

Monday, 5 June 2023

CABINET

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

Tuesday, 13 June 2023

commencing at **5.30 pm**

The meeting will be held in the Burdett Room, Riviera International Conference Centre, Chestnut Avenue, Torquay TQ2 5LZ

Members of the Committee

Councillor David Thomas (Chairman)

Councillor Bye

Councillor Tranter

Councillor Chris Lewis

Councillor Tyerman

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

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

CABINET AGENDA

1. Apologies

To receive apologies for absence.

2. 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.)

3. Urgent Items

To consider any other items the Chairman decides are urgent.

4. Matters for Consideration

5. Special Educational Needs and Disabilities (SEND) Local Area Strategy

(To Follow)

To consider a report that sets out the priorities of the Local Area SEND Strategy.

6. Torbay Youth Justice Plan 2023-24

(Pages 4 - 45)

To consider a report that seeks approval of the annual Youth Justice Plan.

7. Needle and Syringe Provision - Award of Contract

(Pages 46 - 53)

To consider a report that seeks approval to award the contract for the needle and syringe provision.

8. Corporate Cleaning Contract

(Pages 54 - 58)

To consider a report on the above.

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 loses connection the meeting will continue and they will have the option to follow the meeting via the YouTube live stream.

Meeting: Cabinet **Date:** 13th June 2023

Wards affected: All

Report Title: Torbay Youth Justice Plan 2023-24

When does the decision need to be implemented? 30th June 2023

Cabinet Member Contact Details: Cllr Nick Bye, Cabinet Member for Children's Services,
nick.bye@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 are to prevent children from offending, reduce re offending and prevent children entering custody.
- 1.3 The national Youth Justice Board (YJB) has released new guidance on the production and contents of the [Youth Justice Plans for 2023-24](#), Torbay's plan has been updated in accordance with this guidance.

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 directly contributes to the delivery of these three aspects of the 'Thriving Community' element of the Corporate Plan by its direct work with children to address the causes of their offending behaviour and the impacts for families and victims.

2.2 The local authority has a statutory duty to submit its Youth Justice Plan by 30th June 2023. Failure to do so may result in YJB funding being withheld or delayed resulting in a reduced or delayed service as specified within the plan.

3. Recommendation(s) / Proposed Decision

1. That Cabinet approves the Torbay Youth Justice Plan 2023-24 as set out at appendix 1 for its submission to the Youth Justice Board.

Appendices

Appendix 1: TORBAY YJP V2 2023

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 2023. 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 2023-24 of £282,900 as part of a total budget of £855,300. The Youth Justice Board (YJB) is the next largest contributor granting £239,100, the remaining budget is made up of contributions for the other partners and other specific grants. Additionally, partners contribute £179,196 'in kind' through the secondment of workers to the service. See Appendix 2 in the Youth Justice Plan 2023-24 for more details.
- 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 YOTs as Youth Justice Services (YJSs), 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 for the service with specific meetings held to oversee the development of the plan.
- 5.2 Staff were involved through team meetings and workshops 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. Over 90% 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 has 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 The Youth Justice Service works with some of the most vulnerable and deprived children and families within Torbay as is evidenced within chapter 8. 'Performance' section of the plan which shows that 70% children known to the service are living in poverty (in receipt of free school meals), 30.4% have Special Educational Needs and an Education and Health Care Plan (EHCP), and almost three quarters are already known to Children's Services.

10. Cumulative Council Impact

- 10.1 None

11. Cumulative Community Impact

- 11.1 None



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TORBAY YOUTH JUSTICE PLAN 2023-24

Contents

1. [Introduction, Vision and Strategy](#)
2. [Child First](#)
3. [Voice of the child](#)
4. [Governance, leadership and partnership arrangements](#)
5. [Board Development](#)
6. [Progress on Previous Plan](#)
7. [Resources and Services](#)
8. [Performance](#)
9. [National Key Performance indicators](#)
10. [Priorities](#)
11. [Children from Groups that are over-represented.](#)
12. [Prevention](#)
13. [Diversion](#)
14. [Education](#)
15. [Restorative approaches and Victims](#)
16. [Serious Violence and Exploitation](#)
17. [Detention in Police Custody](#)
18. [Remands](#)

19. [Use of Custody](#)
20. [Constructive Resettlement](#)
21. [Standards for Children in the Justice System](#)
22. [Workforce Development](#)
23. [Evidence-based practice and Innovation](#)
24. [Evaluation](#)
25. [Service Development Plan](#)
26. [Service Development](#)
27. [Challenges Risks and Issues](#)
28. [Sign off, submission and approval](#)

[Appendix 1 Service Staff Structure](#)

[Appendix 1a Service Reporting Structure Chart](#)

[Appendix 2 Budget Costs and Contributions](#)

[Appendix 3 YJS Training Programme 2022-24](#)

1. Introduction, Vision and Strategy

Introduction by Chair of Torbay Youth Justice Board

As the chair of Torbay Youth Justice Service Strategic Management Board, I am pleased to present the Youth Justice Plan for 2023 -24. 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 children, parents, victims, and the wider community.

Last year we created a new vision and set of priorities for the service which we have used to drive improvements in performance and practice for the service. Later in this report you will see the significant progress we have made in many areas of our Improvement Plan, however, there remain some challenges that we have not been able overcome which we will remain focussed on in the year ahead.

I am particularly pleased to note our continued focus on our 'Child First' and Trauma Recovery Model approaches to working with children who come to the attention of the justice system. 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.

I remain concerned about the disproportionately high numbers of children with Special Educational Needs (SEN), Education and Health Care Plans (EHCPs) and those known to Children's Services in contact with the service. In response to this we created a new Prevention Service for children known to the Police, Education or Children's Services who would not previously have been offered a service to enable us to prevent them from offending. In December 2022 this was further expanded by Ministry of Justice (MoJ) funding under the Turnaround Programme.

Ed Wright

Chair of the Torbay Youth Justice Strategic Board

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’.

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 children 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, Ofsted and 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.

One very positive finding of the Ofsted / CQC inspection was that Torbay Youth Justice Service was recognised 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. This was further reinforced in June 2022 when the service achieved the prestigious Youth Justice SEND Quality Lead Mark with a Commendation for Child First practice at its first attempt. The award recognises the strategic, operational and child focussed systems, training and processes that are in place to support children with additional needs, as well as reviewing case studies and performance data.

2. 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. The summary report is [here](#)

3. 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.
- User Feedback Surveys – these are more general feedback forms to gather data about the child’s (as well as the parent or carer and the victim) overall perception of the quality of the service they received including things such as timeliness, location of delivery and did it make a difference.

In 2022 the service recognised that it needs to improve the consistency and useability of feedback from children to improve service delivery and inform both staff and the Strategic Management Board to on a more regular basis. We have created a small working group to improve the service feedback structures and processes and we have agreed 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, confidential and increase the ease of data analysis from the current paper only format. Once statistically reliable range of data has been gathered this will be analysed by the service management team, feedback to staff team and reported to the Service Boards alongside any improvement or change activity that is required.

4. 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 from all statutory partners, as well as representatives of the wider partnership at the appropriate level as described by the YJB guidance. 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 was 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 Head of Service 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 all non-seconded staff.

The staffing and accountability structures are provided in [Appendix 1](#) and [1a](#).

5. Board Development

An induction programme for board members 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. In the last year Board members have received briefings following two audits of work in the service. The first following the findings of national HMIP Thematic Audit on ETE and Youth Justice Services, three members of the Strategic Board took part in the audit alongside staff, reviewing case files and recordings. The second audit was on the service's work with victims against the Victims Code of Practice Standards (VCOP), however this was overtaken by the revised Key Performance Indicators (KPIs) from the Youth Justice Board (YJB) and the Ministry of Justice (MoJ) which includes new indicators for Victim work which the service has been focussing on ensuring readiness to report in 2023-24.

At each board meeting a different member of the staff team attends to present a case study of the work they do directly with children, parents or victims so the boards are update on operational level work. In early 2023 a case study looking at delays in the youth justice system led to a recommendation for a multi-agency review of the case and an After-Action Review will be taken place in April / May 2023.

In the year ahead we will be briefing the Board on the New Serious Violence duty and the service's plans to meet those duties as well as the new Victims Bill. Boards members also participate in the 'practice week' to observe workers doing their job either directly with children or completing other functions.

6. Progress on Previous Plan

The 2022-23 Improvement Plan was devised after the completion of the 2021 HMIP Inspection Action Plan in March 2022, it contains one action carried forward which remains unresolved that being: - item 2 'Secure access to suitable premises' which despite much work over the last years remains unresolved however a building has been identified and the service is currently seeking final approval and then planning permission for a change of use.

Last year's Improvement Plan is shown below which is reviewed at each Strategic Board meeting and was last updated for the Board meeting in March 2023. There were 15 areas identified for improvement (not including the 5 Deep Dive recommendations which overlap) there were 10 improvement actions that were **Green**, meaning they have either been completed or ongoing, or are on track to be completed. 3 were **Amber** meaning they were in progress but are behind the planned timescale for completion and 2 are **Red** meaning they are delayed with unresolved issues preventing progress. Uncompleted and some ongoing actions will be carried forward into 2023-24 Improvement Plan.

TYJS Improvement Plan 2022-23 (March 2023 update)

	Area for Improvement / Outcome desired	Action	Timescale	Update	RAG
1.	Child First approach to all we do	<ul style="list-style-type: none"> a) All staff to be trained in Child First approach in youth justice service. b) Ensure that that TYJS adheres to the YJB Child First approach in all aspects of our delivery. 	Ongoing	<ul style="list-style-type: none"> a) 2 new staff on Child First Effective Practice Award b) Child First approach is assessed in all audits of youth justice cases. c) Child First session delivered to all staff at away day in on 8th Sept 2022 	Ongoing
2	Secure access to suitable child friendly, safe, accessible premises for delivery of face-to-face work	Locate & agree terms with suitable delivery locations in Torquay and Paignton	Dec 22	Torr Abbey Lodge has been identified as a suitable building & location for face-to-face delivery, it is currently being redecorated and subject to final approval and ratifications should be available for use within the next 2 months.	In progress
3	Further development of Trauma Recovery Model (TRM) through an Enhanced Case Management (ECM) approach with Child and Adolescents Mental Health Service (CAMHS).	Reshape the CAMHS resource to include Psychologist input to meet ECM best practice guidelines	March 23	Psychologist input has not been achieved but YJS has accessed FCAMHS input, and the Trauma Champion has provided additional training re the TRM.	Delayed
4	Review the role and provision of CAMHS to the Youth Justice Service	Ensure that children at TYJS have access to suitable accessible mental health services either through CAMHS staff or another provider.	Jan 22	CAMHS have agreed 1.5 days cover through the new worker appointed to Devon YJS. The advert is back out again for the Torbay post. YJS has had discussions with the Children's Society with a view to commissioning a mental wellbeing provision from them, but they currently have no capacity to offer a service.	Delayed (revised by 31.3.23 SB)
5	Increase Targeted Prevention and Early Intervention work with those coming to the attention of the youth justice systems	Create referral criteria & pathway for prevention cases.	July 22	We have updated and revised the Prevention service to include the new criteria, assessment, tracking and funding requirements under the MoJ Turnaround funding. We have filled the 1.5 fte posts and we are on target to deliver the target by end of March 23.	Ongoing
6	Ensuring children in contact with the Youth Justice Service are in appropriate education, training or employment	<ul style="list-style-type: none"> a) Achieve the SEND Quality Mark. b) Complete a Deep Dive re Education following on from the HMIP Thematic Review of YOTs and education, & the new Practice Guidance 	June 22 Sept 22	<ul style="list-style-type: none"> a) SEND Quality Lead Mark achieved in June 2022 & valid for 3 years. b) Deep Dive Audit in July / August with report brought to the Sept 22 Strategic Board with recommendations for improvement activity. Update report at March 2023 Board. 	Completed
7	Swifter Justice - reduce delays across whole youth justice system	<ul style="list-style-type: none"> a) Create a system to track all youth cases from arrest to court. b) Devise an approach to influence all 	Sept 22 Nov 22	<ul style="list-style-type: none"> a) TYJS HoS is leading on this for the LCJB for the D&C police area. b) TYJS data analyst will scope work in Aug / Sept 22 – completed. 	In progress

		organisations awareness and reduce delays		<ul style="list-style-type: none"> c) Link with Police partners through Youth Inspector role & specifically work re OoCD consistency. d) Case study to both Boards in September 22 and Jan 2023, with After Action Review planned for Jan 23 case study. 	
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.	<ul style="list-style-type: none"> a) Increase TYJS resource gather feedback from all service users b) Review our systems and methodology for ensuring feedback is used to improve services 	<p>August 22</p> <p>Nov 22</p> <p>Jan 23</p>	<ul style="list-style-type: none"> a) Participation worker has been appointed and was due to start in Jan 23 but this was delayed until March 23 due to a JE matter. b) Brief feedback summary to Board in Jan 23 c) We have reviewed our systems for gathering feedback but have not implemented these fully yet. 	In progress
9	More positive activities and opportunities for children.	<ul style="list-style-type: none"> a) Support the development of the new Torbay Youth Offer. b) Support the YIF bid application 	<p>Jan 23</p> <p>Dec 22</p>	<ul style="list-style-type: none"> a) TYJS Manager to be involved in development of the Youth Offer Review & re commissioning process b) TYJS Manager is part of the YIF Bid planning grp 	Ongoing
10	Improve the visibility and understanding of Youth Justice Service work – telling the good stories of children & the work of the YJS	Liaise with Torbay Council communications dept to develop better communications to inform the public & community about TYJS (website, leaflets, news articles?)	March 23	<ul style="list-style-type: none"> a) New name, logo and branding have been developed and are now being used. b) Website is being planned first meeting in Jan 23, early developmental work is now taking place. 	On Track
11	Be Victim focussed in all we do and develop further our restorative offer	<ul style="list-style-type: none"> a) Complete and audit of our work against the Victims Charter b) Improve our victim engagement & satisfaction rating 	<p>Oct 22</p> <p>March 23</p>	<ul style="list-style-type: none"> a) Audit has been completed with report to March 2023 Board. Links made to Police Victim officer. b) Victim Satisfaction survey has been developed & trialed and will go live March 23 	On Track
12	Improve communication between the Management Boards and the staff team.	<ul style="list-style-type: none"> a) Increase staff attendance & engagement with the Boards. b) Increase board members involvement in the service eg Audit activity, staff meetings and conferences etc 	<p>July 22</p> <p>Mar 23</p>	<ul style="list-style-type: none"> a) Staff attending both Boards to present Case studies and reports on their areas of work. b) Ops and Strat Board members involved in planned audit activity 	Ongoing
13	Improve the quality and quantity of data and analysis to ensure the board and the service is meeting the needs of children.	Increase the data analyst resource to improve the range and quality of reporting to both the board and staff team	June 22	<ul style="list-style-type: none"> a) Data analyst started full time with TYJS in June b) Data analyst has started linking with other agencies to share data to improve the quality and range of data analysis reports 	Completed
14	Revise and update quality assurance framework for the service	TYJS Leadership team to review policy	Sept 22	This has been completed and signed off by both Boards and is now adopted	Completed
15	To form and sustain working arrangements	Ensure that all statutory & relevant partner	Mar 23	ToR for both Boards revised and register of attendance established for both.	Completed

	with all partnerships and service providers to ensure that children receive coordinated support that meets their needs.	organisations are represented at TYJS Boards, so that operational services are coordinated, and issues can be resolved.			
	Deep Dive April 2022 Recommendations				
16	The YOT should continue to build its relationships with other Boards operating across the council area, children's focused services and the Children's Continuous Improvement Board.	See action 15 Additionally, TYJS will be reporting to the CCIB and the CSP Board.		TYS HoS now reports regularly to CCIB & CSP, as well as other local and Peninsular strategic boards eg LCJB	Completed
17	Continue work to secure a range of local facilities that are fit for purpose to enable services to be delivered effectively to children.	See action 2			In progress
18	Continue to develop the YOT Board so that its members individually and collectively become significantly influential in the development of an effective and efficient Youth Offending Service.	See action 15 Induction briefing to be delivered for new members of the board, as well as briefings and input provided by external experts in the field as required.	Mar 23	<ol style="list-style-type: none"> 1. Ian Taylor YJS Manager Plymouth attended March 22 meeting to share experience of Plymouth experience & Good HMIP Inspection. 2. Simon Hardwick D&C Youth justice Inspector supports the development of board and updates re his proposals to change the governance arrangements. 3. Board member have been involved in auditing cases. 	Ongoing
19	Continue to build and implement a functional QA Framework that is informed by the voices of children and victims.	See action 14			Completed
20	Continue work to build and deliver a sustainable and effective prevention service.	See action 5			Completed

7. Resources and Services

Torbay Youth Justice Service Budget is a 'pooled' budget held by Torbay Council on behalf of the Board and the Strategic Partners and funding bodies. The annual budget is approved by the Strategic Board for the year ahead and expenditure is against the budget is reviewed six times a year at each Board meeting. Operational day to day expenditure is approved by the Head of Service under the financial regulations of Torbay Council and in line with any criteria for which the funding is given. All funding is used for the primary roles of the Youth Justice Service ie prevent offending and re offending, the delivery of our Improvement Plan and achieving the [Key Performance Indicators](#) laid out in this plan.

The two largest funders are Torbay Council and the Youth Justice Board each giving approximately one third of the overall budget with the final third made up of other partnership contributions and funding bodies for specific pieces of work. Over 90% of the budget is spent on staffing who are our key resource for delivery to children, with the remain 10% or less spent on resources, facilities and consumables. Additional to the funding from statutory partners the service receives 'contributions in kind' from organisations who second staff to the service these include: - Children and Family Health Devon, Devon and Cornwall Police, and Probation. The only area of significant variation in spend is money held in reserve for the rent and or refurbishment of a new face to face delivery location for the service. Several options have been explored through the year without success so far, currently we are waiting for pre planning advice re change of use for a building in Torquay. See [Appendix 2](#) for a more detailed breakdown of the budget.

8. Performance

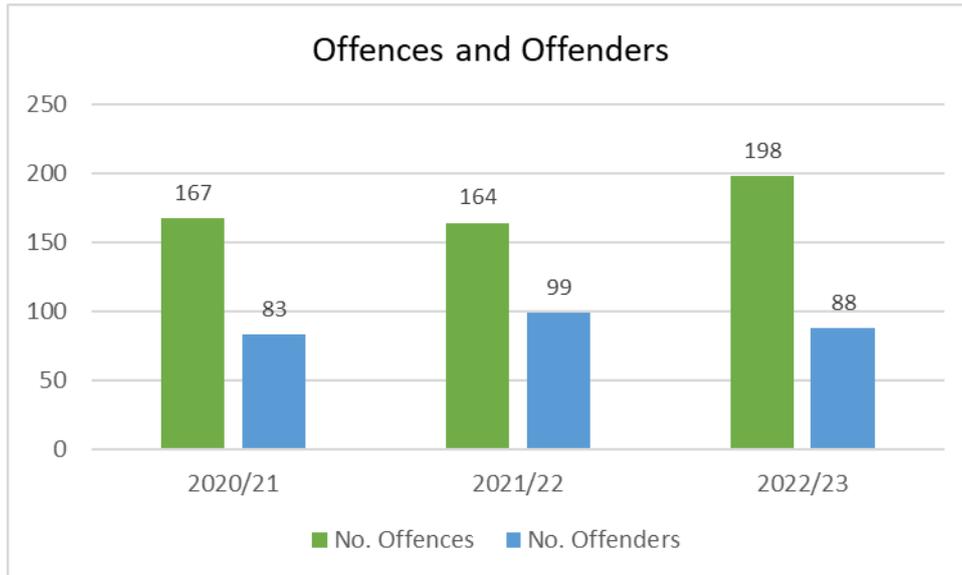
The service has improved its data collection, analysis and reporting to the Strategic and Operational Boards over the last year by increasing the hours of our dedicated data analyst. This has helped the service, and affiliated services, understand trends in offending and the demographics of the children we are working with in Torbay. There remains an over representation of children seen by the service with: - Special Educational Needs (SEN), Educational, Health and Care Plans (EHCPs) and those who are, or were, entitled to free school meals (as an indicator of living in poverty) and those known to children's services. In response to this we have provided extra training and development activities (see [Appendix 3](#)) for staff on understanding Trauma and its impact child and adolescent brain development and long-term consequences for communication and educational attainment and we will also be continuing the Trauma Champion role in the year ahead. We have also significantly improved the relationship with children's services and are working in much closer collaboration with the children and families open to both services.

The data within this plan is taken from both the Torbay Youth Justice Service's case management system - ChildView, and the YOT data summary published on a quarterly basis by the Youth Justice Board.

There is a caveat to this data though. Devon and Cornwall Police are transitioning to a new record management system (Niche), which will provide enhanced functionality and analytical capability. The change will deliver a significant uplift in the force's ability to record and report crime and incident data. However, during the transition period the information usually supplied to the YJS has been limited, as reliable quantifiable data is not available. The numbers in this report are likely to change when data flows are re-established.

Offences and Offenders

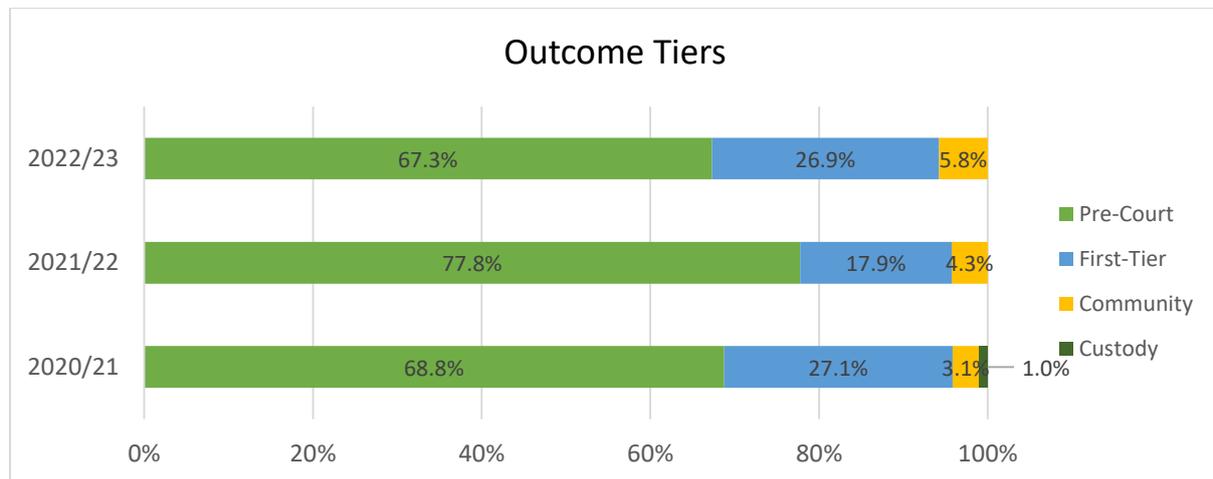
At the time of this report, the number of children who received an outcome for an offence during 2022/23 was fewer than in the previous year. However, the number of offences committed by these children was higher.



A possible reason for this increase in the number of offences per offender (1.65 in 2021/22 to 2.25 in 2022/23) is a rise in the number of motoring offences, as seen later in this report. This offence category often sees multiple offences recorded at the same time, for example, “Drive a motor vehicle otherwise in accordance with a licence” and “Use a motor vehicle without third party insurance” frequently go hand in hand.

A large proportion of children were diverted away from the formal youth justice system and the court processes during the previous year. 67% of outcomes administered in 2022/23 were pre-court. This proportion will increase when data flows are re-established as it is information regarding Police facilitated Community Resolutions that are not currently being received.

As in 2021/22 there were no custodial sentences given to Torbay children.



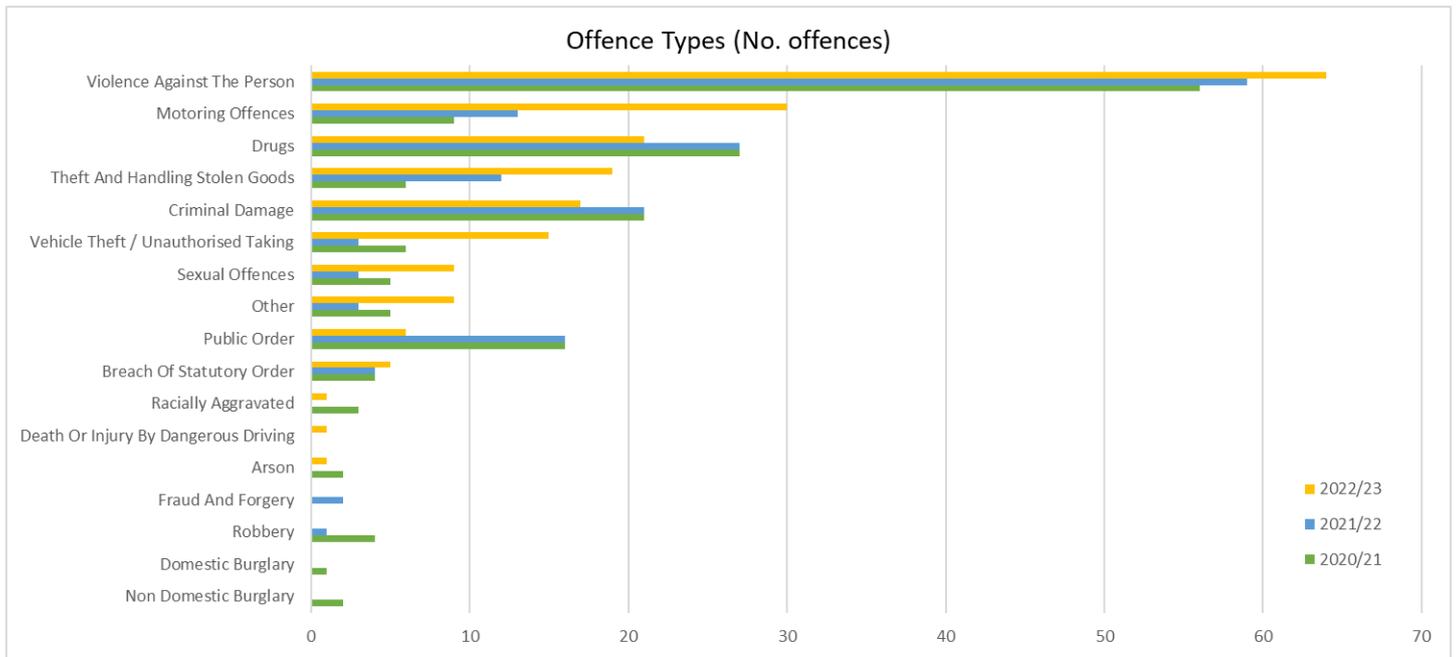
Year	Pre-Court	First-Tier	Community	Custody	Total
2022/23	70	28	6	0	104
2021/22	91	21	5	0	117

2020/21	66	26	3	1	96
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Offending Behaviour

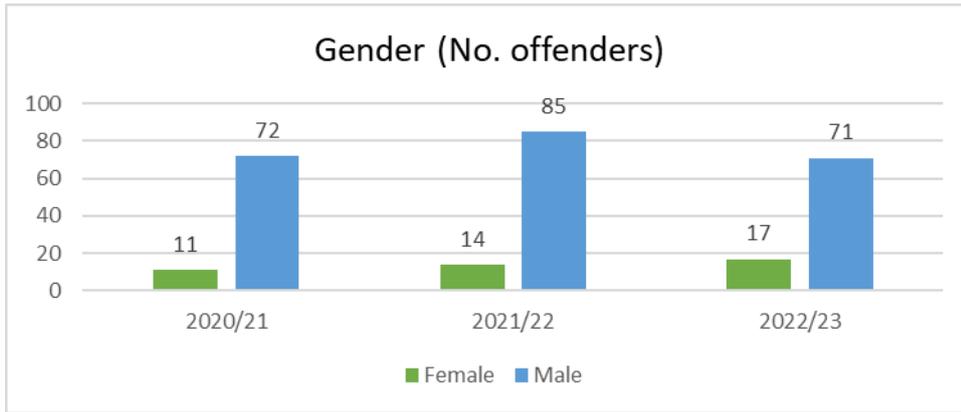
As in previous years **violent** offences were the most common during 2022/23, accounting for 32% of all offending. Current figures suggest that the number of **drugs** offences have reduced, but as the most frequently seen offence in this category (Possession of Cannabis) is often dealt with by a Police Community Resolution, these figures will need to be reconciled once this data is being received again. The number of **motoring** offences has increased from 13 (21/22) to 30 (22/33) and is the second most frequent offence type.

In terms of percentage increase **vehicle theft and unauthorised taking** offences have gone up the most from 3 in 2021/22 to 15 in 2022/23. Many, but not all, of these offences have been thefts of mopeds. In response to this trend the Police and partners have launched Operation Hawkbox, a multi-agency intelligence led response aimed to tackle the problem.

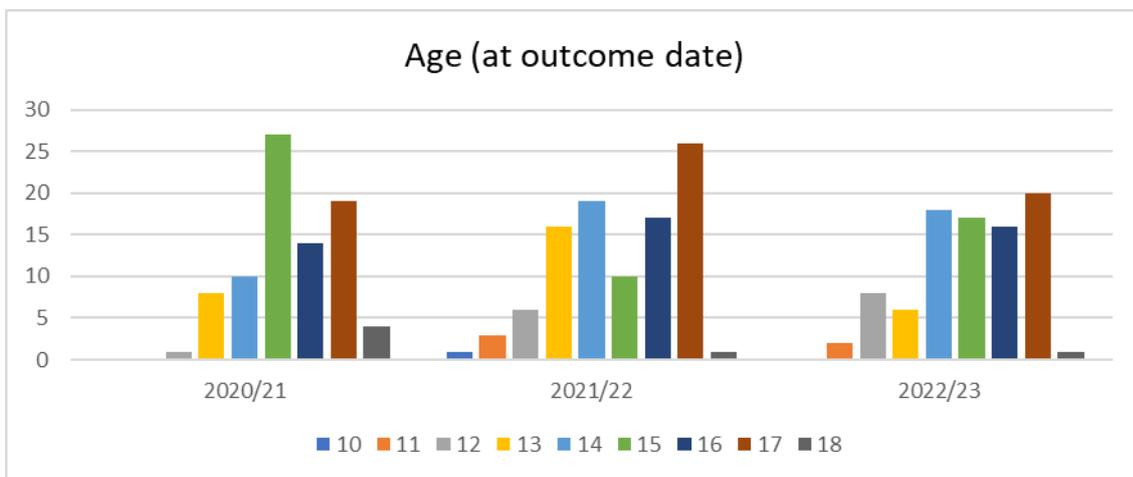


Offending Profile

The children receiving an outcome for an offence in 2022/23 are predominately male (81%). There has been an increase in the number of females for the second year in a row.



Most (81%) Torbay children receiving an outcome are aged 14+, with 17 being the most frequent age (25%).



YJS Children and Interventions

In 2022/23 Torbay YJS delivered 134 interventions to 102 children. 82 of these interventions were delivered as the outcome to an offence which is similar to the figure for 2021/22 – 79 interventions.

- 24 interventions were preventative (Prevention or Turnaround Programme)
- 35 diversionary interventions (YJS Community Resolution or Outcome 22)
- 18 pre-court substantive outcomes (Youth Caution or Youth Conditional Caution)
- 29 court ordered interventions (Referral Order or Youth Rehabilitation Orders)
- 22 voluntary support programmes (these can be pre or post an intervention linked to an offence)
- 6 bail support or remand programmes

The full breakdown is shown below:

Intervention Type	No.	%
Prevention Programme	21	16%
Turnaround	3	2%

Community Resolution with YOT Intervention	9	7%
Outcome 22 (Diversions, Educational or Intervention Activity)	26	19%
Youth Caution	2	1%
Youth Conditional Caution	16	12%
Referral Order	20	15%
Youth Rehabilitation Order	9	7%
Voluntary Support Programme	22	16%
Bail Support Programme	4	3%
Remand in Custody (YDA) YOI	1	1%
Remand to LAA Status/Programme	1	1%
Grand Total	134	

Links to wider services

Almost three quarters of the children supported by the Youth Justice Service were open to wider support with Children's Services. There is a more coordinated response across services to consider how we engage and consider joint plans to support these children.

- **7%** Early Help.
- **44%** Children in Need.
- **11%** Child Protection.
- **12%** Cared for / Care experienced.
- **26%** No additional support

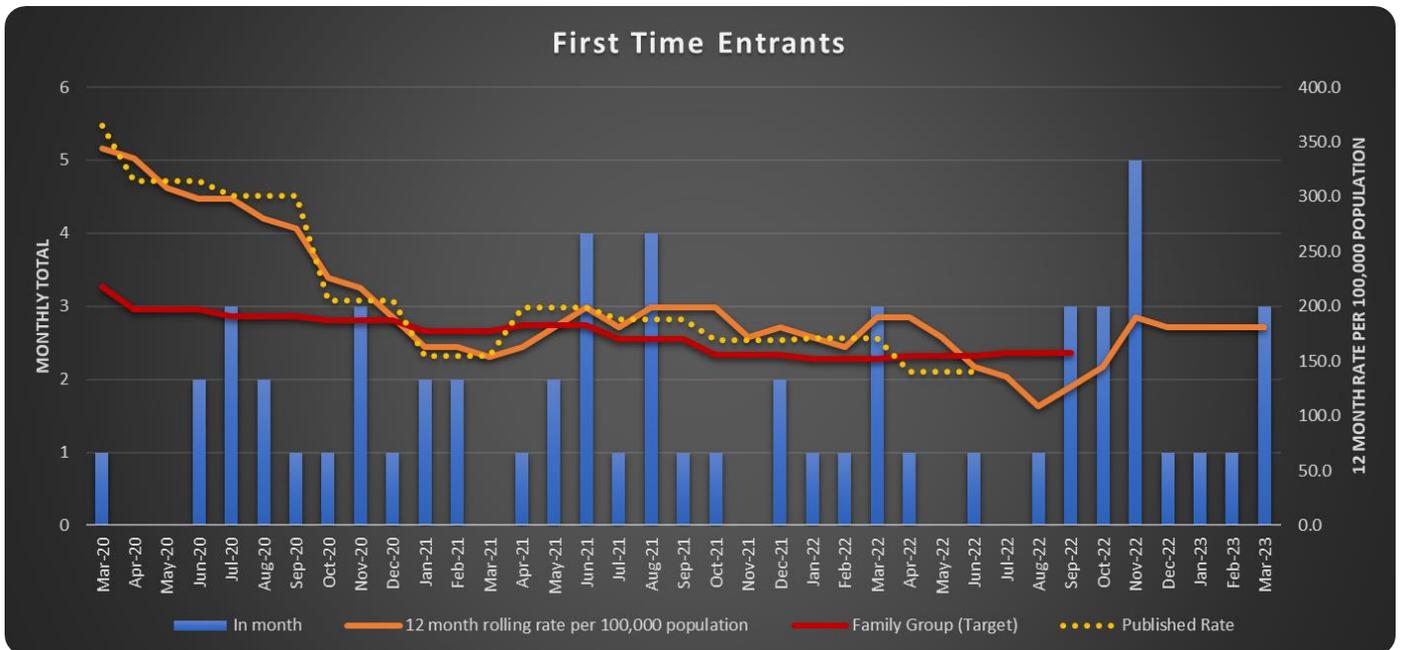
9. National Key Performance Indicators

First Time Entrants

The data for this indicator comes from both the local case management system (orange line) and the Police National Computer. The latter 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.

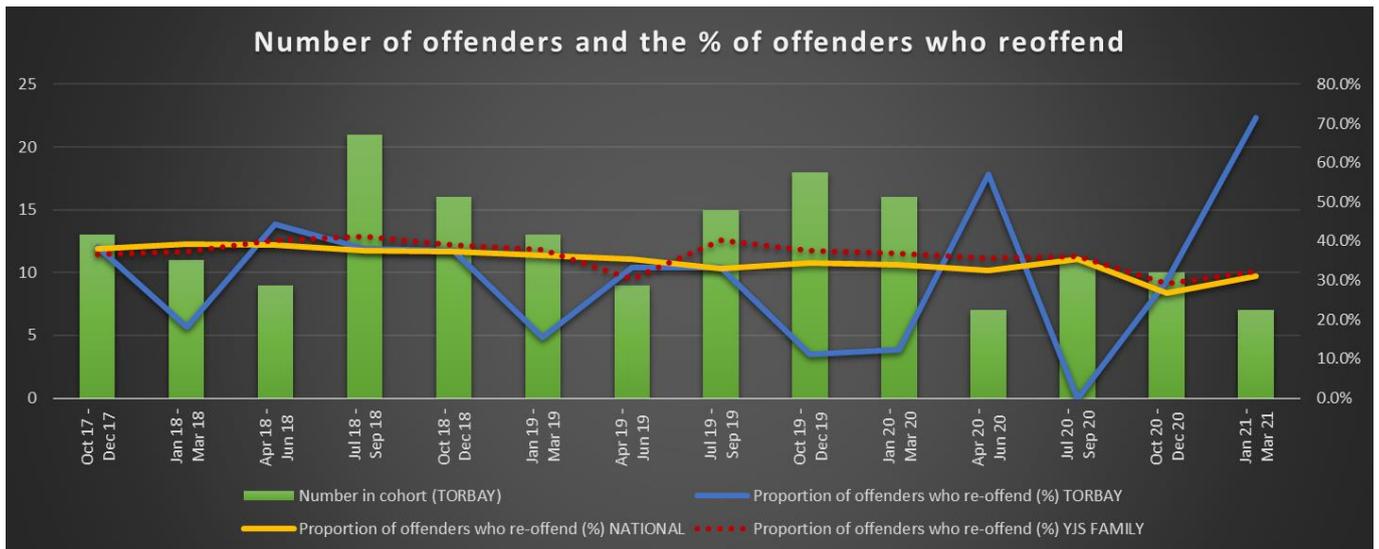
Historically this has been an area of poor performance for Torbay YJS, with the rate consistently above the family group and national. The local board committed to reducing the number of children in Torbay entering the formal youth justice system, setting a target to be below the family group of YOTs.

The chart below shows at that June 2022 (most recently published data for Torbay) that this target was achieved. Local data shows that the rate has gone up slightly at the end of 2022/23 but is still significantly below the high of March 2020.



Binary reoffending 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 who received a substantive outcome 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 this 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.



The most recently published MOJ national data for Torbay is the January to March 21 cohort tracked until March 22. 71% of these children reoffended which is above our target (to be below the family group of YOTs). This was a small cohort (7) of particularly vulnerable children. A comparison over a longer period compares more favourably with the target, tracking a 12-month cohort (Apr 20 to Mar 21) gives a rate of 34.3% for Torbay. (Family group 32.5% and national 31%).

In December 2022 a sample of local data was taken to look at reoffending rates for pre-court outcomes. The results were encouraging with low reoffending rates seen for many of the different outcome types.

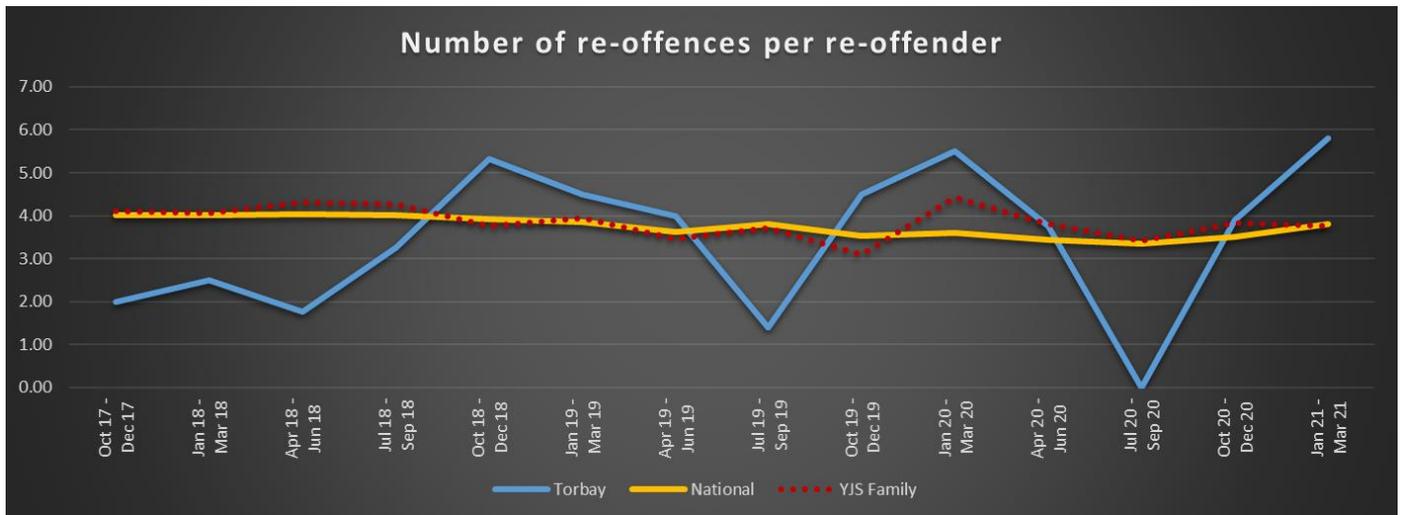
*Data for 2022 is up to and including the 30 June 2022 so the children in this cohort will not have had the full 12 months against which reoffending is measured.

REOFFENDING BY OUTCOME	2019			2020			2021			2022*			TOTAL		
	N	Y	%	N	Y	%	N	Y	%	N	Y	%	N	Y	%
Community Resolution (Police initiated)	19	5	21%	23	2	8%	41	5	11%	18	2	10%	101	14	12%
Community Resolution (YOT)	15	2	12%	16	3	16%	14	6	30%	1		0%	46	11	19%
Youth Caution	17	4	19%	4		0%	6		0%	1		0%	28	4	13%
Youth Conditional Caution	9	2	18%	13	5	28%	8	4	33%	4		0%	34	11	24%
Outcome 22							8	2	20%	8	1	11%	16	3	16%

Frequency of reoffending

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.

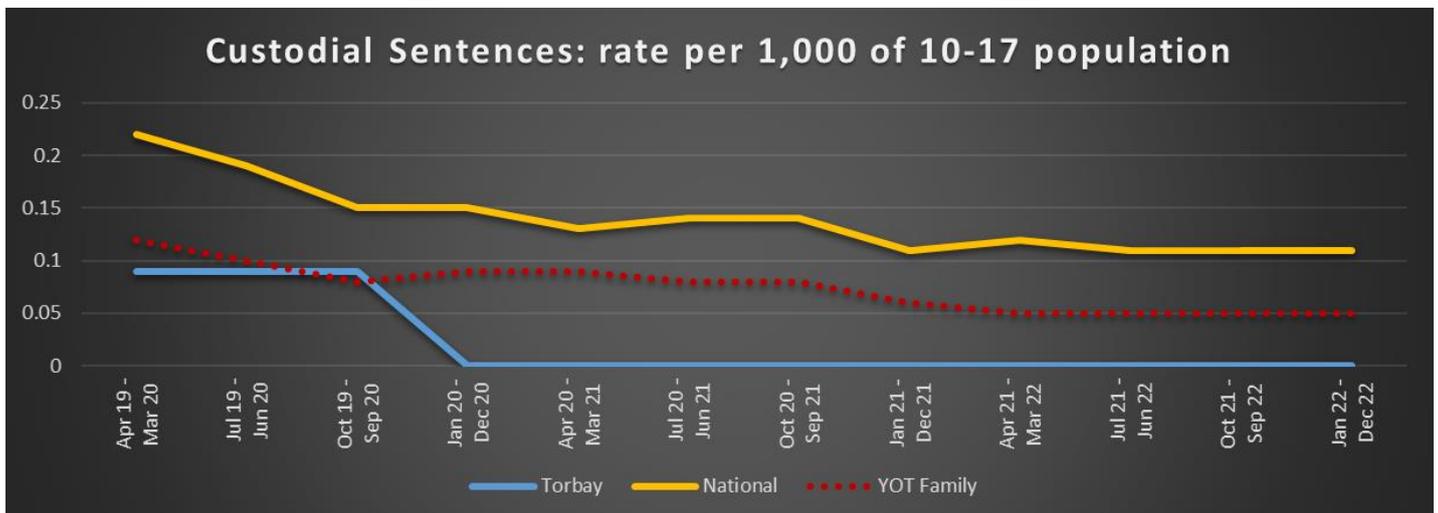
Due to Torbay’s small cohort size this rate is susceptible to large variances as one or two prolific offenders can have a large impact on the overall rate, as shown the blue line on the chart below.



Torbay’s target was to stay below the Family Group of YOTs and this was achieved in 2 of the previous 4 quarters. The most recent published number of reoffences (5.8) is above the family rate (3.8).

Use of custody

This 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.



Performance against this indicator continues to be below the YOT family group with no Torbay children receiving a custodial sentence in the previous 12 months.

New key performance indicators (from April 2023)

The youth justice system has developed significantly since the current set of KPIs were introduced. Whilst the number of children entering the system with a statutory disposal has fallen significantly, it is clear youth justice services are working with increasingly complex caseloads.

In view of this The Ministry of Justice has developed new KPIs to reflect areas that are strategically important in delivering effective services for children and will provide an understanding of how YJS partnerships are responding to this different context.

Torbay YJS is required to record KPI data from 1st April 2023. This date will be counted as the beginning of quarter one. All KPIs require YJSs to record the status at the start of the order, YJSs are therefore required to provide back-dated information for cases where the order starts before April 2023.

Torbay YJS are planning to undertake a preparation exercise in May 2023 using orders that have closed between 1st January 2023 and 31st March 2023 not only to test quality of data, but to also increase the confidence of case workers in correct recording.

Accommodation Suitability

This indicator will monitor the type of accommodation our children are living in, the suitability of that accommodation at both the start and end of their orders, and how far in advance accommodation was secured for those children leaving custody.

Torbay YJS position: recording systems in place and ready to report.

Education, Training and Employment

This indicator will monitor the number of hours provided and attended at the start of an order, on release from custody, and at the end of an order. We will also be required to report on the type and suitability of each child's provision.

Torbay YJS position: recording systems in place and ready to report. The suitability of ETE provisions is a new requirement but as we have a dedicated Education worker, we are well placed to capture this. Torbay YJS have also been given access to live attendance to record the number of hours attended.

Special Educational Needs and Disabilities

This indicator will track the number of children who were identified as having SEND assessed by a relevant practitioner, the number of children who had a formal plan in place, and the number of children identified as having a SEND and were in suitable ETE.

Torbay YJS position: recording systems in place and ready to report.

Mental Healthcare and Emotional Wellbeing

We will be required to report on the number of children who were receiving treatment for mental health or emotional wellbeing before coming onto the YJS caseload, those who had a YJS screened or identified need for an intervention, the number who have planned / were offered an intervention, and the number who went on to attend interventions.

Torbay YJS position: recording systems in place and ready to report. However, the lack of a dedicated CAMHS worker within the YJS will impact on performance.

Substance Misuse

This indicator will monitor the number of children receiving treatment for substance misuse not as a result of screening by the YJS, the number who were screened or identified as needing an intervention, and the number who were 1) offered, and 2) attended treatment.

Torbay YJS position: recording systems in place and ready to report.

Out of Court Disposals

We will be required to report on the number children who successfully completed intervention programmes in the period, and those who did not complete their intervention programmes that closed in the period.

Torbay YJS position: recording systems in place and ready to report.

Links to Wider Services

We will report the number of children who:

- who were a **currently care experienced** child at the order end date.
- who were on a **Child Protection Plan** at the order end date.
- who were **Child in Need/Child in Need of care and support** at the order end date.
- who were on an **Early Intervention Plan** at the order end date.
- who were already open to **Early Help services** prior to start of order.
- who were referred to **Early Help services**.

Torbay YJS position: recording systems in place and ready to report.

Management Board Attendance

Youth Justice Services are asked to record, based on the role and whether the partner was senior or delegated/non senior:

- Attended.
- Did not attend.
- If it was the partner's first time attending the meeting.

Serious Violence

Serious Violence is recorded in line with the YJB definition as any drug, robbery or violence against the person offence that has a gravity score of five or more resulting in a caution or court sentence. The KPI will measure the number of proven Serious Violence offences and the proportion of proven Serious Violence offences as a proportion of total offences in the quarter and will look at the demographic breakdowns of children cautioned or convicted for these offences.

Torbay YJS position: recording systems already in place and reported in existing quarterly returns.

Victims

We will be required to report:

- The number of children with an order closing who had an offence with an identified victim or victims.
- The number of victims who consent to be contacted by the YJS.
- The number of victims who engaged with restorative justice opportunities.
- The number of victims who were asked for their view prior to Out of Court Disposal decision making and for those who were asked for their view for planning for statutory court orders.
- The number of victims who requested information about the progress of the child’s case and of those the number of victims who were provided with information about the progress of the child’s case.
- The number of victims who asked for additional support should be counted.
- The number of victims who were provided with information on appropriate victim support services.

Torbay YJS position: Our Restorative Justice & Reparation Officer has attended training to ensure that this data is recorded correctly to meet the requirements of the KPI.

10. Priorities

The following priority areas have been identified by the Youth Justice Board which, are mainly related to the new Key Performance Indicators (KPIs) for 2023-24, which the Service will need to focus on for the year ahead they are: -

11. Children from groups which are over-represented.

Ethnic Disproportionality

The table below shows the children who received an outcome by ethnic group over the last 3 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.

Groups with less than 5 children have been redacted (~).

Ethnic Group	2020/21	2021/22	2022/23
Black, Asian or Minority Ethnic (BAME)	~	~	7%
Information Unavailable	~	~	0%
White	98%	96%	93%

There has been an increase in the proportion of BAME children receiving an outcome in 2022/23. The 2021 mid-year population data estimates that BAME children make up 6% of the local 10–17-year-old population so this figure would represent a slight over representation. It is positive to note that all these children were diverted away from the formal Youth Justice System with each child receiving a non-substantive pre-court outcome.

Known to Children’s Services

Almost three quarters of the children supported by the Youth Justice Service were open to wider support through Children’s Services:

- **7%** Early Help.
- **44%** Children in Need.
- **11%** Child Protection.
- **12%** Cared for / Care experienced.
- **26%** No additional support

Not in Mainstream Education

A disproportionate number of children are receiving their education outside of mainstream schools, with 30% registered with an alternative provision. The table below shows the breakdown by establishment type:

Establishment Type	No. children	%
Mainstream School	44	43%
Alternative Provision	31	30%
NEET	14	14%
Post 16 Education/Training	7	7%
Employed	6	6%

Special Education Needs

There is also an over representation of children who have an **Education, Health, and Care Plan** (EHCP). 30.4% of children worked with have an EHCP whilst the comparative figure for Torbay secondary school age children is 2.6%.

School **exclusions** are also a prevalent factor with the children we work with, 30% having experienced permanent exclusion from school and 86% one or more fixed term exclusion. In the year ahead the service intends to work closer with the new school exclusion panel which meets before any child is excluded from a school. We will also work with the Virtual School Head and the two extended duties leads for children on Child in Need (CIN) and Child Protection (CP) Plans to support education attendance and attainment.

Living in Poverty

A further indicator of vulnerability is children who are (or have been) eligible for **free school meals**. 70% of YJS children are or were eligible for free school meals and the comparative figure for all secondary school aged children in Torbay is 19.4% (2021/22).

12. Prevention

The Youth Justice Board (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 July 2022 Torbay Youth Justice Service expanded its prevention offer in recognition of the numbers of children known to other services who were entering the formal Youth Justice System after being arrested or charged with offences. The service agreed with the statutory partners a set of criteria for referrals for children who were exhibiting a range of worrying behaviours that research indicated correlate to an increased risk of offending. In December 2022 the Ministry of Justice (MoJ) and the Youth Justice Board (YJB) announced additional funding, called Turnaround, for just over 2 years with a very similar set of criteria. We have combined the Turnaround criteria and our local criteria under the Prevention programme to expand the offer. Between July 2022 and the end of March 2023 we have had 33 referrals (and accepted 24) to the Prevention programme. Referrals have mainly come from social workers for children who have a Child in Need (CIN) Plan, which is reflective of the enhanced model of joint working between Children's and Youth Justice services.

Devon and Cornwall Police are launching a weekly 'Intervention Clinic' in Torbay in 2023, which is an adapted version of an approach used in Devon. The clinic will review all the instances of intelligence reports for children in the last week to identify which children may need additional intervention to prevent offending. The Police based Youth Intervention Officers (YIOs) will be providing most interventions. Torbay Youth Justice Service will attend the clinics to see if referrals can be made to the Prevention service for those children that are closer to entering the formal justice system.

Torbay Youth Justice Service will also continue to offer voluntary support to children, parents and victims after any formal intervention or Court Order has ended.

13. Diversion

The Youth Justice Board (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. The intent is to stop further offending and avoid escalation into the formal youth justice system and potentially becoming a 'First Time Entrant' (FTE) which is one of the national measures for diversion and youth justice services.

Reducing the number of First Time Entrants has been a key priority and in the last 3 years we have seen a significant drop which has largely been through the creation and development of the Out of Court Disposal (OoCD) process. This allows Police to refer children who have committed low-level offences who would have previously been charged and potentially sentenced at court (and becoming both an FTE and get a criminal record) to be offered a voluntary intervention and support that potentially does not mean they become an FTE or get a criminal record.

Torbay Youth Justice Service is working with Devon and Cornwall Police and the three other Youth Justice Services in the southwest to improve the consistency and clarity of local guidance on the use of Out of Court Disposals as the national guidance and legislation is unclear leading to different interpretations locally and nationally. There is also a review of the National Police College guidance for Out of Court Disposals, links have been made to the YJB regional representative to our regional review. Positive progress has been made locally and it is hoped that this revised guidance will be agreed by the Devon and Cornwall Police and implemented later in 2023.

14. Education, Training and Employment

All children who are supported by the YJS have their educational needs assessed as part of their intervention. This is then reviewed periodically at meetings between the YJS Education Worker and colleagues from Torbay Council's Education Services, including SEN, and the CSW group.

At the start of their interventions 76% of the children were receiving full time Education, Training or Employment, 10% were registered with a provider but not meeting the required number of hours, and 14% were NEET.

A disproportionate number of children are receiving their education outside of mainstream schools, with 30% registered with an alternative provision. The table below shows the breakdown by establishment type:

Establishment Type	No. children	%
School	44	43%
Alternative Provision	31	30%
NEET	14	14%
Post 16 Education/Training	7	7%
Employed	6	6%

There is also an over representation of children who have an **Education, Health, and Care Plan** (EHCP). 30.4% of children worked with have an EHCP whilst the comparative figure for Torbay secondary school age children is 2.6%.

A further indicator of vulnerability is children who are (or have been) eligible for **free school meals**. 70% of YJS children are or were eligible for free school meals and the comparative figure for all secondary school aged children in Torbay is 19.4% (2021/22).

School **exclusions** are also a prevalent factor with the children we work with, 30% having experienced permanent exclusion from school and 86% one or more fixed term exclusion.

15. Restorative approaches and victims

Torbay Youth Justice Service has a stated priority to be ‘victim focussed in all we do’, this is part of the service’s duty for both public protection and to ensure public confidence that justice has been served. It also seeks to repair the harm caused by any offence through a range of restorative approaches and actions.

The Service commissioned an audit as part of the Service Improvement Plan in early 2022 using the national for Victims Code of Practice (VCOP) standards (sometimes called the Victim's Code). This took place before the announcement of new Key Performance Indicators (KPI’s) for victim work within Youth Justice Services. Because of these changes the audit was relatively ‘light touch’ as time and resources were needed to ensure the service was ready to report against the new KPIs from 1st April 2023 when they come into place. The Strategic Board accepted the findings of the audit and recognised the changes that were being made for the new KPI’s.

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

The service has developed and has launched a victim satisfaction survey so that victim's views can be used to inform and shape the service. We have redesigned and tested our survey which is now live and will be providing insight for future improvement activity when a robust level of data has been gathered. This survey will go online during the year as part of the plan to develop the service website as part of the Family Hubs website.

16. Serious Violence and Exploitation

The Youth Justice Board's operational definition of Serious Violence is any drug, robbery or violence against the person offence that has a gravity score of five or more. Robbery offences all carry a gravity score of 6 and gravity scores range from 1 (least serious) to 8 (most serious). The YJB Serious Violence Tool shows that for Torbay children there was one Serious Violence offence that received an outcome during the calendar year 2022. This equates to a rate of 0.8 per 10,000 of the general 10–17 year old population and is below both the YJS family group rate (4.1) and the national (6.3).

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, Torbay Youth Justice Service will work with other the other specified authorities and key partners to develop Torbay's response under the Duty.

A key aspect of the Service's 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.

In early 2023 the Service will pilot a role for 1 year for a Serious Youth Violence and Healthy Relationships worker to work directly with children who have witnessed or been subjected to Domestic Violence, or who have committed violent offences and provide interventions to support the children to form positive healthy relationships.

The Head of Service for Torbay Youth Justice is a core member of the Torbay Channel Panel and offers support through discussion at Panel as well as intervention and support to children where appropriate. 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.

The Service has good working relationships with the local Exploitation Team based within Children's Services as well as the multi-agency partnership meetings of Child Exploitation and Missing Operational Group (CEMOG) which the Service's Team Manager and Police Officer attend and the strategic Child Young Person Exploitation Group (CYPEG) which the Head of Service attends. A red Exploitation Toolkit is one of the criteria for referral to the Prevention Service.

17. Detention in police custody

The service currently does not have access to data on children held in police custody for the Torbay area. Historically we have not had this information or Stop and Search data, we are currently working with Police colleagues to obtain this, but this has been delayed due to the implementation of the new Police system NICHE within Devon and Cornwall. We have established links with the senior data analyst within the Police and as soon as the issues with the new system are resolved we should be able to have access to this information.

18. Remands

In 2022-23 the service has only had one remand into custody for a child, who has since become an adult, and one remand into Local Authority Accommodation. The small number is very positive for children as they are not subjected to disruption of their lives unless they are very likely to receive a custodial sentence. Torbay Youth Justice Service has good relationship with the local Youth Magistrates and the Chair, and the Vice Chair of the Youth Panel sit on the Strategic and Operational Boards. Magistrates have been briefed on the changes to Remand thresholds as part of the briefings for the Boards, and in June 2023 the Youth Justice Head of Service will be briefing the Magistrates Youth Panel on youth justice matters at a training event. The Service has made significant steps to improve the relationship and understanding of our differing roles with Children's Services social care and Education over the last year and this had led to closer working to ensure better coordination of services for all children we are working with and specifically those at risk of remand. However there remains a national and local challenge in finding suitable and available placements for children at all levels of the care system and particularly when a child is subject to criminal proceedings. The Strategic and Operational Boards are well sighted on this matter as is national government who have recently published a consultation '[Children's social care: stable homes, built on love](#)' which the service is working with Children's Services to provide a joint response.

19. Use of Custody

No children have been sentenced or were serving a custodial in 2022-23. Two members of staff recently attended the briefing day at PARC Young Offenders Institute (YOI) having not been to a custodial establishment before, they reported that it was very enlightening.

20. Constructive Resettlement

No children have been released from custody in the last year and there are none currently in custody to be released. The service will review its Resettlement Policy this year as part of its cycle of reviewing all policies every 3-4 years.

21. Standards for Children in the Justice System

The service last completed a [YJB National Standards](#) Audit in 2019 and the subsequent action and improvement plan was been completed. The audit will be refreshed in 2023-24 when we will have a full management team in place to increase our capacity to compete and audit in line with recommendations by the YJB.

22. 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).
- The service's Trauma Champion was also the Trauma Lead for the Southwest and has brought considerable knowledge and training to the staff team and will be continuing in her role in Torbay.
- Over the last 12 months new 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.
- 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.
- SEND - as part of TYJS development of the Youth Justice SEND Quality Leader Award all staff have been involved in a monthly refresher training programme re all aspects of the standards and knowledge.
- [Appendix 3](#) is the timetable of training that took place last year and into 2023-24

23. 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 redeployed a member of staff to be its Trauma Champion to support the development of the nationally recognised (within youth justice services) Enhanced Case Management (ECM) approach. The Torbay Trauma Champion has also shared a role leading the Trauma Champions across the Southwest which means she has a high level of expertise. The ECM approach is a further development of a psychological model of understanding of the child's development through case formulation.

The service developed a 'Prevention' offer based on the indicators of the likelihood of children entering the formal justice system prior to the announcement from the Ministry of Justice of funding for Turnaround. The criteria for Turnaround are very similar to the established local Prevention offer criteria therefore Turnaround was merged into the Prevention programme. This will result in more children than just those that meet the Turnaround criteria being seen and at an earlier stage. We have been particularly successful getting referrals for children on CIN plans and are working with Police to increase their referral rates for children identified at the new Police led 'Intervention Clinic'.

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 reduction of the number of First Time Entrants (FTEs) into the formal justice system which is a significant improvement, and we remain above just below the family group average despite a recent increase in numbers. 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.

24. Evaluation



In 2022 the service has achieved the prestigious Microlink Special Education Needs and Disability (SEND) Quality Mark for youth justice services with a Commendation for Child First practice, this required the service to audit current practice and address any gaps identified. Good practice within the service was recognised as part of the SEND inspection of Torbay in 2021-22 which the service has built upon.

Torbay Children’s Services of which Torbay Youth Justice Service is a part, have been awarded Registered Restorative Status by the [Restorative Justice Council](#), the first Children Services in the UK. The Youth Justice Service was part of the audit of training, working practices and policies to achieve this status helped by our experience of working in Restorative Justice over a long period of time.



25. Service Development Plan

	Area for Improvement / Outcome desired	Action	Timescale
1.	Child First approach to all we do	<ul style="list-style-type: none"> c) Ensure that that TYJS adheres to the YJB Child First approach in all aspects of our delivery. d) All staff to be trained in Child First approach in youth justice services. e) 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. f) Review our systems and methodology for ensuring feedback is used to improve services. 	<p>Ongoing</p> <p>July 23</p>
2	Secure access to suitable child friendly, safe, accessible premises for delivery of face-to-face work	Locate & agree terms with suitable delivery locations in Torquay and Paignton	Sept 2023
3	Further development of Trauma Recovery Model (TRM) through an Enhanced Case Management (ECM) approach with Child and Adolescents Mental Health Service (CAMHS).	<p>Reshape the CAMHS resource to include Psychologist input to meet ECM best practice guidelines</p> <p>Scope and agree the options for accessing and funding of psychology input to meet ECM best practice guidelines</p>	Nov 23
4	Review the role and provision of CAMHS to the Youth Justice Service	Ensure that children at TYJS have access to suitable accessible mental health services either through CAMHS staff or another provider.	Nov 23
5	Review the success of the Targeted Prevention Service for children coming to the attention of the youth justice systems.	<ul style="list-style-type: none"> a) Audit offending rates following intervention. b) Ensure Turnaround funding requirements are met 	July 23
6	Ensuring children in contact with the Youth Justice Service are in appropriate education, training, or employment	<ul style="list-style-type: none"> a) Complete the Action Plan from the ETE Thematic Review. b) 	Sept 23
7	Swifter Justice - reduce delays across whole youth justice system	<ul style="list-style-type: none"> c) Create a system to track all youth cases from arrest to disposal. d) Devise an approach to influence all organisations awareness and reduce delays 	<p>May 23</p> <p>Sept 23</p>

8	More positive activities and opportunities for children.	Support the development of the new Torbay Youth Offer.	July 23
9	Improve the visibility and understanding of Youth Justice Service work – telling the good stories of children & the work of the YJS	Liaise with Torbay Council communications dept to develop better communications to inform the public & community about TYJS (website, leaflets, news articles?)	Sept 23
10	Review the Quality of Youth Justice provision in Torbay.	Complete an audit against the YJB national Standards for Youth Justice Services.	Jan 2024
	Outstanding Deep Dive April 2022 Recommendation		
11	Continue work to secure a range of local facilities that are fit for purpose to enable services to be delivered effectively to children.	See action 2	Sept 23

26. Service Development

The service has a comprehensive training plan for staff see [Appendix 3](#) to keep staff updated and refreshed re best practice in Youth Justice. Staff are also involved in audit work for the service last year we completed audits against the HMIP ETE Theme Inspection findings and against the Victim Code of Practice. We have also a very competent staff champions for both Restorative Practice and Trauma. In 2023-24 we will complete an audit against the YJB National Standards and staff at all levels will be involved in this audit as peer auditors.

The service has also Requested and After-Action Review (AAR) of one its cases which will take place in 2023-24 and is also involved in a Multi-Agency Case Audit (MACA) re Child Criminal Exploitation (CCE) commissioned by Torbay Childrens Safeguarding Partnership (TSCP), 7 of the 10 cases are known to the service.

27. Challenges, Risks and Issues

The service has identified and 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 closure of Parkfield House due to Covid and its subsequent transfer to a community partnership 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 2 years despite many rounds of recruitment. The service is in ongoing negotiations with the CAMHS to resolve this and 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.

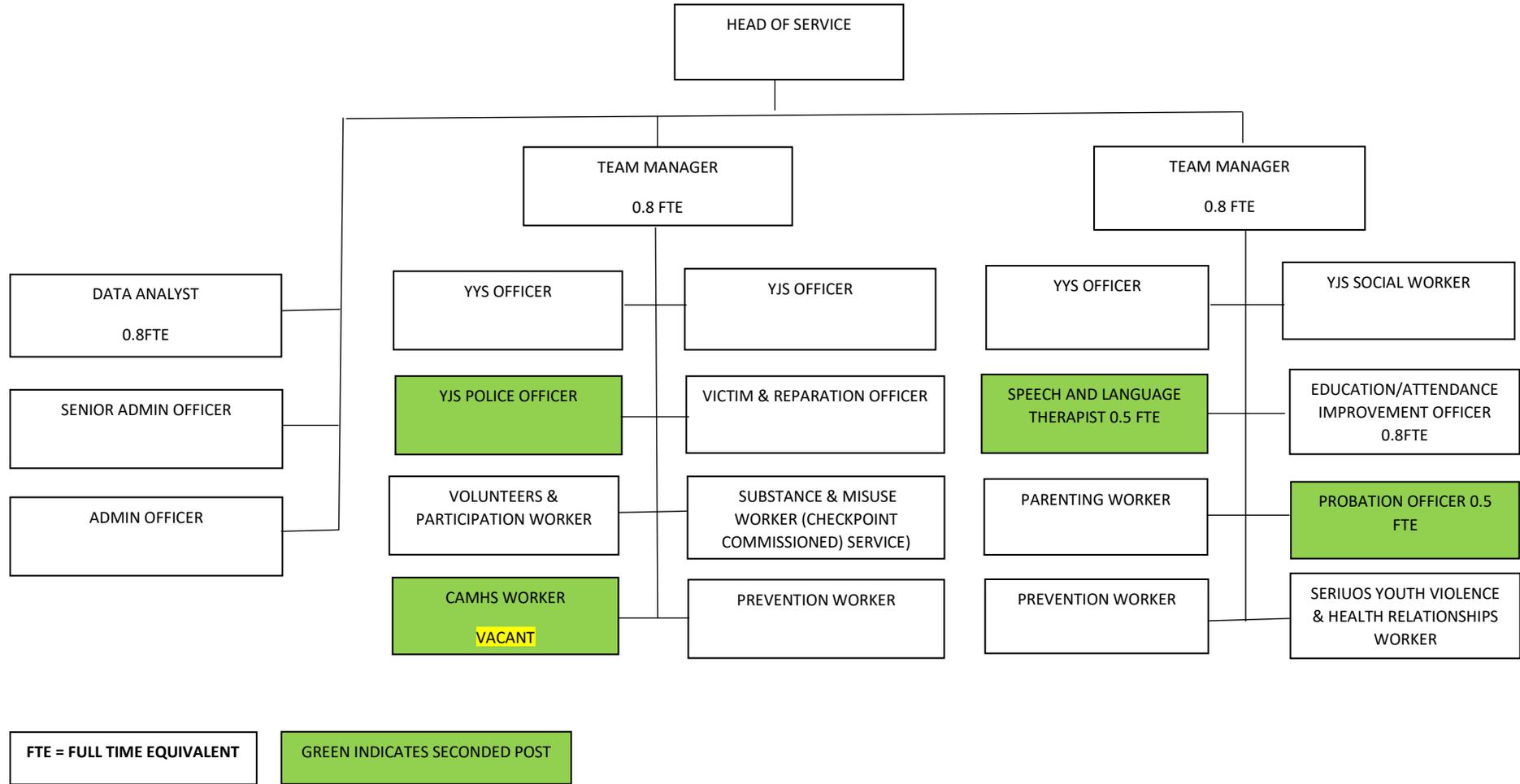
- iv) **Suitable available Child Care Placements and provision** – a small number of the children the service works with are in the care of the local authority and placed in children’s homes or care provision. In the last year we are aware that children, often the most vulnerable and high risk of our 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.

28. Sign Off, Submission and Approval

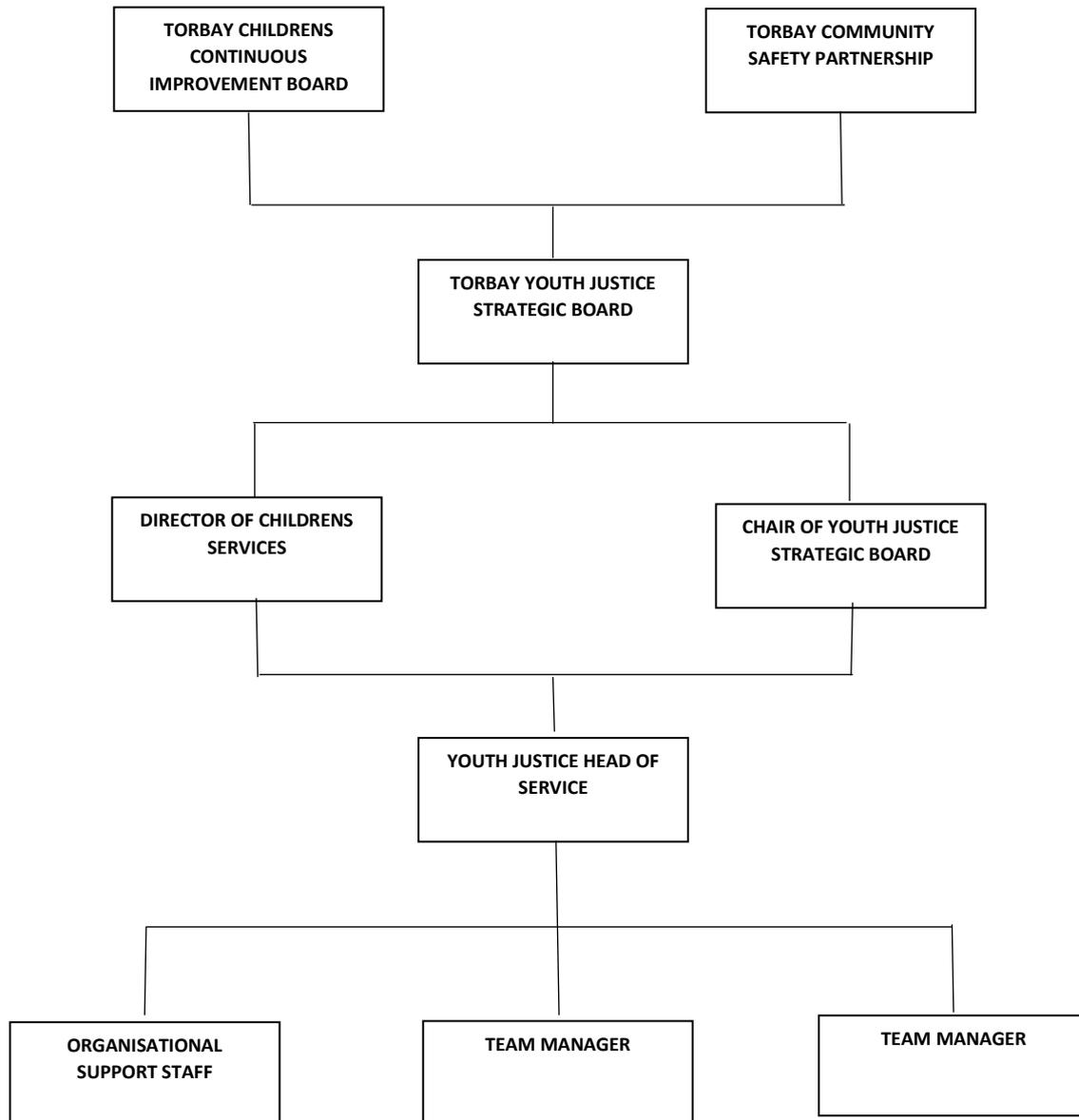
Chair of Torbay Youth Justice Service Board	Superintendent Ed Wright
Signature	
Date	

Appendix 1 Torbay Youth Justice Service Staff Structure

Page 38



Appendix 1a – Service Reporting Structure Chart



Appendix 2 DRAFT Budget Costs and Contributions 2023-24

Expenditure	
Staffing	830,300
Training	1,600
Rent	10,000
Service Provision	8,500
Travel	2,300
Other expenses	2,100
Support to families	500
TOTAL	855,300

Income	
Torbay Local Authority	282,900
YJB Grant	239,100
Remand Grant	22,800
PCC	67,700
PCC (Serious Violence Grant)	15,000
Community Safety – YP Violence & HR worker & Data Analyst contribution	51,600
NHS	17,000
Probation Service	5,200
Turnaround Programme Grant	58,000
Carry Forward underspend 22-23	96,000
TOTAL	855,300

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

Appendix 3 YJS Training Programme 2022-24

This training is service specific and additional to the required training all staff complete as part of the corporate training requirements eg safeguarding, data protection health and safety etc.

EDUCATION / SEN

Date	Topic	For whom	Delivered by: (include contact details)
20 th January 2022	Brain Development	Whole staff team	Penny Weekes penny@pennyweekes.com Tel. 07929 265225
17 th February 2022	The Impact of an ABI	Whole staff team	Penny Weekes
17 th March 2022	How to support a young person with an ABI	Whole staff team	Penny Weekes
21 st April 2022	Overview SEN Team, EHCP Process and how YJS can contribute	Whole staff team	Carolyn.brend@torbay.gov.uk Tel. 07789878485
19 th May 2022	What is SENDIASS SEN Support and escalation process	Whole staff team	Sam Bolton & Kelly Givens sambolton@torbaycdt.org.uk Tel.07734 391622
16 th June 2022	The role of the Educational Psychologist, The referral and assessment process	Whole staff team	Paul Williams Paul.Williams@torbay.gov.uk
21 st July 2022	School Exclusions Briefing	Whole staff team	Dan Hamer Dan.Hamer@torbay.gov.uk Tel. 07824 537428
18 th August 2022	School Nurse (0 to 19 Torbay for you)	Whole staff team	Natalie Aldridge 03003 335352 natalie.aldrige@nhs.net
15 th September 22	Children with SEN who are in youth custody	Whole staff team	Marianne Lewis Marianne.lewis@torbay.gov.uk
20 th October 2022	What is ASD, how it presents in different people, strategies, the assessment process etc	Whole staff team	Lauren Summers Specialist Autism Spectrum Assessment Team 07702 810631
17 th November 2022	Trauma Informed Approach	Whole staff team	Sue Clarke Susan.Clarke@torbay.gov.uk
15 th December 2022	Speech, Language and Communication	Whole staff team	Clare Tamplin Clare.Tamplin@torbay.gov.uk

Other Suggested Topics To be followed up	Contact Details
Speech & Language	Clare Tamplin
Education Other than at School	David Bevan
The School Nurse	Community Child Health
Children's Learning Disability Health Team – increasing awareness of autism and ADHD	
Children's Disabilities Team Their role and referral criteria	
Referrals to Adult Services	

HSB Training

Date	Topic	For Whom	Delivered by
Jan and May 2022	AIM 3 Assessment of Adolescents who display HSB	2 new YJS officers (All YJS officers trained)	The AIM Project
Jan and April 2022	Foundation Awareness of Harmful Sexual Behaviour HSB	RJ worker and Vol coordinator	The AIM Project
April 2022	Aim Intervention Guidance for Adolescents & their Parents/Carers re HSB	2 new YJS Officers (All YJS officers now trained)	The AIM Project

Other Training

Date	Topic	For whom	Delivered by
June 2022	Child First – Effective Practice	2 x new practitioners	YJB
July 2022	Trauma Recovery Model	YJS Support Officer and Parenting Worker (All staff trained)	Jonny Matthews TRM Academy
Current	Youth Justice Effective Practice Award	YJS support Officer	YJB
July 2021	The Day Programme (DA & exploitation)	All case workers	Spark
Sept 2021	Own My Life -	Parenting Worker	Day
June 2021	Respect – CPVA	All case workers	Respect
Sept 2021	NVC	Parenting Worker	NVC Practitioners Consortium
Jan 2021	Teen Triple P	Parenting Worker	Positive Parenting Programme UK
Feb 2021	ASSETPlus Assessment	All case workers	Silver Bullet
March 2022	Domestic Abuse and the power/threat framework	Team manager and 2 case officers	Zebra Collective – Natalie Collins
Feb 2022	HSB through a trauma Lens	Team manager and 2 case officers	Carol Carson - AIM3
Dec 2022	LGBTQ+	Whole team	Intercom trust

2023-24 Training

Date	Topic	For whom	By whom
Jan 2023	Trauma informed assessment	YJS Team	Sue Clarke – Trauma Lead
Feb 2023	HSB through a trauma informed lens – Aim3	YJS Team	Marcella – Aim 3
March 2023	Developmental Mapping/attachment informed ways of working	YJS Team	Sue Clarke- Trama Lead
April 2023	Shame Sensitive Practice	YJS Team	Dr Doezai – Exeter University
May 2023	Trauma informed Pathways and Planning	YJS	Sue Clarke – Trauma Lead
June 2023	Trauma informed interventions/PACE	YJS	Sue Clarke – Trama Lead
July 2023	SALT /Trauma informed language	YJS	TBC – Val Brooks Clare Tamplin

HSB Training

Date	Topic	For Whom	Delivered by
TBC	AIM 3 Assessment under 12's	2 x Prevention / turnaround practitioners	The AIM Project
TBC	Aim3 Supervisors training	Team Managers	The AIM Project

Other Training

Date	Topic	For whom	Delivered by
Current and June 2023	Youth Justice Effective Practice Award	2 staff	UNITASS
June 2023	The Day Programme	Turnaround Practitioner and Healthy relationships worker	Day
TBC	TRM - 3 day	Turnaround Practitioner and Healthy relationships worker	Jonny Matthews TRM academy

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 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 placed in the care of the local council.
CME	Child Missing Education (ie child not on any school roll)
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 (mainly teenagers) which considers the wider community and peer influences on a child's safety
Community Resolution	Community Resolution or CR, is 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
MAPP	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. A recorded disposal for a crime when an outcome is delivered but the matter is not sent to court
Outcome 22/21	An informal disposal, when the child agrees to undertake an intervention to build strengths to minimise the possibility of further offending.
Over-represented children	Appearing in higher numbers than the local or national average within the population
RHI	Return Home Interviews. These are interviews completed after a child has been reported missing
RJ	Restorative Justice – a variety of approaches seeking to repair the harm for victims and who caused the harm.
SLCN	Speech, Language and Communication Needs
STC	Secure Training Centre (Custodial establishment for 14–16-year-old children)
SCH	Secure children’s home (Custodial establishment for under 16-year-old children)
TIP	Trauma Informed Practice – children who have suffered Trauma in their past are more likely to have impaired emotional and cognitive skills
TRM	Trauma Recovery Model – A psychological approach to help workers build working relationships and affect change for those who have suffered trauma.
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 (Custodial establishment for 16-18 year old children)

Meeting: Cabinet **Date:** 13 June 2023

Wards affected: all

Report Title: Needle and Syringe Provision – Award of Contract

When does the decision need to be implemented? Contract award date set at 26 July 2023

Cabinet Member Contact Details: Councillor Hayley Tranter, Cabinet Member for Adult and Community Services, Public Health and Inequalities, hayley.tranter@torbay.gov.uk

Director/Divisional Director Contact Details: Lincoln Sargeant, Director of Public Health, Lincoln.sargeant@torbay.gov.uk

1. Purpose of Report

- 1.1 To request that Cabinet endorse the decision to award the contract for the Needle and syringe Provision (and Waste Collection) as a result of the successful tender exercise completed in May 2023.
- 1.2 The successful bidder for the services to be delivered across Devon and Torbay was selected as a result of submitting the most economically advantageous Tender (MEAT).
- 1.3 The impact on the population of Torbay is minimal as the service is [1] a supply chain service to local pharmacies and specialist services and do not provide services directly to Torbay (or Devon) residents and [2] this procurement does not require any material change to the service and the equipment to be provided as this has been procured on a 'like-for-like' basis.

2. Reason for Proposal and its benefits

- 2.1 As part of an effective drug and alcohol treatment system, the public health teams in Devon and Torbay currently commissions Orion Medical Supplies to deliver Needle Exchange equipment and remove any used needles that have been returned to pharmacies. There have been no concerns with the delivery of this service and the provider has routinely met all KPIs set across both local authorities.
- 2.2 In Torbay and Devon, the Orion Medical Supplies contract is reaching its natural end date and all permissible extensions will expire in September 2023, therefore a procurement exercise was required to continue this provision on a three-year (plus a further three-year) contract from October 2023. This process was undertaken over the course of the first five months of 2023, finishing in early May 2023.
- 2.3 The reasons for the decision are a result of the Most Economically Advantageous Tender (MEAT) open market tender completed in May 2023.

3. Recommendation(s) / Proposed Decision

- 3.1 That a three-year contract (plus a further three years) commencing in October 2023, to deliver Needle Exchange equipment and remove any used needles that have been returned to pharmacies be awarded to the preferred supplier for the contract value as set out in Exempt Appendix 1 to the submitted report.

Appendices

Appendix 1 (Exempt) Details of preferred bidder and contract value

Background Documents

1 Introduction

- 1.1 As part of an effective drug and alcohol treatment system, public health teams across the country commission organisations to deliver a range of clean injecting equipment and paraphernalia and to effectively dispose of this clinical waste when returned. This equipment is usually delivered to services such as pharmacies and drug treatment providers where an exchange of clean equipment with any used needles occurs. This provision is collectively known as 'needle exchange'.
- 1.2 Needle exchange is one of the most effective public health measures and is in place to reduce to transmission of blood borne viruses in injecting drug users (and the wider community) and is a well-established and essential component of drug treatment systems commissioned in the UK since 1987.
- 1.3 In Torbay, we have procured this service on the open market on two previous occasions jointly with colleagues in Devon County Council, successfully securing a national provider of these services, the most recent occasion was in 2018 where the contract was awarded to Orion Medical Supplies. This Provider has effectively delivered these services in the previous four years, but the natural end of their contract and all permissible extensions will be reached in September 2023, therefore a procurement exercise was required to continue this provision from October 2023.
- 1.4 This procurement exercise was completed in May 2023, and as a result the preferred supplier for both Devon and Torbay was awarded as a result of the most economically advantageous Tender (MEAT) delivered through the open market tender process.

2. Options under consideration

- 2.1 Given the successful delivery by the incumbent provider to date, a direct award was considered but is not permissible due to procurement regulations.
- 2.2 Not awarding any contract was considered but this would be failing to meet our duty to protect the public's health as a mandated requirement of the public health ring-fenced grant and would fail to deliver a comprehensive and effective drug treatment system as set out in the expectations of the Governments 10-year drugs plan 'From Harm to Hope'.
- 2.3 A limited or reduced scope service was considered, but that would fail to meet the requirements of national standards (NICE guidance PH52 'Needle and syringe programmes') in providing a mix of differing levels of service, including fixed packs as well as individual items to meet peoples injecting needs.

3. Financial Opportunities and Implications

- 3.1 Funding for this service is already in place due to being an existing service whose budget is built into the baseline public health ring-fenced grant budget expenditure. The cost of this service in Torbay is circa £40,000 per annum. The contract term is for three years with the option to extend for a further three years in one year increments.
- 3.2 The tender ensured that cost of the service was a critical factor in the decision-making (30%) and was awarded on the basis of the Most Economically Advantageous Tender (MEAT).

4. Legal Implications

- 4.1 There are no known legal implications other than a failure to award the contract without due justification which could result in a challenge to the procurement process by the successful bidder.

5. Engagement and Consultation

- 5.1 This service does not directly impact any service user or community as this provision is related to supply chain rather than direct delivery to individuals or communities.
- 5.2 As the provision procured was on a 'like-for-like' to the existing provision with no proposed changes, no consultation was undertaken before the contract award. Should the contract award proposal have required a change of supplier and / or the equipment being provided, consultation would have been undertaken with the needle exchange services, but this is not applicable given the proposal is to award to the existing supplier on a like for like basis.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Social value was built into part of the tender for which the supplier was required to submit proposals on their social value commitments to Torbay via the Social Value portal.
- 6.2 This part of the tender submission was independently assessed by the Procurement Team in Torbay council and was deemed to be a 'good' submission with '*good initiatives and delivery plan with clear community benefits.*'

- 6.3 The monitoring of the social value commitments will be undertaken as part of the central contract monitoring process in Torbay through the Procurement, Contract Management and Commissioning team.

7. Tackling Climate Change

- 7.1 This contract has limited impacts on climate change, but any positive impacts were considered as part of the tender.
- 7.2 The preferred supplier are aiming to be a carbon neutral supplier by 2030, and as a result have submitted their carbon neutral plan to us as part of the tender submission. They are working with their suppliers to ensure that all deliveries (via DPD) to suppliers are carbon neutral, and that they use electric vehicles wherever possible.
- 7.3 The waste collection and incineration processes undertaken by their sub-commissioned waste collection provider are being reviewed with a move to using reusable sharps containers.
- 7.4 The preferred supplier have also secured an exclusive opportunity to develop a bio-waste system which is a safer more sustainable alternative for sharps-waste, which could be delivered in the first three years of the contract.

8. Associated Risks

- 8.1 Risks of failure to agree to award the contract predominantly centre on the significant risk of increased harm to injecting drug users including the changes of significant rises in blood-borne virus infections due to more needle sharing as a result of less clean needles being available.
- 8.2 There are also risks of increased needle finds in public areas if there is no provision of needle exchange where used needles can be returned and safely disposed of.
- 8.3 There is risk that the Council comes under significant scrutiny from the Office of Health Improvement and Disparities if a proven public health intervention is withdrawn with no legitimate and justifiable reasons for doing so.
- 8.4 Finally, there is a risk of legal challenge if the procurement is not concluded effectively and the potential bidders decide that there are grounds for challenging the decision to not award.

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

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people			X there is no differential impact on this group of this decision
People with caring Responsibilities			X there is no differential impact on this group of this decision
People with a disability			X there is no differential impact on this group of this decision
Women or men			X there is no differential impact on this group of this decision
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			X there is no differential impact on this group of this decision
Religion or belief (including lack of belief)			X there is no differential impact on this group of this decision
People who are lesbian, gay or bisexual			X there is no differential impact on this group of this decision
People who are transgendered			X there is no differential impact on this group of this decision
People who are in a marriage or civil partnership			X there is no differential impact on this group of this decision

Women who are pregnant / on maternity leave			X there is no differential impact on this group of this decision
Socio-economic impacts (Including impact on child poverty issues and deprivation)	X in general, needle exchange services focus on those with more complex lives and those living in deprived areas.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	X Needle exchange is a proven public health intervention to reduce blood-borne virus in an at risk group, reducing needle litter and provide harm reduction interventions in a complex client group.		

10. Cumulative Council Impact

10.1 None

11. Cumulative Community Impacts

11.1 None

Document is Restricted

Meeting: Cabinet **Date:** 13 June 2023

Wards affected: N/A

Report Title: Corporate Cleaning Contract

When does the decision need to be implemented? The procurement needs to start as soon as possible.

Cabinet Member Contact Details: Councillor Alan Tyerman Cabinet Member for Finance and Corporate Services, alan.tyerman@torbay.gov.uk

Director/Divisional Director Contact Details: Malcolm Coe, Director of Finance, Malcolm.coe@torbay.gov.uk / Matthew Fairclough-Kay, Director of Corporate Services, matthew.fairclough-kay@torbay.gov.uk

1. Purpose of Report

The Council has a corporate cleaning contract which has been in place since 2020 with the initial term ending on 31 March 2023; the decision was made to extend this contract for up to 12 months, with a proposal to retender the service within this extension time. The current procurement timetable enables a new contract to go live on 7th January 2024.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report will ensure that our corporate buildings remain suitably hygienic for Torbay Council's staff and residents.

3. Recommendation(s) / Proposed Decision

1. That tenders be sought for the corporate cleaning contract and that the final award of the contract to the successful bidder be delegated to the Director of Corporate Services.

Appendices

Appendix 1 (Exempt) Financial Opportunities and Implications and Legal Implications

Background Documents

Supporting Information

1. Introduction

- 1.1 The current contract covers the cleaning of Tor Hill House, The Town Hall, Electric House, Paignton Library, Link Building, Torquay Library, Churston Library, Brixham Library and Torre Abbey. We have also recently brought in The Nest nursery to the corporate contract, and communal areas of our 7 Temporary Accommodation HMO units.

2. Options under consideration

- 2.1 If the Council is to ensure that its corporate buildings remain suitably hygienic for Torbay Council's staff and residents the only option is to go out to the market to secure a new cleaning supplier from March 2024 at the very latest.

3. Financial Opportunities and Implications

Please refer to Exempt Appendix 1.

4. Legal Implications

- 4.1 Please refer to Exempt Appendix 1.

5. Engagement and Consultation

- 5.1 The Council's Senior Officers have been engaged including the Director of Corporate Services, who will be the new Senior Responsible Officer for corporate cleaning.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Social Value will be a mandatory part of the procurement process; bidders will need to commit to their chosen Social Value indicators, and explain how these will be achieved; how they will deliver against these indicators, what the benefits will be, and how success will be measured. Bidders Social Value responses will be evaluated and scored.
- 6.2 The commitments will be monitored through the Social Value Portal, in which the Contract Managers will have access to.

7. Tackling Climate Change

- 7.1 The tender will ask bidders how they propose to tackle climate change, whether this be from using non-harmful cleaning substances, reusable plastic, travel, vehicles. This part of the tender will be evaluated and scored. The winning bidder(s) commitments will then be monitored through the contract as part of the contract management function.

8. Associated Risks

- 8.1 If the proposal is not implemented, we will not have a cleaning service in place for our Corporate, Temporary Accommodation and Library buildings.
- 8.2 There are always risks when going out to the market, however the Expressions of Interest exercise has evidenced a clear appetite from the local market, and given us reassurances that value for money can be achieved.

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

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	Clean and hygienic working, living and visiting areas.		
People with caring Responsibilities	Clean and hygienic working, living and visiting areas.		
People with a disability	Clean and hygienic working, living and visiting areas.		
Women or men	Clean and hygienic working, living and visiting areas.		
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)	Clean and hygienic working, living and visiting areas.		
Religion or belief (including lack of belief)			There is no differential impact

People who are lesbian, gay or bisexual	Clean and hygienic working, living and visiting areas.		
People who are transgendered	Clean and hygienic working, living and visiting areas.		
People who are in a marriage or civil partnership			There is no differential impact
Women who are pregnant / on maternity leave	Clean and hygienic working, living and visiting areas.		
Socio-economic impacts (Including impact on child poverty issues and deprivation)	Clean and hygienic working, living and visiting areas.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Clean and hygienic working, living and visiting areas.		

10. Cumulative Council Impact

10.1 None.

11. Cumulative Community Impacts

11.1 None

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