

## **Making Star Judgements in Full Joint Inspections (FJI)**

### **1. Introduction**

This document provides guidance to lead inspectors on how to determine the judgements for each module within an FJI.

It also includes an appendix where the process of reaching judgements is recorded and retained, which may be useful in case of challenge or query.

### **2. Background**

The FJI programme inspects youth offending work in a small number of local authority areas each year. It focuses predominantly on the quality of work in statutory cases during the sentence up to the date of inspection. Its objective is to seek assurance that work is being done well enough to achieve the right outcomes. Leadership, management & partnership (L,M&P) are inspected in so far as they most directly affect the quality of practice with evidence drawn from a range of sources, including from the inspection of individual cases. They are reported within the inspection theme to which they relate most closely.

There is strong evidence that the best practice is found in areas with the strongest governance arrangements, and specifically robust and consistent good practice is not found unless the governance arrangements are effective. Therefore governance arrangements, the overall work of the partnership and broader management and leadership aspects are inspected in each FJI as a separate Governance module them, elements of which will be pulled across from the LM&P elements of the practice themes.

Therefore each FJI inspection consists of six themes. There is no overall inspection judgement, instead each theme is given its own separate judgement.

The six themes are:

1. Reducing reoffending
2. Protecting the public
3. Protecting the child or young person
4. Ensuring that the sentence is served
5. Governance and partnership arrangements
6. An additional module – this varies depending on the reasons for conducting the particular inspection (typically court work or interventions, but may not be undertaken in YOTs that are expected to show good practice).

### **3. Making judgements for practice based themes – the principle**

The scoring for the first four core themes and the additional module will be primarily based on the quantitative scores derived from the assessment of cases. The only exception to this is when the additional module has little practice data, when its judgements will be based on the principles that apply to the Governance module (see below).

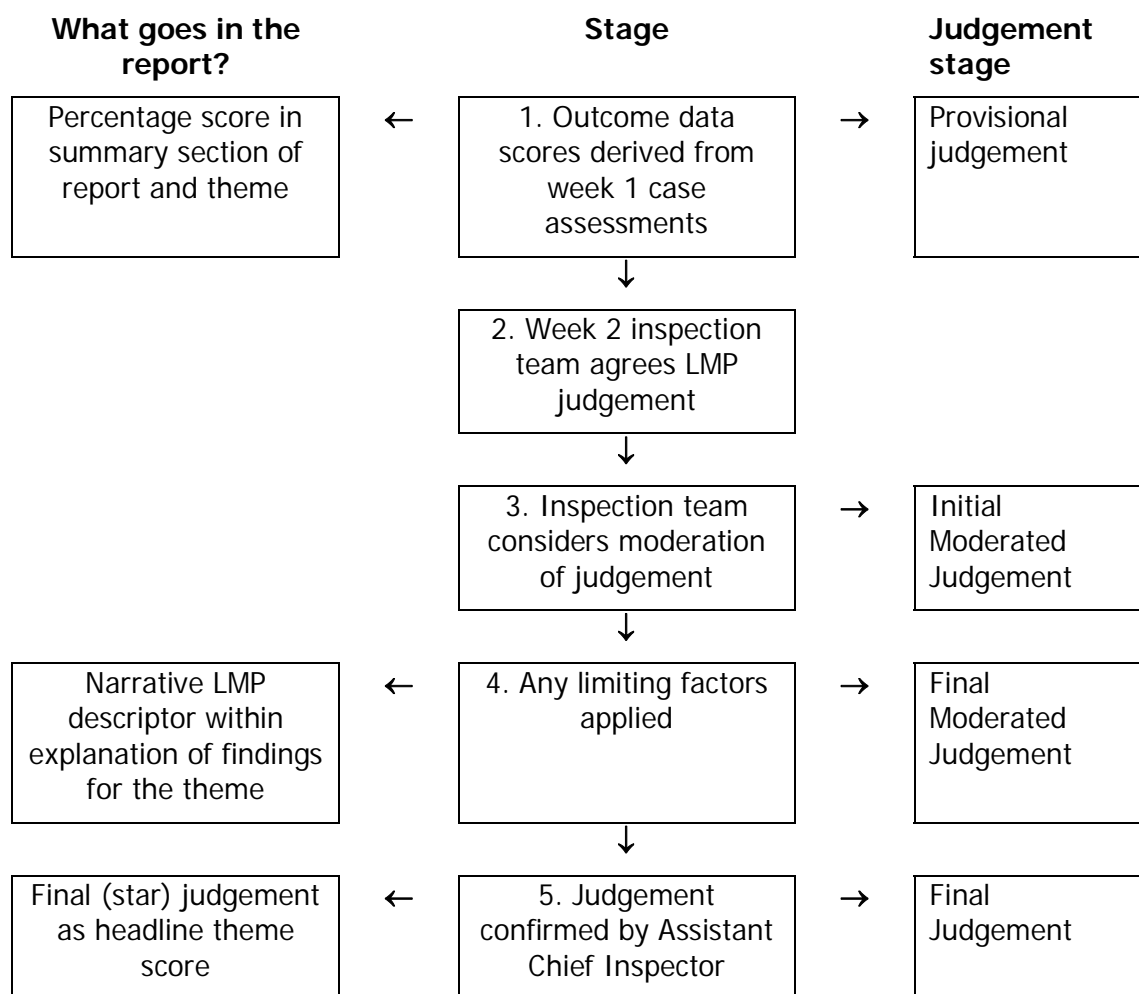
However the inspection of each module includes elements of practice derived directly from case assessments, together with other (usually qualitative) evidence of related leadership, management and partnership work (LMP) that is derived from other meetings, examination of documents and other data provided by the inspected area.

It is therefore necessary to have a consistent process by which the quantitative judgements originally derived from examination of practice are then moderated to take into account these other qualitative evidence sources, before they are finalised.

#### 4. Making judgements for practice based themes – the process

There is a five stage process to arrive at the final scored judgement. This should be applied separately to each of the practice based themes.

The process is represented in the following diagram:



##### 4.1 Stage one – determining provisional judgement

The quantitative score for each theme, arising from the case inspection in week one, is translated into a provisional judgement and narrative descriptor, according to the following table:

Case assessment score	Descriptor	Star rating
80% +	Good	★★★★
65% - 79%	Satisfactory	★★★
50-64%	Unsatisfactory	★★
< 50%	Poor	★

##### 4.2 Stage two – inspection team decides LMP judgement

Following completion of the evidence gathering, the week 2 inspection team meets to decide the narrative descriptor judgement for the LMP elements **of each theme**. For the four standard practice themes the LMP judgement is made against the relevant criterion and supporting quality indicators, as follows:

<b>Theme</b>	<b>Criteria</b>
Reducing Reoffending	1.5 Positive leadership, effective management and partnership work increases the likelihood of a reduction in reoffending.
Protecting the Public	2.5 Positive leadership, effective management and partnership work ensures the public is protected.
Protecting the Child or Young Person	3.5 Positive leadership, effective management and partnership work ensures that children & young people are protected and their vulnerability is reduced.
Ensuring the sentence is served	4.4 Positive leadership, effective management and partnership work ensure that the objectives of the Youth Justice System are met. 4.4.1 Positive leadership is effective in focusing work on and responding appropriately to key local and national priorities, and the needs of the local communities. 4.4.2 Managers are effective in ensuring that the YOT is able to deliver good quality services and meet the needs of children & young people

Care must be taken to ensure that only those criteria and quality indicators specifically relevant to each theme are taken into account when considering that theme.

For any practice based additional module the factors to consider will vary considerably from module to module. In some cases there may be insufficient suitable LMP quality indicators, in which case the moderation process is not required. In this case consideration of the final judgements will be undertaken in a bespoke manner but following the principles of this process.

The LMP judgement leads to a narrative judgement descriptor based on the following table:

<b><i>Descriptor of LMP work</i></b>	<b><i>What the descriptor means in terms of evidence</i></b>
Very effective	Substantial evidence that LMP facilitates and has achieved successful operational work for this theme. Arrangements are stable and indicate that the quality of work is robust and sustainable. There may be areas for improvement but none of these are substantial. Improvement plans and activity have a clear and appropriate focus. There is evidence of appropriate ambition in LMP arrangements.
Effective	Considerable evidence that LMP facilitates successful operational work for this theme, but there are areas for improvement or where the evidence is unclear, none of which are of over-riding concern. The aspects that are effective outweigh those that require improvement. Whilst considerable progress may have been made over the recent period there is insufficient

	evidence that this is yet robust and sustainable.  (NB: Where the case assessment score is unsatisfactory this descriptor may still be achievable if there is strong evidence that recent improvement activity has been effective but could not reasonably have been reflected in the inspected cases)
Not effective	Some evidence that LMP facilitates successful operational work for this theme but on balance the areas requiring improvement outweigh those that are effective. One or more areas for improvement may be of such importance that they preclude a judgement of effective. There may be one or more elements of LMP that specifically act as a barrier to effective operational work. There may be evidence of deterioration in operational performance over the recent past that has not been identified, or plans not identified to rectify it.  (NB: Where case assessment scores are strong this may be characterised by 'good work in spite of shortcomings in LMP' )
Poor	Little evidence that LMP facilitates successful operational work for this theme. There may be evidence that elements of LMP specifically act against and have a substantial impact on successful operational work. It is likely, but may not always be the case, that core case practice is insufficient. There are likely to be significant areas that require substantial improvement across a number of quality indicators. One or more areas for improvement may be so critical that they over-ride all other factors.  (NB: Where case assessment scores are strong this may be characterised by 'good work in spite of substantial shortcomings in LMP' and be indicative of a proportion of knowledgeable staff that achieve good work independently of local LMP arrangements.)

It is essential that the consideration leading to this judgement takes full account of the views of partner inspectorates. The key points of the discussion must be recorded, in case of challenge.

#### 4.3 Stage three – moderation of theme judgement

When the provisional judgement is close to a grade boundary moderation of the provisional judgement will take place to arrive at the initial moderated judgement, according to the following table.

LMP Descriptor	Case Assessment Score	Impact on provisional judgement leading to initial moderated judgement
Very effective	More than 5% below grade boundary	No change
	Case assessment score is below but within 5% of an upper grade boundary	Increased by one star, subject to the maximum of four stars.
	Any other case	No change

Effective	More than 2% below grade boundary	No change
	Case assessment score is below but within 2% of an upper grade boundary	Increased by one star, subject to the maximum of four stars.
	Any other case	No change
Not effective	More than 2% above grade boundary	No change
	Case assessment score is above but within 2% of a lower grade boundary	Reduced by one star, subject to a minimum of one star.
	Any other case	No change
Poor	More than 5% above grade boundary	No change
	Case assessment score is above but within 5% of a lower grade boundary	Reduced by one star, subject to a minimum of one star.
	Any other case	No change

In all cases the lead inspector may request that the ACI allows an over-ride of the initial moderated judgement. This will only be given in the most exceptional cases.

The calculation that led to the initial moderated judgement will **not** be shown in the report, however the report contains an appendix that describes the overall scoring approach, including moderation.

#### 4.4 Stage four – applying limiting factors

There are a number of limiting factors that may affect the maximum overall or LMP judgement that can be given. These are applied to the initial moderated judgement as follows:

Limiting factor	Impact
<p>If, during the inspection, one or more children or young people whose case was inspected (or whose case was identified and were known to the YOT at the time and within the past year) have been identified as currently (or when the order ended if applicable) being at a high or very high risk of suffering serious harm, <i>as a result of shortcomings in the services provided to them</i>.</p> <p>[NB: Whilst the immediate cause of the problem may be outside of the YOT, the YOT should have normally identified and escalated the case sufficiently to ensure that the issue was addressed. The extent to which the YOT can be held account for this may vary from case to case]</p>	<p>The maximum rating that can be given for the <b>Protecting the child or young person</b> theme is 3 stars – satisfactory</p>
<p>If, during the inspection, one or more identified victims or potential victims have been identified as currently (or when the order ended if applicable) being at a high or very high risk of suffering serious harm from a child or young person whose case was inspected (or whose case was identified by</p>	<p>The maximum rating that can be given for the <b>Protecting the public</b> theme is 3 stars – satisfactory</p>

an inspector and was open to the YOT at the time and within the past year), <b>as a result of shortcomings in the services provided to them.</b> [NB: Whilst the immediate cause of the problem may be outside of the YOT, the YOT should normally have identified and escalated the case sufficiently to ensure that the issue was addressed. The extent to which the YOT can be held account for this may vary from case to case]	
The case assessment score is 1 star (poor)	LMP cannot be effective or very effective
The case assessment score is 2 star (unsatisfactory)	LMP cannot be very effective

#### 4.5 Stage five – Judgement confirmed by Assistant Chief Inspector

The final moderated judgement agreed by the inspection team remains provisional until the lead inspector has received and considered all relevant evidence, written the report and the report has been edited by the ACI.

If, exceptionally, the LI and/or ACI wish to amend a judgement that was agreed by the inspection team, they will contact partner inspectorates to explain their reasons for this, and seek further comments, prior to the change being confirmed.

Therefore no element of the judgement, other than the case assessment score (percentage) should normally be disclosed to the local partnership during the findings meeting or otherwise, until it is confirmed.

There are two exceptions to this. In both cases the ACI attending the end of the inspection MUST be consulted before a decision is made to disclose the judgements on individual modules.

The exceptions are:

- when the final moderated judgement is four stars, the case assessment score is more than 5% above the grade boundary and no member of the inspection team has identified evidence that may indicate re-consideration
- when the final moderated judgement is one star and (in the case of a practice theme) the case assessment score was also one star
- when the provisional outcomes from the overall FJI are such that a re-inspection is being considered. In this case the ACI would also need to confirm what can be said about re-inspection arrangements.

Once the final judgement has been agreed between the LI and ACI, the LI should contact the YOT and explain the judgements to them.

## 5 Making judgements for the governance and partnerships theme

The governance theme judgement is derived from the work undertaken by all inspectorates based on evidence of the achievement (or not) of the governance theme criteria and quality indicators. (NB: the term 'governance' is used throughout this section as shorthand to indicate 'governance and partnerships')

The same descriptors are used as for LMP, but in this case they form the narrative descriptors to be used in the report, alongside the main Star rating, as follows:

<b>Descriptor used in the report</b>	<b>Judgement (Star rating)</b>
Very Effective	★★★★
Effective	★★★
Not effective	★★
Poor	★

The provisional decision on which judgement to apply is made by the whole inspection team, normally in their inspection team meeting on Thursday afternoon. This judgement remains provisional until confirmed by the ACI responsible for the inspection, usually once the LI has received all of the evidence and drafted the report.

**It is essential, in case of challenge, that the DLI records the key elements within the discussion leading to the provisional judgement.**

Therefore the local authority is NOT normally informed of the judgement during the Friday findings meeting. However, there are exceptions to this, in particular if a re-inspection is being considered or performance across the board is consistently good with no substantial shortcomings.

Any decision to disclose the judgement at the findings meeting can only be made by the ACI in attendance at the inspection, following discussion with the LI.

The judgement is based on performance against the whole range of Criteria and quality indicators in chapter 5 of the FJI Criteria. Whilst the overall judgement is formed by balancing all of these factors, the following table may be helpful to LIs and inspection teams when considering where to pitch the judgement. However, particular local factors may cause the importance of the factors described here to vary considerably. Any consideration of variance from this guidance in individual cases should be discussed and confirmed with the ACI:

<b><i>Descriptor of Governance arrangements</i></b>	<b><i>What the descriptor means in terms of evidence</i></b>
Very effective	There will be a clear sense of ambition for work to reduce offending, protect the public and reduce the vulnerability of children and young people in the local authority, partnership, board and YOT. Board members will have a good understanding of offending and related needs in the local authority, and work together well. Partners are clearly and effectively held to account for their contribution to the work of the YOT. There will be substantial evidence that governance arrangements facilitate and have consistently achieved successful operational work. The work of the YOT will be well integrated into, and have clear visibility within, both local authority and partnership accountability structures, including with the chief executive (and elected mayor where applicable). There is a clear focus on the quality of work and wider impact indicators, beyond the national Indicator set. Arrangements are stable, are robust and sustainable. There may be areas for improvement but none of these are substantial. Improvement plans and activity have a clear and appropriate focus. All practice theme judgements will be 3 star or 4 star. No children or young people or victims have been left at high risk of

	serious harm as a result of deficiencies within the YOT.
Effective	<p>Considerable evidence that governance arrangements facilitate successful operational work, but there are areas for improvement or where the evidence is unclear, none of which are of over-riding concern. The aspects that are effective outweigh those that require improvement. Whilst considerable progress may have been made over the recent period there is insufficient evidence that this is yet robust and sustainable. Most partners make a full contribution to the work of the Board and YOT. Case working staff are well trained and the YOT acts as a learning organisation. Operational management in the YOT is effective. There is a sufficient range of interventions available for work to reduce offending and within partner agencies accessed by children and young people working with the YOT. There is sufficient integration with MAPPA, LSCB and child protection arrangements. The YOT has sufficient resources to deliver its work.</p> <p>All practice theme judgements will be 2 star or better and the majority will be at least three star. The majority of LMP judgements will be at least 'effective'.</p>
Not effective	<p>Some evidence that governance arrangements facilitate successful partnership and operational work but on balance the areas requiring improvement outweigh those that are effective. One or more areas for improvement may be of such importance that they preclude a judgement of effective. There may be one or more elements that specifically act as a barrier to effective operational work. There may be limited evidence of frequent and well attended board meetings, with stable membership, that are effective in holding the YOT to account. There may be one or more substantial gaps in the contribution of partners to the work of the YOT. There may be evidence of deterioration in operational performance over the recent past that has not been identified, or plans not identified to rectify it, or this was addressed too slowly. There may be substantial gaps in the availability of resources that are not being addressed.</p> <p>If the work of the board, or the strategic accountability and links within the partnership and local authority are not effective, then the overall judgement for governance arrangements cannot be better than 'not effective'.</p> <p>It is likely that the majority of the practice theme judgements will be 1 or 2 star. The majority of LMP judgements are likely to be 'ineffective' or 'poor'</p>
Poor	<p>Little evidence that governance arrangements facilitate successful operational work. Outcomes on one or more national indicators or key local impact indicators are poor and there has been insufficient or ineffective timely work to address this. There may be evidence that elements of the governance arrangements specifically act against and have a substantial impact on successful operational work. There are likely to be significant areas that require substantial improvement across a number of quality indicators. One or more areas for improvement may be so critical that they over-ride all other factors. There may be insufficient resources in place right across the work of the YOT, with no effective</p>



	<p>plan in place to address this.</p> <p>It is likely, but may not always be the case, that one or more case practice based themes are poor. Where the majority of practice themes are judged poor then it is likely that governance arrangements will also be poor, unless there is strong evidence of robust plans being implemented to address this.</p>
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## 6 Re-inspections

Inspection teams and local partnerships should be aware that:

- FJI results will be fed into the Information Bank and used to inform future inspection activity. They will also be taken account of by partner inspectorates when considering their inspection activity.
- Any FJI inspection with one or more 1 star judgements (in particular if these include the protecting the public, protecting the child or young person, or governance themes) will be considered for a re-inspection. This could be a full FJI (or equivalent) but may also be a SQS or equivalent. Higher scores would not preclude consideration once other intelligence or specific detail is taken into account.
- The decision to reinspect a YOT or not, and if so when this might take place, will be influenced by any involvement of the YJB in improvement work. It does not preclude escalation by the YJB or HMI Probation where this is appropriate.
- It is highly unlikely that a re-inspection would take place within 12 months of publication of the original inspection report.

HMI Probation  
Revised February 2016

## Appendix A

<b>YOT Name</b>	
<b>Lead Inspector Name</b>	
<b>DLI/ note taker Name</b>	
<b>ACI in attendance Name</b>	
<b>Date</b>	

1. Complete this first table in advance of the inspection team meeting, to help identify the flexibility that may be available:

<b>Theme</b>	<b>Case Assessment Score</b>	<b>Provisional Judgement</b>	<b>Identify moderation possibilities from score</b>
Reoffending			
Public Protection			
Protecting children			
Ensuring sentence is served			
Additional module [name]			

2. As the discussion proceeds, please identify which category of the following applies:

	<b>Leadership, management and partnership work has been:</b>	
<b>Outcome element</b>	<b>Very effective/ Effective / Not effective / Poor</b>	<b>Reasons</b>
Reoffending 1.5		
Protection 2.5		
Protect children 3.5		
Objectives of CJS 4.1.1 & Good quality services 4.1.2		
Additional module [name]		

3. Then agree and record the final moderated judgement for each practice theme.

<b>Module</b>	<b>Final Moderated Judgement (stars)</b>	<b>Reasons</b> (in particular if moderation or limiting factors applied)
Preventing Re-offending		
Public Protection		
Protecting the Child		
Ensuring Sentence is Served		
Additional Module [name]		

4. Finally, consider and agree the judgement for the Governance module, and record the key factors in that decision.

<b>Governance Module</b>	
<b>Final Judgement</b>	
<b>Key factors leading to judgement</b>	

**5. Immediately following the inspection this appendix should then be placed on grh office in the report section of the individual inspection folder.**