



## **Children, Education & Families**

### **Oxfordshire Youth Offending Service**

#### **Service and Community Impact Assessment Initial assessment – November 2011**

##### **Purpose of Assessment**

This document is intended to be an initial assessment of the impact of proposed changes/restructure to the Oxfordshire Youth Offending Service. The assessment is based on the council's legal guidance for Making Decisions Lawfully and is informed by the Joint Strategic Needs Assessment (JSNA) of local health and wellbeing.

This assessment will be amended as proposals are further developed and feedback is received from formal consultation on the proposed changes. This will be made publicly available and will be used by the council's Cabinet to assist them in taking final decisions about the future of the service.

##### **Proposal**

The Oxfordshire Youth Offending Service (YOS) is to be reorganised in accordance with the rest of the Children, Education & Families (CEF) directorate and Oxfordshire County Council Business Strategy 2010 – 2015 and the business strategy for the CEF directorate.

To this end, a consultation on the proposed organisational redesign of YOS is currently underway and is due to end on 21 December 2011. Feedback from the consultation and the information contained in this initial Service and Community Impact Assessment will be used to inform the final design.

##### **The Consultation**

The above mentioned consultation follows the creation of the new shape of the Children, Education & Families (CEF) directorate that was implemented in September 2011, following extensive redesign during the year. The directorate redesign included changes in management and the movement of Integrated Youth Support Services (IYSS) into the newly developed Early Intervention Service. These services are now delivered in multi-agency hubs within the county and are part of the Education and Early Intervention services in the directorate.

This Youth Offending Service (YOS) consultation is concerned with the service responsible for the prevention of offending, the reduction of re-offending and the use of custody for children and young people in the county.

The proposal has been developed through consultations with staff and partners.

##### **The Key Point for the Proposal**

The key point for the proposal has been the current structure and management arrangements. The following issues have emerged:

- A lack of clarity between the roles of managers and senior practitioners. Within the current structure, managers have responsibility for a high number of staff and direct reports – up to as many as fifteen or sixteen staff with a range of job titles and functions. The senior practitioner role is not as clear as it should be in that it covers both the management of staff and carrying responsibility for specific types of complex case work.
- The numbers of specialist roles within the YOS and whether or not these are appropriate to the aims of the service and/or represent the best use of the available resources.
- The difference between YOS officers and YOS support workers. While it is known how and why these different roles evolved, there are valid questions now as to whether or not these differences should be continued. Similarly, in question is the necessity of specialists who work with parents when it is a part of a core function for a YOS officer to engage with a young person's parents.

The radical reduction in government grants and the savings the Directorate has had to make, as outlined in the strategy mean that all our services have to deliver differently, be cost effective and focus on the priorities of core business as detailed in the Consultation Document.

[http://portal.oxfordshire.gov.uk/content/public/Announcements/2011/YOS\\_HRConsultation\\_FINAL\\_Nov2011.pdf](http://portal.oxfordshire.gov.uk/content/public/Announcements/2011/YOS_HRConsultation_FINAL_Nov2011.pdf)

## **Context**

The principal aim of the youth justice system established by section 37 of the Crime and Disorder Act is to prevent offending by children and young people. As set out in the 1998 Act, the principal aim is achieved through the following objectives:

- the swift administration of justice so that every young person accused of breaking the law has the matter resolved without delay;
- confronting young offenders with the consequences of their offending, for themselves and their family, their victims and their community, and helping them to develop a sense of personal responsibility;
- intervention which tackles the particular factors (personal, family, social, educational or health) that put the young person at risk of offending and which strengthens 'protective factors';
- punishment proportionate to the seriousness and persistence of offending;
- encouraging reparation to victims by young offenders; and
- reinforcing the responsibilities of parents.

Oxfordshire Youth Offending Service and other Youth Offending Teams in England and Wales are the main vehicles through which the principal aim and supporting objectives of the YOS are delivered.

Oxfordshire Youth Offending Service brings together staff and wider resources of relevant agencies – social services, education, the police, probation service and health to tackle offending behaviour amongst young people aged 10 to 17.

As required by the 1998 Act, the duties of Oxfordshire Youth Offending Service and other Youth Offending Teams are to:

- Co-ordinate the provision of youth justice services for those in the area who need them.
- Carry out the functions assigned to the team in the Oxfordshire Youth Justice Plan 2011/2012.
  - This involves the YOS providing certain key youth justice services such as carrying out assessment work following final warnings, providing reports and other information to the courts and acting as supervising officer for community sentences, visits to YOI (prison) to agree plans, and after release from custody, drawing on individuals and projects outside the team to ensure that other youth justice services are properly delivered.
  - The YOS also has an important role in helping to tackle delays in the youth justice system in the County of Oxfordshire, and thereby deliver the Government's pledge to halve the time from arrest to sentence for persistent young offenders. This involves, in particular, co-ordinating or providing effective support for young people on bail, and the timely provision of pre-sentence reports and other reports for the courts.
- Undertake work to prevent children and young people offending in the first instance. Given its inter-agency membership, the YOS is well placed, for example, to identify those children and young people known to the relevant agencies as being most at risk of offending and working with them and their families, to encourage them towards more positive activities.
- Contact victims of youth crime to update them on their case and offer involvement in restorative justice.

### **What else did you consider and reject? Why was this considered the better option?**

Due to reduced case load and budgetary constraints, the council has proposed to restructure the YOS to ensure a more effective and efficient service.

- This proposal could affect some high risk cases on the YOS caseload and systems would have to be reviewed to ensure the YOS continues to provide high quality service to young people, families, victims and the public.
- The proposed job descriptions for the Bail and Remand Work would help to focus work and reduce costs associated with Remand and Prison visits.

- The proposed job descriptions should make it clear who will deliver restorative justice, and how this will be co-ordinated appropriately and safely, based upon effective practice and principles and National Standards. Restorative Justice is a sensitive area of work which carries the risk of making matters worse for victims if delivered in an inappropriate way.
- The YOS' capacity to manage and deliver the 25 hour Intensive Supervision and Surveillance (ISS) requirement of the Criminal Justice and Immigration Act 2008 may be adversely affected due to the proposed staff reductions.

**What consultation/research evidence have you used to inform this proposal? (public, stakeholder, customer etc.)**

The proposal has been designed by managers and staff of the YOS. National developments such as the Ministry of Justice paper 'Breaking the Cycle' means the service has to adapt to deliver changing expectations; the service must re-focus its priorities on the management of risk and protection of the public, as well as an increased focus on restorative justice. The national developments and the recommendations of the inspection earlier in 2011 mean we have to reorganise the service to improve:

- Management of the risk of harm
- Quality Assurance
- Public Protection and Safeguarding
- Improvement in Assessment
- Planning and Management Oversight

**How developed is the proposal?**

The proposal is at the consultation stage and staff briefings are ongoing.

**Impact on Customers and Staff**

**Impact of the proposal on service users and their local communities**

**Disability**

Although there are few young people in the criminal justice system with physical disabilities, the YOS works with a number of young people who have mild learning disabilities and there is evidence to suggest that this group of young people will require appropriate interventions.

Reduction in service capacity and reduction in the service being able to meet individual diverse need could have an adverse impact on this group.

**Restorative Justice and Victims work**

While the majority of YOS services will continue to be provided, the reduction in overall staffing, particularly in the Restorative Justice area of work will affect some young people and families

The YOS will need to continue its high level of Restorative Justice. It is a statutory duty to contact and consult victims and offer them involvement in a range of restorative processes that seek to put right the harm they have experienced. Research indicates that restorative justice reduces re-offending (public protection) and incidences of post-traumatic stress disorder for the victims. In addition, victims are often 'forgotten' within the Criminal Justice System. (NB young people are two times more likely to be victims of crime than adults).

The Justice Green Paper and recent announcements by Ministers provide a clear indication that the government intends to increase the use of restorative justice. Therefore, the eventual service redesign will need to reflect this and ensure there is increased capacity to coordinate and deliver quality restorative justice.

Restorative Justice is a sensitive area of work demanding a high quality of training, mediation skills and professionalism in line with current standards. Oxfordshire has developed a reputation nationally as a centre of best practice in this area.

#### **Mitigation**

The YOS to review Restorative Justice Work and ensure victims' perspectives are embedded into practice. The YOS Restorative Justice Senior Practitioner and Restorative Justice Worker and the Volunteer Co-ordinator are undertaking Restorative Justice Training for Trainers training in February 2012. This is in readiness for the possible introduction of Restorative Justice as a court disposal in 2012, and the expansion of restorative justice, for example into neighbourhood panels, described in the Government Green Paper, 'Breaking the Cycle'.

#### **Looked after children**

This proposal has been informed, amongst others, by the Government Green Paper, 'Breaking the Cycle' which recommends that all Young People on Remand become Looked After Children. This means an increase in the likelihood of young people and children being placed externally to Oxfordshire. However, to sustain high-risk children with local carers or in the County's own residential units may require more intensive Bail and Remand placement support packages as the court would want to ensure the public is well protected.

## Mitigation

The council will continue to provide services focussed on preventing offending and providing the court with credible Bail and Remand Packages (Intensive Supervision and Surveillance and Intensive Fostering) as alternatives to use of custodial remands. Work is underway with the Children's Social Care Corporate Parenting Manager to provide intensive fostering placements).

All YOS Looked After Children's Remand placements will continue to be made in accordance with National Standards, and with appropriate regard for their individual risk factors and needs.

Credible and intensive Bail and Remand Packages have been developed to assist the court in making bail and remand decisions so that less young people are remanded to custody.

## Gender

There are no anticipated risks resulting from the restructure.

### Black, Asian and Minority Ethnic people

Young people of Asian, Black and Mixed Heritage are disproportionately entering the YOS case load (See Youth Justice Board Returns below) and the reduced workforce may have an impact on the YOS's efforts to provide targeted prevention work with this group.

<b>NI 44 - Ethnic composition of young offenders</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>	<b>% 10-17 pop</b>
White	88.3%	88.9%	85.6%	93.3%
Mixed	2.6%	3.0%	5.7%	2.6%
Asian	2.4%	2.8%	3.3%	2.3%
Black	4.1%	3.5%	4.5%	1.0%
Chinese/other	1.2%	0.4%	0.6%	0.8%
Not known	1.4%	1.5%	0.6%	n/a

## Mitigation

Report Cards in place with clear actions for custody, re-offending and ethnicity

These are monitored by the YOS Management Board and the Planning, Performance and Quality Assurance Sub-Group of the Children's Trust.

A comprehensive Race Audit has been undertaken by the YOS to analyse race issues and inform planning and decision-making.

## **Age**

There are no anticipated risks resulting from the restructure.

## **Gender re-assignment**

There are no anticipated risks resulting from the restructure.

## **Pregnancy and maternity**

There are no anticipated risks resulting from the restructure.

## **Religion and belief**

No anticipated risks – no evidence that the proposed restructure would impact differently on the YOS' service delivery. The YOS would continue to provide services based on risk and needs.

## **Sexual orientation**

There are no anticipated risks resulting from the restructure.

## **Carers**

There are no anticipated risks resulting from the restructure.

## **Deprived areas**

Most young people on the YOS case list are from deprived areas of Oxford, Banbury and some southern towns of the county, therefore the impact of reduced YOS workforce may fall on those young people as the YOS may not have the capacity to carry out home visits as required by the National Standards. This would impact on the YOS returns to Ministry of Justice/Youth Justice Board and public confidence (including the victims) in the YOS if it results in an increase in re-offending.

## **Rural areas**

Impact on home visits and young people's capacity to visit the YOS may be impacted.

### **Impact of the proposal on partners (local, small and medium enterprises and voluntary, community and faith sector)**

The YOS works closely with the Courts, Thames Valley Police, Probation Service, Health etc. Local partners will continue to provide services to YOS young people and their families. However, the proposed reduction in staffing would impact on the YOS' capacity to effectively engage with partners.

The proposed deletion of the Senior Practitioner post for Restorative Justice will have an impact on coordination and service delivery to the victims of crime, and links to local victims' partners.

Restorative Justice work within the YOS would need to be effectively co-ordinated and acknowledged in the proposed restructure.

The proposal may also impact on YOS' capacity to manage a high risk young person on Intensive Supervision and Surveillance (ISS) Requirements which requires a minimum of 25 hours of programme contact time each week, regular contact with G4S (Tagging), the police Intelligence and the court for expediting breaches for high risk cases.

### **Impact of the proposal on other council services**

If intervention is not offered to young people, families and victims when it is assessed as necessary, the opportunity to prevent re-offending is impacted. This could lead to an increase in re-offending especially those in the Looked After system; or higher cost placements to meet increased needs. It increases potential risk to the public and impacts on public confidence in the YOS.

### **What actions will be taken to mitigate this risk?**

In the anticipated small number of affected young people and families, alternative community based locations would be sought to ensure they are able to attend youth justice interventions and that work practices are reviewed to manage this new arrangement.

Improve the joined-up working in services that prevent re-offending by reviewing current protocols and Service Level Agreements

### **Impact of the proposal on staff**

It is difficult to ascertain whether the proposed restructure would impact on particular staff equality groups more than the others at this stage. All staff are responding to the demands to work creatively and flexibly in partnership with colleagues in all agencies to ensure young people, children and families needs are met to a high standard of practice and risk factors associated to offending are managed in line with National Standards.

### **What actions will be taken to mitigate this risk?**

Opportunities for staff to work more creatively, hold a maximum caseload of 15 and work in partnership with relevant agencies.



### **Capital implications of proposed change**

YOS interventions are based on current evidence based programmes provided by the Youth Justice Board/Ministry of Justice. Reduction in YOS Budget would impact on capacity to develop new and emerging evidence based projects and programmes or purchase programmes to tackle or prevent youth crime and protect the public.

### **Conclusion**

This Service and Community Impact Assessment is the initial screening of the impact on equality groups with regards the proposed changes to and restructure of the Oxfordshire Youth Offending Service.

There is no longer a requirement under the Equality Act to formally complete equality impact assessments. However, the process which has been rolled out in the past is now well embedded into the Children, Education and Families directorate and has been a strong driver in improving outcomes for equality groups.

Completing an impact assessment on the Oxfordshire Youth Offending Service proposed redesign is very good practice and allows for colleagues and partners to be consulted over any negative impacts that have been identified. This joint working will enable discussion over any issues which have been identified and will allow mitigating factors and possible solutions to be developed.

This initial screening should continue to be developed into a full Service and Community Impact Assessment, as current guidance recommends that the impact assessment is no longer done retrospectively but is used as a working document, or log, to record vital elements of the decision making process.

The full Service and Community Impact Assessment will culminate in a document which tracks decision making, leading to evidence led policy.

### **Next Stages**

- Present this initial SCIA to the YOS Management Board on 15/12/11
- In addition to presenting the initial SCIA to the YOS management Board, this 'initial' SCIA should be circulated to other interested parties (such as colleagues and partners) in order to get additional feedback which should help to inform and develop this initial SCIA into the full SCIA
- The timescale for developing this initial SCIA into a full SCIA should be in accordance with the January 2012 date for the consultation
- Decide how you are going to measure or evaluate the effectiveness of the new YOS structure
- Set a date for an annual review of this impact assessment

**Lead Officers completing this initial SCIA**

Joseph Nwokobia, Head of Service YOS (Acting)

Sharon Fleming, Service Manager, Communication & Performance

Sally Latham, Equality Adviser