative Council Impact

11.1. None at this stage.

12. Cumulative Community Impacts

12.1. None at this stage

Appendix 1 Torbay Youth Trust - Council and Additional Funding

The Council budget allocated including a year one development fund:

Year 1 01/02/2020-31/01/2021	Year 2 01/02/2021-31/01/2022	Year 3 01/02/2022-31/01/2023	Total
£409,183 ¹	£345,966	£352,850	£1,107,999 ²

Additional financial investment made by Children Services:

In addition to the core contract there is an annual contract variation in place for a participation worker for Cared for Community represented by the Circle (previously known as the Children in Care Committee) and a participation group for care experienced young people called the Voice. This annual budget is £24,298

Expectations of Torbay Youth Trust (TYT) during the life of the contract:

There is an expectation within the contract that TYT (being non-for profit) would fundraise to bring in additional income and add value to both services. The funding they have raised to date is £104,248. Of this total £61,199.40 has been provided by or via income streams available to the Council:

- £10,560 Edge of Care and SEN intensive level 4 youth work interventions
- £37,000 HAF funding -Healthy Holidays funding for summer 2021 when TYT was the lead partner and the funding split between TYT and other delivery partners
- £5,639.40 Safer Communities ASB youth work at Parkfield
- £8,000 Public Health for Youth Service Safe Bus project – renovation of youth bus

A further £10,500 was secured via CATCH 22 which was central government funding to schools for Year 11/Post 16 NEET prevention work delivered during summer 2020.

There are several funding bids TYT have recently submitted and pending outcome:

Funder	Value	Purpose
Garfield Weston	£32,000	2 x additional fte youth workers to embed town-based youth work delivery model
Tudor Trust	£32,000	2 x Young Carers fte to deliver activities and projects
DCMS Youth Investment Fund	£43,000	Renovation of Chilled Out Youth Centre for youth work delivery (This bid was unsuccessful)
Bids to be submitted		
Lottery Reaching Communities		Increase funding for Kaleidoscope LGBTQ+ group
OPCC		Youth Crime prevention work
Sustrans		Bike repair youth enterprise at Parkfield skate park

¹ Includes a one-off £70,000 development fund for year one only

² Includes an annual £2,000 contribution from Public Health towards the Young Carers Service

Appendix 2: Generated income Torbay Youth Trust

Preface

Despite the significant interruption that Covid presented, our fundraising activity has been in line with our original business planning pre-Covid, with:

1. A Year 1 focus on consolidation of core contract whilst we build up to publication of first annual accounts
2. A Year 2 fundraising strategy commencing, post publication of our Year 1 annual accounts on Companies House
3. Building to larger scale fundraising for Year 3 and beyond

As a charity, many funders will not consider applications until first year accounts are published – this has been the case for us, with fundraising now stepped up in Year 2 and 3. Details of successful bids and pending/future funding bids below.

Income (donations and successful funding bids) 2020-22

FUNDING SOURCE	AMOUNT/start date of funding and length of funding	Funding to deliver: Please specify
Bikers Make A Difference	5000	Young Carers activities
DEVON AND CORNWALL POLICE	1000	Young Carers lockdown art project
CATCH 22 One-off central government funding to schools for Yr 11/Post 16 NEET prevention work summer 2020	10500	Youth Service Summer 2020 NEET prevention project
Devon Community Foundation	6800	Young Carers Activities worker summer 2020
ACTIVE DEVON	1000	Young Carers lockdown physical activities packs
LIFEWISE INTENSIVE YOUTH WORK LEVEL 4 PROGRAMME	10560	1:1 youth work interventions level 4

DIVERSITEEN	6012	Development of Kaleidoscope project/website design
DONATIONS	50	Young Carers - unrestricted
HEALTH EDUCATION ENGLAND	130.99	Young Carers project
DONATION	1000	Vouchers for Torbay care leavers Christmas 2020
IMAGINE THIS	2975	Young Carers art project
NHS CHARITABLE FUND	118	Young carers unrestricted
INTERNAL FUNDRAISING	212	Young carers project
PUBLIC HEALTH	8000	Youth Service Safe Bus project – renovation of youth bus
HEALTHY HOLIDAYS (PARTNERSHIP LEAD)	37000	Youth Trust-led partnership delivery of Shout out to Summer at Parkfield summer 2021
SAFER COMMUNITIES	5639.40	ASB work at Parkfield
SPORT ENGLAND	5751.60	Friday night youth sessions Parkfield (equipment and training of young leaders)
DEVON COMMUNITY FOUNDATION	2000	Vouchers for care experienced parents for Christmas

PRIVATE DONOR	500	Unrestricted (used to fund ongoing therapeutic support for young carer)
SAFER COMMUNITIES	3396	Ongoing ASB work Parkfield and Torquay town centre (new for half term 2022 and confirmed up to Easter)
GARFIELD WESTON FOUNDATION	15000	Additional staffing Youth and Young Carers Service
DEVON COMMUNITY FOUNDATION	10000	Additional youth work staffing for Safe Bus
NHS	25000	In-reach youth work to support young people being discharged from Torbay hospital mental health wards
UK YOUTH THRIVING MINDS	120000	3-year mental health project
TOTAL	277,644.99	

PENDING/IMMINENT FUNDING BIDS 2022		
FUNDING SOURCE	AMOUNT	Funding to deliver
IMMINENT BIDS TO BE SUBMITTED		
OPCC	25000	ASB targeted youth work

Additional value/impact- Activities for young carers delivered with partners with external (no cost to Youth Trust) funding to date: Page 62

Young Carers Activities during 2020

Active Devon Parcels delivered

Christmas Hampers

Creative Transitions 12- week art project with Participate Arts (funded by Arts Council)

Orchard Forest School (Imagine This funding)

Hidden Young Carers Training Event (Children's Society national funding)

Moor to Sea Music Sessions (Imagine This funding)

Online Drama Project with Exeter University Students

Shipwreck Radio Project (Sound Communities/Imagine This funding)

Funkhead Wellbeing Sessions (in-kind programme)

YOUNG CARERS ACTIVITIES 2021

Wheel of Love Project (Imagine This funded)

Orchard Forest School x3

Online Half Term Offer: Baking, Mug Decorating, Online Pottery, Bird Box Painting, Online Drop In Disco, Online Movie (externally funded)

Sailing with Dart Sailability (Heavily discounted)

Railway and River trip (Rotary Club funded)

Bath Philharmonia Project (funded by Bath Phil)

Cooking Course with South Devon College & Babbacombe Lions

Estimated value of Young Carers additionality £22000

Meeting: Cabinet **Date:** 14th June 2022

Wards affected: All

Report Title: Torbay Youth Justice Plan 2022-23

When does the decision need to be implemented? 30th June 2022

Cabinet Member Contact Details: Cllr Cordelia Law Cabinet Member for Children's Services,
cardelia.law@torbay.gov.uk

Director/Divisional Director Contact Details: Nancy Meehan Director of Children's Services.
Nancy.Meehan@Torbay.gov.uk

1. Purpose of Report

- 1.1 Torbay Local Authority is required by the Crime and Disorder Act 1998 to approve an annual Youth Justice Plan that has been prepared in consultation with its partner agencies, staff, and service users.
- 1.2 The key outcomes for the Youth Justice Plan is to prevent children from offending, reduce re offending and prevent children entering custody.
- 1.3 The national Youth Justice Board (YJB) for the first time in 2022 has specified a template for the plan and has provided revised the guidance for each section.

2. Reason for Proposal and its benefits

2.1 The Youth Justice Plan contributes to desired outcomes of the Community and Corporate Plan: -

'We want Torbay and its residents to thrive' - the Youth Justice Service works with vulnerable children whose offending behaviour if not addressed is likely to have lifelong impact on their ability to thrive.

'where our children and older people will have high aspirations' - the Youth Justice Service supports children to develop alternatives to their current behaviours and raise their expectations and aspirations

'Build safer communities'

- *Work with partners to tackle crime, including exploitation, and its effects.*
- *Work with partners to reduce offending and reoffending and its impacts*
- *Work with partners to tackle domestic abuse and sexual violence and its effects'*

The Youth Justice Service contributes to the delivery of these aspects for children of the 'Thriving Community' element of the Corporate Plan

2.2 The reason for the decision is that the local authority has a statutory duty to submit its Youth Justice Plan by 30th June 2022. Failure to do so may result in YJB funding being withheld or delayed resulting in ability to provide the service specified within the plan.

3. Recommendation(s) / Proposed Decision

1. That Cabinet recommends approval of the Torbay Youth Justice Plan 2022-23 to the Youth Justice Board.

Appendices

1. Appendix 1: FINAL DRAFT V4 TORBAY YJP 2022-23

Supporting Information

1. Introduction

- 1.1 Torbay Local Authority is required by the Crime and Disorder Act 1998 to approve an annual Youth Justice Plan that has been prepared in consultation with its partner agencies, staff and service users.
- 1.2 Local authorities have a statutory duty to submit its Youth Justice Plan Youth Justice Board (YJB) by 30th June 2022. Section 40 of the Crime and Disorder Act 1998 sets out the youth justice partnership's responsibilities in producing a plan. It states that it is the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan, setting out how youth justice services in their area are to be provided and funded, how it will operate, and what functions it will carry out. The plan should equally address the functions assigned to a youth justice service, and include how services will prevent offending behaviour and reduce reoffending.

2. Options under consideration

- 2.1 There are no other options being considered as there is a legal requirement to deliver this service and produce this plan.

3. Financial Opportunities and Implications

- 3.1 Torbay Youth Justice Service is a statutory partnership governed by a Management Board. The statutory partners are required to agree the level of funding for the service and the amounts contributed by each statutory partner. Torbay Council Children's Services as one of the statutory partners has agreed funding (subject to final approval) for 2022-23 of £248,400 as part of a total budget of £670,900. The additional budget is made up of contributions for the other partners. Additionally, partners contribute £179,196 'in kind' through the secondment of workers to the service.
- 3.2 Failure to agree the Youth Justice Plan may result in funding from the Youth Justice Board (YJB) being withdrawn or withheld, as well as contributions from other partner agencies which would result in a reduced service to children in Torbay.

4. Legal Implications

- 4.1 The Crime and Disorder Act 1998 (Section 39) introduced a statutory requirement for local authorities to establish Youth Offending Teams (YOTs) in their area, requiring the involvement of the local authority, Police, Health and Probation – the statutory partners.

- 4.2 The responsible local authority is also required, under Section 40, after consultation with the partner agencies, to publish a Youth Justice Plan each year outlining the composition of and funding for their YOT. This includes the steps taken to encourage children not to commit criminal offences. This document is the required Youth Justice Plan for Torbay.
- 4.2 The legislation refers to Youth 'Offending' Teams (YOTs) and youth 'offenders' this language has been replaced by updated guidance from the Youth Justice Board (YJB) as part of their Child First approach to stop labelling children as offenders and now refers to local services as youth justice services, although the primary legislation has not been changed. The Child First model is based on evidence and research that shows a positive, pro social approach focussing on the child's strengths and capabilities is the most likely to result in desistance from offending.

5. Engagement and Consultation

- 5.1 All partners have been engaged in the development of the youth justice plan through representation on the two Governing Boards (see appendix 1 of the Plan for full membership list) for the service with specific meetings held to oversee the development of the plan.
- 5.2 Staff were involved through a half day workshop to help develop the vision and priorities for the service, and the views of children, families and victims has been gathered through the ongoing feedback systems of the service and used to influence the priorities of the service.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 There will be very limited spend outside of the Council. Ninety two percent of Youth Justice Service funding is spent on staff employed on behalf within the Youth Justice Service by Torbay Council (not including seconded posts). The main areas of funding outside this are to a wide variety of providers relating to the delivery of direct work with children eg rental of community facilities to see children and activities provided or delivered as part of an agreed intervention plan.

7. Tackling Climate Change.

- 7.1 There will be no contribution to tackling climate change in this proposal

8. Associated Risks

- 8.1 If a Youth Justice Plan is not approved by the local authority it would potentially be failing to provide its statutory duty under as specified under the Crime and Disorder Act 1998 (section 40). This may result in funding being withheld by the YJB and therefore in a reduction in service to children, or increased expenditure by to the local authority and / or

the other funding partners. This would also affect the reputation of the local authority and may open it to legal action by the government.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

- 9.1 The Youth Justice Plan should have a direct positive impact on children aged 10-17 years old by reducing their offending behaviour and increasing their likelihood of a positive future.
- 9.2 A high percentage of children in contact with the Youth Justice Service have Special Educational Needs and Disabilities (SEND) and nearly 50% have Education and Health Care Plans (EHCP) there is therefore and over representation of this group within the offending cohort which the service is working with its partners to address.

10. Cumulative Council Impact

- 10.1 None

11. Cumulative Community Impact

- 11.1 None

FINAL DRAFT V4

Annex A – Torbay Youth Justice Plan

Service	Torbay Youth Justice Service
Chair of YJS Board	Ed Wright
Service Manager	Jon Ralph

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1. Introduction, Vision and Strategy

Introduction by Chair of Torbay Youth Justice Board

As the newly appointed chair of Torbay Youth Justice Service Strategic Management Board, I am pleased to present the Youth Justice Plan for 2022-23. It has been developed with the partners represented at both the Strategic and Operational Management Boards, the staff team and based on the feedback from young people, parents, victims and the wider community.

This year we have created a new vision and set of priorities for the service which are intended to continue to drive improvements in performance and practice.

I am particularly pleased to note our focus on a 'Child First' and Trauma Recovery Model approaches to working with young people who come to the attention of the justice system as there is now a clear and growing evidence base that this approach works better than any other as evidenced by our low rates of reoffending and high percentage of those diverted from the formal youth disposals.

The Youth Justice Plan has been produced to describe the services contribution to achieving both national targets set by the Youth Justice Board and meeting the ambitions of the Torbay Community and Corporate Plan and the Devon and Cornwall Police and Crime Plan 2021-25.

Legal Framework

The Crime and Disorder Act 1998 (Section 39) introduced the statutory requirement for local authorities to establish Youth Offending Teams (YOTs) in their area, requiring the involvement of the local authority, Police, Health and Probation – the statutory partners.

The responsible local authority is also required, under Section 40, after consultation with partner agencies, to publish a Youth Justice Plan each year outlining the composition of and funding for their YOT. This includes the steps taken to encourage children not to commit criminal offences. This document is the required Youth Justice Plan for Torbay.

The legislation refers to Youth 'Offending' Teams and youth 'offenders' this language has been replaced by updated guidance from the Youth Justice Board (YJB) as part of their Child First approach to stop labelling children as offenders and now refers to local services as youth justice services, although the primary legislation has not been changed. The Child First model is based on evidence and research that shows a positive, pro social approach focussing on the child's strengths and capabilities is the most likely to result in desistance from offending.

Vision

Torbay's vision is to: -

'Keep young people and their communities safe by working in collaboration with other services to help children recognise and repair the impact of harmful behaviour and develop a positive future'.

Strategic Priorities

The following strategic priorities have been agreed as part of the consultation for this Youth Justice Plan and will be the basis for the Service Improvement Plan for the next year: -

- Child First approach to all we do
- Secure access to suitable child friendly, safe, accessible premises for delivery of face-to-face work
- Further development of Trauma Recovery Model (TRM) through an Enhanced Case Management (ECM) approach with CAMHS.
- Review the role and provision of CAMHS to the Youth Justice Service
- Increase Targeted Prevention and Early Intervention work with those coming to the attention of the youth justice systems
- Ensuring children in the youth justice system are in appropriate education, training or employment
- Swifter Justice - reduce delays across whole youth justice system
- Hear and respond to the voice of the child and carers not only in the delivery of their intervention but in the development of the service.

- More positive activities and opportunities for children and young people.
- Improve the visibility and understanding of Youth Justice Service work – telling the good stories of children & the work of the YJS
- Be Victim focussed in all we do and develop further our restorative offer
- Improve communication between the Management Boards and the staff team.
- Improve the quality and quantity of data and analysis to ensure the board and the service is meeting the needs of children
- Revise and update quality assurance framework for the service
- To form and sustain working arrangements with all partnerships and service providers to ensure that children receive coordinated support that meets their needs.

2. Local Context

Torbay is located on the South Devon coastline and covers three district communities: Torquay, Brixham and Paignton. Torbay faces challenges typically associated with larger urban areas: these coupled with its coastal location, compound both the challenges and sensitivities of its economy. Torbay comprises areas with significant material wealth alongside areas of deprivation. Torbay is ranked the 48th most deprived district in England, with 36,691 people living in the bottom 20% most deprived areas, equating to 27.4% of the population. The most deprived areas tend to be primarily concentrated around the centres of each of the three towns.

The collective population is 136,264 (2019 mid-year population estimate) of which 25,559 are children. There are 11900 young people aged 10 – 17yrs of age.

The health and wellbeing of children in Torbay is mixed compared with the England average. Infant and child mortality rates are similar to the England average. Children in Torbay have average levels of obesity: 9.5% of children aged 4-5 years and 18.0% of children aged 10-11 years are classified as obese. Admissions for children for mental health conditions and self-harm were higher than England average in 2015/16.

In November 2021, the Care Quality Commission (CQC) Inspection of Special Educational Needs and Disability (SEND) services in Torbay identified significant areas of weakness and required the local authority and the Clinical Commissioning Group (CCG) to submit a Written Statement of Action (WSOA) to address the concerns raised.

Torbay Youth Justice Service was recognised in the CQC inspection as having an area of good practice using its Speech and Language Therapist (SALT) to assess children's communication skills before an intervention programme is implemented. The service is working towards achieving a Youth Justice SEND Quality Mark by June 2022.

3. Child First

Torbay Youth Justice Service (TYJS) supports the Youth Justice Board's (YJB) vision of a 'Child First' youth justice system, which they define as a system where all services: -

- Prioritise the best interests of children and recognising their particular needs, capacities, rights and potential. All work is child-focused, developmentally informed, acknowledges structural barriers and meets responsibilities towards children.
- Promote children's individual strengths and capacities to develop their pro-social identity for sustainable desistance, leading to safer communities and fewer victims. All work is constructive and future-focused, built on supportive relationships that empower children to fulfil their potential and make positive contributions to society.

- Encourage children’s active participation, engagement and wider social inclusion. All work is a meaningful collaboration with children and their carers.
- Promote a childhood removed from the justice system, using pre-emptive prevention, diversion and minimal intervention. All work minimises criminogenic stigma from contact with the system.

Child First approach is a priority in this plan as evidence supports this as the best approach to achieve better child outcomes. Much of this is explored in the research by Loughborough University alongside UKRI, Child First Justice – the research evidence base. You may access the summary report [here](#)

4. Voice of the Child

Torbay Youth Justice Service gathers feedback from children in a variety of different ways including

- Self-Assessment Questionnaires (SAQ) are completed by the child and separately by their parent or carer at the start, review and the end of orders. These are used to gather data to help inform assessment but also the development of an intervention plan to be agreed with the child as part of a co-created plan.
- Your View Matters Surveys – these are more general feedback forms to gather data about the child’s overall perception of the quality of the service they received including things such as timeliness, location of delivery and did it make a difference.
- Children have been involved in the development of information and leaflets for children using the service the first stage has been developing information about the Out of Court disposals system and processes in child friendly language. This has been produced in collaboration with a local media agency ‘Sound Communities’ and is currently being trialled with a wider group of children.

The service has recognised that it needs to improve the consistency and useability of feedback from children to inform both staff and the Strategic Management Board on a more regular basis. We have created a small working group to improve the service feedback structures and processes and we are currently negotiation to reallocate staff time to lead on Feedback and Participation for children, parents, and victims. It is intended to make all feedback forms electronic to accessibility, confidentiality and increase the ease of data analysis from the current paper only format.

5. Governance, Leadership, and Partnership arrangements

Torbay Youth Justice Service has a two-tier governance structure with a Strategic Management Board made up of senior officers for all statutory partners and representatives of wider partnership at the appropriate level as described by the YJB guidance (see appendix 1 for membership list). In January 2022 Superintendent Ed Wright, Devon and Cornwall Police was elected as chair of the Strategic Board, subsequently the membership and the Terms of Reference (ToR) were both refreshed making clearer the roles and accountabilities of the Strategic Management Board members. The revised ToR has a provision to appoint a vice chair and Siobhan Grady Senior Commissioning Manager NHS Devon has been elected.

In March 2022, a new Vision and set of priorities were agreed at the Board following consultation with the staff team and the Operational Board. This Board also agreed to change the name of the Service to Torbay Youth Justice Service to remove the word ‘Offending’ from the title in line with the Child First approach.

Torbay Youth Justice Service’s second tier of governance is an Operational Management Board made up of officers and representatives from the organisations from the wider partnership. It has its own Terms of Reference, which in summary is to put into operation the vision and priorities of the Strategic Board.

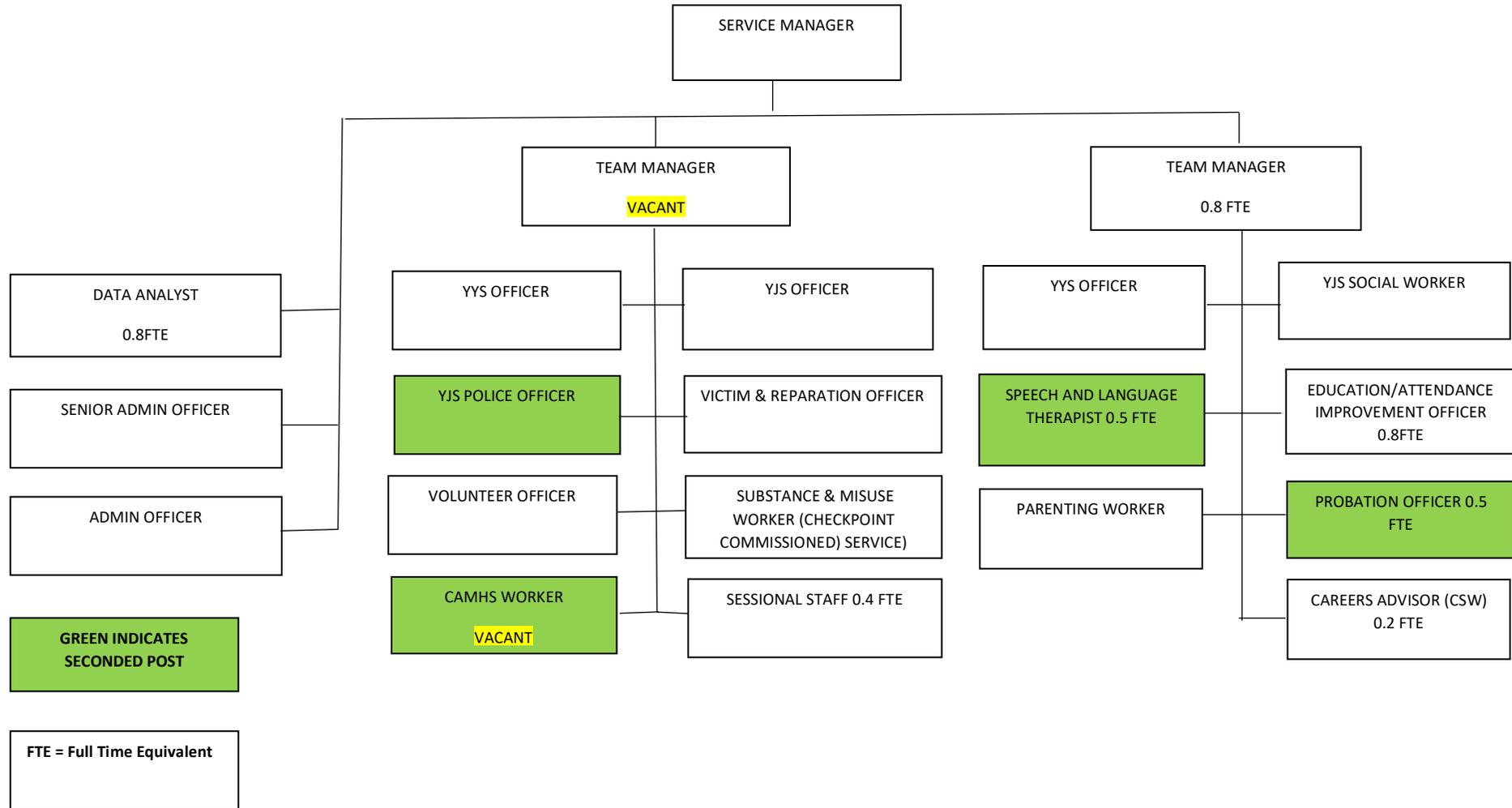
The Operational Board is chaired by Victoria McGeough the Partnership Lead for Safer Communities, Torbay Council.

Attendance and participation at both boards is good and the chair of the Operational Board updates the Strategic Board at each meeting. All statutory partners are actively engaged in the boards and have allocated appropriate resources to the Youth Justice Service.

The Youth Justice Service Manager reports to both the Chair of the Strategic Board for service accountability matters and to the Director of Children's Services as the employing body for the Service Manager and all non-seconded staff.

A staffing structure is provided below.

Torbay Youth Justice Service Staff Structure



6. Resources and Services

The Strategic Management Board has agreed in principle the **DRAFT** budget set out below but at the time of writing this plan the YJB grant had not been confirmed.

DRAFT BUDGET 2022-23

Expenditure

Staffing	618,100
Training	1,500
Rent	3,000
Service Provision	42,800
Travel	1,700
Communications	700
Other expenses	2,600
Support to families	500
TOTAL	670.900

Income

Torbay Local Authority	248,400
YJB Grant	209,300
PCC	65,100
PCC (Serious Violence Grant)	15,000
NHS (Trauma Champion Grant)	22,800
NHS	16,300
Probation Service	5,000
Carry Forward underspend 2021-2	89,000
TOTAL	670.900

In Kind contributions

The service is in receipt of non-cash resources in the form of seconded staff from the statutory partner organisations which support the multi-agency approach of the service.

Organisation	Contribution	In Kind cost
Probation Service	Probation Officer 0.5 FTE	22,793
Devon and Cornwall Police	Police Officer	41,130
NHS Devon	CAMHS* and SALT workers	64,073
TOTAL	FTE 3	127,996

*CAMHS role currently vacant.

The budget has been revised following the changes to the staffing structure following the HMIP inspection recommendation to appoint a Service Manager. The budget has also absorbed the reduction of local authority resources for the two service administrator posts which were being funded by Children's Services. The Strategic Management Board has also approved increasing the services Data Analyst time from 0.5 FTE to full time, with one day per week funded by Community Safety. The budget has been restructured to meet these costs but has only been balanced through the use of underspend from 2021-2 totalling £89,000.

The service is also looking to find a new central location in Torquay for face-to-face delivery to young people this will possibly involve additional costs which will need to be identified.

Staffing remains the largest expenditure for the service totalling 92% of the budget which is believed to be high for a youth justice service, but no national comparators are available.

7. Progress on previous plan (Page 10 of the Guidance)

The Youth Justice Plan for 2021-2 primarily focused on the delivery of the improvement plan following the [Her Majesty's Inspectorate of Probation \(HMIP\) inspection report](#) in March 2021. This report overall judged the service as 'Requires Improvement' but within that rating there was a wide variety of quality observed. Pleasingly the services work with children who are sentenced through a court, which was the largest number of children at that time, were judged as 'Outstanding' in all categories. However, the local Out of Court Disposal system was judged as 'Inadequate' in all categories. The only other area judged as Inadequate was 'Strategic Leadership' and the report made a number of recommendations to improve the capacity, knowledge and understanding of the work of the service by its strategic leaders.

Two Improvement Plans were devised following the inspection report the first being the overall HMIP Inspection Improvement Plan and a secondary one covering the Out of Court Disposal Improvement Plan given that areas overall Inadequate rating. Both Plans have been regularly updated and reported to the Youth Justice Service Management Board see [Appendix 3](#) for a summary.

8. Performance and Priorities and Offending Numbers

The number of Torbay children who received an outcome for an offence in 2021/22 was the highest recorded over the last four years, an increase of 18 (22.5%) on 2020/21. This includes all outcomes including diversionary outcomes such as Community Resolutions and Deferred Prosecutions (Outcome 22), Pre-Court substantive outcomes (Youth Cautions and Youth Conditional Cautions), first tier outcomes (e.g., Referral Orders and Fines), community outcomes (e.g., Youth Rehabilitation Orders), and through to custodial sentences such as Detention and Training Orders.

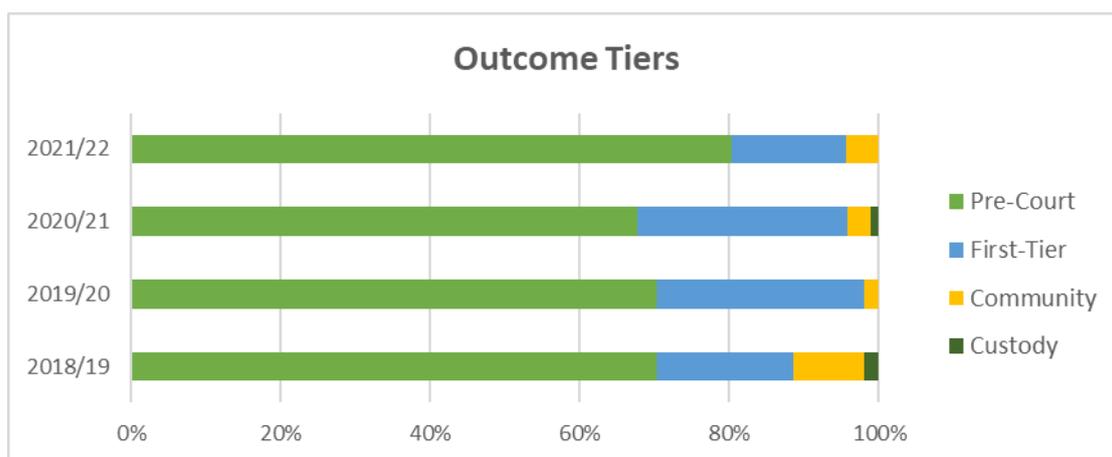


A possible reason for this increase is the impact of COVID restrictions on offending in 2020/21.

Despite the increase in number of offenders, the number of offences remained static. The number of offences per offender decreased from 2.03 in 2020/21 to 1.63 in 2021/22, highlighting the impact of more prolific offenders in 2020/21.

A higher proportion of children were diverted away from the formal Youth Justice System in 2021/22 than at any point in the previous four years. The table and chart below show that 80% of outcomes were within the pre-court tier, an increase of 12 percentage points on the year before. This has had a positive impact on the number of First Time Entrants in Torbay.

There were no custodial sentences.

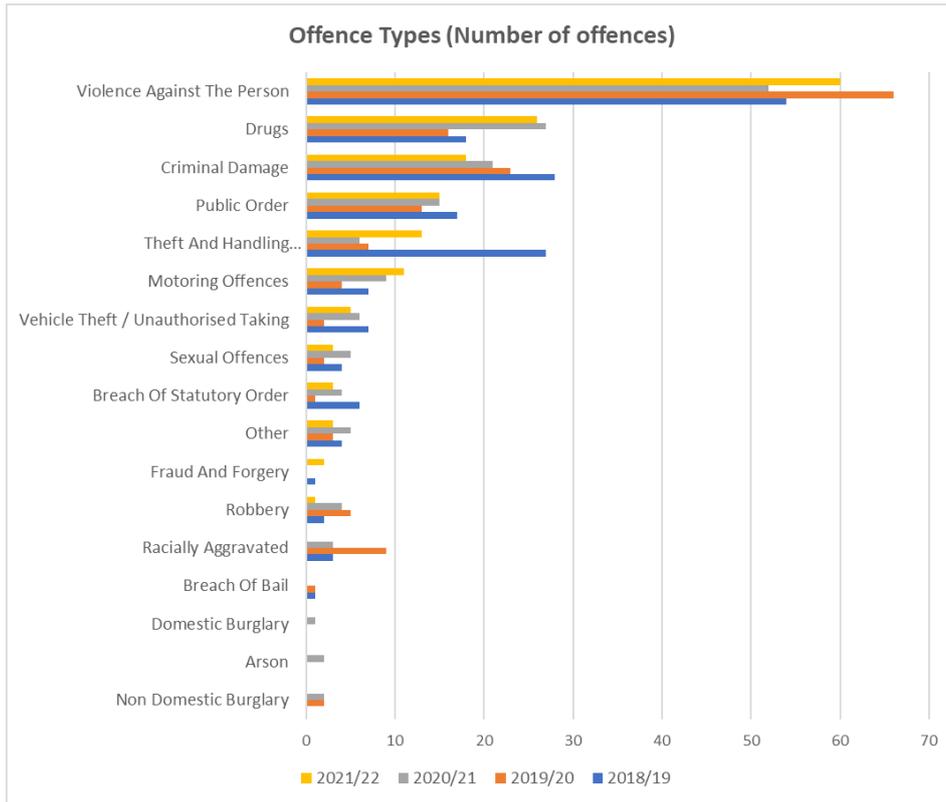


Year	Pre-Court	First-Tier	Community	Custody	Total
2018/19	73	19	10	2	104
2019/20	73	29	2		104
2020/21	63	26	3	1	93
2021/22	90	17	5		112

Offending Behaviour

Violent offences continue to be the most common crime type for 2021/22 accounting for 37.5% of all offending. The next most frequent categories of offence were again Drugs (16.3%), Criminal Damage (11.3%), and Public Order (9.4%).

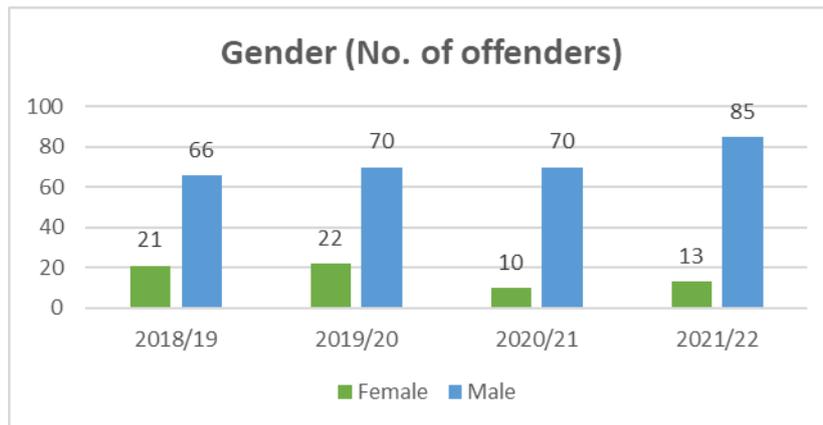
The proportion of Theft and Handling Stolen Goods offences increased from 3.7% to 8.1% as lockdown restrictions eased.



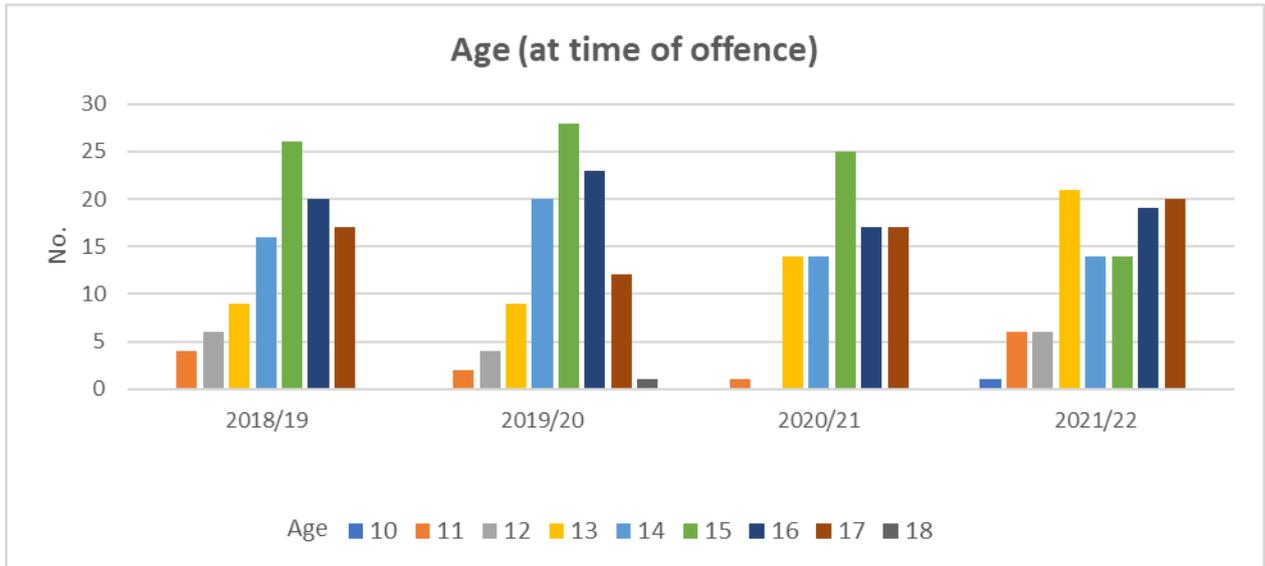
Offending Profile

The children receiving an outcome for committing an offence are predominately male (87%) which is a similar percentage to the year before (88%).

As with most other areas, females are under-represented (13%) and this is much lower than in 2018/19 when they accounted for 24% of outcomes – a decrease of 38%.



The age profile of Torbay children has remained constant for several years but there was an increase in younger children offending in 2021/22. The biggest increase was in the number of 13-year-old children from 14 (20/21) to 21 (21/22).



For outcomes in 2020/21, 19% of children were aged 10-13 at the time of the offence, this proportion increased to 35% for those children in 2021/22.

However, all these 34 children were diverted from the formal youth justice system with the majority (32) receiving a non-substantive outcome (Community Resolution or Outcome 22) thereby preventing them from becoming a First Time Entrant.

The table below shows the children who received an outcome by ethnic group over the last four years. Due to small numbers, it has been decided to aggregate data for children from the Asian, Black, Mixed and Other ethnic groups into the BAME (Black and Minority Ethnic) group, as per the YJB guidance in their ethnic disproportionality tools.

Ethnic Group	2018/19	2019/20	2020/21	2021/22
Black, Asian or Minority Ethnic (BAME)	2%	3%	1%	3%
Information Unavailable	3%	1%	1%	0%
White	94%	96%	98%	97%

White children make up of 97% of the offending population and 96% of the local 10-17 year-old population, a small over representation.

Black, Asian, or Minority Ethnic group children make up 3% of the offending population and 4% of the local 10-17 year-old population, a small under representation.

YJS Cohort

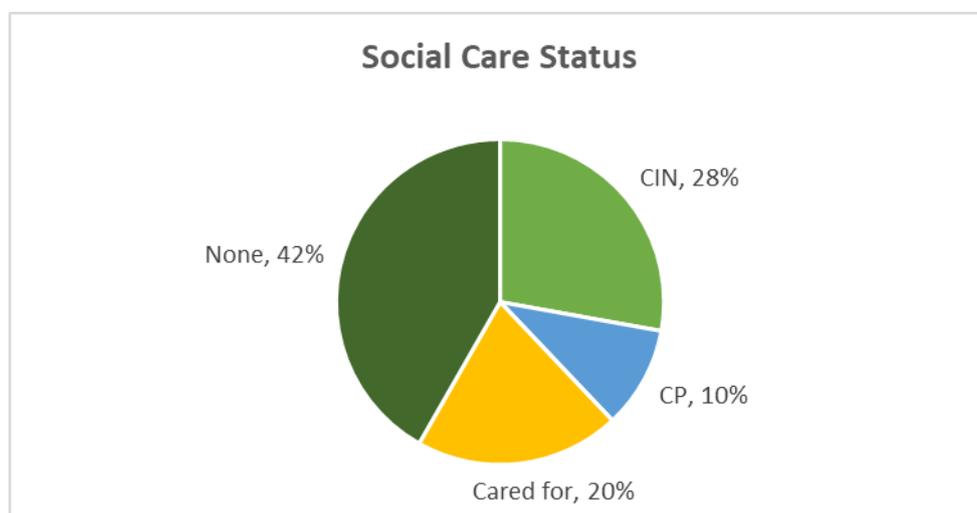
In 2021/22 Torbay YJS delivered a total of 79 interventions to 64 children who had committed an offence:

- 30 diversionary interventions (Community Resolution with Intervention or Outcome 22)
- 20 pre-court substantive outcomes (Youth Caution or Youth Conditional Caution)
- 27 court ordered interventions (Referral Order or Youth Rehabilitation Order)
- 1 post custody licence programme
- 1 Section 226B Custody

The full breakdown is shown in the table below:

Intervention Type	No.	%
Community Resolution	16	20%
Outcome 22 (Diversionary, Educational or Intervention Activity)	14	18%
Youth Caution	4	5%
Youth Conditional Caution	16	20%
Referral Order	20	25%
Youth Rehabilitation Order	7	9%
DTO Post Custody/Licence Programme	1	1%
Section 226b Custody	1	1%
Grand Total	79	100%

Over half of the children who received an intervention from the YJS were also open to Children’s Social Care (58%). The chart below shows 28% had a Children in Need plan, 10% a Child Protection Plan, and 20% were cared for children.



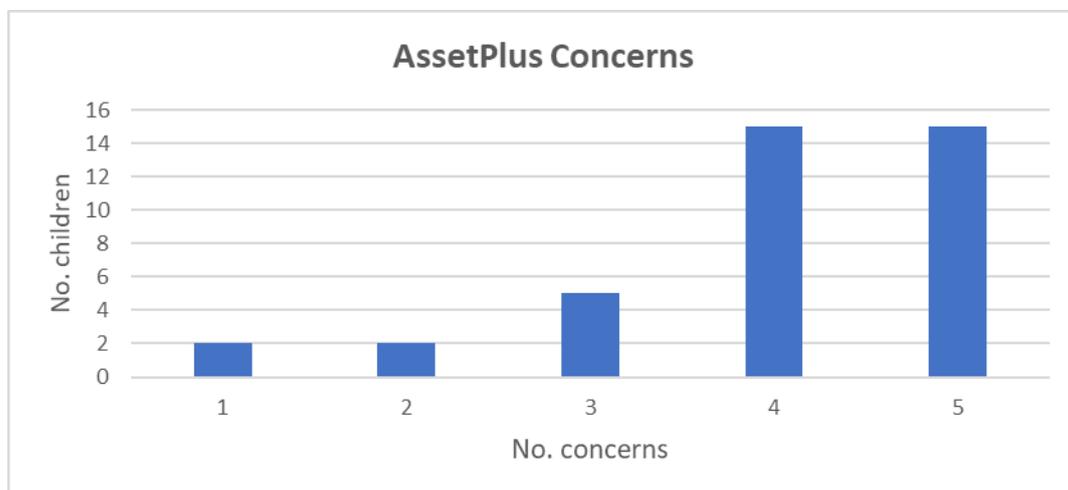
The large proportion of children and their families who are receiving additional support from Children’s Services highlights the vulnerable nature of many of the children the service works with. Torbay YJS and Torbay Children’s Services are working to improve joint planning and working relationships through increased sharing of assessments, planning and risk management systems and processes. Early in 2022-3 Torbay YJS will agree a formal threshold and referral mechanism for prevention work and it is envisaged that a high proportion will be children that are Lilley to be coming to the attention of Children’s Services but not yet being offered a service.

Further analysis of the types of risks and vulnerabilities the children who are referred to Torbay YJS experience is possible through the Asset Plus assessment. This assessment and intervention planning framework is used for all Youth Conditional Cautions, Referral Orders, Youth Rehabilitation Orders and Custodial interventions and allows professionals to focus plans to improve outcomes for children and young people and tailor them to their individual needs.

In 2021/22 39 children had an open Asset Plus assessment. Youth justice officers working with these children identified the following concerns in the ASSET Plus assessment. The percentages do not necessarily relate to a formal diagnosis but are a useful indicator of the varying needs and concerns of the children worked with.

- **62%** Special Educational Needs or Disabilities
- **72%** Physical health concerns or disability
- **87%** Mental health concerns
- **85%** Substance misuse concerns
- **95%** Speech, Language, Communication and Neuro-disability concerns

The chart below shows the number of these concerns each individual child was experiencing, with 77% of children presenting with 4 or 5.



Education, Training and Employment

Education review meetings are held every 4 - 6 weeks with Torbay Councils Head of SEND, Head of Vulnerable Pupils and Careers South West when the education placements of the entire Youth Justice Service group of children is reviewed. Actions are agreed to address any gaps or changing circumstances to ensure that children are in appropriate forms of education, training or employment.

At the start of their interventions 72% of the children were receiving full time Education, Training or Employment, 19% were registered with a provider but not meeting the required number of hours, and 9% were NEET. Of the 7 children who were NEET the YOT supported 5 of them to return to Education, Training or Employment by the end of their intervention.

The table below shows the breakdown by type of establishment:

Establishment Type	No.	%
Alternative Provision	26	33%
Adult Education	17	22%
Mainstream School	16	20%
Employed (Working)	11	14%
NEET	7	9%
At School DTO Unit	2	3%

There is an over-representation in the YJS cohort of children who are not in mainstream education, with 33% registered with an alternative provision at the start of their intervention. In addition, half of those children were not receiving their full 25 hours.

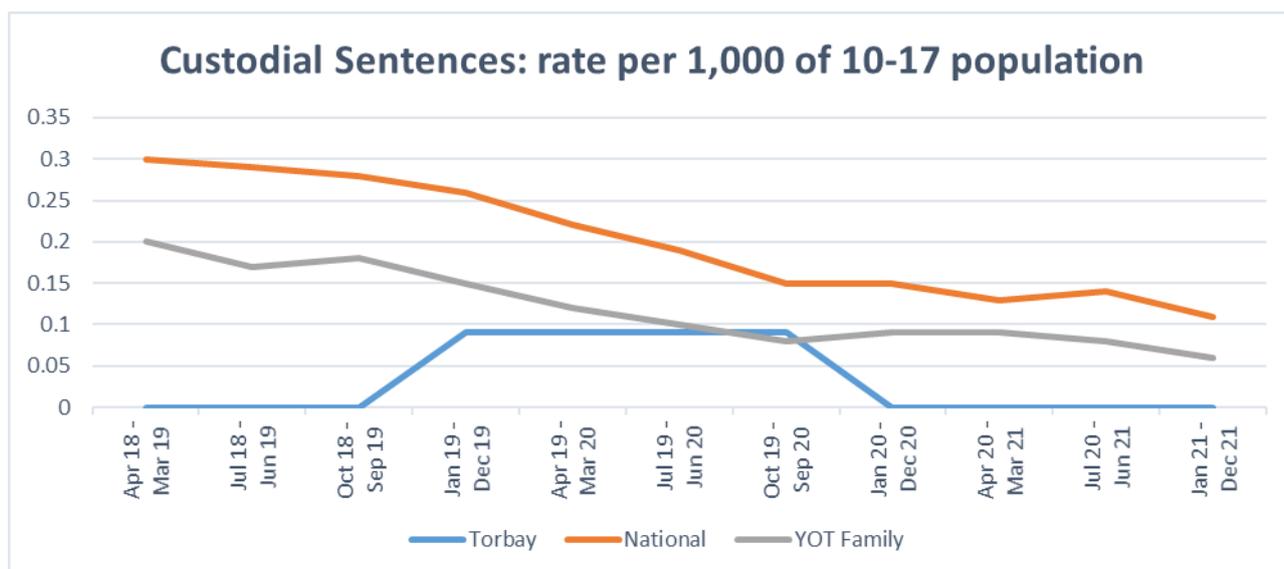
9 of the children in alternative provisions had been permanently excluded from a mainstream education.

A large proportion of the young people who the YJS work with have an EHCP – 45.3% in 2021/22.

Key Performance Indicators

Use of Custody

The indicator uses case level data from the YJ Application Framework (historic data - YJMIS) and is the number of custodial sentences in the period given to children with a local residence aged under 18 years on the date of their first hearing related to the outcome. This data is presented as a rate per 1,000 children in the 10 to 17 local general population.

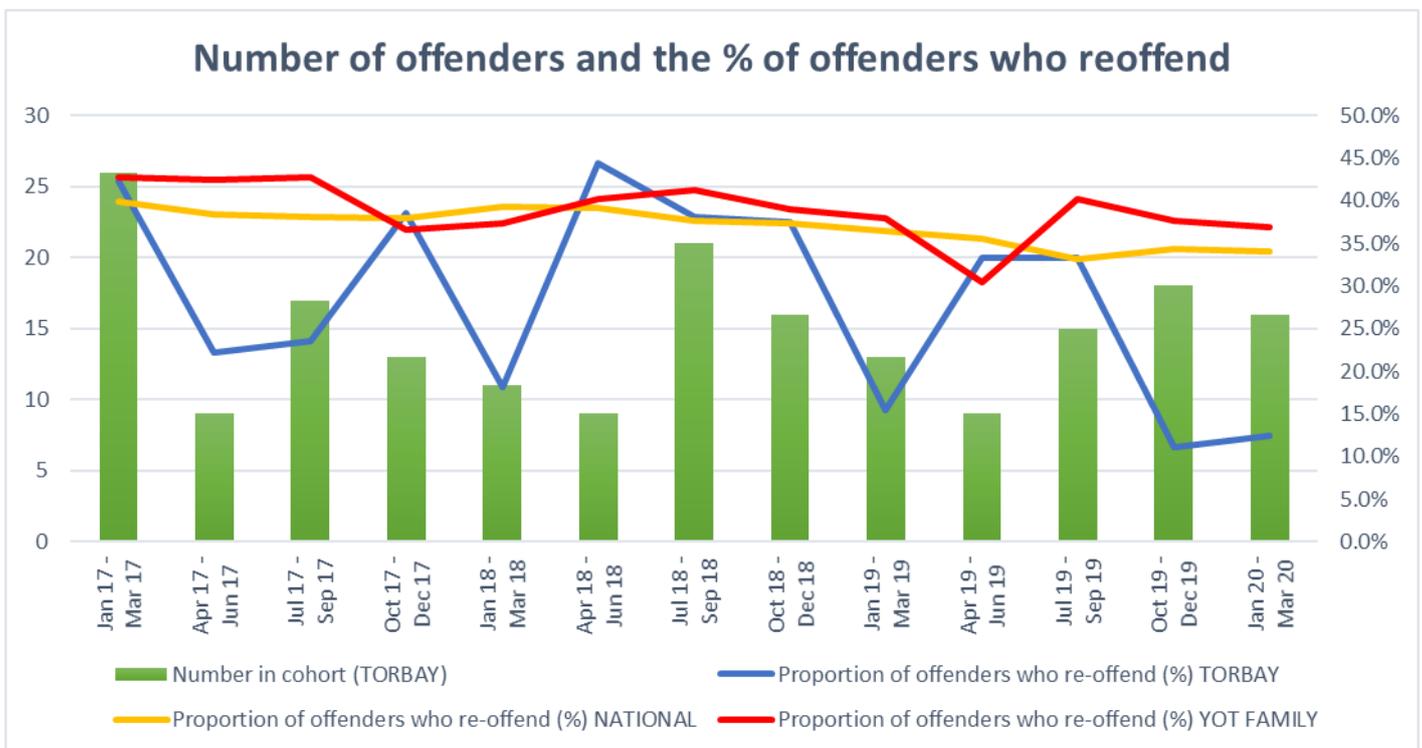


This is historically an area of strong performance for Torbay YJS with the Use of Custody rate consistently below that of the family group and national. Torbay YJS achieved its target to remain below both comparators and there were no custodial sentences in 2021/22.

Reoffending

Binary Rate

The data for this indicator comes from the Police National Computer and is published by the Ministry of Justice (MoJ). The cohort consists of all children and young people who received a pre-court or court disposal or were released from custody in that date range. The Ministry of Justice changed the methodology for measuring reoffending in October 2017 to align the measure with that used for adult reoffending. Under the new methodology, a three-month cohort rather than a 12-month cohort is used. The cohort is still tracked over 12 months. Changing from 12-month cohorts to three-month cohorts results in a greater proportion of prolific offenders and hence higher reoffending rates, though both measures show similar trends over time.

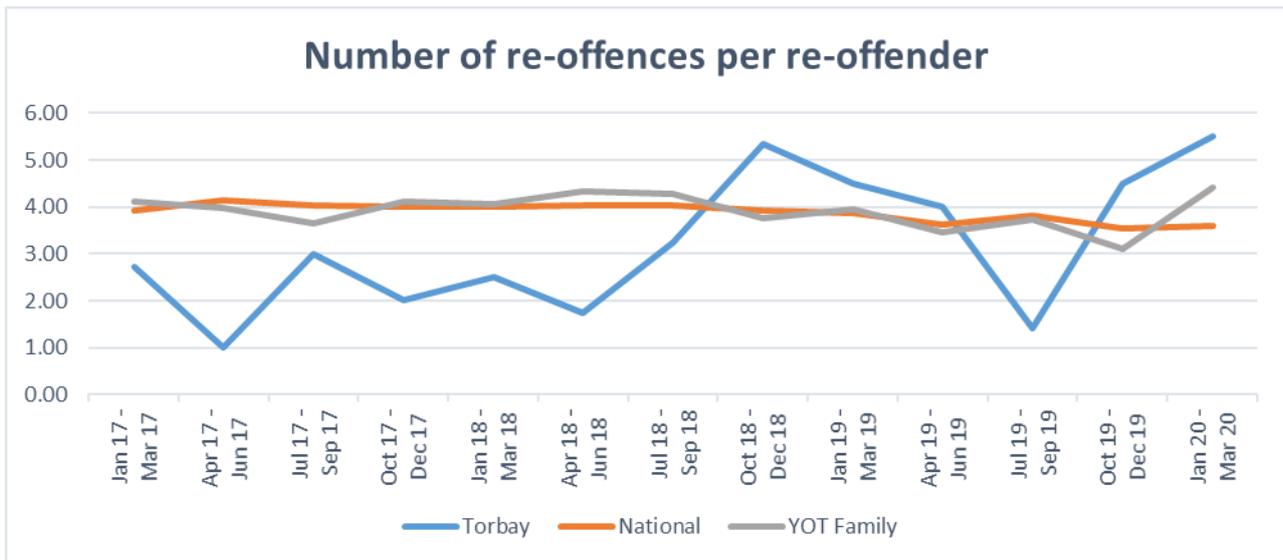


Torbay YJS's binary rate of reoffending for the most recent cohort (12.5%) continues to be significantly below that of the family group of YOTs (36.9%) and the national average (34.0%).

The aspiration for Torbay YJS is to remain below both of these comparators over the next 12 months.

Frequency rate

This data also comes from the Police National Computer and is published by the MoJ. The frequency rate of reoffending calculates how many re-offences are committed by each reoffender. Due to Torbay's small cohort size this rate is susceptible to large variances as one or two prolific offenders can have a large impact on the overall rate, as is the case with the most recent two periods.



Torbay YJS targeted to perform better than the family group of YOTs but has not achieved this in the most recent data published. It is worth noting though that over a longer period with 12-month cohorts (Apr19-Mar20) the rate for Torbay (3.25) was better than the family group (3.68) and national (3.64).

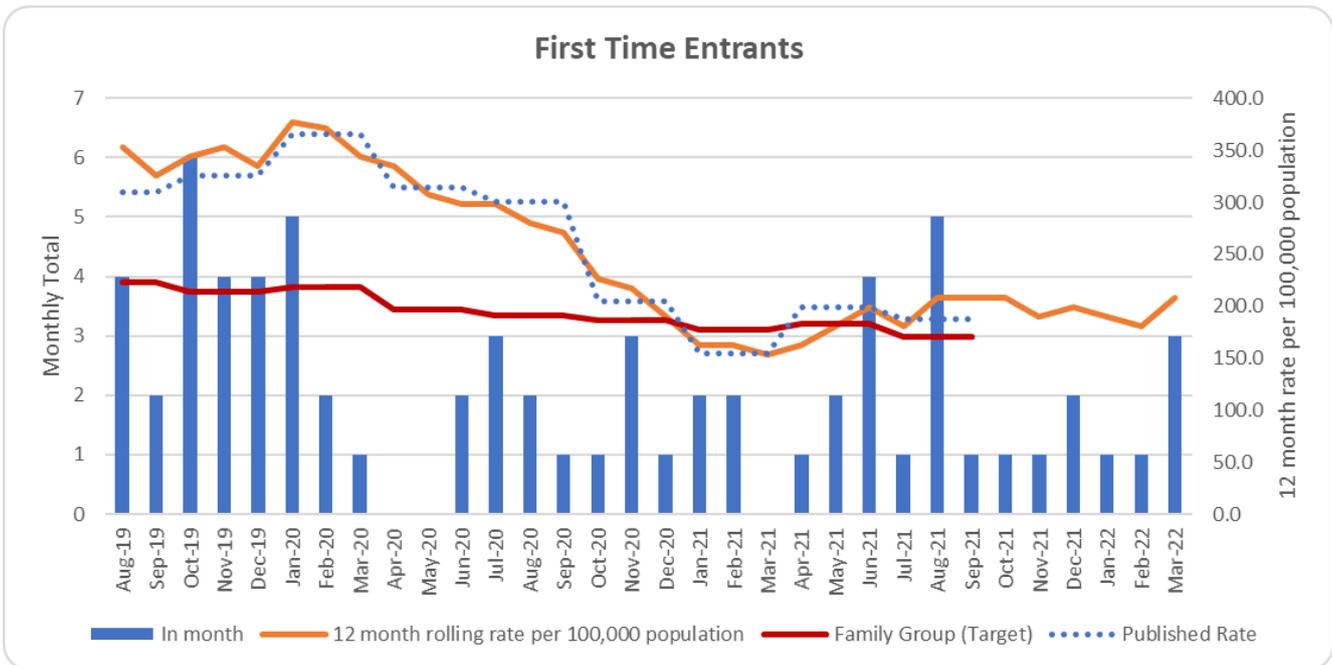
The small number of children in each cohort means that this indicator is susceptible to volatility for Torbay YJS. One or two prolific offenders can have a large impact on the overall rate as was the case for the cohorts between Oct19 and Mar 20.

The target for Torbay is to remain below the national and family group rates and to introduce the use of the live re-offending tracker so more timely data can be utilised at both an operational and strategic level.

First Time Entrants

The data for this indicator comes from both the local case management system (orange line) and the Police National Computer and is published by the MoJ (published rate and comparators). The data is shown in rolling full years for the 12 months to March, July, September, and December of each year. First Time Entrants are children who receive a youth caution or court conviction for the first time within the period.

Historically this has been an area of poor performance for Torbay YJS, with the rate consistently above the family group and national. At its peak in the 12 months to March 2020 Torbay's published rate per 100,000 10-17 year old population was 364. The family group was 170 and the national was 207. The most recently published data to September 2021 shows that this has decreased by 48.5% to 188, which is much closer to the family group rate of 170 and the national rate of 154.



Improvements to the pre-court processes in Torbay have helped to reduce the number of First Time Entrants and deliver better outcomes for local children. All decisions that could potentially result in a young person becoming a First Time Entrant are now made at the multi-agency pre-court panel which sits weekly. As such no single agency Youth Cautions are administered, and an assessment is completed prior to decision making with representatives from YJS, Police, Social Care, Education, Victim Support and CAMHS all sharing relevant information to aid the decision making process.

Torbay YJS is also using Outcome 22 (Deferred Prosecution) as a pre-court outcome and this has played a useful part in reducing the number of FTEs. As this outcome does not require an admission of guilt, but a willingness to work with support services, children who had not submitted a plea can now be diverted away from the formal youth justice service where previously they may have gone to court.

Victims

Torbay YJS has a dedicated Community Reparation and Victim Worker who offers support to the victims of crime, and restorative processes to put right the harm they have experienced, if desired.

During the last 12 months 52 victims were identified and offered support. Of these 13 felt they would benefit from restorative intervention.

Torbay is looking to develop and improve on our offer to victims by re-launching a victim satisfaction survey so that their views can be used to inform and shape our service.

Prevention

The YJB defines Prevention as support and intervention with children (and their parents/carers) who may be displaying behaviours which may indicate underlying needs or vulnerability. In practice this involves a tiered approach of early and targeted prevention. The aim being to address unmet needs, safeguard, promote positive outcomes and stop children entering the formal youth justice system.

In 2021-22 Torbay Youth Justice Service has provided Targeted Prevention support to 21 children. This work has mainly been with children who have committed Harmful Sexual Behaviour (HSB) but have not been charged but are willing to engage in a therapeutic prevention programme. Children may also be offered a service if they are high risk of criminal exploitation and or involved in a high level of Anti-Social Behaviour (ASB) and are assessed as likely to enter the formal youth justice system if prevention work is not offered.

Diversion

The YJB defines Diversion as children receiving an alternative outcome that does not result in a criminal record but has an element of support and intervention, so they do not re-offend and avoids escalation into the formal youth justice system.

A key priority for Torbay YJS has been to reduce the number of First Time Entrants (FTE's) into the formal youth justice by increased use of diversionary interventions where appropriate. (See First Time Entrants above).

More children in 2021/22, than in any other year, were supported in the pre-court tier with a large proportion of these being Community Resolutions or No Further Action – Outcome 22. Indeed, 38% of all interventions delivered by the Torbay YJS with a linked offence were of a diversionary nature.

In addition to these YJS delivered interventions, 26 children were diverted through Police facilitated Community Resolutions.

Parenting Programmes

In addition to supporting children Torbay YJS also provides voluntary interventions to parents when required. In 2021/22 39 parents benefitted from support provided by the YJS' Parenting Worker. The aim of parenting interventions is to improve their relationships with their children, reduce negative factors, and strengthen positive factors.

Serious Violence

The development and delivery of the local response to the Serious Violence Duty in Torbay is through the Community Safety Partnership (CSP). As a member of the CSP and as a specified authority under the Duty, the YJS will work with other specified authorities and key partners to develop Torbay's response under the Duty.

A key aspect of the YJS role will be to contribute to the development of the local strategic needs assessment through provision and analysis of data. The strategic needs assessment is key to developing understanding of the local profile in relation to serious violence and the delivery of a local strategy and response. The YJS will work with the local partnership to develop the Torbay response to serious violence using an evidence-based approach to develop the YJS role within this.

The YJS are a core member of the Torbay Channel Panel and offers support through discussion at Panel as well as intervention and support to young people where appropriate. The Panel considers key local processes and the YJS informs the development of these. The Torbay Channel Panel links directly to the Torbay and Devon Prevent Partnership Board where themes, risks and approaches are shared to improve the wider operational and strategic approach to Prevent across the two local authorities.

9. National Standards

The service last completed a YJB National Standards Audit in 2019 and the subsequent action and improvement plan has been completed. The audit will be refreshed in 2022-23 in line with recommendations by the YJB.

10. Challenges, Risks, and Issues

The service has identified a number of challenging circumstances that it needs to take action to ensure they don't impact on service delivery to children. A risk register has been created with actions and mitigations identified to address these circumstances.

- i) **Face to face delivery locations** – due to the current closure of Parkfield House the Youth Justice Service is using a range of community facilities and buildings across the Torbay. Many of these locations do not meet the expectations of a Trauma Informed service in terms of consistency, confidentiality, safety and range of facilities that should be expected for a modern youth justice service. The Strategic Management Board have approved a search for a new facility in Torquay and this is currently underway.
- ii) **Mental Health Services** – The service has agreement that the Child and Adolescent Mental Health Service (CAMHS) should second a full-time worker Band 6 to the Youth Justice Service however this post has been vacant for 18 months despite many rounds of recruitment. The service is currently in negotiation with the CAMHS to look at how this can be addressed and also support the delivery of an Enhanced Case Management (ECM) approach to service delivery.
- iii) **Data Analysis and Performance reporting** – The Strategic Management Board has agreed to re allocate funding from the partnership budget to increase the service's data analyst to full time. However there has been considerable delay in managing the HR processes required. The impact is that the full range of reporting and analysis is not available to the Board as described in the Forward Plan.
- iv) **Suitable available Child Care Placements and provision** – a small number of the children the service works with are in the care of the local authority and placed in children's homes or care provision. In the last year we are aware that children, often the most vulnerable and high risk of our children, are being placed in unregistered or unsuitable placement due to the lack of available provision both locally and nationally. This has led to multiple care placement moves, requiring multiple caretaking arrangements with external youth justice services and inadequate provision that does not meet the need of children.

11. Service Improvement Plan

	Action	Desired Outcome	Lead
1	Child First approach to all we do	Children are recognised and treated as children in all aspects of the youth justice system to reduce offending behaviour and support positive life choices and desistance	SMB, OMB, YJSM, All YJS
2	Secure access to suitable child friendly, safe, accessible premises for delivery of face-to-face work	Children are able to access safe, secure, confidential facilities that are welcoming to children & have a full range of services and support needed to enable quality interventions to be delivered.	SMB, OMB, YJSM

3	Further development of Trauma Recovery Model (TRM) through an Enhanced Case Management (ECM) approach with CAMHS.	Improved quality of assessment and intervention for children in the YJS based on psychological case formulation approach	YJSTM, YJSTC
4	Review the role and provision of CAMHS to the Youth Justice Service	Enable children to access mental health services through the YJS to improve their wellbeing	YJSM CAMHS
5	Increase Targeted Prevention and Early Intervention work with those coming to the attention of the youth justice systems	Reduce the number of children entering the formal youth justice system, reduce FTE's, and reduce the number of children with a criminal record.	YJSM, Police, CSP.
6	Ensuring children in the youth justice system are in appropriate education, training, or employment	Enable children to access suitable education that will help them build a positive future.	YJSEW
7	Swifter Justice - reduce delays across whole youth justice system	Enable children to see more immediate consequences for their offending & improve the likelihood of positive change. Reduce the impact of the offending on their safety and education.	YJSM, Police, CPS
8	Hear and respond to the voice of the child and carers not only in the delivery of their intervention but in the development of the service.	Fewer children reoffend because we understand their needs better and deliver tailored interventions and apply the learning to the whole service	YJSM, YJS Staff, YJSDA
9	More positive activities & opportunities for children and young people.	Use a strength-based model to enable children to create positive views of themselves and their futures to support long term desistance	YJSM, CS, CSP, YVS
10	Improve the visibility and understanding of Youth Justice Service work, telling the good stories of children & the work of the YJS	Improve the public perception & understanding of the level of youth offending and to deliver a child friendly Torbay that recognises the needs of children.	SMB, OMB, YJSM
11	Be Victim focussed in all we do and develop further our restorative offer.	Improve victim engagement and recovery by using restorative approaches	YJSM YJSVO
12	Improve communication between the Management Boards and the staff team	Ensure the service achieves the correct outcomes through evidence-based communication and decision making between the board and staff team	SMB, OMB, YJSM
13	Improve the quality and quantity of data & analysis to ensure the board and the service are meeting the needs of children	Ensure the service delivers the best quality service to meet the needs of children who offend.	YJSM
14	Revise and update the quality assurance framework for the service	To ensure the service is aware of areas of good practice and under performance so that children receive the highest quality service possible.	YJSM, YJSTM
15	To form and sustain working arrangements with all partnerships & service providers to ensure that children receive coordinated support that meets their needs.	To ensure that resources are maximised to improve the delivery and quality of services to children.	SMB, OMB, CSP, YJSM,

Key

YJSM	Youth Justice Service Manager	SMB	Strategic Management Board
YJSTM	Youth Justice Service Team Manager(s)	OMB	Operational Management Board

CS	Children's Services	CAMHS	Child and Adolescent Mental Health Service
CSP	Community Safety Partnership	YJSDA	Youth Justice Service Data Analyst
YJSEW	Youth Justice Service Education Worker	YJSVO	Youth Justice Service Victim Officer
YJSTC	Youth Justice Service Trauma Champion		

Workforce Development

The service has a stable staff team with limited turnover which has enabled the development of an experienced and well-trained team.

- All staff that work with children are trained the Trauma Recovery Model (TRM), Restorative Justice and AIM3 (Assessment and intervention of Harmful Sexual Behaviour).
- Over the last 12 months several staff have also completed the DAY training programme about how to educate children about domestic abuse, abusive and controlling relationships and exploitation.
- Staff have also been trained in the Respect toolkit and updated Child to parent violence training.
- A further member of the team has signed up for the Domestic Abuse Risk Assessment for children tool training who will champion this in the team and complete train the trainer.
- In addition, Silver Bullet Training has provided additional training in Asset Plus assessment and planning interventions.
- A new staff member will be completing the Youth Justice Effective Practice Certificate (YJEPC).
- 2 staff will be completing the new Child First Effective Practice Award with UNITAS.
- Staff access mandatory training through Torbay Council's 'iLearn' online training provision which tracks inductions, mandatory training and required refreshers for all staff directly employed, seconded staff can also have accounts added or access training in their home organisation.

Board Development

An induction programme for board members has been devised and is delivered to all new members. Additionally, there are planned inputs at Strategic Management Board to update members on significant changes in local or national practice as well as inputs from external examples of best practice and development. Boards members also participate in the 'practice week' to observe workers doing their job either directly with children or completing other functions.

12. Evidence-based practice and innovation

The service has well established practice in using the Trauma Recovery Model (TRM) as a tool to help understand children's level of functioning and plan interventions based on this. All staff have been trained in the TRM approach. The service has employed a Trauma Champion to support the development of the nationally recognised, within youth justice services, Enhanced Case Management (ECM) approach. ECM is a further development of a psychological model of understanding of the child's development through case formulation. The service plans to employ a part time psychologist to lead this work through reconfiguring the resource allocation from NHS Devon.

The service is working towards the Special Education Needs and Disability (SEND) Quality Mark for youth justice services, this has required the service to audit current practice and address any gaps identified which are currently being addressed. Good practice within the service was recognised as

part of the SEND inspection of Torbay in 2021-22 which the service has built upon, it is expected that we will be awarded the quality standard in the summer 2022.

Children have been engaging in a variety of environmental projects as part of their intervention orders these have included the SEAL Project, helping to track and record local seal numbers, as well as beach cleans and water safety.

The service has seen a 48% reduction of the number of First Time Entrants (FTEs) into the formal justice system which is a significant improvement although we remain just above the family group average, and national rates. This improvement has been achieved through the increased understanding and focus on performance data and the development the Out of Court Disposal Panel and processes in Torbay, including the use of Diversionary disposals including Outcome 22.

13. Looking forward

In addition to the Service Improvement Plan described in section 10 above, the service has a Future Plan of decisions required, policy reviews and Deep Dive activity that are all intended to ensure that the management boards and the service is aware of the wider emerging issues and decision that need to be understood and addressed.

FORWARD PLAN 2022-23

	January 2022	March 2022	May 2022	July 2022	Sept 2022	Nov 2022	Jan 2023
Decisions / Policy / Planning	Accommodation. Draft Budget proposal 2022-3.	DRAFT Budget 2022-3 Approval YOT SEND	Budget 2022-3 Approval OoCD Policy	QA Policy (review)	Accommodation update	Business Planning 2023-24	Youth Justice Plan
Reports / Deep Dive			DV / VAWG Disproportionality	Mental Health & wellbeing Early Indicators for Threshold	OoCD ETE	Data pack for Business planning	Drug & Alcohol

14. Sign off, submission and approval (Page 16 of the Guidance)

Chair of YJS Board	Superintendent Ed Wright
Signature	
Date	

15. Appendix 1

Listed below is the membership of Torbay Youth Justice Service's Strategic and Operational Boards, both currently meet every two months, dates are set one year in advance for the calendar year.

Torbay Youth Justice Service Strategic Board Membership 2022-23	
Edward Wright (Chair)	Superintendent, Neighbourhood Policing and Partnerships South Devon, Devon & Cornwall Police
Siobhan Grady (Vice chair)	Senior Commissioning Manager, Out of Hospital Commissioning Team, NHS Devon CCG
Cordelia Law	Cabinet Member for Children's Services, Torbay Council
Nancy Meehan	Director of Children's Services, Torbay Children's Services
Tara Harris	Assistant Director Community and Customer Services, Torbay Council
Louise Arcscott	Head of Devon and Torbay Probation Service
Victoria McGeough (Chair Operational Board)	Partnership Lead Manager, Safer Communities, Torbay Council
Rachael Williams	Assistant Director Education, Learning and Skills, Torbay Council
Lin Martin	Chair of The South and West Devon Magistrates Youth Panel
Davina Cull	OPCC (alternating)
Wendy Rowden	OPCC (alternating)
Kate Langley	Head of Innovation & Engagement (Southwest/South Central) YJB
Rob Parr	Principal Accountant Children's Services Finance
Jon Ralph	Service Manager Torbay Youth Justice Service
James Bennett	Analysis, Performance & Review Officer - Youth Offending Team / Supporting Families - Torbay Council

Strategic Board Meetings 2022

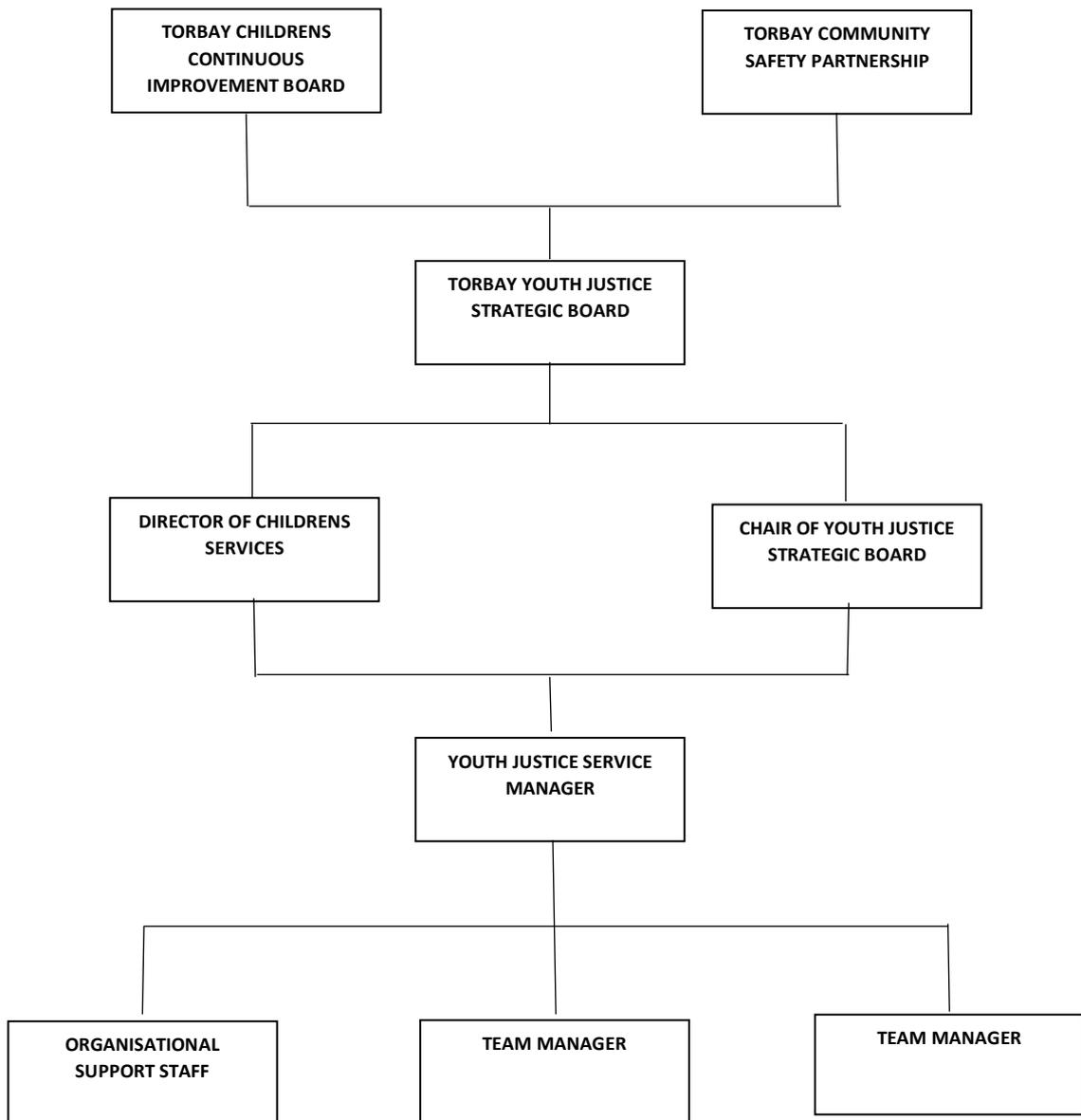
- 25/1/22 22/03/22 24/05/22 26/07/22 27/09/22 22/11/22

Torbay Youth Justice Service Operational Board Membership 2022-3	
Victoria McGeough (Chair)	Partnership Lead Manager, Safer Communities, Torbay Council
Dan Hamer	Head of Vulnerable Pupils, Torbay Council
Serena Cannan	Senior Probation Officer, Probation Service
Lianne Hancock	Housing Options Manager, Torbay Council
Joanne Hooper	Commissioning Manager NHS Devon Clinical Commissioning Group
Rachel O'Sullivan	CAMHS Senior Manager, Children and Family Health Devon, NHS
David Roe	Partnership & Delivery Manager, Careers South-West
John Duncan	Deputy Chair Youth Bench, Devon and Cornwall Magistrates
Simon Hardwick	Youth Justice Inspector Devon & Cornwall Police
Ellie Clark	Service Manager, Single Assessment Team, Torbay Council
Matthew Harkin	South Devon Community Safety Sergeant, Devon & Cornwall Police
Jon Ralph	Service Manager, Torbay YJS, Torbay Council
Su Rumford	Operations Manager, Torbay YJS, Torbay Council
Jade Clementson	Acting Assistant Team Manager, Torbay YJS, Torbay Council
James Bennett	Analysis, Performance & Review Officer, YJS, Torbay Council

Operational Board Meetings 2022

- 18/1/22 9/3/22 11/05/22 13/07/22 14/09/22 09/11/22

16. Appendix 2 – Service Reporting Structure Chart



17. Appendix 3 Summary of the HMIP Improvement Plan 2021-22

	Recommendation	Response / action taken / planned	Detail	RAG
1	The YOT Strategic Management Board should make sure that Board members understand the specific needs of children known to the YOT and advocate on their behalf in their own agencies.	<p>Data set to be agreed and reported on monthly / quarterly</p> <p>Board members to drive and take strategic ownership of the Youth Justice Plan.</p> <p>Board members to set local priorities for driving / improving practice.</p> <p>YOT board partners to report on effectiveness of partnership working & impact of YOT work on reducing offending and reoffending</p> <p>Robust quality assurance framework to be developed</p>	<p>Permanent YOT manager started 01/10/21</p> <p>Data set for Board now implements and presented and reviewed regularly</p> <p>Youth Justice Plan 21/22 completed and submitted</p> <p>Local targets set out in YJ Plan</p> <p>Strategic and Operational Board now able to review and assess effectiveness in an informed, data supported way</p> <p>YOT manager developing quality assurance framework</p>	
2	The YOT Strategic Management Board should develop the knowledge and understanding of the Board member's role and service's work, so they can provide effective challenge to partner agencies	<p>Induction to include meeting with the management team and any staff relevant to their area.</p> <p>Board members will be actively involved in overseeing YOT practice and initiatives</p> <p>Board Members to sit on subgroups / working groups relevant to their area in project development</p> <p>Strategic Board members to attend a Torbay YOT practice week.</p> <p>Training for existing and new board members.</p>	<p>Induction programme for Board members agreed and delivered to all members.</p> <p>Training has been provided for new members.</p> <p>Some board members have attended practice week</p>	
	The YOT Strategic Management Board should review	YOT management team and operations board to consider initial restructure options and	The YOT manager conducted a costed service structure options appraisal and	

	management capacity to ensure there are necessary resources to oversee the service effectively	<p>submit to management board for consideration.</p> <p>Strategic Board have good information, knowledge & oversight of YOT work in order to provide effective challenge to drive and improve practice</p> <p>Scoping exercise to be undertaken to ensure Torbay YOT are able to deliver effective interventions through using resources in a flexible and creative way</p>	<p>the Strategic Board agreed YOT Manager recommended option.</p> <p>Performance reports are presented to both Boards and used for oversight of work.</p> <p>New Permanent YOT manager will implement.</p>	
4	The YOT Strategic Management Board to ensure that the partnership understands the reasons for the large disparity in education provision for children involved with the YOT compared with those in the general population and put plans in place to redress this.	<p>Subscribing to the Education Quality Mark to be considered.</p> <p>Looking at good practice in other YOT that could be introduced by Torbay YOT.</p> <p>Specific data sets to be shared, understood and monitored, with a focus on education, training, and employment (Monthly and quarterly).</p>	<p>SEND Quality Mark is in progress</p> <p>Joint work between YOT manager and Education Board member has established that the comparison is not valid due to different counting rules and predominance of over school age children in YOT caseload. Nevertheless, the monitoring of ETE levels is now very robust with analysis and solutions.</p>	
5	The YOT manager to develop and update policies, procedures and guidance for out-of-court disposals to improve joint decision-making and the quality of management oversight	<p>Review all policies and procedures and update as appropriate.</p> <p>Ensure annual review of the above are completed and a report is presented to the board, at relevant intervals to ensure meaningful oversight and sign off.</p> <p>Board members to take ownership of their relevant areas and contribute to the review and development of policies.</p>	<p>All policies are being reviewed on a schedule through 2022-3 and will be brought to the board for ratification by relevant lead officers</p> <p>Out of Court Disposal work has been comprehensively overhauled and improved with evidence of victims views, risk of harm to others and details of offence and arrest all circulated prior to a multi professional decision making group</p>	
6	The YOT manager to ensure that there is an	The OOCID Improvement Plan in place and all young people now	Out of court disposals improvement plan is reviewed at Strategic Board.	

	<p>assessment on all children receiving an out-of-court disposal and make sure that equal attention is given to desistance, safety and wellbeing, & risk of harm to others</p>	<p>receive an OOCDD pre panel assessment and risk assessment completed with victims.</p> <p>Relevant Board members to observe panels on a six-monthly basis</p> <p>Audit of OOCDD assessments to be completed by YOT manager on quarterly basis and report back to strategic board</p> <p>QA of OOCDD assessments with a focus on desistance, SWB and ROSH to be completed by op's manager.</p>	<p>Several Board members have now observed following their induction one to one session with YOT manager</p> <p>Deep Dive Review Audit due Sept 2022.</p> <p>Performance report goes to each Board.</p> <p>Quarterly progress/impact report to be presented to the board</p>	
7	<p>The YOT manager to ensure that staff have access to the buildings and facilities they need to deliver services to children and families</p>	<p>YOT manager and Board members to complete scoping exercise to ensure that access to appropriate resources are available to enable YOT workers to deliver trauma recovery and restorative focused work with our most vulnerable young people. All work undertaken will be subject to covid compliance procedures.</p>	<p>YOT manager & Sarah Pengelly joint report to Jan 2022 Board.</p> <p>A range of community buildings have been visited, and options and costings are being explored.</p>	
8	<p>The YOT manager to embed processes for capturing feedback from children, parents and victims, and use this information to develop services.</p>	<p>Working group to be established, led by the YOT manager.</p> <p>Feedback report to the board – quarterly /six monthly</p> <p>Young people's views to be reflected at board meetings</p>	<p>We have linked with a national YOT pathfinder in engagement with children, as well as the Learning Academy.</p> <p>Limited by lack of hours of YOT analyst however this should be resolved in June 2022.</p> <p>Case studies are now being presented at each board</p>	

Common youth justice terms

ACE	Adverse childhood experience. Events in the child's life that can have negative, long lasting impact on the child's health, and life choices
AIM 2 and 3	Assessment, intervention and moving on, an assessment tool and framework for children who have instigated harmful sexual behaviour
ASB	Anti-social behaviour
AssetPlus	Assessment tool to be used for children who have been involved in offending behaviour
CAMHS	Child and adolescent mental health services
CCE	Child Criminal exploitation, where a child is forced, through threats of violence, or manipulated to take part in criminal activity
Children	We define a child as anyone who has not yet reached their 18th birthday. This is in line with the United Nations Convention on the Rights of the Child and civil legislation in England and Wales. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.
Child First	A system wide approach to working with children in the youth justice system. There are four tenants to this approach, it should be: developmentally informed, strength based, promote participation, and encourage diversion
Child looked-after	Child Looked After, where a child is looked after by the local authority
CME	Child Missing Education
Constructive resettlement	The principle of encouraging and supporting a child's positive identity development from pro-offending to pro-social
Contextual safeguarding	An approach to safeguarding children which considers the wider community and peer influences on a child's safety
Community resolution	Community resolution, an informal disposal, administered by the police, for low level offending where there has been an admission of guilt
ECM	Enhanced Case Management – a psychology-based approach for youth justice services to work with children.
EHCP	Education and health care plan, a plan outlining the education, health, and social care needs of a child with additional needs
ETE	Education, training, or employment

EHE	Electively home educated, children who are formally recorded as being educated at home and do not attend school
EOTAS	Education other than at school, children who receive their education away from a mainstream school setting
FTE	First Time Entrant. A child who receives a statutory criminal justice outcome for the first time (youth caution, youth conditional caution, or court disposal)
HMIP	Her Majesty Inspectorate of Probation. An independent arms-length body who inspect Youth Justice services and probation services
HSB	Harmful sexual behaviour, developmentally inappropriate sexual behaviour by children, which is harmful to another child or adult, or themselves
JAC	Junior Attendance Centre
MAPPA	Multi agency public protection arrangements
MFH	Missing from Home
NRM	National Referral Mechanism. The national framework for identifying and referring potential victims of modern slavery in order to gain help to support and protect them
OOCD	Out-of-court disposal. All recorded disposals where a crime is recorded, an outcome delivered but the matter is not sent to court
Outcome 22/21	An informal disposal, available where the child does not admit the offence, but they undertake intervention to build strengths to minimise the possibility of further offending
Over-represented children	Appearing in higher numbers than the local or national average
RHI	Return home Interviews. These are interviews completed after a child has been reported missing
SLCN	Speech, Language and communication needs
STC	Secure training centre
SCH	Secure children's home
Young adult	We define a young adult as someone who is 18 or over. For example, when a young adult is transferring to the adult probation service.
YJS	Youth Justice Service. This is now the preferred title for services working with children in the youth justice system. This reflects the move to a child first approach
YOI	Young offender institution

Meeting: Cabinet **Date:** 14 June 2022

Wards affected: All

Report Title: Community Safety Case Management System Contract Approval

When does the decision need to be implemented? 29 June 2022

Cabinet Member Contact Details: Cabinet Member for Corporate and Community Services, Councillor Carter

Director/Divisional Director Contact Details:

Divisional Director for Corporate Services, Matthew Fairclough-Kay

Divisional Director of Community Safety & Customer Services, Tara Harris

1. Purpose of Report

- 1.1 The current contract for the case management system in Community Safety and Customer Services is due for renewal. This particular system is used to record actions taken by all of the service areas e.g., calls, complaints, service requests, sample results, visits, and inspections. It provides management reports and statutory returns, for example the Food Standards Agency LAEMS returns. The system records information appropriate to the wide variety of inspection and investigation types carried out and retains a history of actions for the provision of information. The current contract is due to expire on 31st August 2022. Therefore, a review was commissioned by Tara Harris, Divisional Director of Community Safety and Customer Services and has been undertaken by Business Improvement and Change to identify an alternative solution. This report is the product of that review.
- 1.2 The current system is nearing end of life, is underperforming, and is not fit for the purpose of hybrid or remote working conditions. Initial research through the publishing of an Expression of Interest (EOI) have shown that there are multiple alternative cloud-based solutions to replace both the current system and another application for licensing that is also used in day-to-day business. This licensing software currently incurs an additional annual cost and requires lengthy manual inputting of information. A replacement would see a single new case management system, increasing efficiency. Due to the specialist nature of the application outputs, this system cannot be replaced by the CRM.
- 1.3 Costs of these software packages increase every year in line with inflation or higher, and because of the way the contracts are offered by the current provider, there is a further lump sum required at the end of each contract period for the renewal and continuation of service as usual. There are further costs behind these software packages such as staff

time and resources required to manually input information and process the tasks on the systems, which can be reduced or avoided with the procurement of a new cloud-based system.

2. Reason for Proposal and its benefits

- 2.1 The proposal is for the rebuy of licenses for two years and two months from 29th June 2022 with the option to extend a further one year from 31st August 2024, if required at that time. It is essential to procure this contract for Community Safety services to continue business as usual while the procurement and implementation of an alternative cloud-based system takes place. The procurement of an alternative case management system is expected to take at least two years and is detailed in Appendix 2.

3. Recommendation(s) / Proposed Decision

1. That a 2+1 year contract for a Community Safety Case Management System be approved as set out in Exempt Appendix 3.
2. Cabinet to note that this will be funded from existing budgets.

PART 2 - Appendices

Appendix 1 - Supporting Information

Appendix 2 - Timeline

Appendix 3 - Costs

Document is Restricted