

Agenda

Children and young people scrutiny committee

Date: **Thursday 5 August 2021**

Time: **2.30 pm**

Place: **Herefordshire Council Offices, Plough Lane, Hereford,
HR4 0LE**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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Agenda for the meeting of the Children and young people scrutiny committee

Chairperson Councillor Phillip Howells
Vice-chairperson Councillor Jennie Hewitt

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence	
2. NAMED SUBSTITUTES To receive details of members nominated to attend the meeting in place of a member of the committee.	
3. DECLARATIONS OF INTEREST To receive declarations of interest in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
4. MINUTES To approve and sign the minutes of the meeting on 20 May 2021 and 1 June 2021.	9 - 18
5. QUESTIONS FROM MEMBERS OF THE PUBLIC To receive any written questions from members of the public. <i>Deadline for receipt of questions is 5:00pm on Friday 30 July.</i> <i>Accepted questions and answers will be published as a supplement prior to the meeting. Please submit questions to:</i> councillorservices@herefordshire.gov.uk . <i>Further information and guidance is available at</i> www.herefordshire.gov.uk/getinvolved	
6. QUESTIONS FROM MEMBERS OF THE COUNCIL To receive any written questions from members of the council. <i>Deadline for receipt of questions is 5:00pm on Friday 30 July.</i> <i>Accepted questions and answers will be published as a supplement prior to the meeting. Please submit questions to:</i> councillorservices@herefordshire.gov.uk .	
7. YOUTH JUSTICE PLAN 2021 - 2022 To review the draft Youth Justice Plan 2021/22.	19 - 56
8. CO-OPTEE MEMBERSHIP OF SCRUTINY COMMITTEES To advise on the current co optee membership. To highlight the changes being proposed, following the annual council meeting and to seek approval to appoint a representative from the teaching sector following a resolution of Council.	57 - 70
9. WORK PROGRAMME REVIEW To review the attached work programme for 2021/2 and recommendation tracker.	71 - 100

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**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Minutes of the meeting of Children and young people scrutiny committee held at Hereford Town Hall, St Owen Street, Hereford, HR1 2PJ on Thursday 20 May 2021 at 2.00 pm

Present: Councillor Diana Toynbee (vice-chairperson)

Councillors: Paul Andrews, John Hardwick, Kath Hey, Phillip Howells and Mike Jones

Co-optees: Mr Sam Pratley

In attendance: Councillor Felicity Norman, Cabinet Member Children and Families

Officers: Solicitor to the Council, Interim Director Children Services, Interim Head of Legal Services, Senior Solicitor and Senior Solicitor

39. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Graham Andrews, Councillor Carole Gandy and Mr Andy James.

40. NAMED SUBSTITUTES

Councillor John Hardwick acted as a substitute for Councillor Graham Andrews.

41. DECLARATIONS OF INTEREST

There were no declarations of interest.

42. MINUTES

The minutes of the meeting on 23 March were put to the vote and agreed by a simple majority of the committee.

RESOLVED: That the minutes of the meeting of 23 March are agreed as a correct record.

43. UPDATE ON CHILDREN'S LEGAL TEAM

The Vice Chairperson of the committee referred the committee to the report published in the supplement on 14 May and explained that the Chairperson of the committee had agreed to the late circulation of the report in line with paragraph 4.2.13 (b) of the Council's constitution. Due to the current pressures experienced by Legal services the report was not available at the time of despatch but the Chairperson determined that it should be considered as a matter of urgency to provide an update on measures being implemented rapidly in response to the recent court judgement.

The report was introduced by the interim Head of Legal Services and the Solicitor to the Council.

During the course of the debate the committee raised the following principal points:

- The issues in the report concerning the incorrect provision of legal advice were highlighted.
- The effective hand-over of information to newly appointed staff working on cases.
- Resources in the Legal Team and difficulties concerning recruitment of staff.
- The timescales that would be applied to achieve improvement and the involvement of the Department for Education (DfE) adviser in setting the timescales.
- An invitation to attend a forthcoming meeting of the scrutiny committee would be extended to the DfE adviser.
- Details of the 'Red Book' and its importance to legal services officers.
- The role of internal audit to track progress with the implementation of recommendations leading to improvement.
- The use of external consultants and advisers to assess the suitability of protocols and procedures established to realise improvement.
- The difficulty of delivering documents and papers to the court and the disclosure protocol.
- The access of social work staff to solicitors for advice and to raise concerns.
- The morale of staff in children's and legal services.
- The service level agreement (SLA) between legal services and children's services.
- The importance of relationships between staff and the balance with processes implemented to ensure effective working.
- The care concern line and the number of cases that were being followed up was queried. It was agreed that the email address for the care concern line would be added to the improvement board papers to ensure it was further promoted.
- The committee noted that the report provided useful background information concerning the work of legal services within the children and families directorate. The assessment in the report of the challenges to legal services and the objectives for improvement would assist the committee in its scrutiny of the progress of the improvement journey.

The cabinet member children and families explained that an improvement in the co-ordination of legal and children's services was required. The notice of improvement from the DfE had now been received and the improvement board was being set up.

The recommendations below were proposed by Councillor Phillip Howells and seconded by Councillor Paul Andrews. The recommendations were agreed unanimously by the committee.

RESOLVED: That:

- **A scrutiny panel is established to monitor recommendations arising from notable cases and their implementation and to have an overview of care concern cases;**
- **A project plan with timescales of all legal services teams actions, required as part of the overall improvement plan considerations be produced for the July meeting of CYPSC. (e.g. new escalation protocol and end of life protocol); and**
- **As part of the project plan, a tasks vs resources available breakdown be produced to identify who does what to show: 1) Where resources and gaps exist; and 2) the actions and timescales to address them.**

44. WORK PROGRAMME REVIEW

The committee received and noted the work programme 2021/22 subject to the addition of: the establishment of a scrutiny panel for notable cases and; a report to the July meeting providing a project plan with timescales of all legal services teams actions, required as part of the overall improvement plan considerations, and a breakdown of the resources available/tasks required.

The meeting ended at 3.28 pm

Chairperson

Minutes of the meeting of Children and young people scrutiny committee held at Hereford Town Hall, St Owen Street, Hereford, HR1 2PJ on Tuesday 1 June 2021 at 10.15 am

Present: Councillor Phillip Howells (chairperson)
Councillor Jennie Hewitt (vice-chairperson)

Councillors: Elizabeth Foxton, Helen I'Anson

Co-optees: Mr Andy James

In attendance: Councillors Felicity Norman, cabinet member young people's education and attainment and Diana Toynbee, cabinet member children's services, safeguarding and corporate parenting.

Officers: Interim Assistant Director for Safeguarding and Family support, Interim Head of Legal Services, Assistant Director Childrens Safeguarding Quality and Improvement, Interim director of children and families and Assistant Director Education Development and Skills

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Paul Andrews, Councillor Kath Hey, Councillor Toni Fagan and Councillor Mike Jones.

2. NAMED SUBSTITUTES

Councillor Elizabeth Foxton acted as a substitute for Councillor Kath Hey.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES

This item was deferred to the next meeting.

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

6. QUESTIONS FROM MEMBERS OF THE COUNCIL

There were no questions from members of the Council.

7. CHILDREN'S SERVICES IMPROVEMENT PLAN

The committee received a report on the children's services improvement plan, including the non statutory Improvement Notice received from the Department for Education and establishment of an Improvement Board.

The committee heard from the Interim Director of Children and Families, supported by the Interim Head of Legal Services.

The committee discussed the various element of the improvement process and heard about steps taken to review all currently open cases.

In addition the committee discussed the advantages and disadvantages of the chairperson of the committee taking a seat on the improvement board.

Committee members highlighted the need for training in relevant areas to support scrutiny activity and the committee's role in the improvement process.

The recommendations below were proposed by Councillor Phillip Howells, seconded by Councillor Helen l'Anson and approved by the committee.

RESOLVED: the committee recommends:

- a) That the improvement notice is noted;
- b) That Jane Ellis, Director of Healthwatch Herefordshire be invited to join the improvement board;
- c) That the chairperson of the children and young people scrutiny committee attend the first meeting of the improvement board and that a decision be taken at a future meeting as to whether they should be a permanent member of the board, considering advice from the improvement advisor;
- d) That additional meetings of the committee be added to the work programme to deal with improvement board matters;
- e) That details be provided to the committee of other authorities who could act as examples of good practice;
- f) That the improvement advisor be invited to attend a future meeting of the committee.

8. LOOKED AFTER CHILDREN PERFORMANCE REPORT

The committee received a report about progress in relation to the Local Authority's Corporate Parenting Duties, presented by the interim assistant director safeguarding and family support.

Committee members heard that:

- The number of children in care in the county was slightly higher than in statistical neighbours but there could be many different reasons for this;
- Further work was taking place to drill into the data and a more detailed analysis could be brought to a future meeting;
- Placement stability was not very good at present and work was taking place to understand why this was the case;
- Work was also taking place to understand the reasons why children in the county came into care and what resources were in place to tackle the common factors;
- Officers were anticipating an influx of cases following the return to school after covid closures and were in discussion with CAMHS regarding capacity.

The committee encouraged officers to proactively identify challenges and areas for improvement that could be brought to the scrutiny committee. It was suggested that two such areas of work could be a review of corporate parenting, including the role of councillors as corporate parents, and a review of the independent reviewing service.

The committee welcomed the detailed analysis and suggested that the heat map data should be shared with all councillors so that links could be made to corporate parenting.

The recommendations below were proposed by Councillor Jennie Hewitt, seconded by Councillor Elizabeth Foxton and approved by the committee.

RESOLVED: the committee recommends:

- a) **That the work programme be updated to include a report on corporate parenting and a report on the independent reviewing service and that these should be included in training.**

The committee adjourned at 11:51 and resumed at 12:03.

Mr Andy James left the meeting during the adjournment.

9. UPDATE ON PEER ON PEER ABUSE RECOMMENDATIONS

The interim director children and families introduced the item and explained that the guidance issued to schools was still in draft and should not have been published. The guidance would be formally signed off through the safeguarding partnership and a final version published once it had been approved. The interim director apologised to the committee and stated her commitment to ensure that the guidance was fit for purpose.

The committee received an update from the assistant director children's safeguarding quality and improvement, supported by the assistant director education development and skills. The committee heard about progress in the following areas:

- Since the report had been published a provider had been identified for a family mediation council but the contractual arrangements were still being worked through;
- An online training module was being drafted for use in staff induction which could be used for temporary staff;
- the wider issue of contextual safeguarding needed to be considered, as peer on peer abuse was not just a schools issue;
- A community forum would be established which would be a forum for consultation with the public and bring peer on peer abuse into the community so it could be managed as a whole.

During the course of the debate and questioning of officers the committee noted the following principal points:

- The reconciliation process needed to deal with truth and reconciliation for those families where failures had occurred;
- The mediation process was open to anyone who was a victim of any abuse;
- An investigation was under way into why the CSO report in 2017 was not shared with councillors;
- The terms of reference for the investigation had been drafted by officers then shared with and approved by the investigator, the commissioning officer was the acting deputy chief executive – chief finance officer;
- As an officer commissioned investigation the terms of reference had not been approved by Cabinet;
- The interim head of legal services would provide a written update on timescales and the terms of reference for the investigation;
- It was important to start with the victims in any process;
- It was important to factor in the Equalities Act and the Human Rights Act and how they applied to the children involved, both victim and perpetrator.

With the chairperson's discretion a member of the public in attendance spoke to highlight their experiences and the need for consultation with affected families to ensure the mediation service would meet their needs. Officers confirmed that the community forum would be a forum for such consultation and that they were happy to have ideas from the committee or members of the public as preparation for the establishment of that forum.

The recommendations below were proposed by Councillor Jennie Hewitt, seconded by Councillor Elizabeth Foxton and unanimously approved by the committee.

RESOLVED: the committee recommends:

- a) **An update on the investigation into the historic lack of sharing by the council, including the terms of reference, be shared with the committee by the July meeting;**
- b) **That consultation take place with families ahead of the signature of the contract for the mediation service;**
- c) **A quarterly update on peer on peer abuse be shared with the committee, ahead of the July meeting if possible;**
- d) **A list of consultees and approvals be included in the final guidance to schools;**
- e) **That the offer from a member of the public to share their understand of the Human Rights Act be reviewed at the next committee meeting.**

10. REPORT OF WORK OF PREVENT AND DISRUPT GROUP TO ADDRESS CHILD EXPLOITATION AND THE CURRENT RISK OF EXPLOITATION IN HEREFORDSHIRE

The report was introduced by the assistant director, safeguarding quality and improvement, supported by the head of service safeguarding and review.

Following the presentation, the following key points were highlighted in the debate:

- The proposed safeguarding database would be a tool to map out hot spots and this approach had been successful in other councils, officers offered to provide an update once the database was in operation;
- The use of soft intelligence to lead to gathering hard intelligence and how to appropriately share information about a child that may be at risk;
- The ability of other settings such as youth provision to provide a source of additional information and the lack of such settings at the current time;
- A joint multi-agency conference on child exploitation had been held with colleagues from Worcestershire shortly before the committee meeting at which powerful testimonies had been heard, there had been good feedback and the outcomes of the conference would be shared.

It was queried that no serious case reviews had been published on the safeguarding board website for some time. Some reviews had been paused due to the pandemic but the assistant director undertook to clarify where and when reports were published.

The recommendations below were proposed by Councillor Jennie Hewitt, seconded by Councillor Elizabeth Foxton and unanimously approved by the committee.

RESOLVED: The committee recommends that arrangements for future meetings and sessions of the prevent and disrupt group that committee members could attend should be advised to the committee.

11. WORK PROGRAMME REVIEW

The committee noted the work programme 2021/22 subject to the addition of: a report on corporate parenting and a report on the independent reviewing service.

It was noted that a work programming session would be arranged once the new membership of the committee was confirmed. The chairman suggested that additional meetings of the committee, possibly interspersed between existing calendar dates, should be considered as being likely be required to deal with reports from the improvement board as they arose. It was agreed that the clerk would explore possible dates for consideration at the next meeting.

12. DATE OF NEXT MEETING

The date of the next currently scheduled meeting was noted as 27 July 2021.

The meeting ended at 1.57 pm

Chairperson



Title of report: Youth Justice Plan 2021 - 2022

Meeting: Children and young people scrutiny committee

Meeting date: Thursday 5 August 2021

Report by: Interim Director for Children and Families

Classification

Open

Decision type

Budget and Policy Framework

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose

To review the draft Youth Justice Plan 2021/22 at appendix a, and agree for the plan to be considered by full council.

The Youth Justice Plan (the plan) forms part of the council's budget and policy framework and is reserved to full council to approve.

Recommendation(s)

That:

(a) The committee determines any recommendations it wishes to make to the executive in relation to the draft Youth Justice Plan 2021/22 (appendix a).

Alternative options

1. There are no alternative recommendations because it is a function of the committee to make reports or recommendations on matters within the budget and policy framework of the council.
2. The Youth Justice Plan is required to be produced on an annual basis and the draft has been approved by West Mercia Youth Justice Service management board; one alternative option would be to amend the contents of the plan prior to approval being sought by full council, however the practical implications of this would be that any amendments would need to be approved by the management board, as required by the Youth Justice Plan Guidance issued on behalf of the secretary of State by the Youth justice Board for England and Wales, and by each of the Councils of the three other Local Authorities in West Mercia.
3. The Youth Justice Plan be recommended to full council for approval but with recommendations for the management board to consider in preparing the Youth Justice Plan for 2022/23.
4. In addition the council could choose not to endorse the adoption of the youth justice plan 2021/2022; however, this is not recommended as it is a statutory requirement for the plan to be approved by full council; therefore there are no practical alternative options.

Key considerations

5. The plan is prepared on an annual basis on behalf of Herefordshire, Shropshire, Telford and Wrekin and Worcestershire councils. The basic plan preparation is undertaken by the West Mercia Youth Justice Service according to the deadlines and content requirements set by the Youth Justice Board for England and Wales (YJB).
6. The plan sets out how youth justice services across West Mercia are structured and resourced and identifies key actions to address identified risks to service delivery and improvement.
7. Under section 40 of the Crime and Disorder Act 1998, each council has a duty to produce a plan setting out how youth justice services in their area are provided and funded and how the youth justice service for the area is funded and composed, the plan is submitted to the YJB.
8. The plan for 2021/22 was prepared in May 2021 in line with guidance issued by the YJB. The draft plan was agreed by the West Mercia Youth Justice Service Management Board on 12 May 2021.
9. West Mercia Youth Justice Service is a multi-agency, multi-disciplinary service which delivers statutory youth justice services across West Mercia. Youth justice services are defined in the Crime and Disorder Act 1998, but in summary carry out joint decision making with Police for informal Out of Court Disposal, Youth Cautions and Conditional Youth Cautions, provide reports and information to the Courts to aid remand and sentencing decisions, provide bail information and supervision, carry out case

management of community sentences and manage and provide through care of young people receiving custodial sentences. The services are delivered from community based teams aligned to each of the four Local Authority areas. The Herefordshire team is based in Hereford.

10. The service is accountable to a management board comprising senior officers from each of the statutory youth justice partnership agencies. Herefordshire Council's management board representative is the Director for Children and Families.
11. The annual Youth Justice Plan sets out how the service is structured and resourced and outlines the 2021/22 improvement action plan for the service addressing the priorities agreed by the management board. A short review of 2020/21 and commentary on the service's performance against the national youth justice indicators is also provided along with some specific data on Herefordshire at appendix 3. The key priorities for the period 2021/22 are:-

OUR PEOPLE

- 1.1 Rebuilding Teams and Increasing Staff Morale following Covid-19 working arrangements
- 1.2 Promoting staff engagement in service development and improvement

OUR PARTNERSHIPS

- 2.1 Strengthening opportunities for emotional and mental health support for our service users
- 2.2 Improving joint and integrated work with partner agencies

OUR PRACTICE AND PERFORMANCE

- 3.1 Strengthening our Pathways, Intervention and Risk Planning
- 3.2 Strengthening and increasing restorative approaches
- 3.3 Promoting and understanding the child first approach in our practice
- 3.4 Improving our resettlement offer

OUR GOVERNANCE

- 4.1 How we hear and respond to the voice of the child, our stakeholders and staff
- 4.2 Understanding and Communicating Our Vision, principles and priorities
- 4.3 Responding to national and local standards, guidance and learning

COVID-19 SERVICE RECOVERY AND TRANSFORMATION

Actions addressing each of the priorities are also included in the delivery plan in section 4.10 of the plan.

12. The Youth Justice Service is subject to three national indicators. Performance against the indicators is outlined in the plan. The Herefordshire specific information is set out on pages 20 to 22 of the plan.
13. First time entrants (FTE). There were 26 FTEs in the year 2019, which is a decrease of 28 from previous year when there were 54 first time entrants. The general trend in Herefordshire has been downward since 2015.
14. For the purposes of the youth justice service and for comparison the indicator is expressed as the number of first time entrants to the youth justice per 100,000 youth population. This rate was 162 for Herefordshire in 2019. The Herefordshire rate in 2019 is lower than both the rates for West Mercia, 187 and for England 211.
15. The Police and Youth Justice Service implemented a revised joint decision making process for out of court disposals in June 2019, which brought more young people into scope to benefit from receiving informal interventions to address their risks and needs. This will have contributed, partly, to the reduction of first time entrants to the youth justice system in 2019.
16. The second indicator is about the use of custody, which is measured as the number of custodial sentences per 1,000 youth population. The use of custody performance for 2020 was 0.00, as there were no custodial sentences made on Herefordshire children during the year.
17. The third indicator is re-offending. There are two measures which both measure re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed that young person in the cohort. The first, the frequency rate, is the average number of re-offences per offender who re-offends. The second measure is the proportion (%) of the cohort who re-offended. Due to the way the Ministry of Justice measure this indicator there is a delay in the results being published. The most recent data available for the preparation of the plan was for the cohort identified in 2018, whose re-offending was tracked for 12 month period until December 2019.
18. The frequency measure for Herefordshire for this period was 2.39 offences per re-offender which compares favourably to the West Mercia rate of 2.91 and is significantly less than the England rate of 3.93. The proportion of the cohort re-offending was 23.2%, which was similar to West Mercia's 23.7% but significantly better than the England performance of 38.9%. The performance range nationally for the frequency measure is 2.00 to 8.97 and the binary measure 14.6% to 59.3% placing Herefordshire in top quartile of the national performance range for both measures.

Community impact

19. The principal aim of the youth justice system is the prevention of offending and re-offending by children and young people. The plan sets out an action plan to address the significant risks identified.

20. The work of the youth justice service supports the achievement of the measure, in the Herefordshire County Plan, to improve the life chances of disadvantaged children in Herefordshire.
21. Children in care are over represented in the criminal justice system, and where possible the youth justice service will seek to divert children in care from formal justice disposals through the joint decision making arrangements for out of court disposals.

Environmental Impact

22. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
23. We will work with our partners in the West Mercia Youth Justice Service through the Youth Justice Service Management Board to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the governance arrangements set out in the plan.

Equality duty

24. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to

- a) discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

25. The plan will support the council in its overall duty to promote equality. In particular, the plan makes proposals to improve the outcomes of children and young people who are in conflict with the law, by ensuring their individual needs are assessed and assisting them in accessing services that meet their needs.

Resource implications

26. The council's 2021/22 financial contribution to YOS is £189,576. This is budgeted for in the Medium Term Financial Strategy (MTFS) and is sufficient to deliver the youth justice plan.

Legal implications

24. The Council is under a number of statutory obligations to reduce crime and anti-social behaviour. The Crime and Disorder Act 1998 requires the Council to formulate and implement a strategy for the reduction of crime and disorder.

25. The Crime and Disorder Act 1998 requires the Council, after consultation with the relevant persons and bodies, to formulate and implement for each year, a plan (a “Youth Justice Plan”) setting out how Youth Justice Services in their area are to be provided, funded and will deliver against their targets

Risk management

27. The risks are identified in the plan, together with the actions to mitigate them.

Consultees

28. There has been no public consultation on the Youth Justice Plan.

29. Herefordshire Council, Shropshire Council, Telford and Wrekin Council, Worcestershire County Council, West Mercia Police, the National Probation Service, CCGs and the Office of the West Mercia Police and Crime Commissioner have contributed to the plan through their YJS management board representatives who agreed the plan on 12 May 2021. The Herefordshire Council management board representative is the Director for Children and Families.

30. The content of the plan was informed by a workshop attended by the management board representatives or their delegates.

Appendices

Appendix A – West Mercia Youth Justice Plan 2021/22

Background papers

None identified.



WEST MERCIA YOUTH JUSTICE PARTNERSHIP



YOUTH JUSTICE PLAN



2021/22



Preface

Under the Crime and Disorder Act 1998 (the Act) youth offending partnerships have a statutory duty to produce an annual youth justice plan which is submitted to the Youth Justice Board for England and Wales in accordance with the directions of the Secretary of State. The purpose of the plan is to outline how statutory youth justice services, as defined in the Act, are structured, funded and delivered in the area. All statutory youth justice services within West Mercia are delivered directly or commissioned by West Mercia Youth Justice Service.

This plan outlines the vision and priorities for West Mercia Youth Justice Service and outlines key actions to be undertaken during 2021/22.

The content and format of the plan has been informed by and prepared in accordance with “Youth Justice Plans: YJB Practice Guidance March 2021” issued on behalf of the Secretary of State by the Youth Justice Board for England and Wales on 30th March 2021.

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1.0 Introduction

Introduction from Karen Bradshaw, Chair of West Mercia Youth Justice Service Management Board



West Mercia Youth Justice Service (WMYJS) is partnership between the Local Authorities, National Probation Service, West Mercia Police, NHS organisations across West Mercia and the Office for the West Mercia Police and Crime Commissioner. The service is accountable to the WMYJS Management Board, comprised of senior officers from each partner agency. The service is hosted, on behalf of the Local Authorities and the partnership by the Office of the West Mercia Police and Crime Commissioner (OPCC).

The previous year has been difficult due to the Covid-19 pandemic and the restrictions placed on the service as a result and the service was one of seven selected by HMI Probation for a thematic inspection on how YOTs had responded to Covid-19. The thematic inspection was positive about the ways in which services had adapted their delivery models and ensured meaningful engagement with children. From our local monitoring the board have been pleased to note that there has been no deterioration of performance in terms of frequency of contact with children and timeliness of key processes. Service development has also continued during this period, with the full implementation of the revised joint decision arrangements for out of court disposals during 2020, the development of a service website and piloting an approach for parent support in partnership with a third sector agency.

Service performance against the three national outcome indicators has improved on previous years. The performance in relation to the rate of young people receiving a custodial sentence has improved between 2019 and 2020 from 0.13 to 0.07 custodial sentences per 1,000 youth population, and this rate is significantly below the national rate of 0.14. The proportion of young people re-offending (cohort identified in 2018) is 23.7% which is significantly lower the national rate at 38.4%, and an improvement on the previous year when it was at 25.3%.

The first time entrant (FTE) rate for the period 2019 is at 187 FTE per 100,000 youth population and represents a major improvement on the previous year when it was at 297, and for the first time West Mercia rate is lower than the national rate which is 211 for the same period.

For 21/22 the partnership has continued to identify priorities based on the four themes of;

Our People
Our Partnerships
Our Performance, Quality and Practice; and
Our Governance

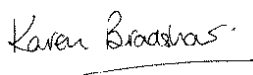
With an additional priority of Covid-19 recovery and transformation.

The youth justice partnership recognise that we do not work in isolation in reducing offending by children and improving the outcomes for children who have entered or at risk of entering the youth justice system. The board are committed to promoting better joint work between the service and other agencies at a local level, and this will particularly be the case in tackling growing issue of criminal exploitation and county lines type activity.

1.1 Approval of the Plan

This plan was approved at the West Mercia Youth Justice Service Management Board meeting held on 12th May 2021.

Signed:



Date: 12th May 2021

2.0 Youth Justice Plan 21/22 Executive Summary

2.1 Context

The previous year has been challenging due to delivering the services throughout the Covid-19 lock down periods and associated restrictions, this has resulted in three continuing risks to service delivery; increased caseloads, additional demands on operational managers and continuing Covid-19 secure working arrangements effect on staff and potential negative effect on effective case management. There are mitigations in place as part of the service's recovery plan.

The YJB vision is of a child first youth justice system, and during 21/22 the service will be working to further understand and embed a child first approach in practice. A particular model of support for parents provided by a third sector organisation to parents will be piloted.

The service will continue to contribute to partnership work in order to address exploitation and peer on peer abuse. Although serious youth violence is currently not a significant issue, the service will monitor data in relation to serious violence and will respond accordingly if this becomes a more prevalent or a serious issue in West Mercia.

Although there is not a significant over representation of BAME children in the overall offending population in West Mercia, we recognise that there needs to be a more granular level of analysis, and there are actions to address this in the National Standards improvement plan.

2.2 Priorities and Key Actions 21/22

The youth justice partnership has identified the following priorities and key actions for 2021/22.

1 OUR PEOPLE

1.1 Rebuilding Teams and Increasing Staff Morale following Covid-19 working arrangements

- *Team development training*
- *Staff conference*
- *Staff recognition*

1.2 Promoting staff engagement in service development and improvement

- *Staff involvement in Covid-19 recovery*
- *Process for staff contribution to leadership team decision making*
- *Internal communication strategy*

2 OUR PARTNERSHIPS

2.1 Strengthening opportunities for emotional and mental health support for our service users

- *Review of health contribution to the service*
- *Implementation of the emotional and mental health improvement plan*
- *Strengthening service links with the Liaison and Diversion Schemes*

2.2 Improving joint and integrated work with partner agencies

- *Providing social care access to youth justice service information systems*
- *Strengthening transition to adult services arrangements with the Probation Service*
- *Reviewing and agreeing the remand strategy with the local authorities*

3 OUR PRACTICE AND PERFORMANCE

3.1 Strengthening our Pathways, Intervention and Risk Planning

- *Staff training*
- *Developing programmes*

3.2 Strengthening and increasing restorative approaches

- *Review how we deliver victim liaison and restorative processes*
- *Revise policy and guidance*

3.3 Promoting and understanding the child first approach in our practice

- *Training and awareness*
- *Developing a service child first policy*

3.4 Improving our resettlement offer

- *Resettlement deep dive report*
- *Resettlement policy*

4 OUR GOVERNANCE

4.1 How we hear and respond to the voice of the child, our stakeholders and staff

- *Review how the management board hear the voice of the service users*
- *Relaunch the staff survey*

4.2 Understanding and Communicating Our Vision, principles and priorities

- *Promoting the vision, principles and priorities in the service*
- *Linking appraisals to the priorities and principles*

4.3 Responding to national and local standards, guidance and learning

- *Implement the National Standards improvement plan*
- *Develop process to measure impact of learning from reviews and audits*

5 COVID-19 SERVICE RECOVERY AND TRANSFORMATION

- *Continued implementation of the recovery and transformation plan*

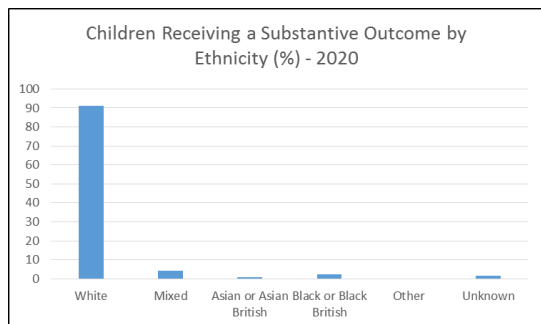
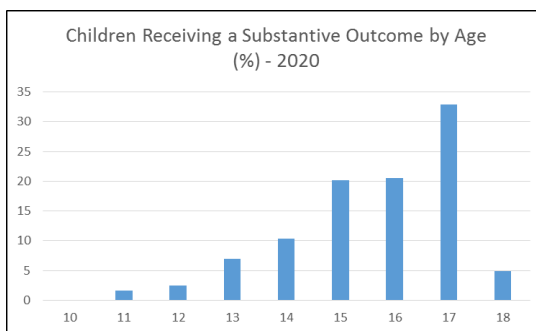
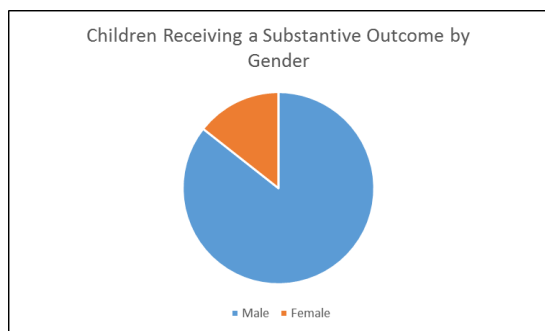
3.0 Review of 2020/21

3.1 Children Receiving Youth Justice Outcomes 2020

3.1.1 Substantive Youth Justice System Disposals 2020

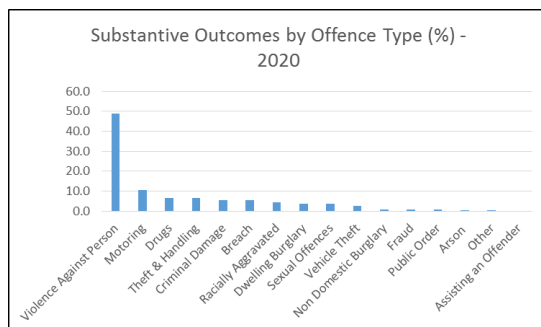
A total of 243 West Mercia children, were made subject to 277 substantive youth justice system disposals (cautions or convictions) during 2020. Of the children receiving substantive youth justice outcomes 14% were female and 86% male.

The majority, 79%, of children receiving substantive outcomes were aged 15 years or older. No 10 year olds were made subject to substantive outcomes, and 11 and 12 year olds accounted for 4% of outcomes.

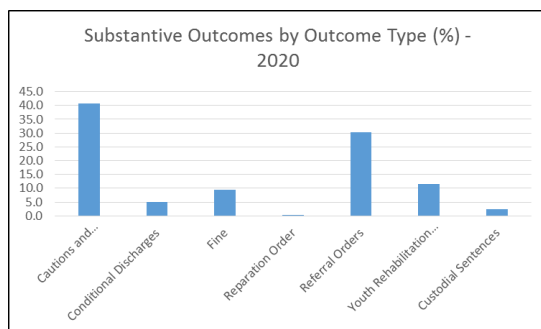


The proportion of children who received a substantive outcome who were white was 91%, with children from BAME groups accounting for 7% of outcomes. According to the mid 2011 population data (the latest available) BAME children accounted for 6% of the youth population in West Mercia.

Looked after children accounted for 19% of children receiving substantive outcomes.



Offences from the offence group of violence against the person accounted for the primary offence for 49% of the outcomes, motoring offences for 10%, drug related offences 7%, theft and handling 7%. These four offence group types accounting for 73% of all outcomes.

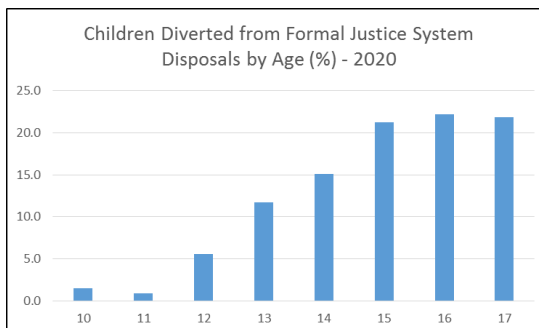
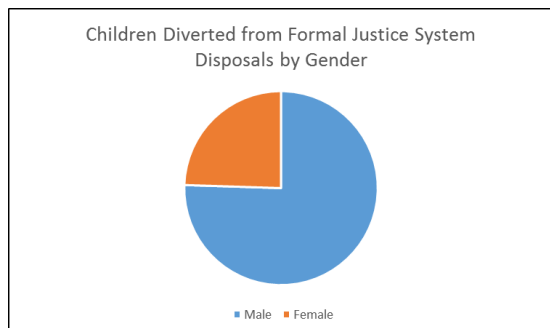


Youth cautions of all types (caution, caution supported by a voluntary intervention and conditional cautions) accounted for 41% of outcomes, Referral Orders 30% of outcomes and Youth Rehabilitation Orders 12% of outcomes. Custodial sentences formed 2.5% of outcomes.

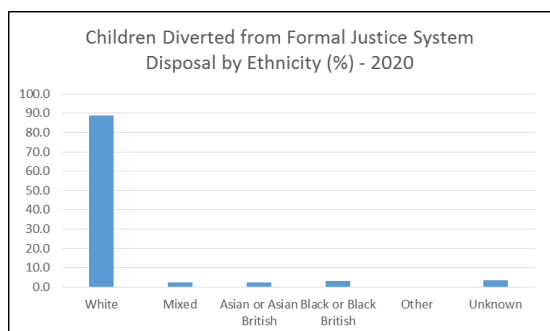
3.1.2 Children Diverted from Formal Youth Justice System Disposals

Children who have admitted an offence and who might be suitable for an out of court disposal are referred to a joint agency decision panel, included in the range of options available to the joint agency panels are informal disposals, which allow for the matter to be dealt with without the child receiving a criminal record for that offence.

In 2020, 325 children were diverted from formal justice system disposals through the issuing of 338 informal disposals. Of the children receiving informal disposals 76% were male and 24% were female.

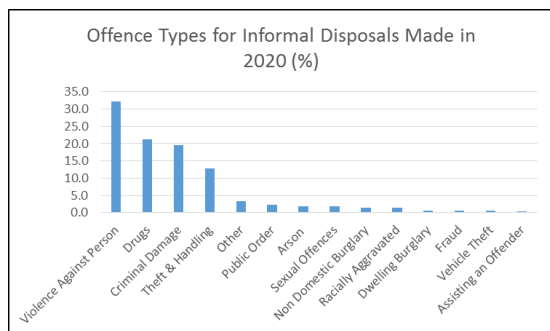


The majority, 65%, of children receiving informal disposals were aged 15 years or older. Children aged 12 and under accounted for 8% of the informal disposals including 10 year olds who accounted for 1%.



The proportion of children who received an informal disposal who were white was 89%, with children from BAME groups accounting for 7% of informal disposals. According to the mid 2011 population data (the latest available) BAME children accounted for 6% of the youth population in West Mercia.

Looked after children accounted for 4% of children diverted from formal justice system disposals.

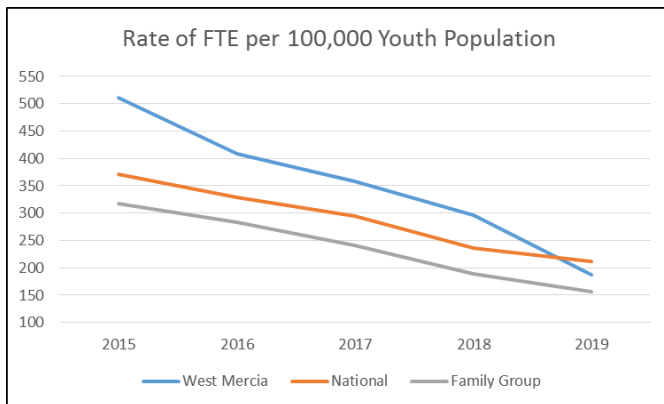


Offences from the offence group of violence against the person accounted for the primary offence for 32% of informal disposals, drug related offences for 21%, criminal damage 20% and theft and handling 13%. These four offence group types accounting for 86% of all informal disposals.

3.2 Performance

The Youth Justice Service is subject to three national outcome indicators

(i) First Time Entrants



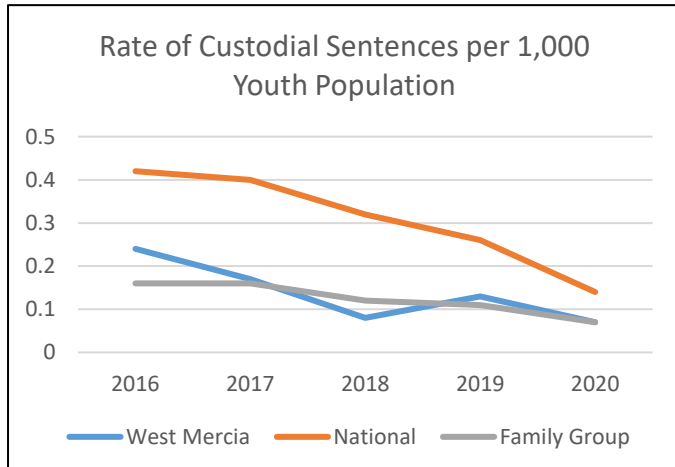
This measure is expressed as the number of first time entrants (young people receiving their first formal youth justice sanction, either a caution or conviction) per 100,000 youth population within a 12 month period. The lower the number the better the performance.

The most recent published data is for the year 2019, where the West Mercia performance was 187, compared to a national performance of 211 and statistical neighbour performance of 157. The rate of 187 is lower than the national performance for the first time and represents a significant improvement on the performance in the

previous year when the rate was 297. The gap between both the West Mercia rate and the other two rates has been reducing since 2017. The range of rates nationally is from 62 to 645, placing the West Mercia performance in the top quartile of the performance range.

A revised joint decision arrangement for out of court disposals was implemented in phases across the four local authority area in West Mercia between June 2019 and March 2020, this will have contributed to reduction during 2019, but is expected to have a more significant effect in the year 2020/21 following the full implementation.

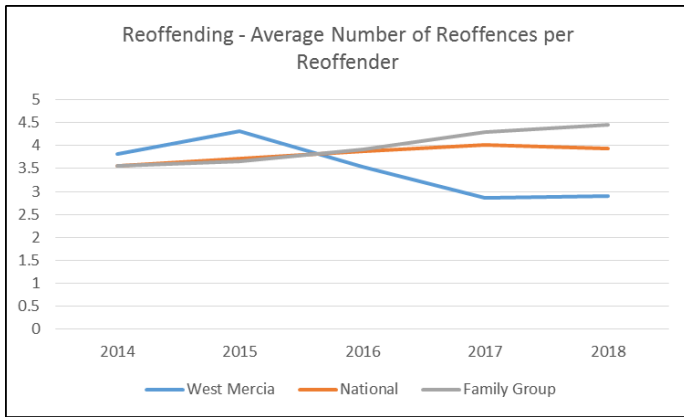
(i) Use of Custody



The use of custody indicator is expressed as the number of custodial sentences per 1,000 youth population within a 12 month period. The lower the rate the better the performance.

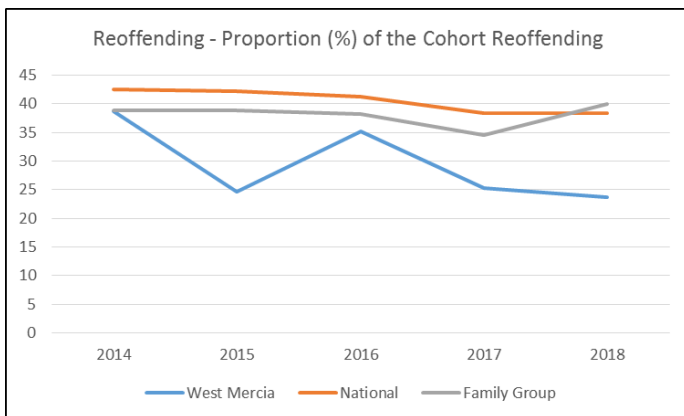
The most recently published data for this indicator is for 2020, where the West Mercia rate was 0.07, which compares favourably against the national rate, 0.17 and is the same as the statistical neighbour rate of 0.07. The range of rates nationally is between 0.00 and 0.55 placing the West Mercia performance in the top quartile of the performance range.

(ii) Reoffending



There are two measures for the re-offending indicator, both for the same cohort of offenders (all young people receiving a formal justice system disposal (caution or conviction) within a specified period of time). The cohort is then tracked for any re-offending within 12 months, the first measure (frequency measure) is the average number of re-offences per re-offender, and the second measure (binary measure) is the proportion of the cohort re-offending. For both measures a lower figure denotes better performance.

The most recently published data for this indicator is for the cohort identified in 2018.



The frequency measure for West Mercia is 2.91, which compares favourably against the national rate of 3.93 and statistical neighbour rate of 4.46. The range of rates nationally is from 2.00 to 8.97, placing the West Mercia in the top quartile of the performance range.

The binary measure for West Mercia is 23.7%, which compares favourably against the national rate of 38.4% and the statistical neighbour rate of 39.9%. The range of rates nationally is from 14.6% to 59.3% placing West Mercia in the top quartile of the performance range.

3.3 Service User Feedback

During 2020 the service has used an internet based survey, Viewpoint, to capture service user feedback. Responses to some key questions from the 70 surveys completed during 2020 are outlined below:-

- 85% of children said that the YOT took their views seriously
- 70% rated the service provided to them as very good
- 72% felt that they had enough say in what went into their intervention plan
- 97% said they got the help they needed to stop offending.
- 92% said they got the help they needed to feel happier about what they thought of themselves or what others thought of them
- 67% reported being a lot less likely to offend and 12% said they were a bit less likely

3.4 Implementation of Revised Joint Decision Arrangements for Out of Court Disposals

The revised joint decision arrangements for out of court disposals were fully implemented across the service during 2020. Now all decision making for children who have admitted committing an offence, unless excluded due seriousness of the offending, is through a joint agency panel led by the youth justice service and police, following an assessment by the youth justice service.

This revised process has brought into scope more children for joint decision making, and the panel has a range of informal disposals available to them allowing, where it is appropriate to do so, the panel to divert child from formal justice system disposals. This will contribute to reducing the number of first time entrants to the youth justice system and contributes to the fourth tenet of the child first approach (see section 3.3).

3.5 National Standards Self-Assessment

The partnership submission on the readiness self-assessment in respect of the 2019 National Standards for Youth Justice was completed and submitted to the YJB in May 2020, along with the improvement plan.

We reached the following assessments for each standard:

NS 1: Out of Court Disposals	Strategic Standards: Requires Improvement
	Operational Standards: Requires Improvement
NS2: At Court	Strategic Standards: Requires Improvement
	Operational Standards: Requires Improvement
NS3: In the Community	Strategic Standards: Requires Improvement
	Operational Standards: Good
NS4: Secure Settings	Strategic Standards: Requires Improvement
	Operational Standards: Good
NS5: Transitions and Resettlement	Strategic Standards: Requires Improvement
	Operational Standards: Good

The assessment and evidence supporting the self-assessed results has subsequently been moderated by the YJB who found that the self-assessment offered an evidence based reflection of judgements against service standards.

Progress against the improvement plan is being monitored quarterly by the partnership management board and the continued implementation, review and revision of the National Standards action plan is included in the delivery plan for 21/22. Additional actions under other priority areas in the delivery plan will also contribute to meeting National Standards, in particular actions associated with improving resettlement practice and transitions from youth to adult services.

3.6 Covid-19

In March 2020 the service put in place a Covid-19 business continuity plan to ensure that the service could continue to offer a service to the children in the youth justice system, their families and victims. To being with the plan centred on developing a range of methods to meaningfully engage with children remotely, although certain activities were suspended completely, in the main those which brought children together in groups or in contact with community groups. Partnership staff were not generally redeployed and remained within the youth justice service. The service put in place a Covid-19 operating plan for staff which has been regularly updated since.

West Mercia was one of seven YOTs select by HMI Probation for the thematic review of the work of youth offending services during the COVID-19 pandemic which took place in June and July 2020. The inspection was positive about the ways in which YOTs had adapted their service delivery models and methods of engaging children, with some children preferring or becoming better engaged through remote methods. The partnership took the learning from the inspection into account during the most recent lockdown, in particular ensuring the inclusion of youth justice service open cases in the vulnerable group to be targeted for the offer of onsite schooling.

The partnership put in place a Covid-19 recovery plan which has led to the partial reopening of offices, increasing the number of face to contacts with children, assessments informed by home visits and reintroducing the activities that were initially suspended under the initial contingency plan. According to assessed needs and the child's ability to engage remotely, including having the equipment to do so, some remote engagement continues on a case by case basis, and as part of blended delivery model. The recovery plan has only been implemented to the point that Government restrictions have allowed.

The leadership team and management board have monitored key processes during the Covid-19 period, including frequency of contact with children and timeliness of panel meetings, high risk case planning meetings and assessments and performance against these measures has been good.

West Mercia Youth Justice Plan 21/22

The contingency plan has been kept under review and revised following changes in Government advice and restrictions, but the partnership is keen to look at service transformation based on the learning from the Covid-19 period, including those in terms of remote working for staff, the blended approach to service delivery to children and fostering and maintaining the spirit of creativity and innovation that was apparent in the early months of the lockdown. Covid-19 recovery and service transformation is one of our key priorities for 21/22, and will involve a full review and revision of the recovery and transformation plan.

4.0 Youth Justice Plan 2021/22

4.1 Vision and Underlying Principles

The West Mercia Youth Justice Partnership have agreed a vision statement and underpinning principles for the service following a joint workshop with the service's management team and a staff consultation.

Vision:

Together, preventing offending and improving lives

Underlying Principles:

- *Ensure that we secure best practice, innovation and outstanding quality in all we do*
- *Reducing demand by preventing offending and effectively managing the risks posed by those who have offended*
- *Offer the best value for money by combining resources*
- *Work with victims and communities to repair harm from offending*
- *Recognising the capacity of young people to grow and develop with the right support*
- *Listen to children's and victim's opinions and use them to shape what we do*
- *Building resilience within families and local communities*
- *Recognise the important role families play in preventing children from getting involved in crime*
- *Grow and sustain a positive and stable workforce*

One of our key priorities for 2021/22 is understanding and communicating our vision, principles and priorities.

4.2 Risks and Challenges to Service Delivery

The following risks to service delivery and development have been identified for 2021/22:-

1. Effective case management is compromised due to increased case loads
Some teams have experienced an increase in open cases, partly due to the full implementation of the revised joint decision making model for Out of Court Disposals during 2020 and due to the backlog of Court cases caused by first lockdown, now coming through the system in parallel with new cases.

The short term mitigation has been to increase capacity in those teams affected through the use temporary increases in hours for staff on less than full time contracts. This may be a temporary issue, but will need to be monitored, and if the changes in the balance of cases between the service teams is sustained, a reconfiguration of the distribution of resources between the teams will be required in the longer term.
2. Additional demands on operational managers leading to burn out or negatively impacting on their well-being; and
3. Additional demands on operational managers negatively impacting on timely service improvement activity
It was a finding in the thematic inspection of YOTs response to Covid-19, that whilst caseloads for staff were manageable team managers have been stretched. Although travel time has been reduced, management supervision of staff and cases has taken much more time. This continues to be case with managers trying to balance these increased demands alongside their partnership and service development responsibilities.

Mitigations in place for risk 2, include the access to welfare support and occupational health services, agreement to defer non-priority service development work and the short term reduction of report requirements from the management board. Mitigations for risk 3 include a temporary increase in capacity in 21/22 to work on identified service development actions.
4. Effective case management compromised due to the effect of Covid-19 restrictions and working arrangements on service staff

West Mercia Youth Justice Plan 21/22

The past year has affected staff differently, but the inability to bring teams together, other than by phone conferences has had a negative effect on staff morale and effective team working. As such the partnership had identified rebuilding teams and increasing staff morale as a key priority for 21/22 and actions are included in the delivery plan.

4.3 Child First Approach in Practice

The YJB's vision of a child first youth justice system is one where 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

Even though activities can be identified which would demonstrate the service has begun to adopt a Child First approach, for example the implementation of the joint decision arrangements for Out of Court Disposals and where appropriate the diversion of children from formal justice system disposals, there is still much to do to before we could claim that a child first approach has been embedded in practice.

Promoting and understanding child first approach in our work has, therefore, been adopted as one of the 12 main priorities for the service for 2021/22.

4.4 Work with Parents and Carers

The service piloted an approach for support for parents of service users during the last quarter of 20/21, called Kitchen Table Talks, provided by a third sector organisation. The service is extending this pilot into the first six months of the 21/22.

4.5 Safeguarding

Safeguarding remains a key area of focus for the service. WMYJS has a key role in safeguarding young people, in terms of assessing and reducing the risk of harm to young people either from their own behaviour or the actions of others and reducing the risk of harm they may pose to others. The service continues to be active members of the children safeguarding partnership arrangements in each of the local authorities and there is a S11 action plan in place.

4.6 Exploitation, Peer on Peer Abuse and Serious Violence

County line type activity and child criminal exploitation has been identified as a growing issue across West Mercia. In 2020 the service identified 101 children at risk of county lines or criminal exploitation out of the 275 that had an assessment completed. The service will, through the pre-court joint decision making arrangements, seek to avoid the criminalisation of young people on the edges of this activity.

The service works as part of the child exploitation strategy and operation groups and the Serious Organised Crime Joint Agency Groups (SOCJAG) to address the issues of county lines type activity, organised crime group and gang activities. Exploitation is a priority across all four local authority areas and the service contributes to the partnership work in each of local authority areas, including Get Safe Strategic and Operational Groups in Worcestershire, the West Mercia Youth Justice Plan 21/22

Child Exploitation Strategy and Operational Groups in Shropshire, Telford and Wrekin and Herefordshire, and is a contributing partner in the work on Harmful Sexual Behaviour and peer on peer abuse in Herefordshire.

Serious violent crime is not a significant issue in West Mercia currently, however we recognise that this may become an emerging issue associated with serious organised crime and the service will, as a result, be developing weapon crime programmes. The service is a contributing partner in West Mercia Police's knife crime prevention programme, Steer Clear. The service will continue to monitor data in relation to serious violent crime and will respond accordingly if this becomes a more serious issue.

4.7 Ethnic Disproportionality

In West Mercia there is a small disproportion in the number of BAME children in the youth offending population over the percentage of BAME children within the youth population. BAME children make up 7% of the offending population but only 6% of the 10-17 year old population. Analysis of the BAME group shows that black children are over represented in the BAME offending population compared to the general population and Asian children are under-represented (2019 data).

Local analysis of cases dealt with through the joint decision making panels show that BAME children were diverted from formal justice system disposals in 57% of cases compared to white children, 40%. In terms of custodial remands in the period November 2019 to October 2019 there were 9 children made subject to 10 remands to YDA and one child was Black and 9 were White. In the same period there were 6 custodial sentences all were for White children. Given the low numbers of children made subject to custodial remands and sentences it is difficult to draw any firm conclusions in relation to any ethnic over representation at this stage in the system in West Mercia.

We recognise there needs to more granular level of analysis before we are able to identify any actions required to address any identified disproportionality within West Mercia and there are actions in the National Standards improvement plan to address this.

4.8 Links to the YJB Strategic Plan 2021-24

The vision identified in the YJB strategic plan for 2021 – 24 is for a child first youth justice system which sees children as children, treats them fairly and helps them to build on their strengths so they can make a constructive contribution to society. We will work during 21/22 to ensure we understand the child first approach and ensure that is translated into practice.

4.9 Priorities for 2021/22

Priorities

The youth justice partnership has identified the following priorities for 2021/22.

- 1 OUR PEOPLE
 - 1.1 Rebuilding Teams and Increasing Staff Morale following Covid-19 working arrangements
 - 1.2 Promoting staff engagement in service development and improvement
- 2 OUR PARTNERSHIPS
 - 2.1 Strengthening opportunities for emotional and mental health support for our service users
 - 2.2 Improving joint and integrated work with partner agencies
- 3 OUR PRACTICE AND PERFORMANCE
 - 3.1 Strengthening our Pathways, Intervention and Risk Planning
 - 3.2 Strengthening and increasing restorative approaches
 - 3.3 Promoting and understanding the child first approach in our practice
 - 3.4 Improving our resettlement offer

4 OUR GOVERNANCE

4.1 How we hear and respond to the voice of the child, our stakeholders and staff

4.2 Understanding and Communicating Our Vision, principles and priorities

4.3 Responding to national and local standards, guidance and learning

5 COVID-19 SERVICE RECOVERY AND TRANSFORMATION

The Priorities in detail

OUR PEOPLE

1.1 Rebuilding Teams and Increasing Staff Morale following Covid-19 working arrangements

The contingencies put in place to deliver the service since March 2020 have had a detrimental effect on staff morale and the service teams. Working from home and remote working and management has affected staff in different ways and there has been no opportunity to bring whole teams together, other than through telephone conferencing. Since offices have been open to staff again the Covid-19 secure arrangements have meant that only small exclusive bubble groups have been able to go in at any one time. During 21/22 we will address this issue through team development training, staff recognition and a service conference.

1.2 Promoting staff engagement in service development and improvement

Staff surveys have identified that staff would like greater opportunity to contribute to decision making in the service and be better informed of decisions regarding service development. In 21/22 we will seek to involve staff in the Covid-19 recovery and transformation planning and investigate how staff are better able to contribute to leadership team discussions and decision making. We will put in place an internal communications plan.

OUR PARTNERSHIPS

2.1 Strengthening opportunities for emotional and mental health support for our service user

In 2020 57% of assessments on children in the service identified the child's emotional development and mental health as a factor against desistance. Following an emotional and mental health practice deep dive commissioned by the management board, and reported in July 2020, there is already an EMH action plan in place. In 21/22 we will continue to progress the action plan, review the health contribution in some of teams with the relevant clinical commissioning groups, provide staff training and develop our relationships with the Liaison and Diversion services across West Mercia.

2.2 Improving joint and integrated work with partner agencies

The service is always seeking to improve joint and integrated work with partner agencies. In particular in 21/22 we would seek to improve and agree a joint approach to remands with the local authorities and improve our transitions to adult services work with the Probation Service. The latter work will additionally contribute to the improvement plan for National Standard 5, Transitions.

OUR PRACTICE AND PERFORMANCE

3.1 Strengthening our Pathways, Intervention and Risk Planning

Scrutiny of practice has identified our intervention planning and risk planning to be an area for improvement. Through training we will identify a consistent view of what a good plan is, and through revised quality assurance processes drive and maintain improvements in planning. In addition to improving intervention planning we will seek to enhance the programmes available for staff to use and promote innovation and creativity.

3.2 Strengthening and increasing restorative approaches

We intend to review our arrangements for victim contact and delivery of restorative processes during 21/22, following the annual needs assessment identifying recording issues in respect of this work and a low use of direct restorative processes. Additionally in the staff survey undertaken to assist in informing the youth justice plan for 21/22, victim work and restorative approaches had the highest number of responses for an area of practice requiring development.

3.3 Promoting and understanding child first approach in our practice

The reasons for identifying this as one of our priorities for 2021/22 are well rehearsed in sections 3.3 and 3.6 of this plan.

3.4 Improving our resettlement offer

The service has recognised that resettlement is an area of practice that requires improvement and needs to be developed to make the service's resettlement offer more constructive. Work will include undertaking an audit and deep dive and the development of policy and practice guidance. This will also contribute to our improvement plans for National Standard 5, Transitions.

OUR GOVERNANCE

4.1 How we hear and respond to the voice of the child, our stakeholders and staff

Although there is an end of order feedback process in place for children, we need to expand the feedback process for other service user groups. Some recent work piloted in West Mercia by a third sector organisation commissioned by the service has demonstrated the importance of seeking the views of parents and carers. In 21/22 we will identify, in particular, how the management board hears and takes account of the voice of the child, including their lived experience. We will also relaunch the staff survey and develop a process for the management board to receive feedback from the magistrates.

4.2 Understanding and Communicating Our Vision, principles and priorities

We need to ensure that the service staff and partners know what our vision, principles and priorities are, and how in particular the vision and underlying principles are translated into practice and impact on outcomes for children. This will be achieved through promoting these within the service and reinforcing through linking into appraisal objectives.

4.3 Responding to national and local standards, guidance and learning

Under this priority we will continue to implement and revise our national standards action plan, and develop a process of measuring the impact of learning from learning reviews and case audits on practice.

4.10 Delivery Plan 2021/22

Priority Area	OUR PEOPLE			
Sub Priority	Rebuilding Teams and Increasing Staff Morale following Covid-19 working arrangements		Promoting staff engagement in service development and improvement	
Planned Actions	Team development training Service Conference Developing a staff recognition scheme		Staff involvement in shaping post covid-19 service transformation Process for staff contribution to leadership team discussion/decisions Internal communication strategy	
Priority Area	OUR PARTNERSHIPS			
Sub Priority	Strengthening opportunities for emotional and mental health support for our service users		Improving joint and integrated work with partner agencies	
Planned Actions	Review of health needs and health provision to YJS with CCGs Implementation of EMH deep dive action plan Strengthen links/work with liaison and diversion		ChSC access to ChildView Developing and strengthening transition arrangements with NPS Joint YJS/Local Authority remand strategy	
Priority Area	OUR PRACTICE AND PERFORMANCE			
Sub Priority	Strengthening our Pathways, Intervention and Risk Planning	Strengthening and increasing restorative approaches	Promoting and understanding the child first approach in our practice	Improving our resettlement offer
Planned Actions	Training and development Revised QA approach Developing programmes and innovative approaches	Review the structure and approaches to deliver victim work and restorative approaches within the service to include, recording, QA and training. Promote policy and guidance	Staff briefings and communications Training Child First Policy/Guidance	Resettlement deep dive Resettlement policy and guidance
Priority Area	OUR GOVERNANCE			
Sub Priority	How we hear and respond to the voice of the child, our stakeholders and staff	Understanding and Communicating Our Vision, Principles and Priorities		Responding to national and local standards, guidance and learning
Planned Actions	Review the process of how the management board hear and respond to the voice of the child Re-launch the staff survey Process to gain feedback from the courts/magistrates into the management board and team	Promoting the vision, principles and priorities within the service Reinforce through linking vision, principles and priorities to appraisals		Implement, review and revise our national standards action plan, with a focus on NS 4 and 5 Develop a process to measure impact from learning reviews and case audits on practice
Priority Area	COVID-19 SERVICE RECOVERY AND TRANSFORMATION			
Planned Actions	Review, revise and implement the covid-19 recovery and transformation plan			

Resources

Income and Partnership Resources

The Youth Offending Service has a complex budget structure comprising of partner agency cash, seconded staff and in kind contributions and the Youth Justice (YOT) Grant from the Youth Justice Board for England and Wales. The table below outlines the agreed contributions for 2021/22.

Agency	Staffing Costs – Secondees (£) ¹	Payments in kind (£)	Other Delegated Funds (3)	Total
Local Authorities ²			1,179,999	1,179,999
Police Service	242,650		63,000	305,650
National Probation Service	64,294		5,000	69,294
Health	132,457		36,894	169,351
Police and Crime Commissioner			110,293	110,293
YJB – Youth Justice Grant			1,314,743	1,314,743
Other (movement from reserves)				
Total	439,401		2,779,929	3,219,330

The YJB Youth Justice (YOT) Grant

The YJB Youth Justice (YOT) Grant is provided for the provision of youth justice services with an aim of achieving the following outcomes; reducing re-offending, reducing first time entrants, reducing the use of custody, effective public protection and effective safeguarding. The grant will form part of the overall pooled partnership budget for WMYJS.

The grant, partner contributions and available resources will be used to deliver youth justice services across West Mercia, to implement our improvement plan against the priorities identified for 21/22, to improve or sustain the current performance against the three national outcome measures, improve compliance with National Standards and aid the services recovery and transformation from Covid-19.

The outline draft budget for 2021/22 is provided below; the expenditure against the Youth Justice Grant is included in this budget.

Category	Budget (£)
Employee Costs	2,135,062
Other Employee Costs	31,668
Premises	165,500
Supplies and Services	39,198
ICT	97,458
Third Party Payments	238,925
Transport	72,118
TOTAL	2,779,929

Commissioned Services

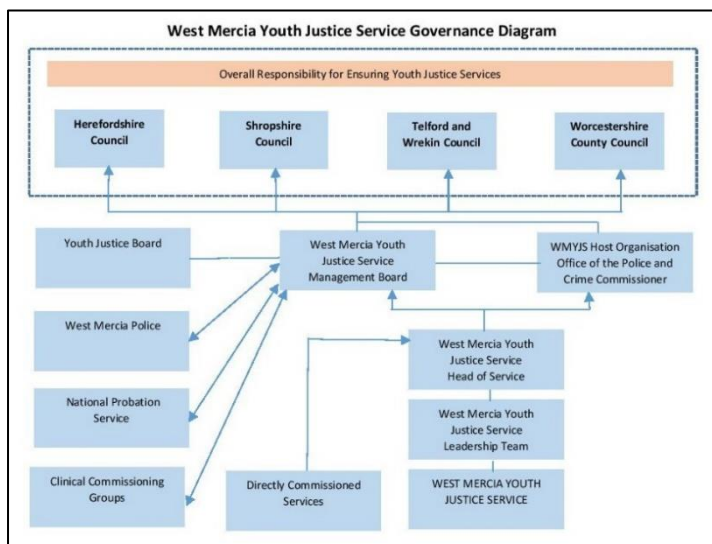
The Youth Justice Service only has one outsourced service, the provision of Appropriate Adults for young people in Police custody. The service is provided by a local voluntary sector organisation YSS. Quarterly contract monitoring and compliance meetings are held with YSS.

¹ Seconded staff figures are draft and based on 20/21, confirmation had not been received at the time the plan was prepared

² Where YOTs cover more than one local authority area YJB Youth Justice Plan guidance requires the totality of local authority contributions to be described as a single figure.

Governance, Leadership, Partnership Arrangements and Structure

WMYJS is managed on behalf of the Local Authorities and the WMYJS partnership by the Office of the West Mercia Police and Crime Commissioner (OPCC). The Youth Justice Service is accountable to the WMYJS Management Board and the Management Board is accountable to each of the Local Authorities for the commissioning and delivery of youth justice services. The partnership Youth Justice Plan is approved by the Management Board and by each of the four top tier Councils. The diagram below outlines the governance arrangements of West Mercia Youth Justice Service.



The Management Board meets every two months and monitors the performance and quality of the service through regular reporting. Where necessary the Management Board will monitor compliance with the YJB Grant conditions through exception reports.

The Management Board has considered a number of thematic deep dives and practice presentations, the purpose of which is to identify any issues, in particular with regards to provision of services and multi-agency working, and agree actions for the Management Board or individual board members in order to improve services for young people in the youth justice system.

The Management Board has a process in place to provide oversight to safeguarding or public protection case learning reviews.

Management Board members ensure that, where relevant, commissioning across partner agencies takes account of the needs of young people in or at risk of entering the youth justice system, and where appropriate explore joint commissioning arrangements.

The Youth Justice Service Management Board is currently chaired by the Director of Children Services for Shropshire Council. The Membership of the Board at 1st April 2021 is outlined in the table below:

Agency	Representative	Role
Worcestershire County Council and Worcestershire Children First	Tina Russell	Interim Director of Children Services
Shropshire Council	Karen Bradshaw	Director of Children Services
Telford and Wrekin Council	Jo Britton	Director of Children Services
Herefordshire Council	Chris Baird	Director of Children and Families
National Probation Service	Jackie Stevenson	Head of West Mercia Delivery Unit
West Mercia Police	Supt Mo Lansdale	Head of Criminal Justice
Herefordshire and Worcestershire Clinical Commissioning Group	Jade Brooks	Director of Operations
Shropshire Clinical Commissioning Group and Telford and Wrekin Commissioning Group	Zena Young	Executive Director of Quality
Office for the West Mercia PCC	Andy Champness	Chief Executive
Member providing Children Social Care Advice	Tina Knight	Service Delivery Manager, Telford and Wrekin Council

Partnerships

Management Board representative understanding their dual role when sitting on other partnership and governance boards, and where appropriate will advocate on behalf of children in the youth justice or the work of the youth justice service on those boards.

WMYJS is a member of relevant groups under the Safeguarding Children Partnerships in each of four local authority areas and children and young peoples' strategic partnerships or equivalent partnerships where these exist and early help partnerships. The service is also represented on West Mercia Police's children and young people strategic board.

WMYJS is represented on the Crime and Disorder reduction partnerships at the unitary or top tier authority level. WMYJS is an active member of the West Mercia Criminal Justice Board, the West Mercia Crime Reduction Board, the PCCs Victim and Witness Board and the MAPPA Strategic Management Board.

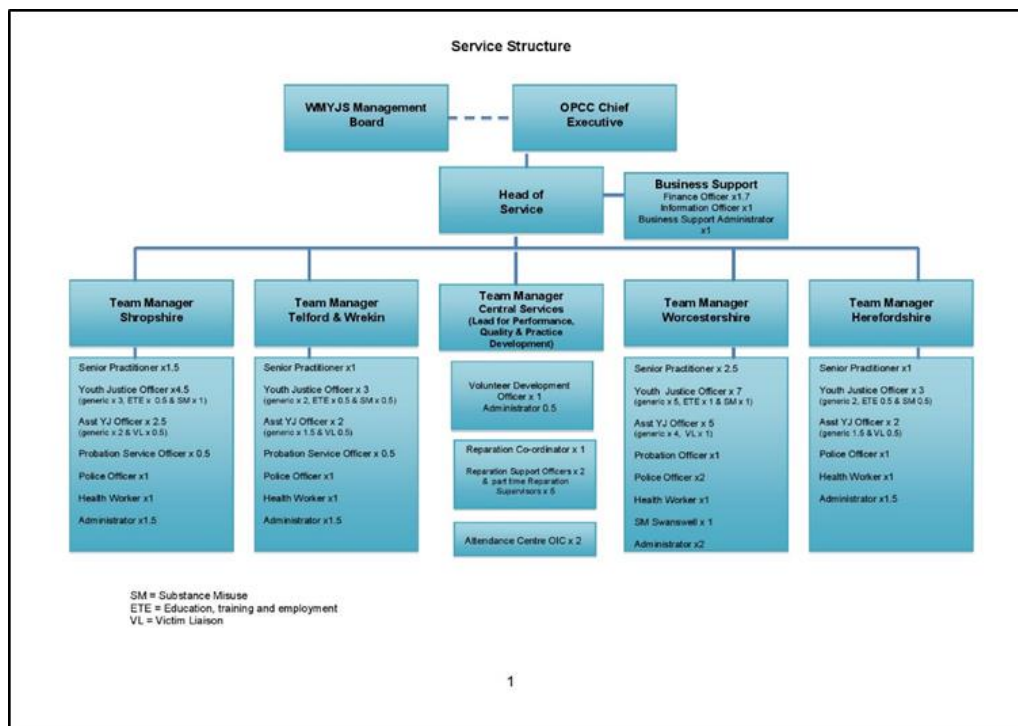
At an operational level the service is represented on the Channel Panels established as part of the Prevent Strategy, the Serious and Organised Crime Joint Agency Groups, the Child Exploitation Operational Groups. Depending on the local area the service team managers attend other multi-agency meetings according to the needs of the local area, for example Corporate Parenting Boards, SEND meetings, MASH partnership groups, Liaison and Diversion Scheme meetings and reducing re-offending groups.

Structure and Staffing of the Youth Justice Service

The West Mercia Youth Justice Service comprises four multi-agency service delivery teams, aligned to the Local Authority areas to deliver the majority of services. The reparation service and volunteer services are co-ordinated centrally across the whole service, as are the finance and data and information functions.

Each area team comprises senior practitioners, youth justice and assistant youth justice officer posts, education, training and employment officers, victim liaison officers, seconded probation staff, seconded police officers and seconded health staff.

WMYJS is compliant with the minimum staffing requirements outlined in the Crime and Disorder Act 1998, as can be seen from the structural diagram below. There are five registered Social Workers within the staffing group.



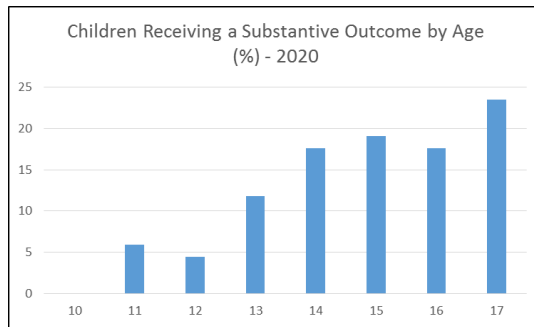
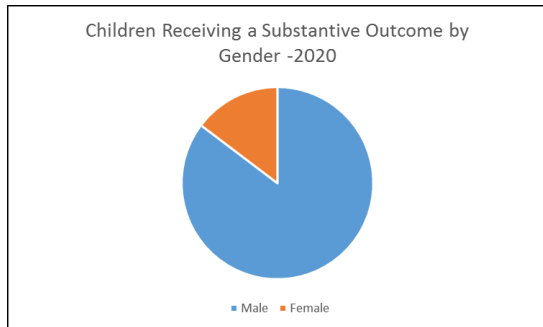
Herefordshire Local Information

2.1 Children Receiving Youth Justice Outcomes 2020

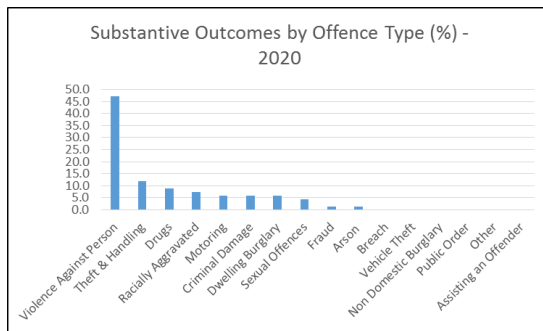
2.1.1 Substantive Youth Justice System Disposals 2020

A total of 68 Herefordshire children, were made subject to 68 substantive youth justice system disposals (cautions or convictions) during 2020. Of the children receiving substantive youth justice outcomes 15% were female and 85% male.

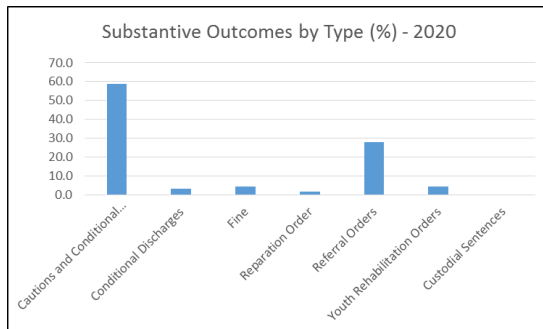
The majority, 60%, of children receiving substantive outcomes were aged 15 years or older. No 10 year olds were made subject to substantive outcomes, and 11 and 12 year olds accounted for 10% of outcomes.



Looked after children accounted for 18% of children receiving substantive outcomes.



Offences from the offence group of violence against the person accounted for the primary offence for 47% of the outcomes, theft and handling 12% and drug related offences 9%. These three offence group types accounting for 68% of all outcomes.

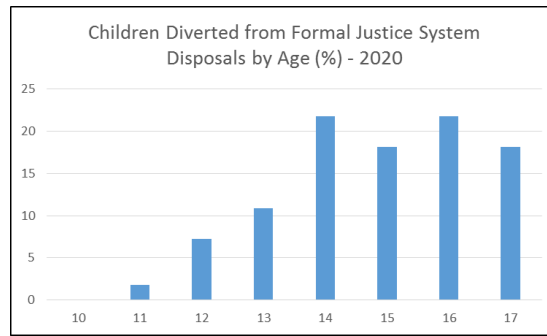
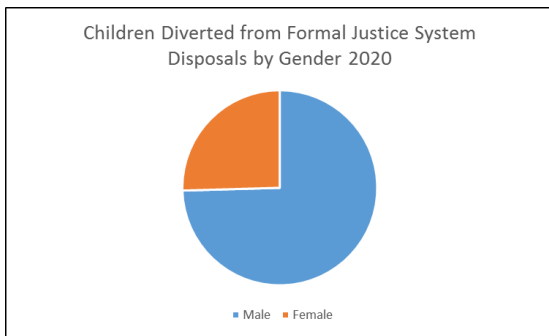


Youth cautions of all types (caution, caution supported by a voluntary intervention and conditional cautions) accounted for 59% of outcomes, Referral Orders 28% of outcomes and Youth Rehabilitation Orders 4% of outcomes. There were no custodial sentences.

2.1.2 Children Diverted from Formal Youth Justice System Disposals

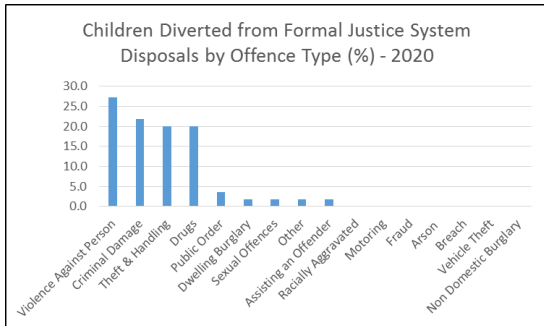
Children who have admitted an offence and who might be suitable for an out of court disposal are referred to a joint agency decision panel, included in the range of options available to the joint agency panels are informal disposals, which allow for the matter to be dealt with without the child receiving a criminal record for that offence.

In 2020, 55 children were diverted from formal justice system disposals through the issuing of 55 informal disposals. Of the children receiving informal disposals 75% were male and 25% were female.



The majority, 58%, of children receiving informal disposals were aged 15 years or older. Children aged 12 and under accounted for 9% of the informal disposals. There were no children aged 10 receiving an informal disposal.

Looked after children accounted for 6% of children diverted from formal justice system disposals.

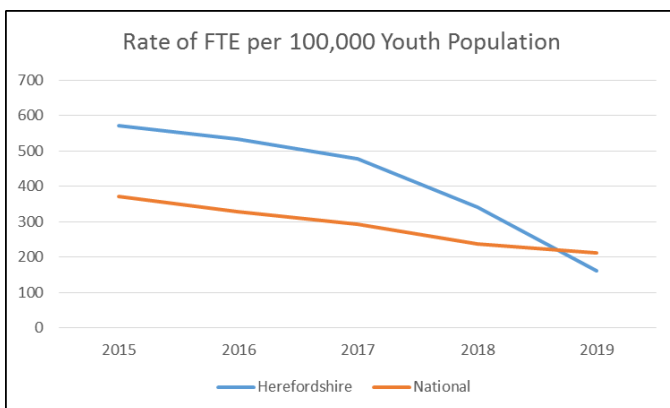


Offences from the offence group of violence against the person accounted for the primary offence for 27% of informal disposals, criminal damage for 22%, theft and handling 20% and drug related offences 20%. These four offence group types accounting for 89% of all informal disposals.

2.2 Performance

The Youth Justice Service is subject to three national outcome indicators

(ii) First Time Entrants



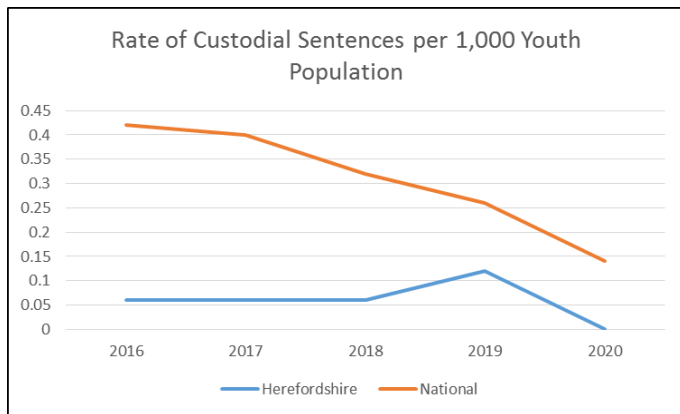
This measure is expressed as the number of first time entrants (young people receiving their first formal youth justice sanction, either a caution or conviction) per 100,000 youth population within a 12 month period. The lower the number the better the performance.

The most recent published data is for the year 2019, where the Herefordshire performance was 162, compared to a national performance of 211. The rate of 162 is lower than the national performance for the first time and represents a significant improvement on the performance in the previous year when the rate was 341. The gap

between the Herefordshire rate and national rate has been reducing since 2017. The range of rates nationally is from 62 to 645, placing the Herefordshire performance in the top quartile of the performance range.

A revised joint decision arrangement for out of court disposals was implemented in Herefordshire in June 2019, this will have contributed to reduction during 2019, but is expected to have a more significant effect in the year 2020/21 following the full implementation.

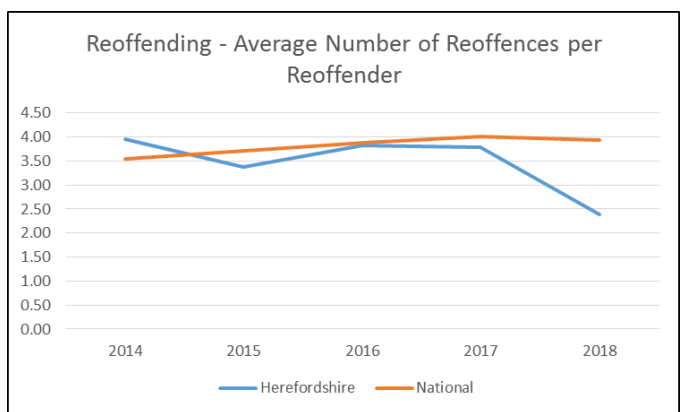
(iii) Use of Custody



The use of custody indicator is expressed as the number of custodial sentences per 1,000 youth population within a 12 month period. The lower the rate the better the performance.

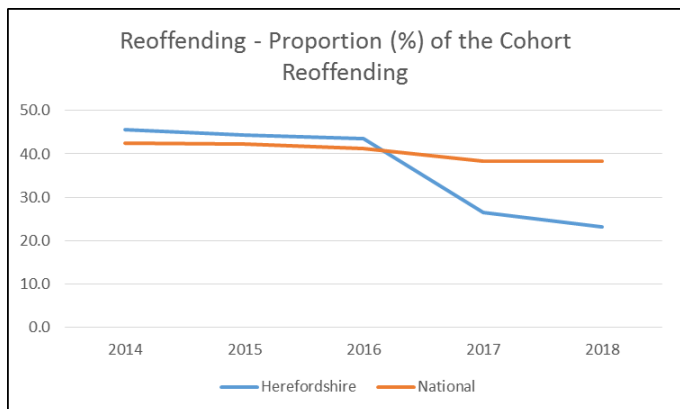
The most recently published data for this indicator is for 2020, where the Herefordshire rate was 0.00, as there were no custodial sentences made during 2020. The range of rates nationally is between 0.00 and 0.55 placing the Herefordshire performance in the top quartile of the performance range.

(iv) Reoffending



There are two measures for the re-offending indicator, both for the same cohort of offenders (all young people receiving a formal justice system disposal (caution or conviction) within a specified period of time). The cohort is then tracked for any re-offending within 12 months, the first measure (frequency measure) is the average number of re-offences per re-offender, and the second measure (binary measure) is the proportion of the cohort re-offending. For both measures a lower figure denotes better performance.

The most recently published data for this indicator is for the cohort identified in 2018.



The frequency measure for Herefordshire is 2.39, which compares favourably against the national rate of 3.93. The range of rates nationally is from 2.00 to 8.97, placing Herefordshire in the top quartile of the performance range.

The binary measure for Herefordshire is 23.2%, which compares favourably against the national rate of 38.4%. The range of rates nationally is from 14.6% to 59.3% placing Herefordshire in the top quartile of the performance range.

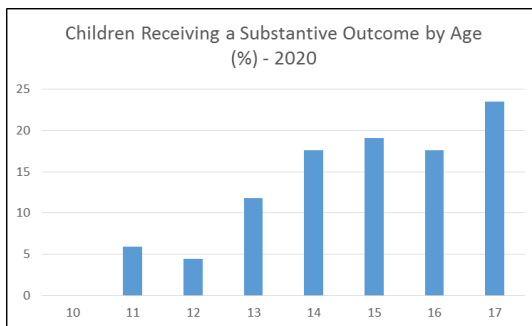
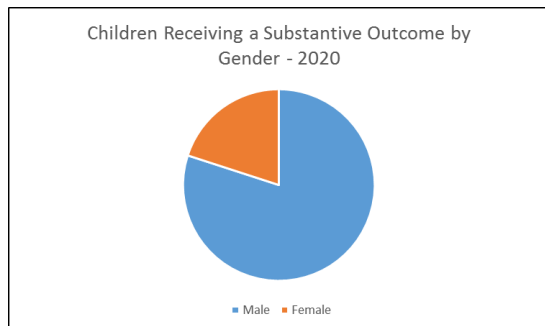
Shropshire Local Information

2.1 Children Receiving Youth Justice Outcomes 2020

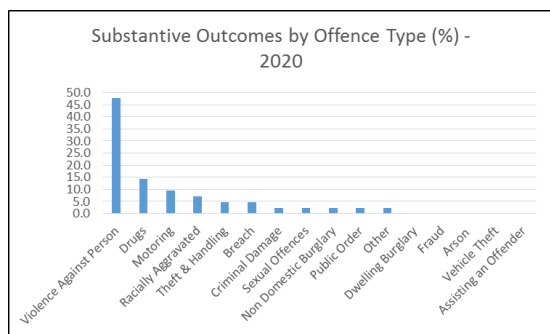
2.1.1 Substantive Youth Justice System Disposals 2020

A total of 40 Shropshire children, were made subject to 42 substantive youth justice system disposals (cautions or convictions) during 2020. Of the children receiving substantive youth justice outcomes 20% were female and 80% male.

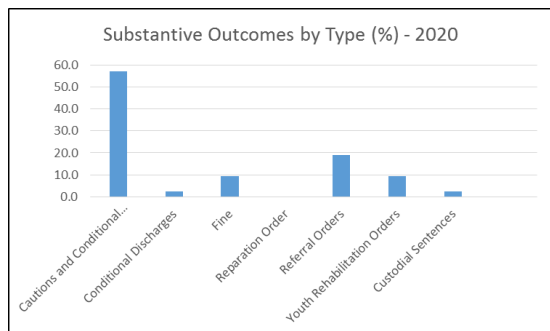
The majority, 60%, of children receiving substantive outcomes were aged 15 years or older. No 10 year olds were made subject to substantive outcomes, and 11 and 12 year olds accounted for 10% of outcomes.



Looked after children accounted for 18% of children receiving substantive outcomes.



Offences from the offence group of violence against the person accounted for the primary offence for 48% of the outcomes, drug related offences 14% and motoring offences 10%. These three offence group types accounting for 72% of all outcomes.

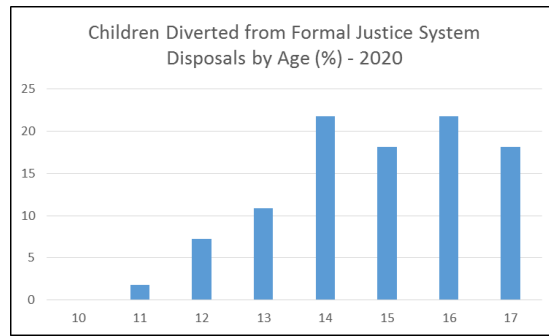
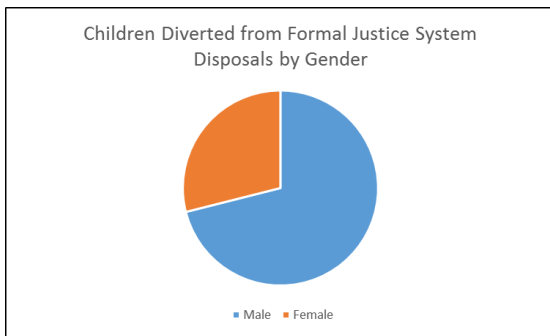


Youth cautions of all types (caution, caution supported by a voluntary intervention and conditional cautions) accounted for 57% of outcomes, Referral Orders 19% of outcomes and Youth Rehabilitation Orders 10% of outcomes. There was one custodial sentence.

2.1.2 Children Diverted from Formal Youth Justice System Disposals

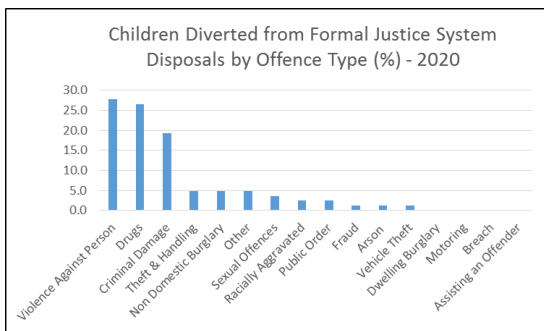
Children who have admitted an offence and who might be suitable for an out of court disposal are referred to a joint agency decision panel, included in the range of options available to the joint agency panels are informal disposals, which allow for the matter to be dealt with without the child receiving a criminal record for that offence.

In 2020, 77 children were diverted from formal justice system disposals through the issuing of 83 informal disposals. Of the children receiving informal disposals 71% were male and 29% were female.



The majority, 69%, of children receiving informal disposals were aged 15 years or older. Children aged 12 accounted for 3% of the informal disposals. There were no children under the age of 12 receiving an informal disposals.

Looked after children accounted for 3% of children diverted from formal justice system disposals.

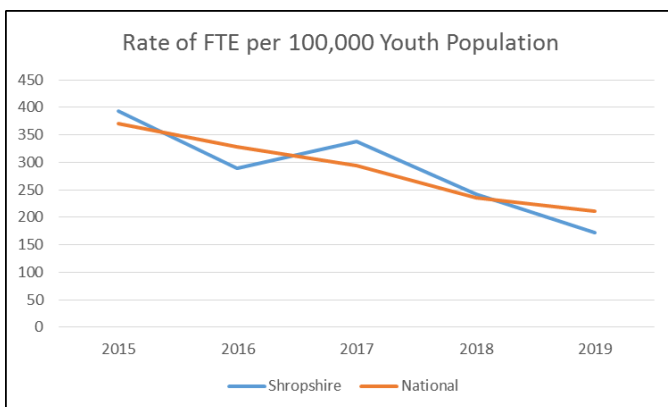


Offences from the offence group of violence against the person accounted for the primary offence for 28% of informal disposals, drug related offences 26% and criminal damage for 19%. These three offence group types accounting for 73% of all informal disposals.

2.2 Performance

The Youth Justice Service is subject to three national outcome indicators

(iii) First Time Entrants



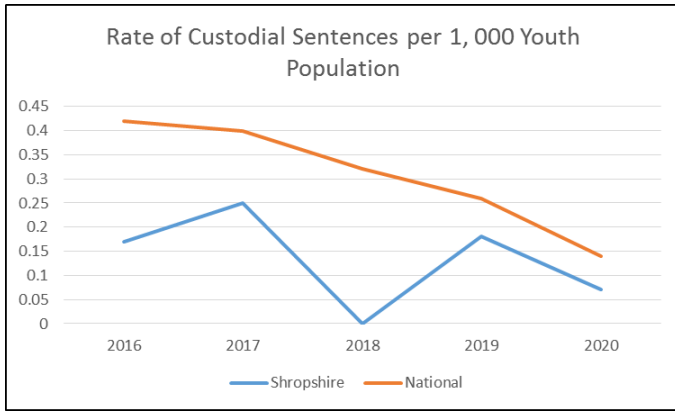
This measure is expressed as the number of first time entrants (young people receiving their first formal youth justice sanction, either a caution or conviction) per 100,000 youth population within a 12 month period. The lower the number the better the performance.

The most recent published data is for the year 2019, where the Shropshire performance was 171, compared to a national performance of 211. The rate of 171 is lower than the national performance and represents an improvement on the performance in the previous year when the rate was 242. The range of rates nationally is

from 62 to 645, placing the Shropshire performance in the top quartile of the performance range.

A revised joint decision arrangement for out of court disposals was implemented in Shropshire in January 2020, this and is expected to contribute to a further reduction in the number of first time entrants.

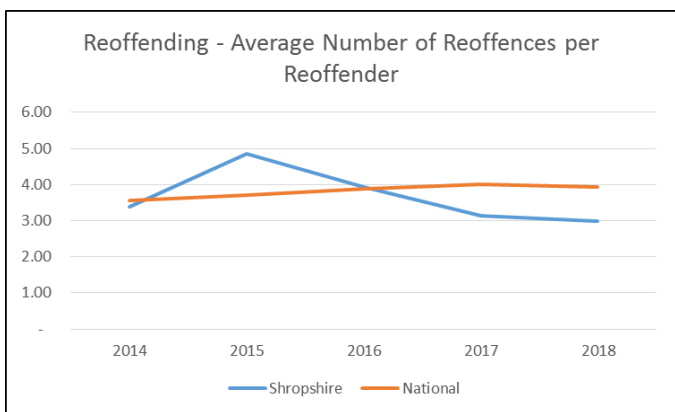
(v) Use of Custody



The use of custody indicator is expressed as the number of custodial sentences per 1,000 youth population within a 12 month period. The lower the rate the better the performance.

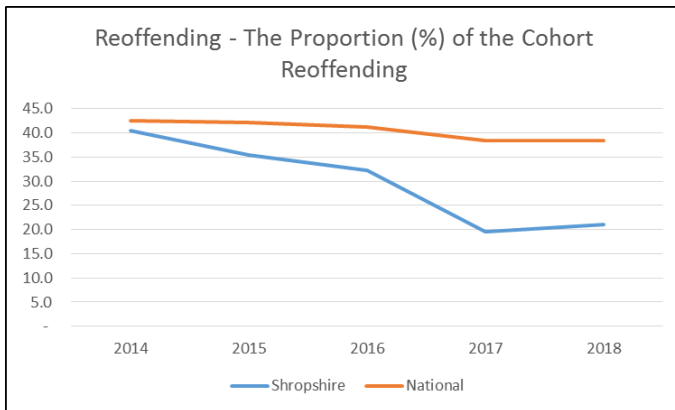
The most recently published data for this indicator is for 2020, where the Shropshire rate was 0.07, which is lower than the national rate of 0.14. The range of rates nationally is between 0.00 and 0.55 placing the Shropshire performance in the top quartile of the performance range.

(vi) Reoffending



There are two measures for the re-offending indicator, both for the same cohort of offenders (all young people receiving a formal justice system disposal (caution or conviction) within a specified period of time). The cohort is then tracked for any re-offending within 12 months, the first measure (frequency measure) is the average number of re-offences per re-offender, and the second measure (binary measure) is the proportion of the cohort re-offending. For both measures a lower figure denotes better performance.

The most recently published data for this indicator is for the cohort identified in 2018.



The frequency measure for Shropshire is 3.00, which compares favourably against the national rate of 3.93. The range of rates nationally is from 2.00 to 8.97, placing Shropshire in the top quartile of the performance range.

The binary measure for Shropshire is 21.1%, which compares favourably against the national rate of 38.4%. The range of rates nationally is from 14.6% to 59.3% placing Shropshire in the top quartile of the performance range.

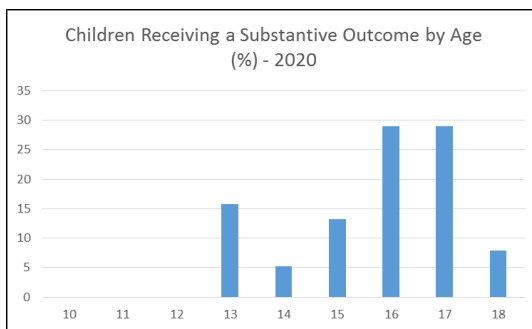
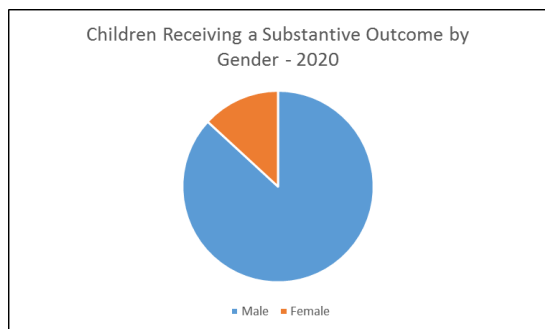
Telford and Wrekin Local Information

2.1 Children Receiving Youth Justice Outcomes 2020

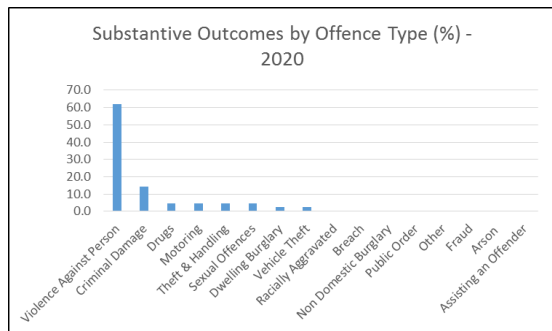
2.1.1 Substantive Youth Justice System Disposals 2020

A total of 38 Telford and Wrekin children, were made subject to 42 substantive youth justice system disposals (cautions or convictions) during 2020. Of the children receiving substantive youth justice outcomes 13% were female and 87% male.

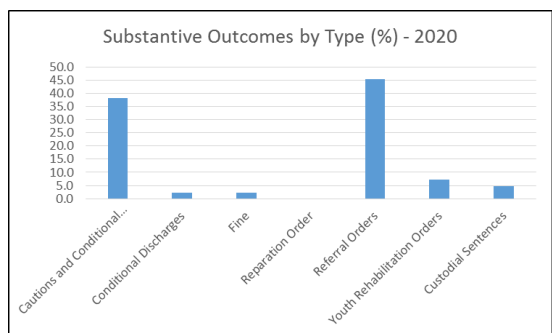
The majority, 79%, of children receiving substantive outcomes were aged 15 years or older. Children aged 13 accounted for 15% of substantive outcomes. No children aged 12 or under were made subject to substantive justice system outcomes in 2020.



Looked after children accounted for 11% of children receiving substantive outcomes.



Offences from the offence group of violence against the person accounted for the primary offence for 62% and criminal damage for 14%. Drug related offences, motoring offences, theft and handling and sexual offences each accounted for 5% of substantive outcomes.

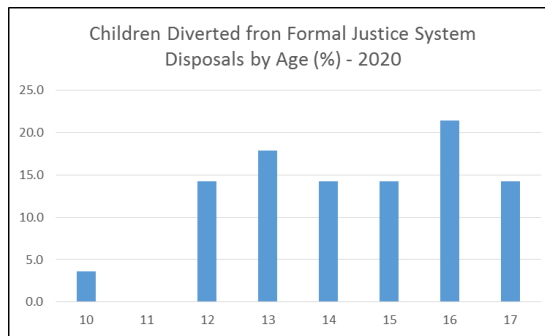
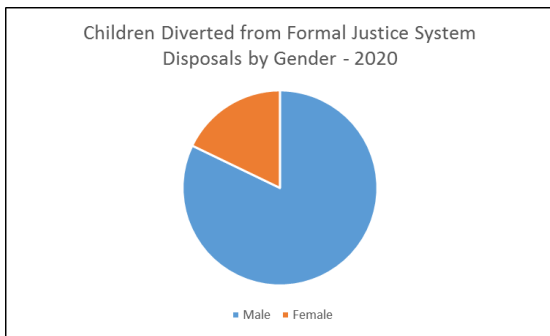


Youth cautions of all types (caution, caution supported by a voluntary intervention and conditional cautions) accounted for 38% of outcomes, Referral Orders 45% of outcomes and Youth Rehabilitation Orders 7% of outcomes. There were two custodial sentences accounting for 5% of outcomes.

2.1.2 Children Diverted from Formal Youth Justice System Disposals

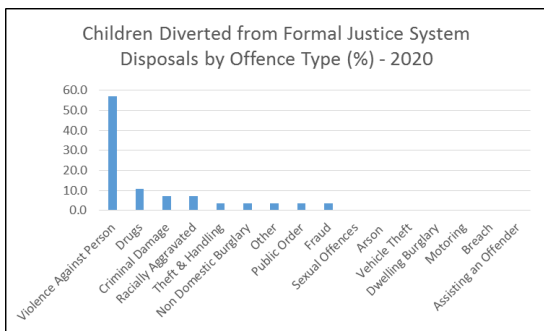
Children who have admitted an offence and who might be suitable for an out of court disposal are referred to a joint agency decision panel, included in the range of options available to the joint agency panels are informal disposals, which allow for the matter to be dealt with without the child receiving a criminal record for that offence.

In 2020, 28 children were diverted from formal justice system disposals through the issuing of 28 informal disposals. Of the children receiving informal disposals 61% were male and 39% were female.



Half of the children receiving informal disposals were aged 15 years or older. Children aged 12 and under accounted for 18% of the informal disposals.

Looked after children accounted for 7% of children diverted from formal justice system disposals.

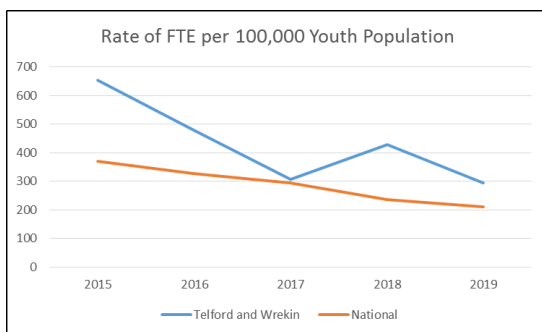


Offences from the offence group of violence against the person accounted for the primary offence for 57% of informal disposals, drug related offences for 11%, and criminal damage and racially aggravated offences for 7% each. These four offence group types accounting for 82% of all informal disposals.

2.2 Performance

The Youth Justice Service is subject to three national outcome indicators

(iv) First Time Entrants



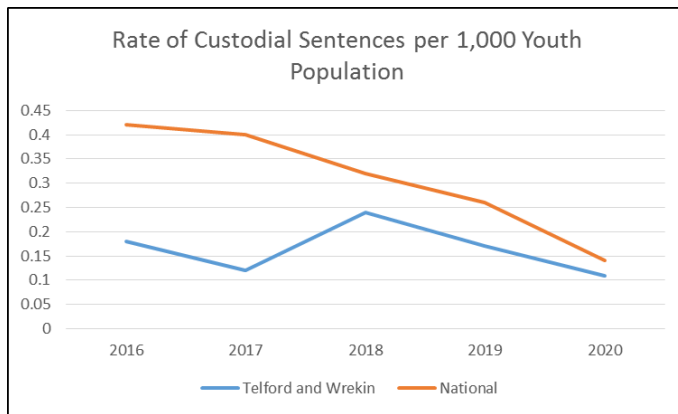
This measure is expressed as the number of first time entrants (young people receiving their first formal youth justice sanction, either a caution or conviction) per 100,000 youth population within a 12 month period. The lower the number the better the performance.

The most recent published data is for the year 2019, where the Telford and Wrekin performance was 294, compared to a national performance of 211. Although the rate of 294 is higher than the national performance it does represent a significant improvement on the performance in the previous year when the rate was 429. The

range of rates nationally is from 62 to 645, placing the Telford and Wrekin performance in the second to top quartile of the performance range.

A revised joint decision arrangement for out of court disposals was implemented in Telford and Wrekin in March 2020, and this is expected to further reduce the numbers of first time entrants to the youth justice system.

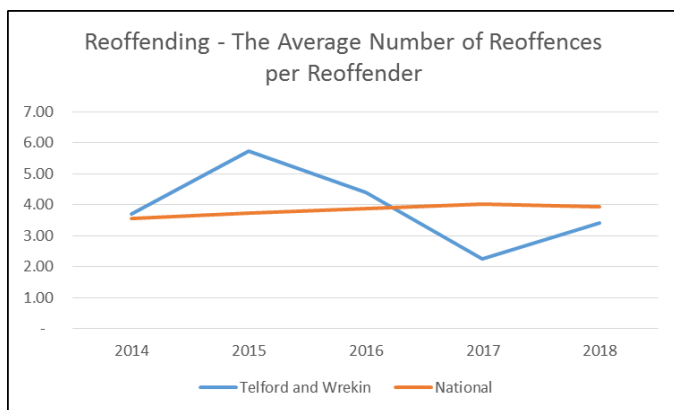
(vii) Use of Custody



The use of custody indicator is expressed as the number of custodial sentences per 1,000 youth population within a 12 month period. The lower the rate the better the performance.

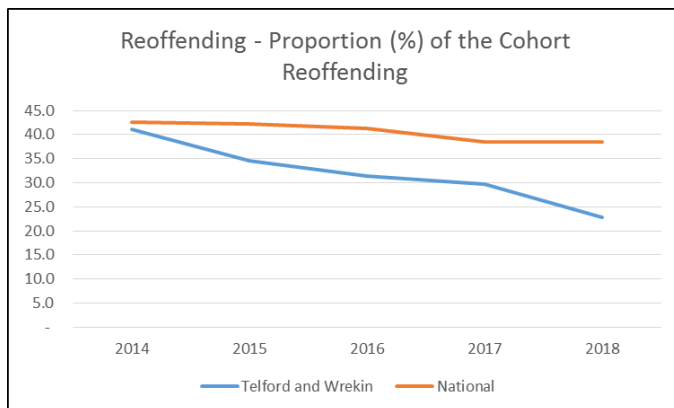
The most recently published data for this indicator is for 2020, where the Telford and Wrekin rate was 0.11, compared to a national rate of 0.14. The range of rates nationally is between 0.00 and 0.55 placing the Telford and Wrekin performance in the top quartile of the performance range.

(viii) Reoffending



There are two measures for the re-offending indicator, both for the same cohort of offenders (all young people receiving a formal justice system disposal (caution or conviction) within a specified period of time). The cohort is then tracked for any re-offending within 12 months, the first measure (frequency measure) is the average number of re-offences per re-offender, and the second measure (binary measure) is the proportion of the cohort re-offending. For both measures a lower figure denotes better performance.

The most recently published data for this indicator is for the cohort identified in 2018.



The frequency measure for Telford and Wrekin is 3.40, which compares favourably against the national rate of 3.93. The range of rates nationally is from 2.00 to 8.97, placing Telford and Wrekin in the top quartile of the performance range.

The binary measure for Telford and Wrekin is 22.7%, which compares favourably against the national rate of 38.4%. The range of rates nationally is from 14.6% to 59.3% placing Telford and Wrekin in the top quartile of the performance range.

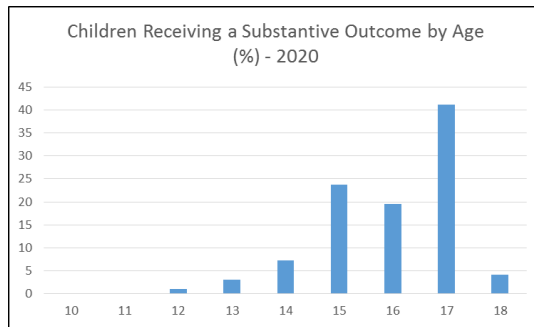
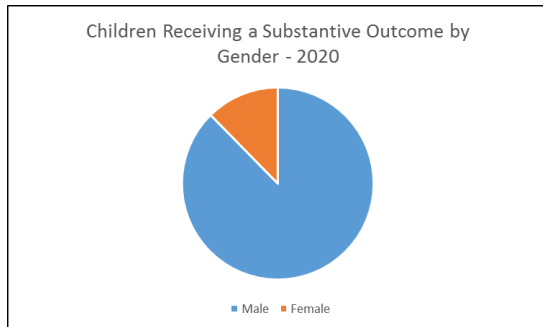
Worcestershire Local Information

2.1 Children Receiving Youth Justice Outcomes 2020

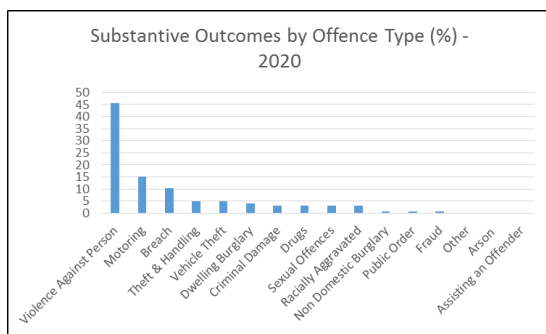
2.1.1 Substantive Youth Justice System Disposals 2020

A total of 97 Worcestershire children, were made subject to 125 substantive youth justice system disposals (cautions or convictions) during 2020. Of the children receiving substantive youth justice outcomes 12% were female and 89% male.

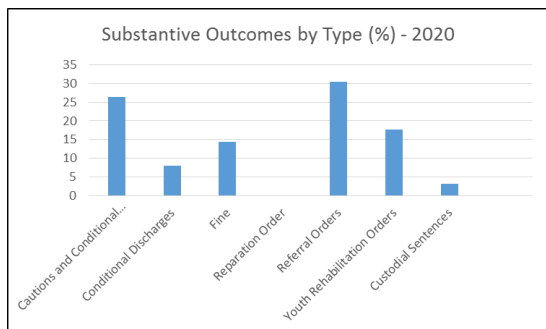
The majority, 89%, of children receiving substantive outcomes were aged 15 years or older. No children under the age of 12 were made subject to substantive outcomes, and 12 year olds accounted for 1% of outcomes.



Looked after children accounted for 21% of children receiving substantive outcomes.



Offences from the offence group of violence against the person accounted for the primary offence for 46% of the outcomes, motoring offences for 15% and breaches of orders 10%. These three offence group types accounting for 71% of all outcomes.

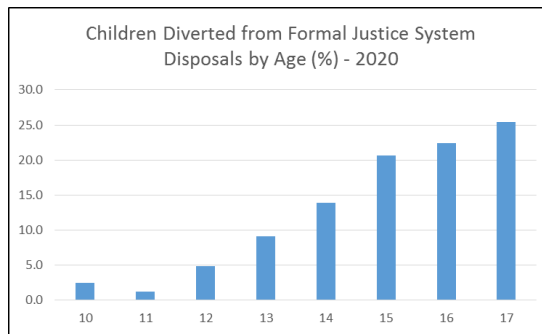
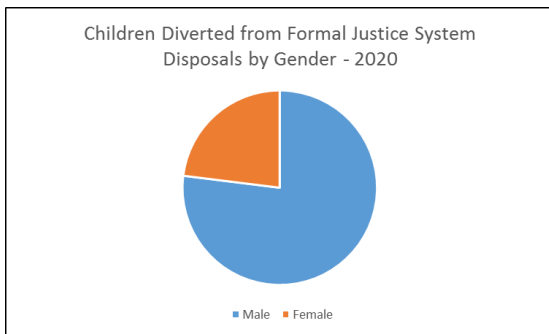


Youth cautions of all types (caution, caution supported by a voluntary intervention and conditional cautions) accounted for 26% of outcomes, Referral Orders 30% of outcomes, Youth Rehabilitation Orders 17% of outcomes and custodial sentences 3% of outcomes.

2.1.2 Children Diverted from Formal Youth Justice System Disposals

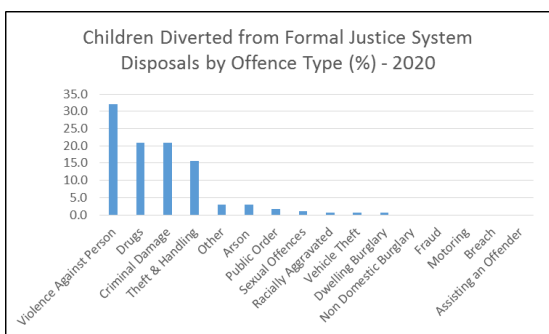
Children who have admitted an offence and who might be suitable for an out of court disposal are referred to a joint agency decision panel, included in the range of options available to the joint agency panels are informal disposals, which allow for the matter to be dealt with without the child receiving a criminal record for that offence.

In 2020, 165 children were diverted from formal justice system disposals through the issuing of 172 informal disposals. Of the children receiving informal disposals 77% were male and 23% were female.



The majority, 69%, of children receiving informal disposals were aged 15 years or older. Children aged 12 and under accounted for 9% of the informal disposals.

Looked after children accounted for 3% of children diverted from formal justice system disposals.

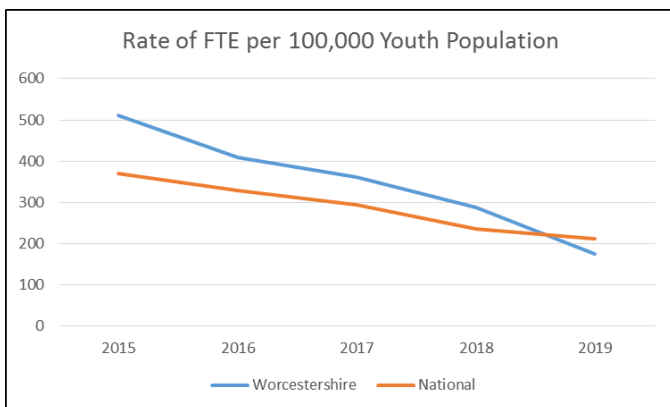


Offences from the offence group of violence against the person accounted for the primary offence for 32% of informal disposals, drug related offences 21%, criminal damage for 21% and theft and handling 16%. These four offence group types accounting for 90% of all informal disposals.

2.2 Performance

The Youth Justice Service is subject to three national outcome indicators

(v) First Time Entrants



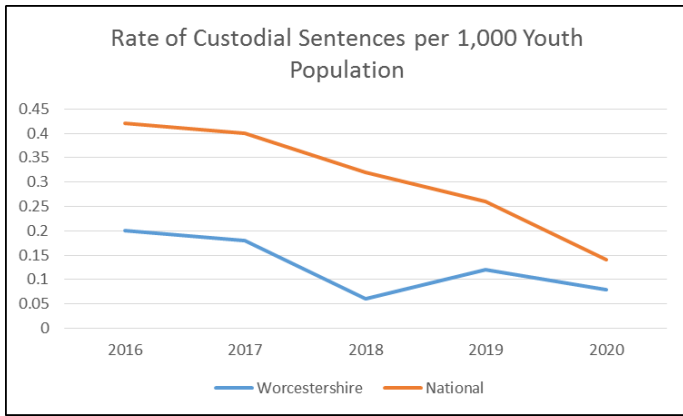
This measure is expressed as the number of first time entrants (young people receiving their first formal youth justice sanction, either a caution or conviction) per 100,000 youth population within a 12 month period. The lower the number the better the performance.

The most recent published data is for the year 2019, where the Worcesterstershire performance was 175, compared to a national performance of 211. The rate of 175 is lower than the national performance for the first time and represents a significant improvement on the performance in the previous year when the rate was 287.

The gap between the Worcesterstershire rate and national rate has been reducing since 2015. The range of rates nationally is from 62 to 645, placing the Worcesterstershire performance in the top quartile of the performance range.

A revised joint decision arrangement for out of court disposals was implemented in Worcesterstershire in November 2019 and this is expected to contribute to a further reduction during 2020.

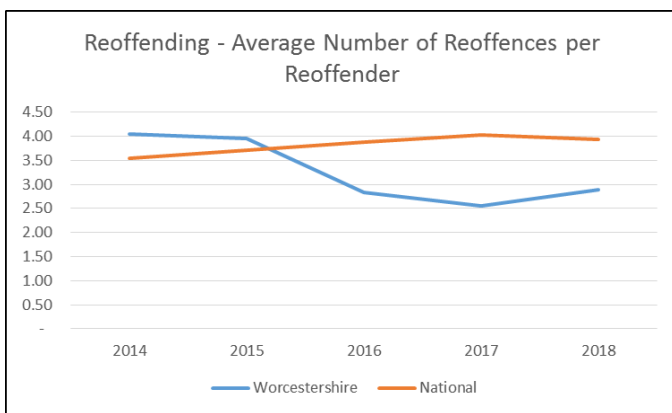
(ix) Use of Custody



The use of custody indicator is expressed as the number of custodial sentences per 1,000 youth population within a 12 month period. The lower the rate the better the performance.

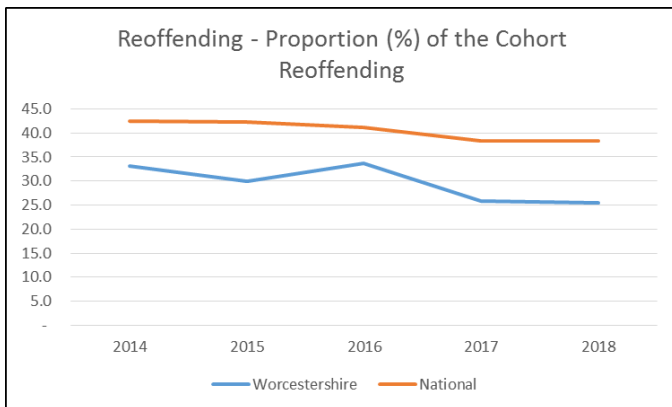
The most recently published data for this indicator is for 2020, where the Worcesterstershire rate was 0.08, which compares favourably against the national rate of 0.14. The range of rates nationally is between 0.00 and 0.55 placing the Worcesterstershire performance in the top quartile of the performance range.

(x) Reoffending



There are two measures for the re-offending indicator, both for the same cohort of offenders (all young people receiving a formal justice system disposal (caution or conviction) within a specified period of time). The cohort is then tracked for any re-offending within 12 months, the first measure (frequency measure) is the average number of re-offences per re-offender, and the second measure (binary measure) is the proportion of the cohort re-offending. For both measures a lower figure denotes better performance.

The most recently published data for this indicator is for the cohort identified in 2018.



The frequency measure for Worcesterstershire is 2.88, which compares favourably against the national rate of 3.93. The range of rates nationally is from 2.00 to 8.97, placing Worcesterstershire in the top quartile of the performance range.

The binary measure for Worcesterstershire is 25.5%, which compares favourably against the national rate of 38.4%. The range of rates nationally is from 14.6% to 59.3% placing Worcesterstershire in the top quartile of the performance range.



Title of report: Co-optee membership of scrutiny committees

Meeting: Children and young people scrutiny committee

Meeting date: Thursday 5 August 2021

Report by: Solicitor to the council (monitoring officer);

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To advise on the current co optee membership. To highlight the changes being proposed, following the annual council meeting and to seek approval to appoint a representative from the teaching sector following a resolution of Council.

Recommendation(s)

That:

- a) The process for the appointment of co optees set out in appendix one is adopted; and
- b) The process is used to appoint one representative from the teaching sector.

Alternative options

1. To not review the process or appoint a further co optee, this is not recommended as it is contradictory to the resolution of council

Key considerations

2. The Local Government Act 2000 provides the ability for a scrutiny committee to include persons who are not members of the council. This is known as a co optee.
3. There are two types of co optee - statutory and other.
4. Prior to the annual council meeting in 2021 the constitution (at sections 4.5.6 to 7) set out the following:
 - I. A scrutiny committee may co-opt a maximum of two non-voting people as and when required, for example for a particular meeting or to join a task and finish group. Any such co-optees will be agreed by the committee having reference to the agreed workplan and/or task and finish group membership.
 - II. The committee with responsibility for education shall include the following coopted education representatives, as appointed by Council:
 - a) one representative as nominated by the diocese of Hereford
 - b) one representative as nominated by the archdiocese of Cardiff
 - c) one parent governor as elected from the primary school sector
 - d) one parent governor as elected by the secondary school sector
 - e) one parent governor as elected by the special school sector

These education co-optees may vote on items relating to education; on other items on the committee agenda they may speak but not vote.

5. The statutory co optees are the Church of England, Roman Catholic and parent governor representatives, who are entitled to vote on matters relating to education functions.
6. The other co optees are chosen by the committee and are only entitled to vote if approved by council in accordance with the council functions.
7. The annual general council meeting in May 2021 resolved for the appointment of five co-opted members of children and young people scrutiny committee as follows:
 - a) one representative as nominated by the diocese of Hereford
 - b) one representative as nominated by the archdiocese of Cardiff
 - c) one parent governor as elected from the primary school sector
 - d) one parent governor as elected by the secondary school sector
 - e) one parent governor as elected by the special school sectorand additionally;
 - f) one representative from the teaching sector.

8. New and established co optees are all required to undergo an annual recruitment and induction process. This is set out in the appendix to the Co-optee protocol (appendix 1). In addition, all voting co-opted members are by law subject to the Councillors' Code of Conduct and requirements to register disclosable pecuniary and non-pecuniary interests and other specified interests as well as to declare any relevant interests at Council meetings. In accordance with the Code of Conduct, co-opted members also have to declare any other relevant interests in the business being discussed at the meeting. The declaration of registrable interests completed by co-optees will be published in the public domain.

9. The new co-optee is for the teaching sector. This is a non-voting co-opted member.
10. It is proposed that this co-optee be appointed following an open expression of interest, and following satisfactory recruitment procedures being completed. The vacancy will be advertised in a similar manner to other independent and voluntary roles within the council and promoted through existing networks and communications with schools in Herefordshire.
11. Under the current co-optee protocol, individuals who hold any paid office with Herefordshire Council are not able to serve as co-optees on scrutiny committees or task and finish groups. This is to protect their independence. Any teacher currently employed in any capacity by Herefordshire Council would not be able to serve as a scrutiny co-optee.
12. Additionally it should be noted that at the annual meeting Councillor Jim Kenyon was also appointed as a non voting member of the committee, though not as a co optee as he is a member of this authority.

Community impact

13. Herefordshire Council is accountable for how it uses the resources under its stewardship, including accountability for outputs and outcomes achieved. In addition the council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, we can demonstrate the appropriateness of all our actions across all our activities and have mechanisms in place to encourage and enforce adherence to ethical values and respect the rule of law. The confidential reporting code is part of the council's governance arrangements. Periodic reviews to ensure the code remains current, fit for purpose and effectively helps the council to meet the principles within its code of corporate governance

Environmental Impact

14. Whilst this is a decision on administrative functions and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the Council's Environmental Policy. All members of the committee receive electronic copies of papers and meetings are usually held in locations that are accessible by sustainable modes of travel. All non-voting co-optee members will be given the option, and encouraged, to attend meetings virtually wherever possible and appropriate given the content of the meeting.

Equality duty

15. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
16. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a decision on administrative functions, we do not believe that it will have an impact on our equality duty.

Resource implications

17. There are no resource implications. Co optees are entitled to claim expenses from the revenue budget for expenses. As it is likely that non-voting co-optees will attend committee meetings virtually for the foreseeable future, it is likely that only very limited new claims will be incurred.
18. The single rate at which travel may be claimed for all vehicles including electric vehicles shall be at the rates used by Her Majesty's Revenues and Customs Service (Members are entitled to choose between claiming mileage allowance for bicycle travel, or claiming for an annual service for their bicycle instead.)

Legal implications

19. Section 9FA of the Local Government Act 2000 provides for an Overview and Scrutiny Committee to include co-optees who are not members of the Council. People who are co-opted to Overview and Scrutiny Committees under this provision are not entitled to vote unless the Council has made a scheme to allow voting (under Section 11 of Schedule A1 to the Local Government Act 2000). Herefordshire Council has not made such a scheme.
20. In respect of Overview and Scrutiny Committees which deal with education functions Section 7 of Schedule A1 to the Local Government Act 2000 requires the appointment of at least one voting co-optee nominated by the Diocesan Board for Education if the area contains at least one Church of England - maintained school and at least one voting co-optee nominated by the Bishop for the Diocese if the area contains at least one Roman Catholic- maintained school. There is also a legal requirement under Section 8 of Schedule A1 to the Local Government Act 2000 (and associated regulations - the Parent Governor Representatives (England) Regulations 2001) to appoint between two and five voting parent governor representatives elected by the parent governors of maintained schools.
21. The church and parent governor voting co-optees are entitled to vote on any question relating to education functions which are the responsibility of Herefordshire Council's Cabinet and which fall to be decided by the CYP Overview and Scrutiny Committee.
22. The majority on the committee is not affected by the number of non-elected members so it is not necessary to consider any changes to ensure political proportionality in order to comply with the requirements in Sections 15 to 17 of the Local Government and Housing Act 1989.

Risk management

23. The following risks and opportunities have been identified:

Risk / opportunity	Mitigation
Appointed co-optees fall short of the expected standards of conduct in public life.	Voting co-opted members are by law subject to the Councillors' Code of Conduct and requirements to register disclosable pecuniary and non-pecuniary interests and other specified interests as well as to declare any relevant interests at Council meetings. In accordance with the Code of Conduct, co-opted members also have to declare any other relevant interests in the business being discussed at the meeting. The declaration of registrable interests completed by co-optees will be published in the public domain.
The Council recognises the valuable input and different perspectives co-opted members bring into the Council's decision-making process. Their role will depend upon what capacity they are appointed, which could be as representatives of an organisation, an interest group or they may be co-opted for their specific expertise or experience.	This proposed process provides a mechanism to enable the scrutiny committee to draw upon a wider pool of appropriate advice, expertise and knowledge during committee deliberations and consideration.

Consultees

None

Appendices

Appendix 1 Scrutiny Co-optee Protocol

Appendix 2 Role description

Background papers

None identified

HEREFORDSHIRE COUNCIL
SCHEME FOR THE CO-OPTION OF MEMBERS TO SCRUTINY
COMMITTEES AND SCRUTINY TASK AND FINISH GROUPS

Herefordshire Council, in exercise of the powers conferred by Schedule A1 of the Local Government Act 2000, has made the following scheme:

1. Definitions:

“Council” means the Council of the county of Herefordshire District Council.

“Councillor” means an Elected Ward Member of the Council.

“Co-optee” means a person who is not an elected member nor an officer of the Council but who is a member of a Scrutiny Committee, or Task and Finish Group of those committees.

“Scrutiny Committee” means a Committee appointed pursuant to [Section 9F of the Local Government Act 2000](#).

2.0 Co-opted members to the Council’s Scrutiny Committees and Task and Finish Groups

- 2.1 The Council recognises the valuable input and different perspectives co-opted members bring into the Council’s decision-making process. Their role will depend upon what capacity they are appointed, which could be as representatives of an organisation, an interest group or they may be co-opted for their specific expertise or experience.
- 2.2 A scrutiny committee may co-opt a maximum of two non-voting people as and when required, for example for a particular meeting or to join a task and finish group. Any such co-optees will be agreed by the committee having reference to the agreed workplan and/or task and finish group membership and this protocol. A co-optee’s role is to complement, rather than replace, the role of Councillors who remain accountable to the electorate.
- 2.3 Education co-optees consist of church representatives and parent governor representatives. The appointment of seats will be made at the annual Council meeting with individuals then being appointed to those seats as soon as is reasonably possible after. There is no limit on re-appointments but no guarantee that re-appointments will be made. Appointments will be subject to ‘Appointments and Training’ process set out in appendix 1 below.
- 2.4 Church Representatives – will be appointed from the Diocese of Hereford and the Archdiocese of Cardiff and will be reappointed yearly following the annual council meeting.
- 2.5 Parent Governor Representatives – will be appointed following the process set out in the appendix and will serve a term of 2 years in accordance with regulations.
- 2.6 Current committee structure, [Committee membership](#) and Co-optees

ADULTS AND WELLBEING SCRUTINY COMMITTEE (7)	
Committee formed of Chair and Vice Chair and 5 elected members of the Council in line with political proportionality rules.	<u>No current Co-opted members</u>
CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE (7)	
Committee formed of Chair and Vice Chair and 5 elected members of the Council in line with political proportionality rules.	<u>Co-opted members (Statutory Co-optees)</u> Five education co-optees: <ul style="list-style-type: none"> - one representative as nominated by the diocese of Hereford - one representative as nominated by the archdiocese of Cardiff - one parent governor as elected from the primary school sector - one parent governor as elected by the secondary school sector - one parent governor as elected by the special school sector <u>Additional co-optees</u> <ul style="list-style-type: none"> - one representative from the teaching sector
GENERAL SCRUTINY COMMITTEE (7)	
Committee formed of Chair and Vice Chair and 5 elected members of the Council in line with political proportionality rules.	<u>No current Co-opted members</u>

- 2.7 If a co-opted member fails throughout a period of six consecutive months to attend any meeting of a committee, to which he or she has been co-opted, they will cease to be a member of the committee unless their absence is due to a reason which has previously been approved.
- 2.8 Co-opted members do not receive an allowance. However, co-opted members are entitled to be reimbursed for all travel costs, whether travel is within or outside the county. Co-optees are not entitled to reimbursement for subsistence.
- 2.9 The committee with responsibility for education (the Children and Young People Scrutiny Committee) shall include the following co-opted education representatives, as appointed by Council:
- one representative as nominated by the diocese of Hereford
 - one representative as nominated by the archdiocese of Cardiff
 - one parent governor as elected from the primary school sector

- one parent governor as elected by the secondary school sector
- one parent governor as elected by the special school sector

The education co-optees may vote on items relating to education; on other items on the committee agenda they may speak but not vote.

Following resolution of Council on 28 May 2021 the committee shall also include the following non-voting co-optee:

- one representative from the teaching sector, following an open expression of interest, and following satisfactory recruitment procedures being completed.

- 2.10 An independent perspective can be achieved by co-opting individuals with specialist knowledge and/or expertise to scrutiny Task and Finish. The Task and Finish will consider appointing co-optees as part of the scoping stage of the review and under normal circumstances there will be no more than two co-optees per Task and Finish to retain a balance with the number of councillors. The appointment would be approved by the parent scrutiny committee at a formal meeting. The minutes will make clear the basis on which the co-option is recommended. For example the person is an appointed representative of a relevant organisation or has relevant expertise or experience and that it would be for as long as the Task and Finish exists.
- 2.11 The MO/DMO/statutory scrutiny officer/DSO has delegated authority to recruit co-optees to Task and Finish between meetings with appointments being made following consultation with the Chair and the Committee. A full report containing the details of the delegated decision including the reason for the appointment would be included on the agenda of the next formal meeting of the Committee or the Scrutiny Committee depending on which met first.
- 2.12 Scrutiny Task and Finish are informal, time limited bodies established by the Council's scrutiny committees to gather evidence and produce recommendations on a specific subject. The role and focus is usually on a discrete area of policy. Co-optees will sit alongside other members of Task and Finish and will be able to hear evidence, ask questions and contribute to the findings.
- 2.13 All Co-optees will be:
- Sent all agendas, documentation and communication relevant to the committee / Task and Finish to which they have been co-opted;
 - Offered a comparable level of support as provided to councillors when acting in a scrutiny capacity; and
 - Required to attend an induction to the role of co-opted member and any other mandatory training after their appointment, and are invited to attend scrutiny training events

3.0 The standards by which Co-optee's will be expected to be held to.

- 3.1 Voting co-opted members are by law subject to the Councillors' Code of Conduct and requirements to register disclosable pecuniary and non-pecuniary interests and other specified interests as well as to declare any relevant interests at Council meetings. In accordance with the Code of Conduct, co-opted members also have to declare any other relevant interests in the business being discussed at the meeting. The declaration of registrable interests completed by co-optees will be published in the public domain.

- 3.2 Co-opted members must be entirely independent of Herefordshire Council. A person is unable to be appointed if he/she:
- Holds any paid office with Herefordshire Council;
 - Is an elected or co-opted member of any town/parish council within the County of Herefordshire;
 - Holds any employment in a company which is under the control of the Council;
 - Is a person who has been adjudged bankrupt or made a composition or arrangement with his/her creditors;
 - Has, within five years for the day of his/her appointment, been convicted of any offence and had passed upon him/her a sentence of imprisonment whether suspended or not] for a period of not less than three months without the option of a fine;
 - Has been convicted of a corrupt or illegal practice under Part III Representation of the People Act 1983 [as amended];
 - Is disqualified for membership for a specified period by order of the Court because of his/her involvement in expenditure contrary to the law, and is disqualified from membership for five years following an Auditor's certificate that a loss or deficiency has been caused by his/her wilful misconduct while a member of the Council;
 - Is a close friend or relative of a current employee or councillor of Herefordshire Council; or,
 - Is a member of any political party or group
 - Otherwise holds a position that has the potential for a conflict of interest with Herefordshire Council.

Code of conduct complaints

- 3.3 If the Council receives a complaint or an allegation is made against a voting co-optee, the council will investigate if there are grounds to believe the code of conduct may have been breached and the Monitoring Officer will investigate the allegations in line with the [Arrangements for dealing with complaints about the code of conduct for members](#). If there is a finding of a breach of the code under monitoring officer resolution or a standards panel, the council reserves the right to approach the appointing organisation to request that the co-optee is stood down and that an alternative be put forward.
- 3.5 At any time an appointed co-optee can stand down as a co-opted member of a scrutiny committee by contacting the monitoring officer or their representative.

Appendix 1: Appointment and training process for education co-optees on the children and young people scrutiny committee

Annual meeting of Council	<p>At every Annual meeting of the Council in each May a decision is taken regarding the appointment of co-opted members of the children and young people scrutiny committee. Council is asked to agree the following co-optees form part of the membership of the children and young people scrutiny committee as standard:</p> <ul style="list-style-type: none"> i. one representative as nominated by the diocese of Hereford ii. one representative as nominated by the archdiocese of Cardiff iii. one parent governor as elected from the primary school sector iv. one parent governor as elected by the secondary school sector v. one parent governor as elected by the special school sector <p>Council may resolve to appoint additional co-opted members.</p>
Canvass for co-optees	<p>Following the annual meeting of Council and agreement of the appointment of five co-opted members of the children and young people scrutiny committee (or if possible before the annual meeting):</p> <ul style="list-style-type: none"> 1) Email governor services with information to circulate to all governors providing detail of the Parent Governor Representative (PGR) role and request any expressions of interest for each of the three roles: primary, secondary and SEN sector; and 2) Write to the Diocese of Hereford and the Archdiocese of Cardiff providing detail of the role of the Church Representative co-optees on the scrutiny committee and seeking nominations. The role profile/job description will be included with the correspondence sent. 3) Seek expressions of interest from relevant individuals, groups or bodies to fill any additional roles that may be identified and approved by resolution of Council.
Nomination and election of co-optees	<ul style="list-style-type: none"> 4) In the event that two or more expressions of interest are received for any of the three PGR roles a ballot will be arranged. All governors will be contacted with the details of nominees to roles and they will be asked to vote for their preferred candidate. If there is only one nominee for a role there will not be a ballot. The votes will be collated by governor services and counted by democratic services. 5) Details of the Church Representatives will be received from the Diocese and Archdiocese. 6) In the event that two or more expressions of interest are received for any additional roles identified, appropriate processes, via informal interview, to select the most suitable candidate will be put in place.
Notification of appointment and induction	<ul style="list-style-type: none"> 7) As soon as notification is received or the election process outlined above has been concluded, co-optees appointments will be considered in line with this protocol and those eligible for appointment will be sent:

	<ul style="list-style-type: none"> • the role profile; • blank declarations of interest form and members code of conduct; • induction presentation; and • proposed dates of induction/training. <p>The email to co-optees will outline the mandatory requirement to complete, sign and return the declaration of interest form to democratic services within 28 days.</p> <p>An induction session will be arranged within 28 days of appointment to facilitate compliance with the deadline. In the event that a declaration of interest form has not been received within 25 days there will be an escalation to the statutory scrutiny office/monitoring officer. They will be explicitly informed that failing to complete these forms or attend the training will result in their inability to act as a co-optee for the relevant committees</p>
Induction	<p>8) At the induction session, undertaken individually or as a group, co-optees will receive the following training:</p> <ul style="list-style-type: none"> • The code of conduct and declarations of interest • The role of scrutiny • The role of co-optees • Committee practice; educational matters and voting arrangements • Work programming (including an invitation to the annual scrutiny work programming session). • In addition co-optees will be informed how they can influence work programme items routinely during the course of the administrative year at committee.
Information management	<ul style="list-style-type: none"> • All co-optees, once confirmed in post, will have a dedicated file set up including all of their signed forms and confirmation of training attendance. • Files will be updated annually in the event that the committees have returning co-optees, with all training attendance updated • A record of attendance will be kept for each of the co-optees

Education co-optee members of the Children and Young People Scrutiny Committee

Co-opted members of the Children and Young People Scrutiny consist of the following appointments:

The committee with responsibility for education shall include the following co-opted education representatives, as appointed by Council:

- one representative as nominated by the diocese of Hereford
- one representative as nominated by the archdiocese of Cardiff
- one parent governor as elected from the primary school sector
- one parent governor as elected by the secondary school sector
- one parent governor as elected by the special school sector

These education co-optees may vote on items relating to education; on other items on the committee agenda they may speak but not vote.

The Council may resolve to appoint additional co-optees. These co-optees may not vote on any items on the agenda. At the meeting held 28 May 2021 Council resolved to appoint one representative from the teaching sector.

All co-opted members will be required to sign up to the Council's code of conduct. The declaration of registrable interests completed by co-optees will be published in the public domain.

Co-opted members

- The scrutiny committee with functions relating to education is required to co-opt church representatives and Parent Governor Representatives.
- The education co-optees are members of the Children and Young People Scrutiny Committee when it is dealing wholly or partly with education functions.
- Although restricted to voting on education matters, co-optees may speak on any other matters within the remit of the committee. Co-optees can suggest topics for the scrutiny committee to consider and submit public questions.
- Education co-optees do have voting powers on task and finish groups.
- Education co-optees are not signatories for the purpose of triggering a call-in.
- The term of office for co-optees; church representatives and the teaching representative are appointed annually and parent governor representatives are appointed biennially.

Role profiles for the various co-optees are set out below.

Role Profiles

The role of Church representatives

- to provide the views and interests of the diocese and arch diocese relating to educational matters under discussion at the children's scrutiny committee.
- attend and contribute to the committees to which they have been appointed
- establish good relations with other members and officers
- feed back the local education authority's discussions of and decisions on education to the diocese and arch diocese
- abide by the local education authority's rules on committee procedures
- act with due propriety according to standards laid down for conduct in local government

The role of Parent Governor Representatives (PGRs)

Department for Education guidance suggests the following role for a PGR:

- act as an apolitical voice for parents in the area; representing to the local education authority the main education issues which concern parents of pupils in schools maintained by the authority
- liaise with the other PGRs on their own local education authority
- attend and contribute to the committees to which they have been appointed
- establish good relations with other members and officers
- feed back the local education authority's discussions of and decisions on education to parents
- abide by the local education authority's rules on committee procedures
- act with due propriety according to standards laid down for conduct in local government

The role of teaching sector representatives

- to provide the views and interests of the teaching sector relating to educational matters under discussion at the children's scrutiny committee.
- attend and contribute to the committees to which they have been appointed
- establish good relations with other members and officers
- feed back the local education authority's discussions of and decisions on education to the teaching sector
- abide by the local education authority's rules on committee procedures
- act with due propriety according to standards laid down for conduct in local government



Meeting:	Children and young people scrutiny committee
Meeting date:	Thursday 5 August 2021
Title of report:	Work programme 2021 - 2022
Report by:	Democratic Services Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To agree: the attached work programme and meeting dates for 2021/22.

To note: the recommendations tracker.

Recommendation(s)

That the committee:

- (a) Reviews and agrees the 2021/22 work programme and meeting dates at appendix 1; discusses any additional items of business or topics for inclusion in the work programme;**
- (b) notes the updated recommendation tracker in appendix 2.**

Alternative options

1. It is for the committee to determine its work programme to reflect the priorities facing Herefordshire. The committee needs to be selective and ensure that the work programme is focused, realistic and deliverable within existing resources. The committee needs to develop a manageable work programme to ensure that scrutiny is focused, effective and produces clear outcomes. Topics selected on the work programme should reflect issues of current importance facing children's services at Herefordshire Council.

Key considerations

Work Programme

2. The work programme needs to focus on the key issues of concern and be manageable allowing for urgent items or matters that have been called-in. The work programme will be reviewed at each meeting of the committee and may be amended as required.
3. The draft work programme for 2021-2022 is attached at appendix 1. This draft takes account of items proposed by the interim director for children and families as annual reports that the committee should routinely receive and the work programme agreed by the committee at its meeting on 20 May 2021.
4. Should committee members become aware of any issue they think should be considered by the committee they are invited to discuss the matter with the chairperson, vice chairperson and the statutory scrutiny officer.

Budget setting 2022/23

5. It has been suggested that it would be beneficial for the scrutiny committees to review proposals for the 2022/23 budget earlier in the consultation process. This would be in addition to the usual scrutiny activity which is currently scheduled for January 2022. Council is due to consider proposals on future scrutiny arrangements at its meeting on 8 October 2021 and this may result in opportunities for joint scrutiny activity rather than each committee reviewing proposals separately. The committee is invited to consider if and when it would wish to undertake additional scrutiny of budget proposals

Constitutional Matters

Task and Finish Groups

6. A scrutiny committee may appoint a task and finish group for any scrutiny activity within the committee's agreed work programme. A committee may determine to undertake a task and finish activity itself as a spotlight review where such an activity may be undertaken in a single session; the procedure rules relating to task and finish groups will apply in these circumstances but the review is likely to be attended by all members of the committee and chaired by the chairperson.
7. The scrutiny committee will approve the scope of the activity to be undertaken by a task and finish group, the membership, chairperson, timeframe, desired outcomes and what will not be included in the work. A task and finish group will be composed of a least 2 members of the committee, other councillors and may include, as appropriate, co-opted

people with specialist knowledge or expertise to support the task. The committee will appoint the chairperson of a task and finish group.

8. The committee is asked to determine matters relating to the convening of a task and finish group including the scope of the review to be undertaken, the chairperson, membership, timeframe, desired outcomes, what will not be included in the review and whether to co-opt any non-voting members to the group. Such co-optees could consist of individuals with valuable skills and experience that would assist a task and finish group to undertake a review (see below).
9. During its work programming session on 20 November 2020 the convening of a paediatric therapies task and finish group was proposed. A scoping document was approved by the committee at the meeting on 30 April 2021.

Co-option

10. A scrutiny committee may co-opt a maximum of two non-voting people as and when required, for example for a particular meeting or to join a task and finish group. Any such co-optees will be agreed by the committee having reference to the agreed work programme and/or task and finish group membership.
11. The Committee is asked to consider whether it wishes to exercise this power in respect of any matters in the work programme.

Tracking of resolutions made by the committee which require a response or action

12. A schedule of recommendations previously made by the committee which require a response or action is appended to this report as appendix 2.

Forward plan

13. The constitution states that scrutiny committees should consider the forward plan as the chief source of information regarding forthcoming key decisions. Forthcoming decisions of the children and families directorate will be highlighted by the clerk to the committee as part of the work programming item at each committee meeting.

Suggestions for scrutiny from members of the public

14. Suggestions for scrutiny are invited from members of the public through the council's website, accessible through the link below. There have been no suggestions for scrutiny received from members of the public since the previous meeting of the committee.

https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved/4.

Community impact

15. In accordance with the adopted code of corporate governance, Herefordshire Council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review. Topics selected for scrutiny should have regard to what matters to residents.

Environmental impact

16. There are no general implications for the environment arising from this report.

Equality duty

17. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
18. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this report concerns the administrative function of the children and young people scrutiny committee, it is not felt that it will have an impact on our equality duty.

Resource implications

19. The costs of the work of the committee will have to be met within existing resources. It should be noted the costs of running scrutiny can be subject to an assessment to support appropriate processes.
20. The councillors' allowance scheme contains provision for co-opted and other non-elected members to claim travel, subsistence and dependant carer's allowances on the same basis as members of the council. If the committee agrees that co-optees should be included in an inquiry they will be entitled to claim allowances.

Legal implications

21. The council is required to deliver a scrutiny function. The development of a work programme which is focused and reflects those priorities facing Herefordshire will assist the committee and the council to deliver a scrutiny function.
22. The Scrutiny Rules in Part 4 Section 5 of the Council's constitution provide for the setting of a work programme, the reporting of recommendations to the executive and the establishment of task and finish groups, as below.
23. Paragraph 4.5.28 of the constitution explains that the scrutiny committee is responsible for setting its own work programme. In setting its work programme a scrutiny committee shall have regard to the resources (including officer time) available.

24. Under section 4.5.10 of the constitution a scrutiny committee may appoint a task and finish group for any scrutiny activity within the committee’s agreed work programme. A committee may determine to undertake a task and finish activity itself as a spotlight review where such an activity may be undertaken in a single session; the procedure rules relating to task and finish groups will apply in these circumstances. The relevant scrutiny committee will approve the scope of the activity to be undertaken, the membership, chairperson, timeframe, desired outcomes and what will not be included in the work. It will be a matter for the task and finish group to determine lines of questioning, witnesses (from the council or wider community) and evidence requirements.
25. Under section 4.5.19 of the constitution task and finish groups will report their findings/outcomes/recommendations to the relevant scrutiny committee who will decide if the findings/outcomes/recommendations should be reported to the cabinet or elsewhere.

Risk management

26.

Risk / opportunity	Mitigation
There is a reputational risk to the council if the scrutiny function does not operate effectively.	The arrangements for the development of the work programme should help mitigate this risk.

Consultees

27. The work programme is reviewed at every committee meeting. Additional formal or informal work programming sessions may be arranged as necessary during the year. The work programme may also be reviewed during business planning meetings between the chairperson, vice-chairperson and statutory scrutiny officer.

Appendices

- Appendix 1 – Work Programme 2021/22.
Appendix 2 – Recommendation tracker.

Background papers

None identified.

**Children and Young People
Scrutiny Committee**

Draft work programme

28 July 2021

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Work programme rationalisation and prioritisation

- Potential items of business have been identified previously and other items may be proposed. These need to be rationalised and prioritised, reflecting the time and resources available.
- Should this go on the work programme?

Yes, if...

- ✓ the issue is strategic, county-wide and not limited to just a few communities...
- ✓ scrutiny is being proactive, able to make a difference at the right time...
- ✓ additional transparency and influence can be added to the topic at hand...
- ✓ there is considerable public interest in scrutiny lifting the lid.

- How can the issue be dealt with most efficiently and effectively?
 - a briefing note
 - a seminar / workshop
 - an agenda item
 - a task and finish group

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Annual reports

The following reports are recommended to be considered by the committee on an annual basis:

1. Independent Reviewing Officer (IRO) and Child Protection (CP)
2. Adoption Service
3. Fostering Service
- 6/4. Principal Social Worker
5. Local Authority Designated Officer (LADO)
6. Health & Wellbeing
7. Herefordshire Children's Safeguarding Partnership
8. Corporate Parenting
9. Youth Justice Plan
10. Complaints/Compliments and Comments

Proposed meeting dates

Thursday 5 August 2021 – mainstream agenda

w/c 6 September 2021 – improvement focus

Tuesday 12 October 2021 – mainstream agenda

Tuesday 23 November 2021 – improvement focus

Tuesday 7 December 2021 – mainstream agenda

Tuesday 11 January 2022

Tuesday 22 March 2022

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Agenda items

Thursday 5 August 2021, 2:30 pm

Publication deadline: 28 July
Questions deadline: 30 July

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Youth Justice Plan [Pre-decision call-in of Policy Framework item]	Standard annual item to endorse the current plan for approval by Council and consider any comments to inform the production of the plan for the next financial year.	Keith Barham, Head of Service, West Mercia Youth Justice Service	Agenda published 28 July. Due to covid-19 there was no Youth Justice Plan for 2020/21. Draft plan 21/22 due to be considered by Cabinet in September 2021 and by Council in October 2021.
Co-optees report	Following a resolution at Council on 28 May 2021 a report to be presented setting out how co-optees, including the additional representative of the teaching sector, are to be appointed.	Claire Ward, solicitor to the council	Agenda published 28 July.
Work programme	To review and approve the updated work programme.		To approve the latest version of the work programme.

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Agenda items

w/c 6 September 2021, Improvement Focus			Publication deadline: - Questions deadline: -
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Improvement Plan timescales report [Performance review]	<p>The committee received a report on 20 May 2021 on developments in the children’s legal team. It was requested that the following be added to the work programme for the July meeting:</p> <p>To receive a project plan with timescales of all legal services teams actions, required as part of the overall improvement plan considerations (e.g. new escalation protocol and end of life protocol). As part of the project plan, a tasks vs resources available breakdown be produced to identify who does what to show 1) where resources and gaps existing; and 2) the actions and timescales to address them.</p>	<p>Cath Knowles, Interim Director for Children and Families</p> <p>Kate Charlton, Interim Head of Legal Services</p>	Deferred from 27 July meeting.

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Agenda items

Tuesday 12 October 2021, 2:30 pm

Publication deadline: - 4 October

Questions deadline: - 6 October

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Impact of pandemic on opportunities for school and care leavers [Policy review and development / performance review]	Current work programme	Ceri Morgan, Assistant Director Education Development and Skills	
Mental health [Performance review]	The committee received a report on 23 March 2021 on Children and Young People’s mental health. It was requested that an update report be presented at the September meeting.	Ceri Morgan, Assistant Director Education Development and Skills Public health	

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Agenda items

12 October cont.

Publication deadline: - 4 October

Questions deadline: - 6 October

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Herefordshire Safeguarding Children Partnership (HSCP) annual report	Performance Review – annual report	Andrews Osei, Interim AD Corporate Parenting Children in Care and Fostering and Adoption	Expected to be delayed due to review.
Local Authority Designated Officer (LADO) annual report	Performance Review – annual report		
Independent Reviewing Officer (IRO) and Child Protection (CP) report	Performance Review – annual report		

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Agenda items

Tuesday 23 November 2021, 2:30pm		Publication deadline: - 15 November	
Improvement Focus		Questions deadline: - 17 November	
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:

Agenda items

Tuesday 7 December 2021, 2:30 pm

**Publication deadline: - 29 November
Questions deadline: - 1 December**

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
<p>Public Health – Dental Health and Childhood Obesity [Performance review]</p>	<p>Current work programme.</p> <p>To provide a report on the high-level action plan for improving oral health in Herefordshire and details of any progress against the recommendations in the oral health needs assessment.</p> <p>To provide an update on work of the council to address childhood obesity.</p> <p>To provide detail regarding the Public Health England better start in life (BSIL) Programme.</p>		

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Agenda items

Tuesday 11 January 2022, 2:30 pm

Publication deadline: 3 January 2022

Questions deadline: -5 January 2022

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Budget and Medium Term Financial Strategy (MTFS) [Pre-decision call in / policy review and development – Annual Report]		Andrew Lovegrove, Acting Deputy Chief Executive - Chief Finance Officer Josie Rushgrove, Head of Corporate Finance	Arrangements for consideration of the budget may change following outcome of re-thinking governance.

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Agenda items

Tuesday 22 March 2022, 2:30pm

Publication deadline: 14 March
Questions deadline: 16 March

Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Work programme 2022/23	Standard annual item - to agree the work programme and meeting dates for the 2022/23 administrative year	Clerk to the committee	

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To be scheduled and prioritised or removed (1/4)

Potential agenda items			
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Corporate Parenting Strategy [Performance review – Annual Report]	Standard annual item. Also focus on leaving care and preparing for adulthood	Andrews Osei, Interim AD Corporate Parenting Children in Care and Fostering and Adoption	Deferred from 27 July meeting
Adoption Service and Fostering Service annual reports [Performance review – Annual Report]	Standard annual item.	Andrews Osei, Interim AD Corporate Parenting Children in Care and Fostering and Adoption	Deferred from 27 July meeting.
Principal Social Worker [Performance review – annual report]	Standard annual item		
Health and Wellbeing [Performance review – annual report]	Standard annual item		

To be scheduled and prioritised or removed (2/4)

Potential agenda items			
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Complaints, compliments and comments report. [Performance review – annual report]	Standard annual item		
06 Children's Centre services, Bromyard	The committee undertook pre-decision scrutiny on 19 January 2021 on Provision Of Children Centre Service In Bromyard Area. It was resolved that the committee undertake a detailed scrutiny exercise on the proposal involving evidence from service users.	Richard Watson, Childrens Joint Commissioning Manager	A decision was taken on 19 February 2021 to extend the current contract for the delivery of children's centre services in the Bromyard reach area to no later than 31 March 2022. A further decision on the future of the contract beyond March 2022 will need to be taken in the autumn of 2021 and is proposed to be subject to pre-decision scrutiny.

To be scheduled and prioritised or removed (3/4)

Potential agenda items			
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Funding routes to schools and governance around schools funding			Requested at committee meeting 30 April 2021
Early years intervention and prevention			Requested at committee meeting 30 April 2021
Progress report on savings proposals relating to foster carers and sufficiency strategy			Requested at committee meeting 30 April 2021

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To be scheduled and prioritised or removed (4/4)

Potential agenda items			
Item [type of scrutiny]:	Origin:	Lead officer(s):	Current position:
Paediatric therapies T&F Report [Task and Finish Group]			Scoping document approved at committee meeting 30 April 2021. Timescales for reporting back to be agreed.
96 Autism provision and nurture hubs [tbc]	<p>The committee received a report on 23 March 2021 on the Capital Investment Strategy 2021-2030 For Specialist Settings Educating Children And Young People With Special Educational Needs And Disabilities SEND. It was requested that further detail be presented to a future meeting of increasing provision offered for children with autism.</p> <p>It was agreed at the committee meeting 30 April 2021 that this be listed as an item to be allocated.</p>		

Workshops / seminars

Topic:	Origin:	Lead officer(s):	Current position:

Task and finish groups

Topic:	Origin:	Lead officer(s):	Current position:
Paediatric therapies			Scoping document approved at committee meeting 30 April 2021
Not in Education, Employment or Training (NEETs)			T&F proposed

Briefing notes (1/1)

Topic:	Target date:	Lead officer(s):	Current position:
NEETs project	September 2021		
Outcome of the audit of the reduction in child protection plans	Summer 2021		
Elective Home Education and current trends	November 2021		
Kick Start Programme	June / July 2021		Requested at committee meeting 30 April 2021. To be produced and circulated prior to the item on the impact of the pandemic

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Children and Young People Scrutiny Committee, schedule of recommendations and responses

28 July 2020		
Item	Recommendations	Executive responses / update
Schools Update	<ul style="list-style-type: none"> • The committee recommends that a further survey is undertaken concerning children’s mental health and schooling arrangements during the pandemic; • A briefing note is circulated providing details of the number of private nurseries that have opened in September 2020 and stayed open in October and November; • An update is provided regarding the national catch-up programme; • The work on children’s mental health is prioritised by the committee and includes a review of school pastoral support and a mental health pathway for looked after children; • Further detailed examination of the outcomes of the survey is undertaken to determine how the provision and effectiveness of mental health services were impacted during the lockdown; • An update is provided regarding the attendance rates after the return to school in September. 	An update briefing on the recommendations relating to the schools update will be circulated.

19 January 2021		
Item	Recommendations	Executive responses / update
Provision of children centre service in Bromyard area: pre-decision scrutiny	<p>1) Has significant concerns about the timing of the proposed decision during the current pandemic and the implications for services users. The committee recommends deferral of the decision and extension of the current contract up to 12 months to enable:</p> <ul style="list-style-type: none"> • A comprehensive consultation with the local community, service users and voluntary sector organisations; • Engagement with the HOPE Family Centre to ensure that the Council has necessary evidence to conduct a full and detailed evaluation of the service provided by the HOPE Family Centre and how it compares to the in-house service; • Greater exploration of alternative options including a potential tendering exercise for a commissioned service; • Work to ascertain what staffing arrangements would be put in place to ensure existing HOPE Family Centre staff have a greater degree of understanding about their future roles within the service; and • The committee to undertake a detailed scrutiny exercise on the proposal involving evidence from service users. <p>2) Recommends that in future the committee is made aware of issues of a sensitive and emotive concern to local communities as potential items for scrutiny.</p>	<p>A decision was taken on 19 February 2021 to extend the current contract for the delivery of children’s centre services in the Bromyard reach area to no later than 31 March 2022.</p> <p>The decision also confirmed that further analysis would be provided regarding the benefits and risks of the different options for the future delivery of children’s centre services and that further community engagement would be undertaken to explore the different options for the future delivery of children’s centre services.</p> <p>A further decision on the future of the contract beyond March 2022 will need to be taken in the autumn of 2021 and is proposed to be subject to pre-decision scrutiny.</p>

23 March 2021		
Item	Recommendations	Executive responses / update
Children and Young People Mental Health	<p>That an update report on CYP mental health is presented to the meeting on 14 September;</p> <p>That the mental health and wellbeing survey is circulated to all members of the committee once completed;</p> <p>That the executive investigates an increase in the number of support assistants trained in emotional literacy in local schools;</p> <p>That the executive looks to work with schools to encourage the identification of safe spaces, as raised by Healthwatch.</p>	On work programme for October 2021 meeting.
Herefordshire capital investment strategy 2021-2030 for specialist settings educating children and young people with special educational needs and disabilities SEND	<p>The committee supports the strategy but recommends:</p> <p>That the strategy clarifies that the outcomes of the 6th form consultation for Westfield school will inform the scope of the feasibility study; and</p> <p>Requests that further detail is presented to a future meeting of increasing provision offered for children with autism.</p>	<p>The strategy was approved at Cabinet meeting on 22 April 2021. Requested clarification was included in the final version of the strategy.</p> <p>It was agreed at the committee meeting 30 April 2021 that this be listed as an item to be allocated.</p>

20 May 2021

Item	Recommendations	Executive responses / update
Update on children's legal team	<p>A scrutiny panel is established to monitor recommendations arising from notable cases and their implementation and to have an overview of care concern cases;</p> <p>A project plan with timescales of all legal services teams actions, required as part of the overall improvement plan considerations be produced for the July meeting of CYPSC. (e.g. new escalation protocol and end of life protocol); and</p> <p>As part of the project plan, a tasks vs resources available breakdown be produced to identify who does what to show: 1) Where resources and gaps exist; and 2) the actions and timescales to address them.</p>	

1 June 2021		
Item	Recommendations	Executive responses / update
Children's Services Improvement Plan	<p>That the improvement notice is noted</p> <p>That Jane Ellis, Director of Healthwatch Herefordshire be invited to join the improvement board.</p> <p>That the chairperson of the children and young people scrutiny committee attend the first meeting of the improvement board and that a decision be taken at a future meeting as to whether they should be a permanent member of the board, considering advice form the improvement advisor.</p> <p>That additional meetings of the committee be added to the work programme to deal with improvement board matters.</p> <p>That details be provided to the committee of other authorities who could act as examples of good practice.</p> <p>That the improvement advisor be invited to attend a future meeting of the committee.</p>	<p>Noted.</p> <p>The chairperson attended the improvement board held on 14 June 2021.</p> <p>Draft work programme updated with additional improvement focus meeting for September 2021. Requirement for additional meetings to be reviewed as part of work programming.</p>
Looked After Children Performance Report	<p>That the work programme be updated to include a report on corporate parenting and a report on the independent reviewing service and that these should be included in training.</p>	<p>Added to draft work programme as agenda items for scheduling.</p>
Update on Peer on Peer Abuse Recommendations	<p>An update on the investigation into the historic lack of sharing by the council, including the terms of reference, be shared with the committee by the July meeting.</p> <p>That consultation take place with families ahead of the signature of the contract for the mediation service.</p>	

	<p>A quarterly update on peer on peer abuse be shared with the committee, ahead of the July meeting if possible.</p> <p>A list of consultees and approvals be included in the final guidance to schools.</p> <p>That the offer from a member of the public to share their understanding of the Human Rights Act be reviewed at the next committee meeting.</p>	
<p>Report of work of prevent and disrupt group to address child exploitation and the current risk of exploitation in Herefordshire</p>	<p>The committee recommends that arrangements for future meetings and sessions of the prevent and disrupt group that committee members could attend should be advised to the committee.</p>	