

15 April 2013**Agenda Item: 8****REPORT OF THE SERVICE DIRECTOR, YOUTH, FAMILIES AND CULTURE****YOUTH OFFENDING WORK AND LOOKED AFTER CHILDREN PLACED
AWAY FROM HOME****Purpose of the Report**

1. To outline to the Committee the local position in relation to the joint Inspectorates' recommendations made in their report 'Looked After Children: An inspection of the work of Youth Offending Teams with children and young people who are looked after and placed away from home'.

Information and Advice**Background to the Thematic Inspection**

2. The inspection of children and young people who are looked after, placed away from home and supervised by Youth Offending Teams (YOTs) was led by HM Inspectorate of Probation, with support from Ofsted and Estyn. Its purpose was to assess the effectiveness of YOT work with this group of children and young people in promoting their rehabilitation and maintaining their links with their family and home area (where appropriate) and to identify barriers to effective YOT work. Inspectors visited six areas where we asked the YOT to identify cases which they were supervising on behalf of other local authorities and five of their own cases being supervised by other YOTs. Nottinghamshire was not one of the areas visited but did contribute information the inspectors gathered from a number of YOTs which were not part of the main fieldwork.
3. In summary, the inspectorates reported that "Children and young people who are in care, have offended and are accommodated away from their home area are a small, yet highly vulnerable group. The findings of the inspection show that, despite the hard work and effort of many, the overall outcomes and future life chances for these children and young people are extremely poor and their individual stories make distressing reading. It was often difficult to see from the assessments why many were placed away from their home locality. The inspectors found that "being in care often meant that children and young people were brought into the criminal justice system at an earlier point than those who were not looked after" and were "disappointed that many had received their first court disposal whilst subject to local authority care". They further noted that the aspirations that many workers, across all services, had for Looked After Children were "often woefully low" and the fact that they were away from their home areas and were moved frequently militated against their chances of rehabilitation. They concluded that "their lives were fragmented; links with family and friends were often disrupted, as were their education and training opportunities. It is clear from this inspection, that for many, their backgrounds

and experiences in care meant that they were ill-equipped to lead happy, law-abiding and productive lives as adults in the future”.

Recommendations made by the Inspectorates

4. Inspectors made a series of recommendations, some relating to national policy and some to local practice. They stated that the Department for Education (DfE) should ensure that the regulations governing a child or young person’s placement outside their local authority area are strengthened so that each placement of a child or young person outside the local authority area is authorised by a named senior person, and the reasons for the placement clearly recorded in the case record and that where such placements take place, relevant agencies in the receiving area are consulted and informed about the likely placement in advance wherever possible. To date there is no response from the DfE to these recommendations.
5. The Inspectorates made two recommendations aimed at local authorities. They stated that “Independent Reviewing Officers (IROs) should ensure that all agencies work together to improve safeguarding outcomes for children and young people and share appropriate information, take account of each other’s assessments, align plans for their long-term future and develop contingency arrangements where necessary”. In Nottinghamshire we recognise that IROs have an important role in ensuring that the local authority fulfils its responsibilities to Looked After Children who are at risk of offending or involved in the youth justice system. This group of young people may be particularly subject to placement disruption and therefore it is all the more important for IROs to question the quality and suitability of the young person's placement and ensure services offered by agencies are properly considered as part of the review. If the IRO identifies any deficiencies in the service or negative trends in relation to offending behaviour, they are expected to use the IRO alert dispute resolution process to challenge this. A revised monitoring form for IROs is being developed, to be completed by March 2013, which amongst other things will promote the identification of those Looked After Children known to youth justice services.
6. The report also asks local authorities to ensure that they satisfy themselves that specialist therapeutic interventions provided by residential placements are of good quality and suitable for the needs of children and young people. In Nottinghamshire, when a placement is requested, a comprehensive report is obtained whereby the needs of the young person are collated and before a decision is reached, those needs are considered by the provider and by the child’s social worker to ensure that those needs will be met and the placement is appropriate. This process can occur over a number of weeks to ensure that the right placement is found that will achieve the best possible outcomes for the young person. The Placements Team also periodically undertake an audit of placements through conducting a case review. This involves a random sample of cases being scrutinised with regard to the placement and outcomes for the young person.
7. In relation to Local Children’s Safeguarding Boards, Inspectors concluded that such groups should ensure that data is collated, scrutinised and agencies held to account for improving safeguarding outcomes for children and young people who are looked after and placed outside their home area. The Nottinghamshire Safeguarding Children Board receives quarterly ‘Performance Information Reports’ on a range of key safeguarding issues to assist it to carry out its scrutiny function. The content and format of the report is

currently under revision and the findings from the Criminal Justice Joint Inspection into looked after children will be used to inform those revisions to ensure that outcomes for children and young people who are looked after and placed outside their home area are considered.

8. For Youth Offending Teams four recommendations were made. The first was that managers should ensure that accurate information about children and young people who are looked after and placed outside their home area is sent promptly to the YOT in the new area. Nottinghamshire has specific and rigorous policies on this following a Serious Case Review in 2011. Regular quality assurance audits are in place which would highlight non-compliance with the policy so remedial action could take place.
9. The second recommendation for YOTs was that assessments, intervention plans and reviews on children and young people take full account of the impact of being looked after. Nottinghamshire Youth Justice Service completes a monthly quality assurance of assessment and planning paperwork and the Operation Manager has added a specific consideration of this area into the audit structure following publication of this report. A further recommendation was that the enforcement processes for court orders and post-custodial licences are sensitive to, and take account of, the circumstances of children and young people who are looked after. In Nottinghamshire all cases that might be subject to a return to court or recall to prison are subject to a 'Compliance Panel'. This allows the YOT Locality Manager to discuss with the case worker, social worker and the young person the reasons for non-compliance and to consider how compliance can be regained or improved before the necessity of enforcement action is agreed. This allows the specific needs of looked after children to be taken into consideration.
10. The final recommendation for Youth Offending Teams was that action is taken, where appropriate, to increase the number of children and young people who are dealt with through restorative justice measures when they offend within the residential setting. Nottinghamshire Youth Justice Service and Nottinghamshire police have been significantly increasing the use of restorative processes over the last eighteen months. There are also plans being put in place by the Safer Nottinghamshire Board and the Local Criminal Justice Board, led by the Chief Constable, to increase the use of restorative practices by schools, children's homes and district and borough councils.

Other options considered

11. This report has been provided as an appraisal of the current position and as such no alternative options have been considered.

Reason for recommendations

12. These recommendations are based upon the provision of this report for information so that Committee is aware of the local position against the recommendations made by the joint Inspectorates.

Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Committee notes the local position against the recommendations made by the joint Inspectorates with regard to children and young people who are looked after, placed away from home and supervised by Youth Offending Teams.

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Constitutional Comments

14. As this report is for noting only, no Constitutional Comments are required.

Financial Comments (KLA 20/03/13)

15. There are no financial implications arising directly from this report.

Background Papers

‘Looked After Children: An inspection of the work of Youth Offending Teams with children and young people who are looked after and placed away from home – a joint inspection by HMI Probation, Ofsted and Estyn’: December 2012.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All.

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