



HM Inspectorate  
of Probation

Domain one

Standard 3.4 (Out-of-court) more

Standard 4.1 (Resettlement)

v 3.4 Updated June 2024

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## Introduction

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Our youth justice inspection standards are split into three domains. They are structured separately to allow us to judge and rate specific areas of work. The domains do not operate in isolation and the rules and guidance and rating characteristics reflect this. Judgements in domain one relate to how leadership, staffing, services and information and facilities impact both on domain two (community *and* custody cases) and domain three. Domain one rating judgements are informed by the evidence submitted by the organisation in advance of the inspection, interviews undertaken during the inspection fieldwork weeks and our analysis of correlation with the findings from domain two and domain three.

In addition to our three inspection domains, from 2021 we will inspect resettlement in those Youth Justice Services (YJSs) that have had resettlement cases in the 12 months before the inspection fieldwork. This will be under a separate modular standard that sits outside our 12 core standards. The rating will not contribute to a YJS's overall composite score; however, we have introduced a decision rule whereby any YJS that is rated inadequate on the resettlement standard will be unable to achieve an outstanding composite rating.

In our 2020 consultation, there was almost universal agreement that any stand-alone judgement about the quality of resettlement must be underpinned by effective, case-based evidence. For this reason, the stand-alone resettlement standard only applies where YJSs have had one or more relevant cases in the 12 months before the inspection.

We recognise the contextual, local and systemic issues that can affect a YJS's ability to deliver its work, such as the engagement and role of partner agencies in providing services. We pay attention to these and other contextual and systemic issues and set out the reasons for shortfalls in our inspection report. We target and tailor recommendations to help providers make the necessary improvements. But our judgements and ratings must always reflect the quality of delivery, irrespective of the underlying reasons and rationale.

### Inspecting diversity

Throughout our standards framework we expect YJSs to take a personalised approach to the delivery of all work with children, and to have organisational arrangements in place that support this approach. A personalised approach is one in which services are tailored to meet individuals' needs, giving people as much choice and control as possible over the support they receive.

We split our definition of a personalised approach into two parts. First, we consider diversity factors, which we define as those protected characteristics set out in the *Equality Act 2010*. These are race, age, disability, gender, sexuality, gender reassignment, pregnancy and maternity, marriage or civil partnership and religion or belief.

Separate to this, we consider an individual's personal circumstances and how well the YJS meets any needs arising from these. For example, a child who attends college or is a carer might need flexible supervision arrangements.

We will report on diversity in a separate section of our YJS inspection reports. Our aim is to describe how well the YJS meets the requirements of the public sector equality duty and how well it meets the diversity needs of children and staff. This will be informed by our inspection of individual cases under domains two and three. For domain one and our qualitative standards 3.4 and 4.1, we will use the following prompts:

### *1.1 Governance and leadership*

- 1.1.1 (b)
- 1.1.2 (d)
- 1.1.3 (d)

### *1.2 Staff*

- 1.2.2 (a)
- 1.2.3 (b)
- 1.2.4 (d)
- 1.2.5 (e)

### *1.3 Partnerships and services*

- 1.3.1 (c)
- 1.3.2 (c)
- 1.3.3 (d)

### *1.4 Information and facilities*

- 1.4.1 (d) and (e)
- 1.4.2 (c)
- 1.4.3 (c)
- 1.4.4 (e)

### *3.4 Out-of-court policy and provision*

- 3.4.3 (c)

### *4.1 Resettlement policy and provision*

- 4.1.1 (c)
- 4.1.2 (c)
- 4.1.3 (c)

## **Decision rules and decision guidance**

For standards on Governance and Leadership (1.1) and Partnerships and Services (1.3) there are significant links at standard level to what we see in domains two and three. In recognition of this, there would be two ratings where decision rules apply and six ratings where decision guidance should be followed. Decision rules are non-negotiable. Decision guidance should be followed other than in defensible and evidence-based circumstances.

In addition, there is a decision rule relating to the resettlement standard (4.1) and a limiter relating to our findings on diversity. These apply to the overall rating for a YJS.

### Standard 1.1 Leadership

DECISION RULE- An 'Outstanding' rating requires that all domain two and three ratings are 'Good' or 'Outstanding' and that judgements against the qualitative key questions and prompts are 'Outstanding' as assessed against the domain one Rules and Guidance.

DECISION GUIDANCE- A 'Good' rating requires that typically a reasonable majority of domain two and three ratings are 'Good' or 'Outstanding' with no 'Inadequate' ratings and judgements against the qualitative key questions and prompts are 'Good' as assessed against the domain one Rules and Guidance.

DECISION GUIDANCE- A 'Requires improvement' rating is *usually* consistent with a) fewer than half 'Good' or 'Outstanding' domain two and three ratings and typically a reasonable majority of the remainder being 'Requires Improvement' rather than 'Inadequate' and b)

judgements against the qualitative key questions and prompts are 'Requires Improvement' as assessed against the domain one Rules and Guidance.

DECISION GUIDANCE- An 'Inadequate' rating is *usually* consistent with a) less than half of domain two and three ratings being 'Good' or 'Outstanding' and more than half of the remaining ratings being 'Inadequate' and b) judgements against the qualitative key questions and prompts are 'Inadequate' as assessed against the domain one Rules and Guidance.

### Standard 1.3 Partnerships and Services

DECISION RULE- An 'Outstanding' rating for 1.3 requires an 'Outstanding' rating for both 2.3 and 3.3 and that judgements against the qualitative key questions and prompts are 'Outstanding' as assessed against the domain one Rules and Guidance.

DECISION GUIDANCE- A 'Good' rating for 1.3 requires a 'Good' or 'Requires Improvement' rating for both 2.3 and 3.3 and that judgements against the qualitative key questions and prompts are 'Good' as assessed against the domain one Rules and Guidance.

DECISION GUIDANCE- A 'Requires improvement' rating for 1.3 is *usually* consistent with a) a 'Good' or 'Requires Improvement' rating for both 2.3 and 3.3 but not with any 'Inadequate' ratings and b) judgements against the qualitative key questions and prompts are 'Requires Improvement' as assessed against the domain one Rules and Guidance.

DECISION GUIDANCE- An 'Inadequate' rating for 1.3 is *usually* consistent with a) an 'Inadequate' or 'Requires improvement' rating for both 2.3 and 3.3 and b) judgements against the qualitative key questions and prompts are 'Inadequate' as assessed against the domain one Rules and Guidance.

### Standard 4.1 Resettlement

DECISION RULE- Any YJS that is rated as inadequate on the resettlement standard (4.1) is unable to achieve an outstanding overall rating.

### Diversity

LIMITING JUDGEMENT- Although we do not rate diversity as a separate standard (meaning that we cannot apply a decision rule based on a rating as we do above), we do report on how well a YJS addresses diversity. This enables us to see diversity issues in the wider context of a child's experience, and at the same time to pull out any diversity-specific learning and recommendations for the YJS. In recommending ratings to the ratings panel, lead inspectors must be mindful that the ratings panel will challenge any proposed overall outstanding rating if we consider a YJS's practice on diversity to be insufficient.

### **Purpose of the domain one rules and guidance**

The domain one rules and guidance explain how evidence should be assessed and how judgements should be formed against key questions and prompts for each standard. The purpose of the guidance is to provide advice, clarity and a consistent understanding of the required expectations. It outlines approaches that set high standards to assess quality.

### **Role of the rating characteristics**

The rating characteristics indicate what will guide a lead inspector to recommend a specific rating. The rating characteristics provide a framework to support the lead inspector's

recommendation rather than being a checklist; we do not expect every characteristic to be present for the corresponding rating to be given.

The characteristics for 'Good' and 'Requires improvement' are closely aligned to the key questions and prompts in the standards framework.

# Rules and guidance

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## 1.1. Governance and leadership

**The governance and leadership of the YOT supports and promotes the delivery of a high-quality, personalised and responsive service for all children.**

### **Guidance:**

The *Crime and Disorder Act 1998* (Section 39) placed a duty on each local authority, acting in cooperation with statutory partners (police, the Secretary of State, probation and health), to establish one or more YOTs for their area. YOTs were first set up according to guidance in the Inter-Departmental Circular on Establishing Youth Offending Teams (Home Office, 1998). This determined that a steering group (later termed a YOT Management Board in the 2004 Youth Justice Board (YJB) guidance 'Sustaining the Success'), should be formed to provide strategic direction with the aim of preventing offending by children. The role of the YOT Management Board is to:

- determine how the YOT is to be composed and funded, how it is to operate and what functions it is to carry out
- determine how appropriate youth justice services are to be provided and funded
- oversee the formulation each year of a draft youth justice plan
- oversee the appointment or designation of a YOT manager
- as part of the youth justice plan, agree measurable objectives linked to key performance indicators, including the National Standards for Youth Justice.

Members of a YJS Management Board should be empowered to make strategic decisions. The primary duty to ensure a YJS is in place rests with the local authority.

It is recognised that in some areas the YJS Management Board may now have been merged with other local strategic boards and/or may be known by a different name, for example Youth Justice Partnership Board. For the purposes of this document, the term 'YJS Management Board' can be taken to apply to all such variations.

Likewise, YJSs may now form part of a broader range of services or encompass wider services within them. They may be known by alternative names in some areas, for example Youth Justice Service.

The governance and leadership of the YJS should take a forward-looking approach to delivering better services for children. High-quality services are well planned, effective and evidence-based, and take account of diversity needs. Services should be personalised, focusing on the child's specific circumstances and responsive to their assessed needs.

A personalised approach is one in which services are tailored to individuals' needs, giving people as much choice and control as possible over the support they receive. This personalised approach must include diversity issues related to an individual's protected characteristics: race, age, disability, gender, sexuality, gender reassignment, pregnancy and maternity, marriage or civil partnership and religion or belief. It should also include a range of other personal circumstances that could have an effect on the individual's ability and capacity to engage in interventions, such as maturity, rurality, learning needs, mental health concerns and cultural identity. There should be evidence that the YJS has considered how that individual will be able to respond to that intervention at that time. For example, a child who attends college or is a carer might need flexible supervision arrangements. Evidence from desistance theory emphasises the need for a holistic, flexible and person-centred approach to supporting people.

We split our definition of a personalised approach into two parts. First, we consider diversity factors, which we define as those protected characteristics set out in the *Equality Act 2010*. Separately to this, we consider an individual's personal circumstances and how well the YJS meets any needs arising from these.

So, we judge a personalised approach to include consideration of relevant diversity factors and relevant personal circumstances. When we talk specifically about diversity, we do not include personal circumstances but instead are interested in factors related to protected characteristics.

**Judgement:**

Lead inspectors should make an initial default judgement of 'Requires improvement' in relation to the standard if one or more of the key questions is answered 'no'. However, the lead inspector can override this and propose a 'Good' rating where he/she thinks this is appropriate.

**1.1.1 Is there a clear local vision and strategy for the delivery of a high-quality, personalised and responsive service for all children?**

**Guidance:**

Section 40 of the *Crime and Disorder Act 1998* sets out local authorities' responsibilities to produce an annual youth justice plan. The Act states that it is the duty of each local authority, after consulting with partner agencies, to formulate and implement an annual youth justice plan that sets out:

- how youth justice services in their area are to be provided and funded
- how the YJS will be composed and funded, how it will operate, and what functions it will carry out.

The statutory youth justice plan must be submitted to the YJB and published in accordance with the directions of the Secretary of State.

The plan should also show how strategic links with other services will be developed and maintained. The youth justice plan should therefore be linked to other local multi-agency children's plans and community safety plans, and policies relating to children, for example an anti-social behaviour policy. It should include an action plan.

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Does the YJS Management Board set the direction and strategy for the YJS, prioritising the quality of service and adherence to the evidence base?**

**Guidance:**



The lead inspector should consider whether the YJS Management Board effectively supports and enables the YJS to meet its objectives, in particular to deliver a personalised service to children. The YJS Management Board should provide a clear strategic lead, monitoring the quality and effectiveness of the work and adherence to the evidence base so that work meets the objectives of the youth justice system, in particular to reduce offending and improve the life chances of children.

The YJS Management Board should have a current, relevant and effective strategy/business plan for the YJS, which is communicated to and understood by statutory and other relevant partners. It should pay sufficient attention to the development and delivery of out-of-court-disposals, and be committed to the diversion and prevention work carried out by the YJS and its partners. The Board should have a clear understanding of the profile of youth offending in the area, and of children's needs; a needs assessment should have been completed. The Board should actively promote equality of opportunity and diversity, deliberately addressing diversity factors throughout its work, including actual or potential discriminatory factors where they exist. The YJS Management Board should have evidence that demonstrates how it ensures that it is listening, and responding, to the voice of the child.

#### **Evidence:**

- the latest youth justice plan/business plan that has been approved by the YJS Management Board, submitted to the YJB, and communicated appropriately to partners; inspectors will also look at any new plan currently under consideration by the YJS Management Board
- current YJS action plan (if not already included in the business plan)
- YJS Management Board minutes for meetings held within the last 12 months; these could be stand-alone or incorporated within wider strategic meetings
- agenda and papers submitted to the most recent YJS Management Board
- the latest available analysis of local offending, children or related profiles, and a needs assessment; this could be stand-alone for children, but may be more effective if it formed part of a joint strategic needs assessment for the area
- evidence of how the YJS Management Board, and the YJS, make sure that services are personalised and suitable for the diversity of the local population
- evidence of partners' stated commitment, for example memoranda of understanding or service level agreements; an example of good practice would be a written YJS partnership agreement that sets out partners' commitment to providing finance and resources and is reviewed annually
- the current strategy and procedures for seeking and using the views of children (including victims) to improve YJS services, with examples of how they have made a difference.

#### **Judgement:**

Inspectors will make a positive judgement where clear strategic plans are in place, based on a needs analysis and the evidence base for quality delivery. These should be driven by the YJS Management Board.

#### **b) Does the vision and strategy for the YJS address diversity considerations and set out equality objectives?**

#### **Guidance:**

The public sector equality duty, set out in section 149 of the Equality Act 2010, requires public bodies to address diversity and equality issues. It consists of a general equality duty, supported by specific duties that are imposed by secondary legislation. YJSs are not named under the Act's *Specific Duties and Public Authorities Regulations 2017* in the way that probation trusts are. This means that, in legal terms, only the general public sector equality duty applies to YJSs. Full information can be found here:

<https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty>.

The broad purpose of the general equality duty is to ensure that public authorities consider equality and good relations as part of their day-to-day business. The general equality duty requires organisations to consider how they can contribute positively to advancing equality and good relations. They must consider equality in the delivery of services and design of policies, including internal policies, and keep these issues under review. The general equality duty aims to shift responsibility for promoting equality from individuals to organisations; for the first time, organisations are obliged to positively promote equality, not merely to avoid discrimination. It was developed in order to harmonise the equality duties and include all the protected characteristics. In summary, those subject to the general equality duty must, in exercising their functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims of the general equality duty. To meet these, the YJS's vision and strategy should set out how the YJS will:

- remove or minimise disadvantages suffered by children due to their protected characteristics
- take steps to meet the needs of children from protected groups where these are different from the needs of other children
- encourage children from protected groups to participate in ways that meet their needs.

YJSs should set out their equality objectives in the vision and strategy. If a YJS does not consider how its strategy can affect different groups in different ways, the strategy is unlikely to have the intended effect. This can contribute to greater inequality and poor outcomes. Ideally, the YJS should develop equality objectives as part of its normal business planning processes.

#### **Evidence:**

- the latest youth justice plan/business plan that has been approved by the YJS Management Board, submitted to the YJB, and communicated appropriately to partners; inspectors will also look at any new plan currently under consideration by the YJS Management Board
- current YJS action plan (if not already included in the business plan)

- the latest available analysis of local offending, children or related profiles, and a needs assessment; this could be stand-alone for children, but may be more effective if it formed part of a joint strategic needs assessment for the area
- evidence of how the YJS Management Board, and the YJS, make sure that services are personalised and suitable for the diversity of the local population
- evidence of partners' stated commitment, for example memoranda of understanding or service level agreements; an example of good practice would be a written YJS partnership agreement that sets out partners' commitment to meeting diverse needs
- current strategy and procedures for seeking and using the views of children (including victims) to improve YJS services, with examples of how they have made a difference.

### **Judgement:**

A positive judgement requires the YJS to address diversity considerations actively and fully in its vision and strategy. This should include setting out equality information and objectives in the spirit of the Equality Act.

### **c) Does the YJS Management Board include all statutory partners and non-statutory partners where these would add value?**

#### **Guidance:**

All statutory partners should be represented on the YJS Management Board. These are the local authority (children's social care and education), police, probation, and health. Non-statutory partners may be involved in the YJS Management Board, as relevant and appropriate to the area. These could include youth court magistrates, court legal advisers, community safety managers, youth support managers, local secure establishments, housing providers, fire service managers, voluntary sector representatives and elected councillors. Their contribution and added value should be clearly demonstrated. Members of the Management Board should be of the appropriate seniority and have the authority to make strategic decisions, for example with regard to financial and staffing resources. The YJS Management Board should have clear and current terms of reference, understand its accountability, and be proactive in driving change. Lead inspectors should look for evidence that the YJS Management Board's work adds value being provided to the YJS through the work of the YJS Management Board.

#### **Evidence:**

- all statutory partners (local authority, police, probation and health) are signatories to the youth justice plan/business plan at an appropriate senior level
- evidence of partners' stated commitment, for example memoranda of understanding or service level agreements; an example of good practice would be a written YJS partnership agreement that sets out partners' commitment to providing finance and resources and is reviewed annually
- evidence of contributions made by non-statutory partners, for example community safety initiatives linked to YJS work
- plans from different agencies integrated into the YJS's work
- terms of reference for the YJS Management Board.

### **Judgement:**

Inspectors will make a positive judgement where all five statutory members attend YJS management board meetings along with relevant non-statutory partners.

**d) Are YJS Management Board members active in their attendance and participation, recognising the contribution their own agency makes to the YJS?**

**Guidance:**

Statutory and non-statutory partners should attend YJS Management Board meetings consistently and regularly, and have designated and named members. The non-attendance of partners should be managed effectively, for example through monitoring and challenge by the Chair. It is important that all Management Board members are actively engaged in the YJS's work and that the contribution of all agencies is meaningful and adds value. Management Board members should have a clear understanding of their responsibilities and recognise the contribution they are required to make. Management Board members need to have effective induction and training to support them in best understanding the work of the YJS, and their role within the partnership. They should take ownership of specific tasks and responsibilities, hold the YJS manager to account and, where necessary, commission work on performance in order to support improvements. YJS Management Board meetings should facilitate appropriate and healthy challenge, leading to positive outcomes for children.

**Evidence:**

- YJS Management Board minutes for meetings held within the last 12 months; these could be stand-alone or incorporated within wider meetings, and should specify the names and roles of designated representatives, as well as the organisation they are representing
- register of attendance at the YJS Management Board, covering all meetings over the last 12 months, including names, agencies and roles; evidence of weaker attendance and participation may include a partner agency sending repeat apologies for meetings or repeatedly changing the designated representative, leading to lack of consistency, effectiveness of contribution and understanding
- induction and training records for Management Board members
- evidence of how the YJS Management Board holds members and partners to account.

**Judgement:**

Inspectors will make a positive judgement where all statutory partners are actively engaged members of the YJS Management Board. They should understand the accountability associated with their role and support the agenda of the YJS. Where non-statutory partners would add value, they should be included and likewise effectively engaged.

**e) Is the Chair of the YJS Management Board well engaged, with a sufficient understanding of the YJS's work?**

**Guidance:**

The Chair of the YJS Management Board is appointed by the Chief Executive of the local authority (if the Chief Executive is not assuming the role of chair), and any of the statutory partners may fulfil the role. The Chair should be consistent, with specific arrangements for an appropriate term of office, and should be of a sufficiently senior level to hold strategic partners to account. The Chair should have a good understanding of his or her role, have a sufficient understanding of the YJS's work (including out-of-court disposals), and be well-engaged with the range of strategic issues facing the YJS. He or she should demonstrate effective leadership by developing synergy between members and encouraging challenge. The Chair should support Management Board members, as well as the YJS manager, and

hold them to account in their work. The Chair should ensure that the YJS Management Board makes clear and accountable decisions based on robust information.

**Evidence:**

- YJS Management Board minutes for meetings held within the last 12 months; these could be stand-alone, or incorporated within wider meetings, and should set out the actions required, updates of actions completed or in progress, and decisions made and who is accountable for those decisions
- evidence of how the YJS Management Board monitors and addresses the YJS's performance
- discussions with the Chair to establish his or her understanding of the role of the Chair and the work of the YJS (including out-of-court disposals).

**Judgement:**

Inspectors will make a positive judgement where the YJS Management Board Chair is of Director of Children's Services level or above, demonstrates an understanding of and commitment to the work of the YJS and holds the YJS Management Board to account for the decisions that it makes.

**f) Does the YJS Management Board incorporate the views of children into the YJS's local vision and strategy?**

**Guidance:**

Organisations should have an approach to consulting with children that contributes to the improvement of services. They may seek children's views in a variety of ways, including surveys and questionnaires. However, they should also include more sophisticated approaches, such as focus groups and children's councils, to provide a more in-depth understanding of children's needs, including where there are gaps, where needs are being met effectively, and how services should change to better address these needs.

Where numbers permit, the analysis of these views should identify the different experiences of children by disposal, team, gender, race, ethnicity, age and other protected characteristics, so that the needs and issues for each of these groups are better understood.

The views of children should be fed into service reviews, and children may be included directly in the groups conducting these reviews. The specific contributions that children have made to reviews and the results of their input should be drawn out and publicised to promote confidence in the consultation and involvement process.

**Evidence:**

- consultations with children
- analysis of responses to consultations and surveys
- minutes of children's fora and actions following these and examples of where consultation with children has led to specific improvements.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS has developed an approach to consultation with children that covers key services, analyses children's views and has led to specific identifiable improvements in services.

**g) Are there effective governance arrangements and clear delivery plans that translate the vision and strategy into effective case supervision?**

### **Guidance:**

There must be clear governance arrangements in place to ensure that the YJS's vision and strategy have an impact on its work. Governance arrangements should set out clear lines of accountability and decision-making through relevant boards and meeting structures, with clarity about who is responsible for delivering each element of the strategy (the responsible owner). Delivery plans should set out how the strategy will be put into practice, where and to whom progress should be reported, and how this work will be reviewed. There should be clear feedback to responsible owners about what is and what is not working, and necessary changes to implementation agreed. There should be evidence that appropriate programme and project management approaches have been followed to ensure that strategies have been implemented in a timely fashion, within an agreed budget and to a good standard.

### **Evidence:**

- a clear organogram and accountability diagrams setting out responsibility, accountability and decision-making structures for the YJS and for each element of the strategy, with examples of delivery plans
- individual examples of how strategies have been translated into practice as evidence of a corporate approach to implementation
- regular review of delivery plans and programme and project documentation
- minutes of governance meetings
- annual reviews of strategic business plans.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS takes a consistent approach to implementing its strategy, within a well-defined accountability structure and uses clear delivery plans that are regularly reviewed.

## **h) Is the impact of the strategy on delivery monitored and regularly reviewed?**

### **Guidance:**

The impact of the strategy should be monitored by the YJS Management Board. Ideally this would be an annual review that feeds into revised and updated business and delivery plans and is supported by additional reviews two or three times a year. Reviews of the strategy should include an analysis of changes in the internal and external operating environments, and changes in mandates, legislation, instructions and guidance. The reviews should be carried out after consultations with key stakeholders.

### **Evidence:**

- progress reports
- strategy reviews and comparisons with previous strategies
- minutes of relevant YJS Management Board and YJS management meetings where the strategy has been revised or progress has been reviewed
- discussion with senior managers and those responsible for monitoring the impact of the strategy
- annual reports.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS Management Board and/or senior managers carry out regular, scheduled progress reviews of the agreed strategy, using appropriate monitoring information, and measuring the impact of the strategy. This should lead to amendment of the delivery plans where required. There must also be a full review of the impact of the strategy at least on an annual basis which is more than a superficial exercise. If there are no reviews of progress and no significant review of the plan, this should result in a negative judgement.

### **1.1.2 Do the partnership arrangements actively support effective service delivery?**

#### **Guidance:**

The YJS should have developed a range of partnerships that work well together and achieve positive outcomes for children, their victims and local communities.

#### **Evidence:**

'Modern Youth Offending Partnerships – guidance on effective youth offending team governance in England' (YJB, 2013) sets out the existing legislation in respect of YJSs. Section 39(1) of the *Crime and Disorder Act 1998* requires the cooperation of the named statutory partners to form a YJS. Section 38(1)(2) identifies the statutory partners and places a duty upon them to cooperate in order to secure youth justice services appropriate to their area.

These statutory partners are:

- local authority education and children's social care services
- police
- probation service
- health.

Additional partners may also be engaged to support the YJS. These may include youth court magistrates, court legal advisers, community safety managers, youth support managers, local secure establishments, housing providers, fire service officers, voluntary sector representatives or elected councillors.

The *Crime and Disorder Act 1998* does not specify what payments must be made in support of staffing contributions made by partners, and these payments are negotiated locally. Often YJSs operate with pooled budgets that combine partner contributions within a single pot, overseen by the YJS manager on behalf of the partnership.

There should also be good strategic and operational relationships and partnership working between the YJS and the police to oversee and deliver out-of-court disposals. The YJS should have links to other local initiatives that support diversion and prevention work, for example anti-social behaviour work through the Community Safety Partnership.

#### **Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

### **a) Do YJS Management Board members advocate the work of the YJS in their own broader roles?**



### **Guidance:**

YJS Management Board members should actively promote the YJS's work within their own agencies and act as ambassadors for the YJS. This should enable the YJS's voice to be presented and heard at broader strategic forums, for example the Local Safeguarding Children Partnership (LSCP – in most areas these have replaced the former Local Safeguarding Children Boards), Local Criminal Justice Board (LCJB), MAPPA, Community Safety Partnership, and Children's Trust (or local equivalent).

### **Evidence:**

- YJS Management Board members represent the interests of the YJS at broader strategic forums
- training or awareness sessions on the YJS's work within the partners' home agencies
- joint training between partner agencies, for example MAPPA training delivered by probation or safeguarding training delivered through the LSCP
- partner agency briefing papers or presentations submitted to the YJS Management Board, for example by the police in relation to local crime trends.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence of the YJS Management Board members actively promoting and advocating for the work of the YJS in their own broader roles.

## **b) Do the YJS's partnership arrangements facilitate the delivery of effective operational work?**

### **Guidance:**

The YJS Management Board should actively consider and respond appropriately to the YJS's performance. The YJS should be clear about what to expect from its partners. There should be evidence to show that partnership arrangements have had a positive impact on operational delivery, with active contributions to support improvements in services to children. Commissioned work delivered by partners should be based on assessed needs, reflect local priorities for children who have offended, or are likely to offend, and take account of appropriate diversity factors. Services from the YJS and its partners should be available for children who receive out-of-court disposals, as well as all post-court cases. The YJS should have sufficient resources to deliver its work. Partners should ensure the YJS has sufficient access to the range of specialist staff that is required. There should be current, relevant secondment agreements that set out the commitment to resources, tenure and how effective links will be maintained with parent organisations, including ongoing training and support arrangements for seconded staff. The YJS should be appropriately staffed, as a minimum according to legislation (see above at 1.1.2, and at 1.2).

### **Evidence:**

- evidence of how the YJS Management Board monitors and addresses performance
- analysis of local offending and the profile of children in the YJS cohort, and a needs assessment; this could be stand-alone for children, but may be more effective if it formed part of a joint strategic needs assessment for the area
- evidence of how the partnership has commissioned services in response to identified needs, and how those services are leading to better outcomes for children



- feedback from children (including victims), with examples of how this has been taken into account and has made a difference to improving YJS services
- secondment agreements
- YJS staffing levels, including numbers from partner agencies, and identifying staffing increases/decreases over the past 12 months.

**Judgement:**

Inspectors will make a positive judgement where there is evidence from local arrangements, protocols and minutes of meetings to demonstrate consistent practice and involvement of partners. This might be further supported by evidence provided by the YJS about how it ensures the effectiveness of these working arrangements, where it is aware of any difficulties and what it is doing to resolve these. If there has been a significant breakdown in relationships in one key area, this should result in a negative judgement.

**c) Do staff understand their roles and responsibilities within the partnership arrangements, and what they are accountable for?**

**Guidance:**

As multi-agency teams, YJSs incorporate staff who are seconded from a range of partner agencies, together with directly employed staff and volunteers. It is important that seconded staff maintain regular links with their parent organisations. Examples may include attending training sessions, receiving briefings, and joint supervision arrangements. They should have up-to-date knowledge and expertise from their own specialist areas, as well as working in an integrated way within the partnership, and a clear understanding of what they are accountable for. All members of the workforce should understand the range of skills within the partnership and how those skills contribute to working with children. The YJS should be proactive in identifying and responding to the training needs of its workforce, and in supporting staff in their ongoing professional development.

**Evidence:**

- secondment agreements with partner agencies
- supervision and appraisal arrangements
- staff training records
- feedback from discussions with staff and volunteers demonstrating that they understand their roles and responsibilities and what they are accountable for.

**Judgement:**

Inspectors will make a positive judgement is where there is evidence from staff that they sufficiently understand their roles and responsibilities. There should be evidence for all roles and grades within the staff group, including permanent and seconded staff. Seconded staff should be supported and able to maintain links with their home organisation.

**d) Does the YJS Management Board take a deliberate, strategic and informed approach to meeting diverse needs?**

**Guidance:**

Compliance with the general equality duty requires public authorities to be conscious of their obligations and to take a deliberate approach to meeting them. The YJS can do this by taking steps to help staff, decision-makers and commissioned services understand the

general equality duty, including its own obligations. Management Board members should embed equality into their scrutiny and decision-making.

A deliberate approach requires that the YJS Management Board:

- is fully aware of and takes responsibility for its obligations under the public sector equality duty
- collects information on children and staff with protected characteristics, including evidence from contact with children
- has mechanisms in place to ensure that equality evidence is available in a timely manner and in the right format
- has clear guidance on the role and value of record-keeping when making decisions about the YJS
- sets specific, measurable objectives to enable the YJS to meet the diverse needs of children; ideally the YJS should do this as part of its normal business-planning processes.

The YJS Management Board should integrate work to meet diverse needs into its day-to-day business. Having clear equality objectives in the YJS business plan or annual work plan, measuring the progress made, and reporting against them demonstrates a deliberate approach and can increase both staff ownership of this work and transparency and accountability.

Clear leadership has an important role to play here. This involves senior staff and any elected or appointed officials taking responsibility for compliance with the general equality duty. This includes taking account of information about the impact of any activities on equality when making decisions, building compliance into strategic planning and partnership working and informing staff about their obligations so that they comply with the duty in their own decision-making.

#### **Evidence:**

- analysis of local offending and the profile of children in the YJS cohort, including a needs assessment broken down by protected characteristics
- evidence of how the partnership has commissioned services in response to identified diversity needs, and how those services are leading to better outcomes for children
- interviews with YJS Management Board members
- training or awareness sessions on the public sector equality duty for YJS Management Board members
- joint training between partner agencies.

#### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS Management Board actively address the diverse needs of children and staff and collect information and set objectives to meet those needs.

**e) Do other relevant local strategic partnerships give priority to work to support desistance and prevent harm, supporting integration with wider services for children?**

#### **Guidance:**

YJSs have a duty to cooperate with a number of other agencies and bodies, for example:

- under Section 325 of the *Criminal Justice Act 2003*, YJSs are one of the named 'duty to cooperate' bodies within MAPPA
- under Section 10(4) of the *Children Act 2004*, YJSs have a duty to cooperate with children's services in making arrangements to improve the wellbeing of children in the local authority's area
- the Regulations 2006 (SI 2006/90) state that YJSs have a duty to cooperate in the establishment and operation of the Local Safeguarding Children Board (in most areas these have been replaced by a Local Safeguarding Children Partnership, but the 2006 regulations continue to apply).

The YJS should be proactively involved in relevant local strategic partnerships such as the Local Safeguarding Children Partnership, Local Criminal Justice Board (LCJB), MAPPA, Community Safety Partnership and Children's Trust (or local equivalent). There should be effective communication and a two-way flow of information between the YJS and other strategic partnerships. The YJS's needs and/or concerns should feature in these partnerships, with relevant YJS Management Board members dealing with the issues and challenges facing the YJS. Local strategic partnerships should prioritise work to support desistance and prevent harm, and support integration with wider services for children.

**Evidence:**

- current local strategy and action plan for work to prevent or divert children from entering the youth justice system, including evidence of the interface between the work of the YJS and other local prevention/diversion work; examples may include links to the Community Safety Plan, Police Youth Strategy and work with families
- arrangements with partners to manage the risk of harm to others and address safety and wellbeing needs; examples may include links to MAPPA, Integrated Offender Management (IOM), LCJB work (such as domestic abuse, restorative justice and victim work), and the LSCP's work to address safety and wellbeing.

**Judgement:**

Inspectors will make a positive judgement where there is a two-way flow of information between the YJS and other strategic partnerships, with relevant YJS Management Board members dealing with the issues and challenges facing the YJS. Local strategic partnerships should prioritise work to support desistance and prevent harm, and to support integration with wider services for children.

**1.1.3 Does the leadership of the YJS support effective service delivery?**

**Guidance:**

Here, the inspector is looking for evidence that the YJS leadership team takes positive action to support service delivery effectively.

YJS managers are responsible for delivery of the YJS's duties. This includes managing staff and resources, allocating work, staffing arrangements, liaison with the courts, performance, and relationships with partners. There is no specific requirement for the YJS manager to be at a certain grade, though it is a strategic role and the YJS manager's position should reflect that in terms of seniority in order to operate effectively. Members of the YJS leadership team should have an appropriate range of skills and experience to support effective service delivery.

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

### **a) Does the YJS leadership team provide an effective link to the Management Board?**

#### **Guidance:**

The YJS leadership team should be proactive in providing an effective link between the work of the YJS and the YJS Management Board, leading to positive partnership working arrangements. Both formal and informal arrangements should be in place, enabling the YJS leadership team to take a range of relevant issues to the Management Board.

#### **Evidence:**

- YJS Management Board minutes for meetings held within the last 12 months. The YJS manager (or in his or her absence a delegated representative from the YJS leadership team) should be present at these meetings, and there should be evidence that the YJS manager has delivered an update on performance and finance at each meeting of the YJS Management Board
- evidence that the YJS manager contributes to the setting of the agenda, and is able to take both issues of concern and examples of positive outcomes and good practice to YJS Management Board
- examples of papers or presentations by the YJS manager to YJS Management Board that report on proposals, developments, risks, challenges and positive outcomes
- evidence that systems are in place for the YJS manager to raise issues of concern with the Chair of the YJS Management Board and Board members outside of the formal meeting structure.

#### **Judgement:**

Inspectors will make a positive judgement where there is good evidence of effective links between the YJS and the YJS Management Board, particularly in respect of the needs analysis, information flows and action planning updates. The YJS leadership team should communicate actively with the YJS Management Board.

### **b) Does the YJS leadership team effectively communicate the vision and strategy of the YJS to staff and stakeholders?**

#### **Guidance:**

There should be effective communication between the YJS leadership team, staff and stakeholders, including volunteers, children and their parents or carers, victims of crime and sentencers, who should in turn have opportunity to contribute to its development.

#### **Evidence:**

- newsletters, bulletins, website and/or other means of communication are used to keep staff and stakeholders informed of the YJS's vision and strategy, including updates on developments and changes where relevant

- focus groups and individual staff and stakeholders spoken to are aware of, understand, and able to give a clear account of the YJS's vision and strategy
- the YJS consulted staff and stakeholders on its vision and strategy, and they had the opportunity to contribute to its development.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that the organisation uses a planned and consistent approach to communications with YJS staff and stakeholders. Where communication is patchy, sporadic or inconsistent, this would lead to a negative judgement.

**c) Does the YJS leadership team successfully deliver and operationalise the vision and strategy?**

**Guidance:**

The YJS should implement its vision and strategy effectively, robustly monitoring, reviewing and updating its business plans as appropriate. The YJS should be able to demonstrate outcomes that show how its vision and strategy are making a positive difference for children.

**Evidence:**

The YJS should have an action plan to show how it is delivering its vision and strategy and which aspects it has implemented. There should be evidence of ongoing monitoring and review processes. The YJS should be able to demonstrate positive outcomes for children, through both hard data and qualitative measures such as feedback from children and case studies. Staff should be able to describe how their roles contribute to the YJS's vision and strategy.

**Judgement:**

Inspectors will make a positive judgement where there is sufficient evidence that the YJS is achieving its vision and strategy in practice. Action plans should link to the vision and strategy and demonstrate that the YJS carries out ongoing reviews against them. Staff should understand the vision and strategy and be able to deliver their own role within them.

**d) Does the YJS leadership team fully consider and address issues of responsibility and disproportionality in making decisions on policy and practice?**

**Guidance:**

Clear leadership has an important role to play here. The YJS manager and senior staff should take responsibility for compliance with the general equality duty. This includes analysis of engagement of children and staff by protected characteristics and analysis of any disproportionate representation of different protected characteristic groups at any stage in the delivery of a YJS's work. The leadership of the YJS should consider and address any shortfalls in the following areas:

- the information the YJS has in relation to children and staff with particular protected characteristics, including from contact with children
- where there are services or protected characteristics for which the YJS does not have information; engagement can help to establish how accurate its information is and fill any gaps
- staff knowing their responsibilities, what these responsibilities mean in practice and where they can access relevant information

- early assessment of the impact of policy and practice on equality to ensure that policies and processes do not discriminate against certain groups or miss obvious opportunities to advance equality of opportunity or to foster good relations; where a policy is likely to be relevant to certain groups but there is no reliable data, engagement with the relevant groups can help with this
- the use of a consistent methodology for assessing the impact of policies and processes to build consistency and enable progress to be measured over time
- assessing the impact on equality of any commissioning decisions the YJS makes
- making sure staff know their responsibilities, what this means in practice and where they can access relevant information
- a clear action plan, agreed with other youth justice system partners (such as the police and courts), to tackle any disproportionality in outcomes or treatment of different groups within the caseload.

#### **Evidence:**

- documented needs analyses that inform the development of policy and processes
- analysis of disproportionality, for example in relation to use of out-of-court disposals, sentencing or remand decisions, and any action plan to deal with this
- evidence of engagement with staff and children across a range of protected characteristics
- equality impact assessments as new policies and processes are introduced or as policies and processes are reviewed; equality impact assessments do not need to be stand-alone documents but there should be evidence that the impact of any new policy or process or change has been fully considered and mitigated where necessary.

#### **Judgement:**

Inspectors will make a positive judgement where there is sufficient evidence that the YJS leadership team actively considers the impact on individuals with protected characteristics when it develops new policies and processes or reviews existing ones. Needs analysis should inform the development of policy and process.

#### **e) Does the YJS leadership team promote openness, constructive challenge and ideas?**

##### **Guidance:**

For any organisation to be effective it should promote a culture where staff at all levels feel able to contribute to service improvement and are clear about how decisions are made and how they can contribute to them.

Culture refers to 'the ways things are done around here'. An open culture is one where staff are routinely consulted about issues that affect them and their work and receive clear explanations about how important decisions are made. Constructive challenge requires that staff at all levels have opportunities to question plans and decisions that affect them and their work, for example through team meetings and meetings between management and unions, which are seen by both sides as valuable. Processes that demonstrate being open to ideas might range from suggestion schemes to innovation strategies, the formation of development teams, and the championing of new initiatives that staff have contributed to.

Organisations that are weaker in this area may have, for example, a culture of secret decision-making, blocks in communication or inattention to the views and ideas of frontline staff.

**Evidence:**

- innovation strategies
- consultation arrangements, including minutes of management and union meetings
- examples of staff suggestions and initiatives that have been put into practice
- discussions with managers and staff about 'how things are done around here' and how decisions are made.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that senior managers have provided opportunities for constructive challenge, where there is open communication up and down the organisation, and where ideas from staff, children and partner organisations are sought and put into practice. Where there is a culture of secret decision-making, blocks in communication or inattention to the views and ideas of frontline staff, this would lead to a negative judgement.

**f) Are risks to the service sufficiently understood by the leadership team, with appropriate mitigations in place?**

**Guidance:**

The YJS should have a risk register that is regularly monitored and reviewed. The YJS leadership team should be able to explain what the risks to the service are and demonstrate that it can mitigate these risks, with clear contingency plans.

**Evidence:**

- a risk register, with risks identified and processes in place for monitoring, reviewing, mitigating and responding to identified risks
- YJS leadership team minutes for the last 12 months, showing evidence of appropriate and regular consideration of the risks to the service
- contingency plans for responding to the risks identified; examples may include a business continuity plan for managing service delivery with reduced resources, operating system failure or closure of premises.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that current risk management arrangements and risk registers, or equivalent, provide managers with a sufficient understanding of the current and potential future risks. There must also be evidence that the mitigations in place are likely to be effective. Where there is recent evidence of risks emerging that should reasonably have been foreseen, where this has had a significant adverse impact on service delivery, and/or where there were no appropriate mitigations in place, this would suggest a negative judgement.



## 1.2. Staff

**Staff within the YJS are empowered to deliver a high-quality, personalised and responsive service for all children**

### Guidance:

In terms of minimum staffing requirements, Section 39(5) of the *Crime and Disorder Act 1998* states that YJSs must include at least one of each of the following:

- an officer of a local probation board or an officer of a provider of probation services
- where the local authority is in England, a person with experience of social work in relation to children, nominated by the Director of Children's Services (who has, in turn, been appointed by the local authority under Section 18 of the *Children Act 2004*)
- a police officer
- person nominated by a clinical commissioning group or a local health board, any part of whose area lies within the local authority's area
- where the local authority is in England, a person with experience in education, nominated by the Director of Children's Services (who has, in turn, been appointed by the local authority under Section 18 of the *Children Act 2004*).

Staffing of the YJS is not limited to these resources, and may include, for example, substance misuse workers, housing officers, youth workers, community workers and business support staff.

There may also be a range of volunteers working with the YJS to support children. These could include Referral Order Panel members, 'appropriate adult' volunteers, and mentors. Where they are engaged, volunteers should be appropriately trained and supported.

### Judgement:

Lead inspectors should make an initial default judgement of 'Requires improvement' in relation to the standard if one or more of the key questions is answered 'no'. However, the lead inspector can override this and propose a 'Good' rating where he/she thinks this is appropriate.

### **1.2.1 Do staffing and workload levels support the delivery of a high-quality, personalised and responsive service for all children?**

#### Guidance:

YJSs are multi-agency teams and as such must be made up of nominated and seconded staff from the statutory partners. Having dedicated staff within the YJS who have skills and knowledge in relation to their parent organisations helps to support multi-agency working. Services delivered by YJSs have expanded and diversified over time; hence additional specialist staff roles and support functions have developed. The YJS manager's role is to ensure appropriate staffing of the YJS and work allocation. The composition of the YJS should reflect local needs and services.



**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Are staffing levels sufficient?****Guidance:**

Staffing levels across all roles within the YJS should be sufficient to meet children's needs. The YJS's own guideline figure for acceptable caseload levels should not be routinely exceeded. YJSs should have a staffing plan that is updated and reviewed at least annually to reflect changes in the profile of children. The plan should include realistic assumptions about the expected workload and caseloads of staff, retention levels, staff progression and retirement, segmented by role and grade. It should cover how and when staff are to be recruited and contingencies, including the use of sessional and agency staff should there be significant fluctuations in workload or sickness levels. There should be guiding principles about how decisions on staffing are to be made and who is responsible for making them. Flexibility should be built in to respond to changing demands, which may include taking on new responsibilities or ways of working in line with service delivery plans, in addition to increases or decreases in workload.

**Evidence:**

- workforce planning strategy
- plan and reviews, including monitoring and managing workload
- sickness absence monitoring
- analysis of exit interviews
- discussions with HR and other senior managers
- minutes of senior management meetings that monitor staffing by function, location and grade.

**Judgement:**

Inspectors will make a positive judgement where staffing levels are sufficient. They should not routinely exceed the organisation's caseload level for each grade of staff. Levels should be planned and reviewed across the organisation, including effective arrangements to respond to changing demands. If staffing levels are insufficient or responses to changing demands are ad hoc or simply reactive, this may result in a negative judgement.

**b) Are staffing levels planned and reviewed to meet the changing demands and case profiles?****Guidance:**

YJSs should have a staffing plan that is updated and reviewed at least annually to reflect changes in the profile of children in the cohort. Profile here refers to the proportion of children in the total caseload at each level of risk of serious harm, vulnerability and risk of re-offending, and the proportion serving each type of sentence or subject to different requirements.

The plan should include realistic assumptions about the expected workload and caseloads of staff, retention levels, staff progression and retirement, by role, parent organisation and grade. It should cover how and when staff are to be recruited, the duration of secondments and contingency arrangements for cover, should there be significant fluctuations in workload or sickness levels. Flexibility should be built into the plan so that the YJS can respond to changing demands. This may include taking on new functions or ways of working in line with service delivery plans, in addition to increases or decreases in workload. There should be guiding principles about how decisions on staffing are to be made and who is responsible for making these. Flexibility should be built in to respond to changing demands which may include taking on new functions or ways of working in line with service delivery plans, in addition to increases or decreases in workload.

### **Evidence:**

- a formal staffing plan and reviews, including workload and other assumptions.
- in the absence of a formal plan, or in addition to it, evidence can be gathered through discussions with HR and the YJS leadership team, or from minutes of leadership team meetings.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence that staffing levels are planned and reviewed across the organisation, and that the planning includes effective arrangements to respond to changing demands. If responses to changing demands are ad hoc or simply reactive, then the answer should be 'no'. Practitioners should be managing work appropriate to their qualifications, skills and experience, with particular attention given to the allocation of cases with factors connected to risk of harm and safeguarding. Workloads should be reasonable so that practitioners are able to deliver a high-quality service. Lead inspectors should also consider the opposite issue, where staff are under-employed and a high-quality service is provided but at a very high cost.

## **c) Are practitioners' and managers' workloads reasonable, given the profile of the cases and the range of work undertaken?**

### **Guidance:**

This prompt is about good management of resources. The lead inspector should assess whether practitioners can manage the work they are undertaking effectively within the hours available, most of the time. Workloads should be reasonable so that practitioners can deliver high-quality services, including at times when staff are absent due to long-term sickness or maternity/paternity leave. Where a workload management tool is used, allowances for specific activities should be allocated with reasonable consistency to ensure fairness and prevent some staff from becoming overburdened. In assessing workloads, inspectors should consider the extent to which face-to-face work is delivered by partners or commissioned bodies.

It is important here to look both at spans of control (the number of staff that managers are responsible for) and the weight of their other responsibilities. The extent to which middle managers are responsible for other areas of business or administrative support will be relevant, as will the size of the geographical area they are responsible for and the number of office locations. Middle managers should be in a position to provide effective supervision and support for their staff, to hold them accountable for their work, and to support and develop them. Role and job descriptions should be appropriate. Managers should be able to complete their work to a good standard within their normal working hours, most of the time.

### **Evidence:**

- staff workload records showing the profile of cases allocated to staff by risk of harm and vulnerability levels
- trend data in relation to workloads
- feedback from discussions with staff and managers about their workloads and how work is allocated.

Evidence should also include organograms showing spans of control and information on middle managers' additional responsibilities. Information from meetings with middle managers will be important, as will the responses of operational staff (such as case managers) to questions about the support and supervision they receive.

### **Judgement:**

Inspectors will make a positive judgement where overall workloads for practitioners *and* managers are manageable. The workloads of both groups must be manageable in order to answer 'yes' to this prompt. For practitioners' workloads, inspectors should take into account the proportion of positive answers to the relevant question in their interviews with case managers. A response of less than 65 per cent may suggest a negative judgement. To arrive at a positive judgement for managers' workloads, lead inspectors must weigh up all the evidence from a range of sources to decide whether workloads for managers are manageable. There should also be confirmation from a reasonable majority of middle managers spoken with that they consider their workloads to be manageable.

### **d) Are workloads actively managed?**

#### **Guidance:**

Work should be allocated appropriately and workloads monitored and adjusted as necessary to ensure that caseloads are reasonable and suitable for the nature of the work being undertaken. Workloads should be overseen actively and effectively by managers, with support and challenge where appropriate. Indications that managers are doing this include staff reporting that there is active and effective management oversight of their work, and that they are supported well, and challenged where appropriate. Inspectors should look to see that management oversight is making a difference in supporting desistance, protecting others from harm and keeping children safe from harm.

#### **Evidence:**

- work allocation policy
- workload monitoring tool or other arrangements for monitoring in place
- YJS supervision and appraisal procedures
- supervision records, to include evidence of regular staff supervision, with caseload monitoring and case discussions
- feedback from staff about the effectiveness of supervision arrangements
- information on management oversight can be aggregated from the relevant inspection question (view 5); if less than a reasonable majority (below 65 per cent) respond positively to the relevant inspection question, this would result in a negative judgement.

### **Judgement:**

Inspectors will make a positive judgement where there is sufficient evidence that processes are in place to move work or staffing resources in response to local pressures, and that there are examples of this happening appropriately.

**e) Is there an effective strategy to maintain the quality of delivery during periods of planned and unplanned staff absences?**

**Guidance:**

The lead inspector should assess whether effective arrangements exist, and are consistently implemented, to maintain the continuity and quality of work during periods of planned staff absence (for example maternity/paternity/adoption/annual leave/attendance at training) and unplanned staff absence (for example sickness/compassionate leave). Children should continue to receive consistent support and a high-quality service during periods of staff absence. Examples of inconsistent support may include frequent changes of case manager, or gaps in the regularity of supervision/attendance.

**Evidence:**

- staff absence and leave policy
- contingency arrangements for staff absence
- specific examples of how and when these arrangements were applied, and how effective they were.

**Judgement:**

Inspectors will make a positive judgement where there is sufficient evidence that processes are in place to move work or staffing resources in response to staff absence. Where such instances have arisen, there should be examples of this happening appropriately.

**1.2.2 Do the skills of YJS staff support the delivery of a high-quality, personalised and responsive service to all children?**

**Guidance:**

Managers should have the required levels of knowledge, skills and experience and have the time to assess and improve the quality of practice, provide effective supervision of staff and oversight of work, and hold staff to account.

The composition of the YJS staff group should meet statutory requirements (see 1.2) and be sufficient to enable the YJS to deliver the range of youth justice services that are required and relevant to the area, for both post-court cases and out-of-court disposals. Through the use of seconded staff and otherwise, the YJS should maintain up-to-date knowledge of the priorities and operational practice of statutory and other partners; this should be used to ensure that the services of partners are used effectively as required and that the work with children is personalised, responsive and of a high-quality.

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Does the workforce adequately reflect the diversity of the local population and provide the skills to meet diverse needs?**

**Guidance:**

The YJS should have up-to-date information about the profile of the workforce, including managers, staff and volunteers, mapped against the profile of the children it is supervising. There should be a good fit and the profile of the workforce should reflect the diversity profile of the local population.

The YJS should have a training strategy/plan, with mandatory and discretionary training requirements clearly set out and communicated to the workforce, together with up-to-date training records. Training needs should be regularly reviewed, any skills gaps identified and training plans revised accordingly. Managers, staff and volunteers should receive good-quality, effective training that meets their training needs. The skills of the workforce should be sufficient to meet the needs of children under its supervision.

In their workforce, YJSs should ensure they have the right balance of skills to meet children's needs. This includes, but is not limited to:

A range of operational staff with:

- skills in managing children with different levels of risk of harm and vulnerability, male and female children, those experiencing or perpetrating domestic abuse, children displaying sexually harmful behaviour and those associated with gangs
- skills in using a range of assessment tools
- a range of intervention skills, including group work if applicable
- skills in working with a range of partner agencies and the voluntary sector.

Volunteers who:

- have knowledge and experience of supporting children
- mentor children
- act as 'appropriate adults'
- support and chair Referral Order panels.

Administrative staff who can:

- support case supervision
- manage facilities
- support the delivery of front and back-office processes.

Managers who can manage:

- operations
- people
- partnerships
- information
- resources.

### **Evidence:**

- current (within the last 12 months) profile of the workforce, including managers, staff and volunteers, mapped against the profile of children being supervised by the YJS
- training strategy for mandatory and discretionary training for managers, staff and volunteers

- training needs analysis, with any gaps identified and contingency arrangements in place
- up-to-date training records for managers, staff and volunteers
- staff survey
- organisational data.

### **Judgement:**

Inspectors will make a positive judgement where the skills of the workforce, including managers, staff and volunteers, are sufficient to meet the needs of the caseload and where any required initiatives are being undertaken to enable the workforce to better reflect the local population.

### **b) Are cases allocated to staff who are appropriately qualified and/or experienced?**

#### **Guidance:**

The YJS should have a clear policy for allocating medium, high and very high risk of harm cases, and cases with safety and wellbeing concerns. Processes for allocating cases should be implemented effectively and monitored to ensure that staff who hold medium, high and very high risk of harm cases, and cases with safety and wellbeing concerns, are suitably qualified and/or experienced. These cases should not be allocated to unqualified or inexperienced staff. The YJS should have in place procedures to determine who is suitably qualified and/or experienced to hold those cases. The YJS should hold a regular risk panel, chaired by a manager, where cases are discussed and reviewed, and resources are allocated according to need.

#### **Evidence:**

- work allocation policy
- risk management policy
- minutes of risk panel meetings
- supervision records, which should evidence effective and consistent management oversight of cases in respect of medium, high and very high risk of harm, and cases with safety and wellbeing concerns, including support and challenge
- feedback from staff about how work is allocated, and how management oversight supports them in their work.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the large majority of very high, high and medium risk of serious harm cases have been allocated appropriately.

### **c) Is there an appropriate strategy in place to identify and develop the potential of individual staff to support succession planning?**

#### **Guidance:**

Succession planning is critical to ensure an adequate supply of qualified, suitable, experienced and trained staff to fill key roles as they become vacant. It is also an important part of staff development and an important motivator to encourage staff to improve and progress. YJSs should have a strategy in place for succession planning as part of their staff development and appraisal processes. The strategy should include how staff are identified and considered for progression in line with the YJS's diversity and equal opportunities

policies. Structured support should be available, such as coaching, mentoring, job-shadowing and temporary promotions, to provide opportunities for staff to test out their capabilities and fit for more senior roles. YJSs should identify staff from under-represented groups and provide them with opportunities that will prepare them for advancement.

**Evidence:**

- staff development, people, diversity and equal opportunity policies and strategies
- a succession planning strategy or specific programmes that prepare people for and support staff progression
- examples of actual staff progression, i.e. people being promoted to more senior roles
- discussions with HR and the YJS leadership team.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that the organisation takes a strategic approach to succession planning and clear examples of where this has operated in practice with individuals. If a strategy or policy only exists on paper but is never implemented, this would result in a negative judgement.

**1.2.3 Does the oversight of work support high-quality delivery and professional development?**

**Guidance:**

Effective management oversight is much more than countersigning. It includes elements of quality assurance, staff supervision, dealing with developing areas of concern in individual cases and facilitating improvements in practice. It is particularly focused on ensuring that actual or potential victims and children themselves are sufficiently protected from harm.

In particular, management oversight should focus on cases that have been assessed by YJSs as medium or higher risk of harm to others or as a medium or higher level of safety and wellbeing. However, managers should also be aware of, and actively monitoring, cases that are not currently assessed at these levels of risk of harm or safety and wellbeing, but have the potential to increase.

Oversight of risk of harm and safety and wellbeing is different from regular staff supervision and the general oversight of practice, although it may sometimes be undertaken at the same time, and discussions in supervision may identify the need for management oversight.

Effective management oversight takes account of the unique demands of an individual case, and the skills, knowledge and experience of the case manager. A skilled manager, taking a fresh look at a case and exercising professional curiosity, can encourage a practitioner to exercise respectful uncertainty and critical thinking, address any misplaced professional optimism and take a balanced and informed view of a case. This promotes defensible decision-making and enables the case manager to feel confident and supported to manage risk and identify appropriate interventions and responses.

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.



## **a) Do staff receive effective supervision to enhance the quality of work with children?**

### **Guidance:**

Supervision should be effective and take place regularly, for example monthly depending on the level of experience of the staff member. It should pay attention to personal support and development as well as accountability for work within the individual's role or job description. The focus should not be limited to ensuring that performance targets are met; it should also include how staff are learning, developing and applying skills that will improve the quality of work with children.

Staff and volunteers at all levels across the YJS should receive effective supervision, and this should be tailored to the nature of their work and their stage of development and individual learning needs. It may include group supervision. For those involved in managing cases and delivering interventions, it may include live supervision to provide feedback on the quality of their interventions, the skills they have demonstrated and areas for improvement. Managers should recognise that working with difficult and serious cases, and cases where there are significant wellbeing concerns, is emotionally demanding and that appropriate support is necessary if staff are to continue to deliver high-quality work without burning out.

YJSs should have a supervision policy that sets out how supervision is to be conducted, its aims, how frequently it should happen, and what supervisees can expect. Any links to appraisal policies should be clear. Supervision should be part of the YJS's quality assurance processes.

### **Evidence:**

- policies and procedures relating to supervision processes and a performance management framework
- supervision records
- policies and procedures relating to quality assurance processes
- evidence of how quality assurance processes have been used to improve performance and the quality of services provided to children
- staff reporting that supervision is regular and effective
- staff reporting that supervision has helped them to better deliver services to children, and giving examples
- information on management oversight can be aggregated from the relevant question in case manager interviews; where less than a reasonable majority (below 65 per cent) respond positively to the relevant question, this would support a negative judgement.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the organisation has a policy for the supervision of service delivery staff. Effective supervision should be happening regularly and be linked to the provision of quality services. If interviews with case managers indicate that supervision is infrequent or irregular, or where less than a reasonable majority (below 65 per cent) respond positively to questions about whether supervision enhances and sustains good-quality work, this may lead to a negative judgement.

## **b) Is there an effective induction programme for new staff that addresses issues of diversity and is accessible to all?**



### **Guidance:**

The YJS should have an effective induction programme that includes comprehensive and timely induction processes for all staff joining the YJS. Generic information about working at the YJS should form part of the programme, regardless of role. As a minimum, this should include equality and diversity, health and safety arrangements, first aid, safeguarding, an overview of the youth justice system, the range of work the YJS is involved in and the functions of staff within the YJS. The induction programme should also offer flexibility so that it can be tailored to the individual staff member's role, their skills and experience and any learning needs identified. Induction programme materials should be well-prepared and presented in a readily accessible way, for example an induction pack may comprise briefings, one-to-one sessions, group sessions, workbooks, presentations and IT resources. There should be effective oversight of induction processes to ensure the various elements are completed in a satisfactory and timely manner.

### **Evidence:**

- an overview of the induction programme and expectations for completion
- a comprehensive range of induction processes, including generic and role-specific elements
- high-quality materials that are well presented and readily accessible to new staff
- records of satisfactory and timely completion of the induction programme.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence of a consistent, comprehensive and accessible approach to induction, which is confirmed by recently appointed staff. Inductions must cover issues of equality and diversity, setting out the YJS's approach to this. Where there are several staff who have not received an induction, then a negative judgement may be appropriate.

## **c) Is the appraisal process used effectively to ensure that staff are competent to deliver a high-quality service?**

### **Guidance:**

Staff should be appraised annually within a performance management framework, in accordance with their role and identified development needs. Performance management should be used to actively improve services. Effective staff appraisals and reviews should take place regularly. For seconded staff, there should be cohesive links between the YJS and parent organisation in respect of the appraisal process. Appraisals should contain realistic objectives to enhance practice and performance; they should make it clear to the member of staff how they are performing, providing both affirmation and developmental feedback.

### **Evidence:**

- a performance management framework, and evidence of how it is used to actively improve services
- the YJS's appraisal policy and procedures
- for seconded staff, evidence of how YJS appraisals link to those of parent organisations
- appraisal records that show evidence of appropriate objectives, together with affirmation and developmental feedback.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence of effective and regular appraisals being conducted, that appropriate objectives are set, and that the process supports the delivery of high-quality services.

**d) Is sufficient attention paid to identifying and addressing poor performance?**

**Guidance:**

The YJS should have in place formal procedures for addressing staff competence; this should enable poor performance to be identified and responded to robustly. The lead inspector should check that, where poor performance has been identified, the YJS is transparent with those members of staff about the deficits in their practice, and that improvements in practice are monitored effectively. Quality assurance processes should be used to drive improvements in performance and the quality of services provided to children.

**Evidence:**

- competency and conduct policy and procedures
- quality assurance framework, with evidence of where this has been used to improve performance and services provided to children
- evidence of how the YJS has used learning from situations that have gone wrong to improve services
- staff reports of how the YJS addresses poor performance.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS identifies under-performance and applies consistent performance improvement processes that have resulted in improvements in practice. Where processes for identifying and communicating poor performance are ineffective, or are not applied robustly, this might result in a negative judgement.

Examples may include where, when a member of staff has demonstrated poor performance, and managers have not appropriately responded to a subsequent lack of improvement, or where the use of performance improvement processes is inconsistent or lacks a developmental focus.

**1.2.4 Are arrangements for learning and development comprehensive and responsive?**

**Guidance:**

Here inspectors are looking for the availability and use of a diverse range of relevant learning, development and training packages that meet the YJS partnership's needs, and support the delivery of high-quality services to children.

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Does the YJS identify and plan for the learning needs of staff?**

### **Guidance:**

The YJS should have systems in place to identify the learning needs of its entire staff, including volunteers, together with an up-to-date (within the last 12 months) training needs profile/analysis. The YJS should be able to demonstrate that it plans for, and responds effectively to, the identified learning needs of staff and volunteers, both for the staff group as a whole and where individual needs have been identified. Learning needs should be reviewed regularly.

### **Evidence:**

- effective systems are in place to identify staff's and volunteers' learning needs
- training needs profile/analysis completed within the last 12 months
- up-to-date training records
- references in appraisal documents to objectives about the learning needs of staff and how these will be met during the year ahead
- staff and volunteer feedback in relation to whether their learning needs for their current role have been met.

### **Judgement:**

Inspectors will make a positive judgement where there are effective systems in place to identify the learning needs of staff. Where there are no effective systems in place to identify the learning needs of staff and/or there is no evidence that a recent training needs analysis has been completed, this would support a negative judgement. Without these in place, learning is unlikely to be 'needs-led', meaning resources may be targeted inappropriately and there will be gaps in the provision of required learning for staff. Where less than a reasonable majority (below 65 per cent) of case managers report that their training and development needs are met, this would support a negative judgement. However, this should be considered together with other evidence, including responses from staff in other roles.

## **b) Does the YJS provide sufficient access to in-service training to support the delivery of a high-quality service?**

### **Guidance:**

The YJS should ensure that effective systems are in place for staff and volunteers to access sufficient in-service training. A diverse range of learning and development opportunities should be available to staff and volunteers, who are then supported to take up these opportunities. The range and availability of training should meet the identified learning needs of staff and volunteers and support them to deliver a high-quality service to children. Training opportunities should be well communicated and readily accessible.

### **Evidence:**

- electronic or other systems for staff and volunteers to access in-service training
- communications regarding the availability of training, for example newsletters, bulletins, website updates and email circulations
- examples of learning and development opportunities that have recently (within the last 12 months) been made available to staff, and which staff have taken up
- staff and volunteers report that they are able to access good-quality in-service training and that it meets their learning needs.

### **Judgement:**

Inspectors will make a positive judgement where staff at various levels in the YJS confirm that they can access sufficient in-house training that meets their learning needs and supports them to deliver a quality service, it may be appropriate to form a positive judgement.

### **c) Does the YJS promote and value a culture of learning and continuous improvement?**

#### **Guidance:**

The YJS should be able to demonstrate that it promotes and values a culture of learning and continuous improvement. There should be quality assurance/auditing processes in place to support continuous improvement, for example dip-sampling of cases, case reviews and peer support opportunities. The YJS should respond to inspection recommendations, both those specific to the YJS, and those from thematic inspections. The YJS should be able to demonstrate how it uses learning from situations that have gone wrong to improve services.

#### **Evidence:**

- quality assurance/audit processes and how the YJS uses these to support continuous improvement
- the YJS's responses to inspections, for example the post-inspection action plan and self-audit of processes against thematic recommendations
- evidence of learning from situations that have gone wrong, for example community safeguarding and public protection incidents and child safeguarding practice reviews
- staff and volunteers report that there is a culture of learning and continuous improvement within the organisation.

### **Judgement:**

Inspectors will make a positive judgement where there is sufficient evidence that the YJS is committed to a culture of learning and continuous improvement and can evidence a range of recent (in the last 12 months) examples of how this is working in practice.

### **d) Do staff from all backgrounds have equitable access to promotion opportunities and reward and recognition?**

#### **Guidance:**

YJSs must provide equitability of access to promotion opportunities and reward and recognition practices to staff from all backgrounds. There should be a visible and proactive approach to ensuring this. The YJS should monitor which staff are promoted and which staff receive reward and recognition, including checks for any bias and action taken to deal with this.

#### **Evidence:**

Positive action policies should be in place promoting equitability of access to promotion opportunities and reward and recognition. The YJS should be able to demonstrate how it monitors equitability of access and addresses any issues. Evidence will also come from the staff survey, discussions with staff, HR and line managers and from responses to the relevant question asked of case managers. It may include a demonstration of how staff recognition and reward practices are equitably implemented. For example, they may be highlighted within newsletters, bulletins and websites, awards evenings and presentations.

### **Judgement:**

A positive judgement requires evidence that the YJS has the relevant policies and provision in place and that these are being operated fairly and monitored appropriately. Information from interviews with case managers can be taken into account when making a judgement but must be supplemented by the other sources of evidence described.

#### **1.2.5 Do managers pay sufficient attention to staff engagement?**

##### **Guidance:**

YJSs should have appropriate strategies for engaging staff. The accessibility and visibility of senior and middle managers will be important, and a range of channels and initiatives could be used to enable managers and staff to engage, such as staff conferences, management visits, question and answer fora and web chats. Managers should use a range of methods to monitor staff engagement, including staff surveys, face-to-face encounters, feedback from line managers and management/union meetings. There should be recognised channels for raising and responding to staff concerns, and managers should clearly communicate how and why decisions are reached. YJSs should identify and celebrate good practice and innovation, and consistently use recognition, celebration and reward processes to recognise exceptional work.

In speaking to staff and managers, the lead inspector will get a 'feel' for what it is like to work within the organisation and whether it has a positive ethos and supportive culture, particularly in relation to managing change. If the lead inspector considers that staff are well supported, enthusiastic and motivated to deliver a quality service to children, this would support a positive judgement.

##### **Judgement:**

In deciding whether to answer 'yes' to this question, lead inspectors should consider the extent to which delivery is above or below the line of sufficiency for each prompt, and whether those aspects that are judged sufficient outweigh those that are not. Where on balance the areas below the line outweigh those that are above, the lead inspector should consider a negative judgement. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

#### **a) Are staff motivated to contribute to the delivery of a high-quality service?**

##### **Guidance:**

Staff motivation will depend on a range of factors, such as staff taking pride in their work and wanting to come to work to do a good job and make a difference. Managers should be aware of the various motivations of different staff and diverse groups; they should monitor motivation levels and have approaches in place that ensure high levels of motivation are sustained. Managers should give attention to maintaining staff motivation when changes are proposed and implemented to enable staff to respond positively. High sickness and absence levels can be symptomatic of low motivation and should be managed well and within appropriate limits. High staff turnover rates should be investigated to see whether they are linked to low levels of motivation.

##### **Evidence:**

- staff engagement strategy and supporting action plan
- staff survey results

- records of sickness and absence monitoring, analysed by grade, location and function
- records of staff turnover (taking account of demographic factors and local labour markets)
- feedback from staff about the ethos of the organisation and how well they are supported to do their work
- managers' accounts of what they are doing to maintain a highly motivated workforce
- staff survey.

**Judgement:**

Inspectors will make a positive judgement where discussions with staff demonstrate a positive ethos and supportive culture, particularly in relation to managing change. If the lead inspector considers that staff are well supported, enthusiastic and motivated to deliver a quality service to children, this would support a positive judgement. High sickness and absence levels and high staff turnover rates compared with similar organisations, particularly where there is an increasing trend in these, may be indicators of discontent or lack of motivation within an organisation. If the inspector considers sickness absence or high staff turnover to be an ongoing issue for the organisation, combined with other indicators such as poor staff motivation, this may result in a negative judgement.

**b) Is appropriate attention paid to monitoring and improving staff engagement levels?**

**Guidance:**

YJSs should have appropriate strategies for engaging staff. The accessibility and visibility of senior and middle managers will be important. Managers and staff could communicate through, for example, staff conferences, management visits, question and answer fora and web chats. Managers should use a range of methods to monitor staff engagement, including staff surveys, face-to-face encounters, feedback from line managers and management/union meetings. There should be recognised channels for raising and responding to staff concerns, and managers should clearly communicate how and why decisions are reached. Grievance and complaints procedures should be publicised and understood by staff. The YJS should monitor grievances and complaints and analyse the results.

**Evidence:**

This could include a staff engagement strategy, information on engagement activities, responses to the staff survey for the past two years and follow-up activity, staff consultations, suggestion schemes, minutes of management, staff reference groups and union meetings and discussions with management and staff groups.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that managers have assessed and are aware of current levels of staff engagement with the organisation and that they are taking positive action to improve on this. This should be evidenced through recent staff surveys showing an improving trend across the YJS. Where there is evidence of low levels of staff satisfaction about working in the YJS and/or evidence that managers are

remote and lacking an understanding of the concerns of frontline staff, then a negative judgement may be appropriate.

### **c) Do managers recognise and reward exceptional work?**

#### **Guidance:**

It would be good practice for the YJS to have in place, and consistently use, processes to recognise and celebrate exceptional work, and to share examples of this work to encourage development. The YJS and its partners should provide development opportunities for staff, who should be encouraged to take up such opportunities. Positive indicators may include relative stability in the YJS workforce, and staffing changes being appropriately managed so that children continue to receive a high-quality service when members of staff move on. Low staff retention rates may indicate a lack of support within an organisation, particularly if this is an ongoing issue.

#### **Evidence:**

- processes for recognising and celebrating good work, and evidence of these being used, for example highlighted within newsletters, bulletins and websites, awards evenings and presentations
- the sharing of good practice, and how that is used to encourage development; examples may include team meetings, workshops, demonstrations, and electronic or other means of communicating good practice
- evidence of development opportunities being offered to and taken up by staff; examples may include attendance at conferences or workshops, training courses, work shadowing, and attachments to other services
- monitoring of staff retention rates/staff turnover.

#### **Judgement:**

Inspectors will make a positive judgement where the YJS can demonstrate that it recognises and celebrates exceptional work, proactively supports staff in their development to encourage improvement, and can show that it has effective processes in place for managing the retention of staff. Lead inspectors should note that difficulties in retaining good-quality staff can be an indicator of lack of support for frontline staff within an organisation. If the lead inspector considers staff retention to be an ongoing issue for the organisation, combined with other negative indicators such as the lack of development opportunities, then this may suggest a negative judgement.

### **d) Is appropriate attention paid to staff safety and wellbeing, and building staff resilience?**

#### **Guidance:**

This prompt refers to staff safety, wellbeing and resilience; it should be read in conjunction with the guidance to 1.4.2c, which refers to safe working arrangements in premises and offices. Working with some children can be difficult and dangerous on occasions and YJSs have a legal duty to promote staff safety and wellbeing. This should be set down in relevant policies, procedures and guidance, which should cover, but not be limited to:

- health and safety inductions for all new staff who use the premises
- arrangements for physical security, including logging and monitoring visitors and staff attendance
- a system of incident alarms and clear procedures for responding



- clearly signed and readily available first aid and welfare facilities
- a lone working policy and procedure along with guidance on making home visits
- regularly completed and logged display screen equipment assessments
- a member of staff appropriately qualified and trained to fulfil a lead health and safety role
- health and safety reports featuring in senior management and governance meetings.

Staff wellbeing goes further than health and safety. It includes providing welfare facilities, support after critical incidents, occupational health services and support for staff experiencing stress and personal problems that are affecting their work. YJSs should have strategies and facilities that are designed to support a healthy workforce, so that staff are better able to provide quality services. A good example is resilience training for staff.

#### **Evidence:**

- inductions
- health and safety documentation, including procedures
- minutes of health and safety committee meetings
- discussion with relevant management and health and safety staff
- staff wellbeing policies and provision, including guidance on managing stress, caring for dependents, and sickness absence.
- discussions with staff and case managers' responses to the relevant question on staff safety and wellbeing during interviews.

#### **Judgement:**

Inspectors will make a positive judgement where there is evidence that comprehensive health and safety policies and systems are in place and are applied consistently by middle managers. A range of staff wellbeing policies and facilities should also be evident. A lack of focus on staff health and wellbeing and evidence of high levels of stress and sickness absence would support a negative judgement. Inspectors should take into account evidence from interviews with case managers and other staff groups.

### **e) Are reasonable adjustments made for staff in accordance with statutory requirements, diversity and personal circumstances?**

#### **Guidance:**

YJSs must make reasonable adjustments for all staff who have a disability that falls within the definition set out in the *Equality Act 2010*, to enable staff to work effectively. They must ensure that disability is monitored and recorded for all staff. Where staff identify disabilities that require reasonable adjustments, YJSs must make these adjustments, which might include but are not limited to:

- an accessible workplace
- appropriate furniture and furnishings
- provision of assistive technology
- additional support staff
- reduced workload or reduced hours.



YJSs must also undertake health and safety risk assessments for pregnant staff and make reasonable adjustments to enable them to continue working effectively and safely while pregnant. They must consider requests to adjust hours and working patterns for staff with parental and dependent caring responsibilities or other diversity needs or personal circumstances.

**Evidence:**

- HR policies relating to diversity and equitability, including adjustments for staff with disabilities, maternity care provision and policies that cover parental responsibilities and dependent care
- staff survey
- discussions with staff, HR and line managers.

**Judgement:**

A positive judgement requires evidence that the YJS has the relevant policies and provision in place and that these are being operated fairly and appropriately. Information from case manager interviews should be taken into account when making a judgement but should be supplemented by other sources of evidence.

### 1.3. Partnerships and services

**A comprehensive range of high-quality services is in place, enabling personalised and responsive provision for all children.**

#### **Guidance:**

The YJS should provide, or have access to, a full set of services to meet the assessed needs of children. Services delivered should be well planned, effective and evidence-based. They should be tailored to the individual needs of children and have the capacity to adapt to changing needs.

#### **Judgement:**

Lead inspectors should make an initial default judgement of 'Requires improvement' in relation to the standard if one or more of the key questions is answered 'no'. However, the lead inspector can override this and propose a 'Good' rating where he/she thinks this is appropriate.

#### **1.3.1 Is there a sufficiently comprehensive and up-to-date analysis of the profile of children, used by the YJS to deliver well-targeted services?**

#### **Guidance:**

The YJS should be able to provide a comprehensive analysis of an up-to-date (within the last 12 months) profile of the children in its cohort to ensure it can deliver relevant and targeted services.

#### **Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

#### **a) Is there an up-to-date strategic and operational analysis of the desistance needs presented by the children?**

#### **Guidance:**

Examples of factors for desistance include (AssetPlus Desistance Table guidance):

- **individual factors** – education, training and employment; pro-social peers; positive activities; self-efficacy; goals/ambitions; opportunities for 'turning points', for example change of school; resilience; has engaged well with previous interventions
- **family factors** – strong, stable relationship with at least one family member; parents or carers who value education, training and employment; family members/carers who model pro-social behaviour
- **community factors** – professional help/support, for example counselling; school is interested in the child's progress/keen to get involved; strong, stable relationship with an adult outside of the family home, for example teacher or youth worker; community offers opportunities for the child to get involved, for example youth centre, sports facilities; if applicable, the child receives strong support from cultural and ethnic communities.

In order to provide a range of services and interventions that are responsive to individual needs and lead to desistance, it is essential that the YJS has a comprehensive understanding, at both strategic and operational level, of desistance factors and the reasons why children in the YJS cohort stop offending. The YJS should have completed an analysis of these within the past 12 months using approved assessment tools and other research and information, including the perspectives of both staff and children. The analysis should provide aggregate information on the profile of children's offending and desistance needs in the area inspected. It should include both children who are subject to court orders and children subject to out-of-court disposals. Inspectors should look to see that there is an appropriate balance between the volume and quality of information available.

**Evidence:**

- a comprehensive analysis of offending by children, and their desistance needs, completed within the last 12 months
- the analysis should be sufficiently segmented to provide an informed profile of geography, age group and gender, types of offence and sentences/out-of-court disposals.

**Judgement:**

To arrive at a positive judgement, there must be a recent analysis and report, appropriately segmented, which provides a profile of children in the area inspected and addresses most relevant factors.

**b) Does the analysis pay sufficient attention to factors for safety and wellbeing, and risk of harm?**

**Guidance:**

The YJS should be able to demonstrate that it has a comprehensive understanding of the safety and wellbeing risks to the children in its cohort, and of the risks of harm they pose to others. The YJS should have an up-to-date (within the last 12 months) analysis of the level and nature of safety and wellbeing risks to children, as well as an analysis of the risk of harm that the children pose to others. The analysis of offending-related and desistance factors (see 1.3.1 (a) above) should be linked to the safety and wellbeing risks and the risks of harm, in order to target services appropriately and determine priorities for services and interventions to be delivered.

**Evidence:**

- current (within the last 12 months) analysis of offending by and desistance of children, which pays sufficient attention to the safety and wellbeing risks to children in its cohort, and to the risk of harm they pose to others.

**Judgement:**

Inspectors will make a positive judgement where there is a recent analysis of children's needs and their risk of reoffending, appropriately segmented by safety and wellbeing need and risk of serious harm level. This information should be used to manage delivery of services.

**c) Does the analysis pay sufficient attention to diversity factors and to issues of disproportionality?**

### **Guidance:**

In order to ensure that services are available, appropriate and equally effective for groups of children with different diversity characteristics, it is important to know the profile of risk, needs and desistance factors for each group and to plan services to address these factors. The YJS should be able to demonstrate understanding of where groups with different diversity characteristics are disproportionately represented and what they are doing about this with other criminal justice partners. Examples may include proposals for sentences, assessments of risk of harm, types of interventions and breach proceedings. The YJS should have completed a diversity impact assessment.

### **Evidence:**

- the current (within the last 12 months) analysis of offending by and desistance of children, their safety and wellbeing risks and the risk of harm they pose to others, which pays sufficient attention to diversity factors
- an analysis of disproportionality as children with different characteristics are allocated/referred to, and progress through, the different processes, services and sentences
- an action plan to deal with any disproportionality identified in the data
- a diversity impact assessment
- other evidence to show that the YJS has paid sufficient attention to diversity factors, for example case studies.

### **Judgement:**

A positive judgement would require evidence that enough information about the needs of children, segmented by protected characteristics, had been collected and analysed to inform the planning and commissioning of services. There must also be evidence that issues of disproportionality have been considered and the reasons for this analysed.

## **d) Is there sufficient analysis of local patterns of sentencing and offence types?**

### **Guidance:**

To plan and deliver appropriate services and interventions in its area, the YJS must analyse patterns of offending and the numbers, type and trends of sentences passed over time. Patterns of offending are likely to be aggregated but should be supplemented by more specific information about the prevalence of types of serious offending by children, for example gang-related or sexually harmful behaviour. The YJS should benchmark its analysis of the trends and patterns of sentencing against national and regional figures to identify significant variations.

### **Evidence:**

- information from the police on recent patterns of offending, supplemented by more specific information on serious offending by children
- the latest data on sentencing, segmented where possible by gender, race and age.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS has considered and analysed the most recent local offending and sentencing data from the police force and judicial areas they cover, and have used this to plan an appropriate response.

### **e) Is the analysis used effectively to influence service delivery?**

#### **Guidance:**

In order to ensure that appropriate and well-targeted services are planned and delivered, the YJS's analysis should produce sufficient meaningful information to influence service delivery. The analysis should include offending, desistance, safety and wellbeing, risk of harm to others and diversity factors, as well as sentencing and offence types. The YJS should be able to demonstrate that it has used the analysis to inform the planning and provision of appropriate services and interventions.

#### **Evidence:**

- examples of how the YJS has used the analysis to inform planning and provision of services
- evidence of services and interventions developed in response to the analysis
- evidence that the analysis and response to it are leading to better outcomes for children, such as trend data or case studies.

#### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS has collected and analysed enough information about children's needs to inform effective service delivery. There must also be evidence that it has considered issues of disproportionality by race and gender and analysed the reasons for these.

### **f) Does the analysis incorporate the views of children and families about the services they receive?**

#### **Guidance:**

To provide the right range of services and interventions, which are responsive to individual needs, it is essential that there is a well-informed understanding of the reasons why children have offended and what will help them to stop offending. The YJS should have completed an analysis of this within the past year, which it may have called 'a strategic needs assessment'. This should actively incorporate the views of children and families about the range of services and interventions that they receive.

The analysis should include factors relating to desistance, engagement, risk of harm and safety and wellbeing. For example:

- strength of professional relationships and engagement
- social and family contexts
- diversity needs
- opportunities for change, participation and community integration
- levels of motivation
- sense of identity and self-worth
- opportunities for engaging in restorative justice
- accommodation
- employment, training and education
- finance, benefits and debt
- relationships

- emotional wellbeing, including mental health
- drug misuse
- alcohol misuse
- thinking and behaviour
- attitudes to offending.

**Evidence:**

- service and commissioning plans
- any gap analysis
- service directories and information on service use, such as waiting lists
- children’s surveys
- information on appropriate service provision in individual cases, which can be aggregated from the relevant data from domain two case inspections and case managers’ views
- strategic partner reports, which may also provide evidence of local collaboration to provide services to address identified needs and risks, such as Integrated Offender Management and gang work.

**Judgement:**

Inspectors will make a positive judgement where, as a minimum, there is clear evidence of service planning and commissioning that is based on a comprehensive analysis of service users’ needs and risks and identifies how the reasonable majority of these will be met. Where there are significant gaps in available services, or long waiting lists for key services with no credible plans to address these, this would support a negative judgement.

**1.3.2 Does the YJS partnership provide the volume, range and quality of services and interventions required to meet the needs of all children?**

**Guidance:**

The inspector will need to make a judgement on the provision and availability of appropriate high-quality services and interventions (both group work and one-to-one interventions) to meet children’s assessed needs. The YJS’s analysis of, and response to, data on offending and desistance, together with safety and wellbeing, risk of harm to others and diversity considerations, should help to inform the inspector’s judgement.

Services and interventions accessible to the YJS cohort of children should include, but should not be limited to:

- accommodation
- education, training and employment
- family and relationships (such as parenting and family support, domestic abuse, family group conferencing, mentoring)
- groups and gangs
- mental health (Child and Adolescent Mental Health Services)
- physical health (for example, the school nurse)
- reparation/community payback
- sexual health
- sexual offences
- social care (child protection/Child in Need/care experienced children/care leavers)

- speech, language and communication needs
- substance misuse
- offending behaviour work, including cognitive behavioural interventions
- victim work (for example, restorative justice)

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Is there access to the right specialist and mainstream services and interventions to meet the desistance needs of children?**

**Guidance:**

The analysis of needs and risks identified in 1.3.1 should lead to the planning, provision of, and referral to an appropriate range of specialist and mainstream services to address these needs and risks, thereby supporting desistance. The YJS should have undertaken a gap analysis to identify where there is a lack of provision and have plans to address this. Provision may be made internally by the YJS, commissioned, delivered in partnership or through a referral pathway with other organisations providing specialist services, such as substance misuse services. Services should be provided in ways that are accessible and appropriate to the circumstances of children and in sufficient quantity to avoid waiting lists under normal circumstances. Services should be made available to both post-court cases and to those subject to out-of-court-disposals.

**Evidence:**

- business plan/commissioning plans
- gap analysis
- service directories
- feedback from both operational staff and managers about access to specialist and mainstream services.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that services are reviewed available to meet most desistance needs for most children. Information on appropriate service provision in individual cases can be aggregated from the views of case managers interviewed. Where less than a reasonable majority (below 65 per cent) respond positively to the relevant question, this would support a negative judgement.

**b) Is sufficient attention paid to building on strengths and enhancing protective factors?**

**Guidance:**

In order to support and promote desistance, the YJS needs to actively work to build on the child's personal strengths and protective factors. There should be plans and interventions in place to enable children to access suitable accommodation, access or maintain education, training or employment, and be supported in relation to their mental health and substance misuse. Interventions should also be in place to support and enhance lifestyle and personal

factors such as parenting and family support, self-esteem, relationships with pro-social peers, engagement in positive activities, mentoring initiatives and other projects to enhance social inclusion for children.

**Evidence:**

- management information held by the YJS to show how well it is building on strengths and enhancing protective factors
- evidence to show that staff are actively working to build on the strengths of children, such as case studies and feedback from children and parents or carers.

**Judgement:**

Inspectors will make a positive judgement where the YJS can demonstrate that they have provided or commissioned programmes that have addressed offenders' employment or accommodation status and have retained service users in, or successfully helped them to finish, drug or alcohol treatment.

**c) Are diversity factors and issues of disproportionality sufficiently addressed in the range of services provided?**

**Guidance:**

YJSs should have plans that set out how the diverse needs of children with protected characteristics are to be met, either through inclusion or specialist provision. The range of services provided and commissioned should be appropriate to meet children's diversity needs, which should be well considered and integrated into the services that are being delivered. Services should be reviewed with sufficient frequency to ensure they are the right ones to meet the diversity needs of children within the current YJS cohort. Where there is evidence of disproportionality, i.e. the over-representation of any particular group within the criminal justice system, for example black, Asian and minority ethnic, LGBT or children from the travelling community, then the YJS should pay particular attention to providing appropriate services or additional support for them.

**Evidence:**

- YJS business plan
- diversity and equality plan
- contracts/service level agreements for provision
- data on take-up and use of services and interventions
- reviews of service provision
- feedback from children and parents or carers on how well their diversity needs have been considered in the services they have received
- case studies.

**Judgement:**

Inspectors will make a positive judgement where there is sufficient evidence that the YJS has paid specific attention in its planning, commissioning or contracting for services to meeting the needs of service users with the range of diversity characteristics. The YJS should take into account information about any disproportionate over- or under-representation of particular groups of children in specific services.

**d) Is the quality of services reviewed and evaluated, with remedial action taken where required?**



### Guidance:

The YJS should have a strategy and plan in place that includes arrangements for the routine review and evaluation of service delivery, and processes for checking to see that interventions are delivered in the way intended. This should include both post-court work and out-of-court disposals. These arrangements should lead to remedial action being taken where required. If the YJS identifies significant deficits, it should produce and implement a formal action plan. Where the YJS does not deliver services directly, it should have agreed arrangements with providers that set out how the quality of those services will be reviewed and evaluated, with remedial action taken where required to improve the services and respond to any concerns.

### Evidence:

- strategies, plans and schedules for reviewing and evaluating services
- minutes of service review and evaluation meetings
- management information to show that the quality of services is routinely reviewed and evaluated, with remedial action taken where required
- service action plans
- examples showing that the YJS can demonstrate how review and evaluation processes are used effectively to improve the quality of services provided to children
- examples showing that remedial action that has been taken where required.

### Judgement:

Inspectors will make a positive judgement where there is evidence that interventions are evidence-based; that the YJS has quality assurance processes in place; that these are being implemented for key services; and that improvement plans have been drawn up and implemented where necessary.

### **1.3.3 Are arrangements with statutory partners, providers and other agencies established, maintained and used effectively to deliver high-quality services?**

#### Guidance:

The YJS's statutory partners are the local authority (children's social care and education), police, probation, and health. The YJS should have well-established and maintained arrangements, which are used effectively, with all of these partners. Arrangements should be in place with other specialist providers, and with community and voluntary organisations, as relevant and appropriate to the area, to meet the needs of children who are subject to court orders and out-of-court disposals.

#### Judgement:

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

### **a) Are there effective arrangements with partners and providers to support desistance through access to specialist and mainstream services?**

#### Guidance:

The focus of this prompt is on the effectiveness of arrangements with partners and providers who deliver specialist and mainstream services to children during their sentence or out-of-court disposal and after its completion. Desistance journeys for children may continue long after sentences have finished; therefore, children must be able to access services that are available more widely in the community.

Effective relationships with partners and providers of services may be demonstrated through the YJS's active participation in partnership arrangements that enable children to access appropriate specialist and mainstream services, both during and after their sentence, with agreed referral pathways. These partners and providers include Children's Trusts, the LSCP, the LCJB, health and wellbeing boards, further education and training establishments, housing strategies, substance misuse commissioning and Community Safety Partnerships. Effective communication is a key part of such arrangements. Protocols, agreements and communication channels should be in place with partners and providers to ensure that the specialist and mainstream services being provided support desistance. Any emerging tensions, such as barriers to children accessing services because of their convictions, for example training provision, should be effectively managed and resolved. Where significant gaps in accessing key mainstream or specialist service provision are identified, the inspector should be satisfied that robust and credible plans are in place to address this.

#### **Evidence:**

- protocols, service level agreements and referral pathways with partners and providers
- minutes of relevant fora such as Community Safety Partnerships and substance misuse commissioning meetings
- information on access to specialist and mainstream service provision in individual cases can be aggregated from the views of case managers; where less than a reasonable majority (below 65 per cent) respond positively to the relevant inspection question, this would support a negative judgement.

#### **Judgement:**

Inspectors will make a positive judgement where there is sufficient evidence that the YJS has developed good working relationships with key mainstream providers across the majority of the YJS delivery area and can provide sufficient examples of where this has led to arrangements for service users to access these services. Where a significant number of children have not been able to access key mainstream services, and there is no credible plan to address this, then this should lead to a negative judgement.

### **b) Are there effective arrangements with partners and providers to support the safety and wellbeing of children?**

The YJS is a statutory partner of the LSCP. YJS managers should be involved in local child safeguarding arrangements at LSCP Board level. YJS staff should participate in relevant sub-groups, for example training and quality assurance sub-groups. It is essential that the YJS has effective communication and established procedures with the LSCP, the local authority children's social care team and the police, and that these procedures are working effectively in managing the safety and wellbeing of children.

The YJS should be proactively involved in multi-agency safeguarding arrangements (MASA) or their equivalent, and in arrangements regarding children missing from home or care, or at risk of child criminal exploitation (CCE) or child sexual exploitation (CSE), for example the missing children forum. There should be good working relationships, communication and

engagement at all levels in the YJS. Senior managers should be engaging with their counterparts at a strategic level to ensure that working arrangements are effective; middle managers should be working to improve communication and resolve problems; and practitioners should be following key agreements, protocols and pathways to ensure that information is exchanged and referrals dealt with appropriately.

The YJS may also be involved with other agencies to manage the safety and wellbeing of children. These may include voluntary sector organisations, such as Barnardo's, the NSPCC or the Children's Society. Examples may include CSE or CCE training, or arrangements in respect of children missing from home or care.

The YJS should have in place a safeguarding policy and associated procedures, including a policy that sets out how children at risk are identified and how those risks will be managed. This should include referral pathways to, and procedures for working with, other agencies as appropriate. There should be clear referral pathways, protocols for exchanging information and active involvement in key boards and fora. The effectiveness of these arrangements should be demonstrated through initiatives to improve joint working on specific issues, joint training initiatives and lessons learned from reviews. The YJS should be able to provide sufficient examples of where this work has led to specific arrangements to promote the safety and wellbeing of children. Any emerging tensions, for example conflicts arising around thresholds for referral and access to services, should be managed effectively and resolved.

#### **Evidence:**

- protocols, information-sharing arrangements, service level agreements and referral pathways (including clarity around thresholds) with partners and providers
- minutes of relevant fora, such as the LSCP, MASA Board (or equivalent) and missing children forum
- YJS involvement in multi-agency case review processes and evidence of joint and single agency learning from reviews
- examples of where escalation has occurred, for example child protection referrals
- arrangements for children at risk of being radicalised
- joint training with social care, police and other relevant agencies.

#### **Judgement:**

Inspectors will make a positive judgement where evidence about local arrangements demonstrates good multi-agency practice. We recognise that forming a judgement about the effectiveness and consistency of working relationships with these key agencies across a wide geographical footprint is not easy. Inspectors may sample local arrangements, protocols and minutes of meetings to identify whether there is consistent practice and involvement as far as can reasonably be judged. This might be further supported by evidence provided by the YJS about how it ensures the effectiveness of these working arrangements, where it is aware of any difficulties and what it is doing to resolve these. If there is a significant breakdown in relationships in one key area, this should result in a negative judgement.

### **c) Are there effective arrangements with partners and providers to manage the risk of harm to others?**

#### **Guidance:**

YJSs are one of the Duty to Co-operate (DTC) agencies for Multi Agency Public Protection Arrangements (MAPPA) (Section 325(6) of the *Criminal Justice Act 2003*). MAPPA Guidance 2012 requires that:

- arrangements are in place for the identification which cases are MAPPA cases; all MAPPA children requiring level 2 or level 3 management must be referred to the MAPPA coordinator
- the YJS and children's services are suitably represented at all level 2 and level 3 meetings for children; whenever any agency other than the YJS makes a referral relating to a child, the YJS must attend the meeting as it may have information relating to the case
- arrangements are in place for children at risk of being radicalised
- ViSOR is accurate in relation to children in the community.

YJSs may be involved with children who disclose domestic abuse. The cases with the highest risk of domestic abuse are discussed in the local Multi-Agency Risk Assessment Conference (MARAC). YJSs should have in place procedures for identifying relevant cases through an evidence-based risk assessment tool and referral pathways to the MARAC as appropriate. Procedures may operate via children's social care, in which case the YJS should have protocols in place for such arrangements. Ideally, the YJS should be a member of MARAC. Even if the YJS is not directly involved in the case concerned, YJS staff may be able to contribute to the action plan and offer their expertise.

It therefore follows that it is essential that the YJS has effective communication and established procedures with the MAPPA Board, the MAPPA coordinator, and with the LCJB, the police (including the Public Protection Unit), the MARAC, the LSCP and the local authority children's social care team, and that these agencies are working effectively in managing the risk of harm posed by children.

The YJS should have in place a risk of harm management strategy and associated procedures, including how to identify children who pose a risk of harm to others and how to manage those risks. These procedures should include referral pathways to, and working procedures with, other agencies as appropriate. There should be good working relationships and communication at all levels in the organisation. Senior managers should be engaging with their counterparts at a strategic level to ensure that working arrangements are effective; middle managers should be working to improve communication and resolve problems; and practitioners should be following key agreements, protocols and pathways to ensure that information is exchanged and referrals dealt with appropriately.

In addition to clear referral pathways, protocols for exchanging information and active involvement in key boards and fora, the effectiveness of these arrangements should be demonstrated through initiatives to improve joint working on specific issues, such as joint training initiatives and lessons learned from reviews. The YJS should be able to provide sufficient examples of where such joint working has led to specific arrangements that promote the effective management of the risk of harm posed to others by children. Where Community Safeguarding and Public Protection Incidents have been reported, there should be evidence of joint learning from these. Any emerging tensions, for example conflicts arising around thresholds for referral and access to services, should be effectively managed and resolved.

#### **Evidence:**

- protocols, service level agreements and referral pathways (including clarity around thresholds) with partners and providers

- minutes of relevant meetings, for example MAPPA Strategic Management Boards, MAPPA panels, LSCP, LCJB and MARACs)
- joint training with MAPPA and the police
- evidence of joint learning from Community Safeguarding and Public Protection Incidents and other case review processes.

### **Judgement:**

Inspectors will make a positive judgement where they identify consistent multi-agency involvement and practice. They may examine a sample of local arrangements, protocols and minutes of meetings to identify whether the extent to which practice and multi-agency working are sufficient. This might be further supported by evidence provided by the YJS about how it ensures that these working arrangements are effective, any difficulties that it is aware of and what it is doing to resolve them. If there has been a significant breakdown in relationships in one key area, this should result in a negative judgement.

### **d) Are there effective arrangements with partners and providers to support the personal circumstances and diversity needs of children?**

#### **Guidance:**

This prompt focuses on the effectiveness of the YJS's arrangements with partners and providers that deliver specialist and mainstream services to children during and after their sentence. These services should address a range of personal circumstances and diversity needs. Regardless of their diversity needs or personal circumstances, children must be able to access services that are available more widely in the community.

Effective arrangements to meet these needs may be demonstrated through the YJS's active participation in partnership arrangements that enable children to access appropriate specialist and mainstream services, both during and after their sentence, with agreed referral pathways. These partners and providers include Children's Trusts, the LSCP, the LCJB, health and wellbeing boards, further education and training establishments, housing strategies, substance misuse commissioning and Community Safety Partnerships. Effective communication is a key part of such arrangements. The YJS should have protocols, agreements and communication channels in place with partners and providers to ensure that the specialist and mainstream services address diversity needs and can work with children's individual personal circumstances. Any emerging tensions, for example barriers to children accessing services such as training because of disability, should be managed and resolved effectively. Where children cannot access key mainstream or specialist services because of protected characteristics or personal circumstances, the inspector should be satisfied that robust and credible plans are in place to address this.

#### **Evidence:**

- meetings with key partners
- minutes of relevant fora, such as reducing reoffending boards and Community Safety Partnerships
- submissions to commissioners (including substance misuse service commissioners), referral pathways and protocols
- initiatives such as mental health diversion
- information on access to mainstream services in individual cases can be aggregated from the relevant case data and from case managers' views.

### **Judgement:**

Inspectors will make a positive judgement where there is sufficient evidence about the quality of services available to children. Inspectors may sample local arrangements, protocols and minutes of meetings to identify whether sufficient attention is paid to addressing children's diversity needs and personal circumstances. This might be further supported by evidence provided by the YJS about it ensures that these working arrangements are effective, any difficulties that it is aware of, and what it is doing to resolve these. If there is a significant breakdown in relationships in one key area, this should result in a negative judgement.

### **e) Are courts made sufficiently aware of the services available to support sentencing options?**

#### **Guidance:**

In order for courts to make appropriate use of the full range of sentencing options and to give them confidence when passing sentence, they need to have enough detail about the services provided by the YJS, what activities are likely to be provided as part of the sentence, and what outcomes sentences are likely to achieve. The courts should have up-to-date information about the range of reparation activities available for children and any opportunity to use restorative approaches. The YJS should take a strategic, planned approach to liaising with sentencers, both with the youth courts and crown courts.

In addition to providing written information, the YJS should make presentations to sentencers about the availability and nature of the services and interventions for children in their area and the outcomes these achieve. These presentations can be made at, for example, bench meetings, training events and other appropriate fora, such as court user groups. The YJS should carry out surveys of sentencers to ascertain whether they have the detailed information they require, and are content with the communications they have with the YJS, both at management and operational level.

The lead inspector should be satisfied that there is evidence to show that courts are sufficiently aware of the range of services and interventions available to support sentencing options for children.

#### **Evidence:**

- service agreements in place with the courts and/or arrangements to liaise with sentencers
- YJS service directory, newsletters and other communication channels
- minutes of liaison meetings, presentations made and evidence of training events with sentencers
- responses to sentencer surveys
- feedback from interviews conducted with judges and magistrates.

#### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS takes a strategic, planned approach to liaising with sentencers, both at the magistrates' and Crown Courts. This should be backed up with samples of the information provided and evidence of the use of appropriate communication channels.



## 1.4. Information and facilities

**Timely and relevant information is available and appropriate facilities are in place to support a high-quality, personalised and responsive approach for all children.**

### Guidance:

YJSs should ensure that their staff have the tools necessary to do their jobs well and deliver a high-quality service. YJS staff should have access to the knowledge and information they need, through the YJS's information and communication technology (ICT) systems and other means as appropriate. There should be clear policies and guidance in place to support them in their specific roles.

The YJS must also recognise the importance of the physical environment. Well-designed, safe and decent physical environments can support positive engagement with children and their parents or carers, and can have a positive effect on staff morale, reducing stress and maintaining safety and security.

### Judgement:

Lead inspectors should adopt an initial default judgement of 'Requires improvement' in relation to the standard if one or more of the key questions is answered 'no'. However, the lead inspector can override this and propose a 'Good' rating where he/she thinks this is appropriate.

### 1.4.1 Do the policies and guidance in place enable staff to deliver a high-quality service, meeting the needs of all children?

#### Guidance:

There should be a comprehensive range of relevant, up-to-date policies and guidance in place that enable staff to deliver a quality service and meet children's needs. Where inspectors consider that key areas of policy or guidance are missing, this should be noted and may impact on the overall judgement for this question.

#### Judgement:

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

### a) Are the necessary policies in place that describe and guide effective service delivery?

#### Guidance:

The YJS should have in place the necessary range of policies that guide effective service delivery; these policies should be readily accessible and relevant to the YJS area. As a minimum the YJS should have policies relating to safeguarding, public protection, health and safety, home visits/lone working, information-sharing, resettlement, equality and diversity, conduct and competency, and quality assurance.

#### Evidence:

- copies of all policies and procedures should be available in the YJS, including the date they were created, the date of their last completed revision, and (if applicable) the date of any scheduled review
- policies should be 'owned' – that is, it should be clear who is responsible for the policy – and be signed off by the YJS manager (or member of the YJS leadership team as appropriate).

### **Judgement:**

Inspectors will make a positive judgement where current, clear and comprehensive policies and guidance are in place covering all relevant service delivery areas. As a minimum this should include policies relating to safeguarding, public protection, health and safety, home visits/lone working, information-sharing, equality and diversity, conduct and competency, and quality assurance. If any of these key areas of policy or guidance are missing, this should result in a negative judgement.

### **b) Are policies and guidance communicated effectively to all those to whom they apply?**

#### **Guidance:**

Policies and guidance must be communicated in such ways that they are understood by those to whom they apply. In addition to staff and volunteers, this may include children, parents and carers, victims, sentencers, partner organisations and providers. This prompt therefore refers to both internal and external channels, which should be reflected in the YJS's communication strategies and plans. Effective communication should be matched to the needs and learning styles of recipients, should use different methods and should allow, where appropriate, for a two-way exchange of information.

**Internal communication** channels for staff and volunteers could include:

- internet/intranet-based resources and knowledge banks
- email communication and discussion forums
- presentations and road shows
- line management briefings and team meetings
- newsletters and bulletins
- question and answer sessions
- training and development sessions
- peer support/buddying arrangements.

**External communication** channels for children, parents and carers, victims, sentencers, partner organisations and providers could include:

- handbooks and leaflets
- internet resources
- newsletters
- briefing sessions
- liaison roles/named contacts
- telephone helplines.

#### **Evidence:**



- examination of the communication channels used for recent implementation of key policies and guidance, for example internet, intranet, emails, newsletters, briefings, videos, team meeting minutes
- evidence from interviews and meetings with recipients about how well they have understood and applied the policies and guidance
- feedback from recipients about the clarity and ease of use of communication channels
- staff should be able to explain where to find and how to access key policies and guidance, and how to apply them
- evidence of how the YJS responds in cases where staff have not followed policy requirements or guidance.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that staff know where to find key policies and guidance, and understand their purpose and what they need to do to apply them. Inspectors should take into account information from interviews with case managers and meetings with other staff.

**c) Do staff understand how to access the right services from partners and providers?**

**Guidance:**

Staff should understand how to access the range of services from partners and other providers. Clear referral protocols and pathways should be available and accessible to staff. The referral process should set out what information is required, the process for transmitting this securely, and how and when decisions about acceptance will be made, including any further assessments required. Guidance should be up-to-date and should specify who services might be suitable for, and any specific exclusions. The YJS should have in place procedures for managing tensions in relation to accessing services, for example escalation procedures for disputes about thresholds.

Clear guidance should also be available to children and their parents or carers about the range of services available and their suitability, for example in service directories, leaflets, websites or other media, and how they can be referred or refer themselves.

**Evidence:**

- guidance available for staff and for children
- escalation procedures for managing tensions about access to services, and evidence of their use in resolving issues
- discussions with staff and children about the clarity and accuracy of the material and how easily they can make referrals.

**Judgement:**

To support a positive judgement, there should be current, comprehensive guidance for staff and service users about the availability of services. This should cover suitability, availability, referral processes and any waiting lists.

**d) Are policies and guidance regularly reviewed, paying due regard to diversity issues?**

**Guidance:**

There should be a consistent approach to reviewing policies and guidance at appropriate intervals to ensure that they are updated in line with the developing evidence base. In particular, reviews should take account of changes in contractual requirements and instructions, and developments in effective practice. Where appropriate, they should consider the views of service users and key stakeholders. When reviewing policies and guidance, The YJS should assess their impact on children with different protected characteristics. This is a part of complying with the general equality duty. For example, the YJS should consider whether a particular policy meets the needs of children with protected characteristics and minimises the disadvantages they face. YJSs must have sufficient information to evaluate any impact effectively.

**Evidence:**

- current policies and guidance to identify whether they are still relevant and up to date.
- schedule of regular reviews
- discussion with managers and staff.

**Judgement:**

Inspectors will make a positive judgement where there is in response to developments in policy and practice. Reviewing should include an assessment of the impact on children with different protected characteristics.

**e) Are YJS processes effectively and regularly reviewed, including considering issues of disproportionately?**

**Guidance:**

The YJS's processes should be fit for purpose, meet the needs of staff and children and be routinely reviewed. The YJS should review processes at appropriate intervals to ensure that they are updated in line with the developing evidence base. In particular, reviews should take account of changes in contractual requirements and instructions, and developments in effective practice. Where appropriate, they should consider the views of children and key stakeholders. When reviewing processes, the YJS should assess their impact on children with different protected characteristics. This is a part of complying with the general equality duty. For example, the YJS should consider whether a particular process meets the needs of children with protected characteristics and minimises any disadvantages they face. YJSs must have sufficient information to evaluate any impact effectively.

**Evidence:**

- processes that are relevant and up to date
- schedule of regular reviews available
- discussion with managers and staff.

**Judgement:**

To form a positive judgement, there must be evidence that key policy documents and guidance are current and have been reviewed in response to developments in policy and practice. Reviewing should include an assessment of the impact on children with different protected characteristics.

**1.4.2 Does the YJS's delivery environment(s) meet the needs of all children and enable staff to deliver a high-quality service?**

**Guidance:**

The YJS may deliver its services in a range of environments throughout the area. These may include YJS offices, satellite offices, shared premises and hubs, community facilities (such as sports venues for positive activities or church/community halls for Referral Order panels) and sites for reparation activity. Inspectors should consider the range of delivery environments used by the YJS, and their suitability.

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Does the YJS deliver its work to children in accessible places?****Guidance:**

In judging accessibility, it will be important to look at the location and physical environment of the premises, venues and sites where the YJS delivers services, the welcome these provide, signage, opening times, whether information is available in a range of formats and languages, and guidance for children and their parents or carers about access to them.

Services should be delivered from premises, venues and sites that are reasonably accessible to the large majority of children; ideally, they should be readily accessible by public transport, for example within a reasonable walking distance of a rail station/bus route. Where YJS premises, venues and sites are geographically distant, as in sparsely populated rural areas, then the YJS should consider how it can support children's compliance and engagement without requiring excessive travel time. For example, it could provide opportunities for children to receive face-to-face services at locations nearer to where they live.

The YJS should make reasonable adjustments to premises, venues and sites, where necessary, so that they are accessible to children and their parents or carers with disabilities, or whose first language is not English.

**Evidence:**

- health and safety risk assessments, which are current (within the last 12 months) and regularly reviewed, in relation to all premises, venues and sites used by the YJS to deliver services
- evidence that appropriate adjustments have been made to premises, venues and sites so that they are accessible to children and parents or carers with disabilities
- evidence that premises, venues and sites are accessible to those whose first language is not English; appropriate signage and information on how to access delivery environments should be available
- feedback from children and from parents or carers about how accessible the YJS's premises, venues and sites are.

**Judgement:**

Inspectors will make a positive judgement where there is evidence of a strategic, planned approach to making offices and premises accessible, with processes in place so that

organisations can assure themselves that this is working. Where there are several examples of where access issues have not been addressed, and there is no immediate plan to address these, this should result in a negative judgement.

## **b) Is the YJS delivery environment a safe place for staff and children?**

### **Guidance:**

The YJS's premises, venues and sites should provide a safe environment for both staff and children, along with any partner agencies, providers and other members of the public who use them. There should be up to date and appropriate health and safety risk assessments in place for all the premises, venues and sites the YJS uses to deliver services to children. The YJS should acknowledge that health and safety is everybody's business and that everyone has a role to play in ensuring this. A member of staff should be appropriately qualified and trained to fulfil a lead health and safety role. Health and safety inductions should be provided for all new staff (including inspectors) who use the delivery environments. There should be a guide for each delivery environment that sets out the health and safety arrangements, along with a log of accidents and incidents, health and safety inspections, emergency equipment tests and fire drills in order to comply with relevant health and safety regulations. Adequate fire detection, protection and evacuation equipment, processes and procedures should be in place and there should be evidence of regular and recent testing. First aid facilities and support from trained staff member(s) should be available and clearly signed.

Children should be safe, and feel safe, in the environments where they are supervised by the YJS. Arrangements for physical security, including the logging and monitoring of visitors and staff attendance, should be in place. Where there are concerns about the potential for conflict between certain individuals, for example rival gang members, then arrangements should be in place for them to report separately. There should be a system of incident alarms and clear procedures for responding to these. A lone working policy and procedure should be in place along with guidance on making home visits.

### **Evidence:**

- evidence that health and safety reports are a regular feature of YJS leadership team meetings; agendas and minutes of meetings should show that health and safety has suitable priority
- health and safety documentation, including procedures, risk assessments, audits and logs
- health and safety risk assessments for each of the delivery environments used by the YJS, detailing the risk of particular activities and the mitigation measures and training that should be in place
- lone working policy and procedures, and incident alarms and procedures for responding to these
- examples of how the YJS has responded to safety concerns, and any learning from these
- discussions with YJS leadership team members and relevant health and safety staff
- feedback from staff and volunteers about how safe they feel in the delivery environments used by the YJS for work with children
- feedback from children about how safe they feel in the environments where they are supervised by the YJS.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence of health and safety systems in place in the local offices and premises visited. Senior managers should be clearly accountable for health and safety systems and actively monitoring and addressing significant issues. A record of significant health and safety failures or significant gaps in procedures, processes or specific resources should lead to a negative judgement.

### **c) Does the YJS delivery environment enable staff to undertake appropriate personalised work and engage effectively with children?**

#### **Guidance:**

YJS premises where children attend for their supervision should as a minimum provide a confidential interviewing space where children can be seen without the possibility of being overheard, including in buildings that are shared with other services and members of the public. The premises should provide spaces that are conducive to effective engagement by children, including:

- a suitable reception environment
- rooms that are appropriately decorated, furnished, signed and well lit
- positive images, such as rehabilitative posters and quotes
- information available in a variety of formats and languages
- suitably sized rooms for group activities to be undertaken
- staff, volunteers or mentors to meet and greet children
- separate secure office space for staff
- premises should be well planned and thought through, potentially with input from children.

Delivery environments other than YJS premises should promote opportunities for personalised work and effective engagement with children. As a minimum they should provide space and opportunity for confidential discussions when required, an environment appropriate to the age group, gender, ethnicity and ability of the children attending and, where relevant, suitably sized/equipped group-work space(s).

#### **Evidence:**

- design specifications
- premises audits
- evidence of consultation with, and input from, children on the design and decoration of spaces for their work with the YJS
- feedback from children to show that the environment being used is meeting their individual needs
- feedback from staff and volunteers to show that the environment being used is suitable to deliver personalised work and engage effectively with children
- visual observations by inspectors when visiting sites.

#### **Judgement:**

Inspectors will make a positive judgement where there is evidence of appropriate planning of office and delivery environments with the aim of delivering personalised work and effective engagement. Inspectors should verify this on inspection visits. Where there is evidence of any offices or delivery premises that do not achieve this, or that have inadequate confidential interviewing facilities, there should be a negative judgement.

### **1.4.3 Do the information and communication technology (ICT) systems enable staff to deliver a high-quality service, meeting the needs of all children?**

#### **Guidance:**

- Here inspectors look to see how effective the YJS's ICT systems are in supporting staff to deliver a quality service to children. Information and communication technology systems comprise both hardware and infrastructure elements, including telecommunications, and software or applications. Information systems used by YJSs include but are not limited to:
  - assessment and case supervision tools such as AssetPlus
  - management information systems such as the Youth Justice Management Information System (YJMIS)
  - knowledge-sharing applications such as intranets, websites and internet
  - email and word processing
  - diary, booking and logistics applications.

As multi-agency organisations, seconded staff from partner agencies within the YJS should have access to ICT systems that enable them to access databases and tools relevant to their own organisation. These may include:

- police staff access to the Police National Computer (PNC) and crime intelligence systems
- probation staff access to OASys and nDelius
- health staff access to relevant systems and records
- social care staff access to relevant systems and records.

#### **Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

### **a) Do the ICT systems enable staff to plan, deliver and record their work in a timely way, and to access information as required?**

#### **Guidance:**

ICT systems available to staff must be fit for purpose, sufficient in capacity and readily accessible. They should enable staff to plan, deliver and record their work in a timely way, and to access information as required. Systems should be robust and reliable, with a minimum of downtime. Applications should work with assistive technology to enable staff with a range of access needs to use them effectively. Telecommunication systems should be designed to enable staff and children to connect to the right people with minimum delay. YJSs should have processes for testing the effectiveness and ease of use of their ICT systems and be responsive to feedback from users.

#### **Evidence:**

- ICT strategy and policies
- data on system downtime
- inspectors' experience of accessing systems
- feedback from staff about the effectiveness of ICT systems.

### **Judgement:**

Inspectors will make a positive judgement where the YJS can demonstrate that they have in place an ICT strategy and applications that enable staff to plan, deliver and record work in a timely fashion. Where there is evidence of excessive downtime that is not the fault of other agencies, then a negative judgement may be appropriate. Where less than a reasonable majority (below 65 per cent) of case managers respond positively to the relevant interview question, this may support a negative judgement, but should be considered along with the perspectives of staff in other roles.

### **b) Do the ICT arrangements allow access to and exchange of the right information to and from partners, providers and other key stakeholders?**

#### **Guidance:**

ICT systems should facilitate the effective, consistent and appropriate sharing of information with partners, providers and other key stakeholders. Information-sharing agreements and arrangements should be in place, so that the YJS is able to access and exchange the necessary information in a timely manner through its ICT arrangements. Necessary arrangements include, but are not limited to:

Information-sharing with:

- children's social care on safety and wellbeing concerns, such as MASA referral procedures, children in need, child protection, offending by care experienced children, support for care leavers
- other local authorities when children are transferred into or out of the area
- the police, in relation to managing the risk of harm that children pose to others and regarding incidents of domestic abuse
- health professionals, in relation to both mental and physical health concerns, including health assessments as appropriate
- schools and education professionals, including education welfare officers, educational psychologists and speech, language and communication needs (SLCN) therapists, as appropriate
- the Crown Prosecution Service on cases to be sentenced by the courts and previous conviction information from the police
- the courts on children appearing in court, including systems such as Libra
- the YJB on secure placements for children remanded in or sentenced to custody.

Procedures with:

- the police and social care in relation to children missing from home or care
- the police in relation to out-of-court disposals
- probation services for accessing and sharing information when children transfer from youth justice to adult services.

#### **Evidence:**

- information-sharing agreements and protocols with relevant partners and providers that are up-to-date and routinely reviewed



- meetings with YJS leadership team members and partners, providers and other key stakeholders about the effectiveness of information-sharing arrangements
- discussions with staff about their understanding and use of information-sharing arrangements.

**Judgement:**

To support a positive judgement, there must be evidence of arrangements working effectively in key aspects of delivery, including the exchange of information on risk, needs, attendance and outcomes.

**c) Do the ICT systems support the production of the necessary management information, including diversity information?**

**Guidance:**

ICT systems should be effective in enabling the YJS to produce relevant management information, for example to inform performance reports and trend data. Systems should be designed to store and easily retrieve, collate and analyse key data accurately. This may include, but is not limited to, data on:

- the characteristics of children in the YJS cohort, including age, gender and diversity
- the needs, risks and location of offending behaviour
- patterns of desistance
- sentencing
- performance and output/outcomes
- HR issues
- workload allocation and management
- staff surveys and surveys of other children, including children, parents or carers, victims and sentencers.

**Evidence:**

- appropriate management information systems such as YJMIS are in place, which can produce reports on demand in accessible and usable formats
- examples of the reports available
- discussions with the YJS leadership team on how effectively ICT systems support the YJS in producing the necessary management information
- responses to inspectors' requests for information.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that a broad range of management information is available, covering protected characteristics. It should be quickly extracted, analysed and presented in ways that are accessible to users of the information.

**1.4.4 Are analysis, evidence and learning used effectively to drive improvement?**

**Guidance:**

Here the inspector is looking to see how well the YJS uses evidence and learning to drive improvement. The YJS should demonstrate that it is a learning organisation that continually



reviews and evaluates the quality and effectiveness of the services that it provides itself and that are provided by others on its behalf, in order to sustain positive outcomes for children.

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Do performance and quality assurance systems drive improvement?**

**Guidance:**

The YJS should have performance management and quality assurance systems in place that cover each of its key service delivery functions. Performance measures include those prescribed by the YJB and those the YJS has developed internally to measure its progress, and the effectiveness of its processes, in achieving local objectives. The YJS should benchmark systems, processes and performance measures, set and review targets to drive improvement, analyse trends and identify and address the causes of both high performance and underperformance. This should be informed by the routine provision of accessible performance information, appropriately analysed at the team and individual level, and which is interrogated to identify trends, causes and potential improvements.

Quality assurance processes may include activities such as sampling of cases, observations of practice, case reviews, peer reviews, data on outputs and outcomes achieved, and feedback from staff, children and parents or carers about the services provided.

**Evidence:**

- examples of how performance information and trend data are routinely analysed and monitored
- examples of how quality assurance processes are routinely used to drive improvement
- discussions with YJS managers, which should demonstrate that they have a detailed understanding of trends, the causes both of good and poor performance and the effectiveness of the YJS's work in practice
- discussions with frontline staff about their understanding of how well the YJS is performing and the effectiveness of practice, and why.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that comprehensive assurance and performance management systems have been applied across most operations and have led directly to specific improvements.

**b) Are service improvement plans supported through evaluation and development of the underlying evidence base?**

**Guidance:**

The YJS should have a clear focus on continuous improvement, with a robust evaluation and self-assessment framework that ensures managers understand and address development areas, and improve the quality of provision. Appropriate YJS action plans should be in place; these should be supported by good evidence and current information, and informed by

regular review and evaluation to check whether they are achieving their aims. They should be informed by the underlying evidence base from research and effective/promising practice about what is likely to work and improve delivery.

**Evidence:**

- service action plans with examples of how they are driving improvement
- monitoring reports and reviews
- evidence of the extent to which service action plans are informed by the underlying evidence base from research and effective/promising practice.

**Judgement:**

Inspectors will make a positive judgement where there is evidence of a number of service improvement plans in place that build on an evidence base. There should also be evidence of monitoring taking place to ascertain whether the improvement plans are achieving their objectives.

**c) Are processes in place to ensure that the YJS learns from things that go wrong?**

**Guidance:**

The YJS should have an agreed and understood approach to organisational learning and development, which supports its journey of continuous improvement. It should pay particular attention to learning from things that go wrong. For the individuals, this may include specific training and development objectives. For the wider organisation, in addition to staff briefings, there should be an agreed series of actions to review, monitor and strengthen service delivery processes to reduce the risk of repetition. The YJS should be able to demonstrate that it has systematically extracted the learning and ensured that this has been embedded in changes to practice and service delivery.

**Evidence:**

- reports, action plans and learning arising from Community Safety and Public Protection Incidents (CSPPIs)
- YJS participation in multi-agency case review processes and action plans/learning arising from this
- YJS participation in child safeguarding practice reviews (SCRs) and action plans/learning arising from them
- practice examples that demonstrate how learning has taken place
- feedback from managers and staff about the learning culture in the YJS.

**Judgement:**

Inspectors will make a positive judgement where there is evidence of an agreed, consistent approach to organisational learning, which can be demonstrated through a number of different practice examples where this has taken place.

**d) Are the views of the children, their parents or carers, and other key stakeholders sought, analysed and used to review and improve the effectiveness of services?**

**Guidance:**

The YJS should have a sound approach to consulting with and involving children, their parents or carers and other key stakeholders. This process should contribute to the

improvement of services, and should encompass the key areas of service delivery. Views may be sought in a variety of ways, including surveys and questionnaires. Approaches such as workshops, focus groups and child fora can provide a more in-depth understanding of children's needs, including where there are gaps, where needs are being met effectively, and how services should change to better address these needs. The analysis of these views should reflect the different experiences of a range of children so that their needs and issues are better understood. The views of children, their parents or carers and other key stakeholders should be fed into service reviews, and their representatives may be included directly in the groups conducting these reviews.

#### **Evidence:**

- child consultation and involvement strategies
- analysis of responses to consultations and surveys
- minutes of child fora and actions following
- discussions with representatives of children, their parents or carers and other key stakeholders
- examples of where consultation with children has led to specific improvements, changes in service delivery or activity.

#### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS has developed a sound approach to consultation with children, their parents or carers, and other key stakeholders. This should cover key delivery functions. Where views have been analysed, there should be evidence that this has led to specific, identifiable improvements in services.

### **e) Does the YJS collect and use diversity information to drive improvement?**

#### **Guidance:**

YJSs should have an agreed and understood approach to organisational learning and development, which assists them in driving improvement. This should include collecting and analysing information on diversity to help the YJS develop and deliver a quality service.

If a YJS does not have equality information about children with particular protected characteristics, it should be working to fill the information gaps. This could mean undertaking short surveys, or some engagement work.

The YJS should use the diversity information that it collects not just to identify, mitigate or remove poor practice, but also to identify ways to advance equality of opportunity.

Driving improvement can happen at all levels within the YJS, so any learning and action taken should be disseminated through, for example, staff meetings, quality improvement fora and individual staff supervision. Learning could be communicated internally, externally and between providers through exchanges, showcases, and research and evaluation publications.

YJSs should widely publicise its complaints processes and review complaint-handling regularly to ensure that complaints are treated fairly.

#### **Evidence:**

- engagement activities and surveys of staff and children, and how the YJS has used the results of these to help it understand the needs and experiences of people with different protected characteristics
- records of complaints and responses
- information from the public and from voluntary organisations, and how the YJS has used this to understand the needs or experiences of children with different protected characteristics.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence of an agreed, consistent approach to collecting and using diversity information. The YJS should be able to provide examples of where this has led to action to improve service delivery.

### **f) Where necessary, is action taken promptly and appropriately in response to audit or inspection?**

#### **Guidance:**

YJSs should draw up action plans to address the findings of audits and HM Inspectorate of Probation inspections, including thematic inspections. These should be produced in a timely fashion in line with relevant guidance, including taking immediate action where necessary. Action plans should specify who is responsible for progressing them, and they should be reviewed and evaluated at appropriate intervals. Plans should be subject to suitable governance arrangements through the YJS Management Board to ensure that specific actions are concluded in a timely manner and necessary improvements achieved.

#### **Evidence**

- action plans, with review and evaluation arrangements
- actions taken since the previous inspection and examples of the impact they have had.

### **Judgement:**

Inspectors will make a positive judgement where there are clear examples of where the organisation has conducted thorough reviews of serious failings and has systematically extracted the learning and ensured that it has been embedded in changes to practice and service delivery.

### **g) Is learning communicated effectively?**

#### **Guidance:**

YJSs should draw up action plans to address significant performance issues and in response to assurance visits and HM Inspectorate of Probation inspections, including thematic inspections. These should be produced in a timely fashion in line with relevant guidance, including taking immediate action to address critical deficits. Action and improvement plans should be communicated to relevant staff and partners in line with governance arrangements to ensure organisational learning. Staff and partners should be actively aware of key learning points for the YJS. It will be particularly important to assess the extent to which the YJS has taken action to improve service delivery after the previous HM Inspectorate of Probation inspection and to follow up any thematic recommendations specific to the sector under inspection in the previous year.

#### **Evidence:**

- action plans, monitoring arrangements and subsequent reviews
- actions taken since the previous inspection and the impact they have had
- evidence that learning from child safeguarding practice reviews is disseminated effectively and reaches all relevant staff within the organisation.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS has completed the large majority of appropriate actions in response to significant performance shortfalls, assurance visits and HM Inspectorate of Probation inspections during the past year.

### 3.4 Out-of-court disposal policy and provision

**There is a high-quality, evidence-based out-of-court disposal service in place that promotes diversion and supports sustainable desistance.**

#### **Guidance:**

Out-of-court disposals were introduced in the *Legal Aid, Sentencing and Punishment of Offenders Act 2012*. This legislation saw the repeal of final warnings and reprimands, which were replaced with youth cautions (YC) and youth conditional cautions (YCC). This legislation also introduced a requirement for joint decision-making between the YJS and the police for all YCCs. Both YCs and YCCs are formal police disposals and are recorded on the PNC.

Many local areas have developed a further out-of-court disposal, which is not recorded on the PNC and can be given if a child has committed an offence and accepted responsibility for that offence. These disposals differ based on the local area and local policies. At best, they offer early intervention and signposting for children who would otherwise enter the formal criminal justice system; at worst, they are used to record and close offences without any guidance and support to the child.

There is a great deal of confusion as to what language to use when describing these disposals. They are sometimes called diversion or prevention. They are neither of these things.

**Prevention** of offending should refer to a service or intervention that prevents a child from offending; that is, they have not actually committed a recorded offence, but they may have been identified as being at risk. In these cases, it may be the school, youth work, or children's social care that identify that the child is at risk of offending. The YJS may provide intervention for these children, or it could be provided by Early Help services in the local authority. As the child has not committed a criminal offence, these children are not within the scope of the inspection.

Children who are within the scope of the inspection are those who have committed an offence, have been formally identified and have accepted responsibility for the offence.

The term out-of-court disposal is used to refer to all disposals where the offender is identified by the police and recorded as a disposal on the police system. This will always include YCs and YCCs, and in most cases it will also include community resolution or what the local name for this disposal is. This can include a variety of other names, such as triage, outcome 22 or pre-caution outcome.

Out-of-court disposals are often the earliest point of a child's entry into the criminal justice system, and the intervention is designed to be short. This is to enable the child to move away from criminal justice agency intervention, such as the YJS, to more universal services, like youth services, or non-criminogenic specialist services, such as drug and alcohol or mental health support. The YJS case sample specification gives more detail about which out-of-court disposal cases are in scope for inspection.

**Diversion** means diverting children away from further involvement with the justice system by providing case management and support to help them address the underlying reasons for their offending behaviour. Diversion applies to out-of-court disposals. Although activity intended to divert children can be undertaken with children on court orders, this activity sits under the remit of a YJS's statutory function to reduce reoffending. Diversion is not of itself a statutory function of a YJS.

HM Inspectorate of Probation completed a thematic report of out-of-court disposals in 2018 and made a number of recommendations to different organisations. The rules and guidance for this standard draw on the findings from that inspection, which can be found [here](#):

<https://www.justiceinspectorates.gov.uk/cjji/wp-content/uploads/sites/2/2018/03/Out-of-court-disposal-work-in-youth-offending-teams-reportb.pdf>

### **3.4.1 Is there a policy in place for out-of-court disposal provision that promotes appropriate diversion and supports sustainable desistance?**

#### **Guidance:**

The *Legal Aid, Sentencing and Punishment of Offenders Act 2012* set out the requirement for YJSs to provide assessment and intervention for YCs and YCCs. The YJB performance measure supports the development of non-statutory disposals for low-level offending, as a child is not recorded as a first-time entrant for the non-statutory disposals. There is now a body of evidence that supports the view that identifying a child known to the criminal justice system as early as possible, and providing services to meet their identified needs, is successful at delaying or halting a child's criminal behaviour.

In order for this work to be successful, there should be clear policies in place to support the out-of-court work. These should be evidence-based and build on recognised good practice across the youth justice system.

YJSs should develop a policy with local police areas as a minimum but could include other partner organisations. The policy should identify which disposals are available for children and what the expectations and impact of each of these disposals will be. There should be clear criteria for which children can have these disposals, for which offences and how many disposals a child can receive.

#### **Judgement:**

Lead inspectors should consider the extent to which the provision is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

### **a) Is there a clear, joint protocol in place with the police, setting out a locally agreed out-of-court disposal policy and practice, including joint and defensible decision-making?**

#### **Guidance:**

The lead inspector should consider the policy in place for out-of-court disposals and whether these meet the needs of the children in the local area. The policy should be clear on how and when the police will share information with the YJS about any disposals and what the YJS will do with that information. The policy should consider the aims of the youth justice system: to prevent offending and consider the welfare of the child. Therefore, the policy should outline what works when preventing further offending, such as targeted appropriate intervention, and the impact of the disposal on the welfare of the child. Any policy should consider how and when there will be joint decision-making. If this is by a panel process, the

policy should be clear about who is involved in the joint decision-making and what their role in the process is.

**Evidence:**

- out-of-court disposal policy
- membership of decision-making panel
- terms of reference for decision-making panel
- police policy on out-of-court disposals.

**Judgement:**

Inspectors will make a positive judgement where there is a clear joint protocol between the YJS and the police. This should reflect policy and set out the agreed arrangements for delivery. It should include how decisions will be made jointly and defensibly.

**b) Are the out-of-court disposal eligibility criteria clearly defined and appropriately broad to allow for the use of discretion while avoiding inappropriate net-widening?**

**Guidance:**

There should be a clear definition of the children who are suitable for an out-of-court disposal. This should specify which offences are in and out of scope for this disposal, and there should be clear criteria for the number of out-of-court disposals a child can have. The policy should balance diversion factors with the need to protect the public and reduce further offending.

The YJS should consider whether an out-of-court disposal is suitable for those children who have displayed harmful sexual behaviour. The policy should be clearly set out where discretion can be applied and who has the authority to do that.

Out-of-court disposals should not be given as a means to access specialist or YJS services and there should be evidence that safeguards are in place to prevent this practice.

**Evidence:**

- out-of-court disposal policy
- data on children who have received out-of-court disposals and the nature of the disposal.

**Judgement:**

Inspectors will make a positive judgement where the eligibility of children for an out-of-court disposal is clearly defined. The YJS's policy should allow for discretion to be used appropriately but avoid net-widening for children.

**c) Does the out-of-court disposal eligibility criteria include an escalation process which avoids the inappropriate overuse of specific disposals?**

**Guidance:**

The YJS should have an out-of-court disposal policy that has clear eligibility criteria and includes the full range of out-of-court disposals available in the local area. There should be strategic monitoring of the nature and number of disposals that are administered, based on offence type. The policy should include any contingency arrangements for if a child does not



engage in the disposal, and processes to ensure that this does not lead to a more punitive disposal than the nature of the offence requires.

**Evidence:**

- monitoring of disposal type
- out-of-court disposal policy.

**Judgement:**

Inspectors will make a positive judgement where the eligibility criteria for out-of-court disposals include an escalation process that avoids the over-use of specific disposals. This should be clearly set out and monitored by the YJS.

**d) Does the policy set out the distinct and substantial differences between community resolutions and formal out-of-court disposals?**

**Guidance:**

Community resolutions, or their equivalent, are different from YCs and YCCs. They do not appear on a child's PNC check, and the children are not classified as first-time entrants for data purposes. It is therefore reasonable for YJSs to take a different approach to managing the children who are subject to community resolutions. While the assessment process may be the same for these children, there are important statutory differences in recording on the police system.

The YJS's policy should set out that staff should take a personalised approach, taking account of the child's protected characteristics and personal circumstances, to work with the child, regardless of the status of the intervention.

In some cases, the child's involvement in a community resolution is entirely voluntary, and relies completely on the skills of the YJS practitioner to engage the child. In other areas, if a child does not engage in the community resolution, their case can be referred back to the decision-making process for an alternative disposal. Whichever is the case, the child and their family should know the legal status of the disposal they are being made subject to.

**Evidence:**

- case recording information from the delivery of community resolution disposals
- out-of-court disposal policy.

**Judgement:**

Inspectors will make a positive judgement where the out-of-court disposal policy treat community resolutions as distinctly and substantially different from formal out-of-court disposals, setting out a personalised approach that accounts for diversity factors.

**e) Are arrangements set out to ensure children are actively and consistently diverted into the most appropriate care and support services?**

**Guidance:**

Diversion means diverting children away from further involvement with the justice system, by providing case management and support to help them address the underlying reasons for their offending behaviour. Inspectors will look for children being referred to or provided with appropriate services to meet their needs in order to halt or delay any further offending. In some cases, the YJS may provide these services, for example through relevant interventions

or embedded YJS specialists; in other cases, the services may be provided through specialist community resources, such as drug or alcohol services, or mental health provision.

There may need to be service level agreements in place with agencies that receive referrals for children subject to out-of-court disposals.

#### **Evidence:**

- range of suitable interventions on offer
- service level agreements with partner agencies.

#### **Judgement:**

Inspectors will make a positive judgement where arrangements ensure the active and consistent diversion of children into the most appropriate care and support services to meet their needs.

#### **f) Does the out-of-court disposals policy describe how diversity needs will be addressed?**

The public sector equality duty, set out in the *Equality Act 2010*, requires public bodies to address diversity and equality issues. It consists of a general equality duty, supported by specific duties that are imposed by secondary legislation. YJSs are not named under the Act's *Specific Duties and Public Authorities Regulations 2017* in the way that probation trusts are. This means that, in legal terms, only the general public sector equality duty applies to YJSs. Full information can be found here:

<https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty>.

The broad purpose of the general equality duty is to ensure that public authorities consider equality and good relations as part of their day-to-day business. The general equality duty requires organisations to consider how they can contribute positively to advancing equality and good relations. They must consider equality in the delivery of services and design of policies, including internal policies, and keep these issues under review. The general equality duty aims to shift responsibility for promoting equality from individuals to organisations; for the first time, public authorities are obliged to positively promote equality, not merely to avoid discrimination. The duty was developed in order to harmonise the equality duties and include all the protected characteristics. In summary, those subject to the general equality duty must, in exercising their functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims of the general equality duty. To meet these, the YJS's out-of-court disposal policy should set out how it will:

- remove or minimise disadvantages suffered by children due to their protected characteristics
- take steps to meet the needs of children from protected groups where these are different from the needs of other children

- encourage the engagement of children from protected groups to participate in ways that meet their needs.

The out-of-court policy should set out how the YJS will meet diverse needs. If the policy does not set out how it can affect different groups in different ways, and address this, it is unlikely to have the intended effect. This can contribute to greater inequality and poor outcomes. Evidence of any disproportionality in the use of out-of-court disposals should have been considered (for example, their under-use for black boys) and action taken to deal with this.

**Evidence:**

- out-of-court policy
- evidence of how the YJS Management Board and the YJS make sure that services are personalised and suitable for out-of-court cases
- evidence of partners' stated commitment to addressing diversity, for example memoranda of understanding or service level agreements; an example of good practice would be a written YJS partnership agreement that sets out partners' commitment to meeting diverse needs in out-of-court disposals.

**Judgement:**

A positive judgement requires the YJS to actively address diversity considerations in its out-of-court policy.

**g) Are arrangements set out to ensure that children are kept safe?**

**Guidance:**

The YJS's out-of-court disposals policy should set out how children are to be kept safe. This should be cross-referenced to its safeguarding policy. The policy should explain expectations around assessment, planning, delivery and review, and arrangements with other providers, including how to refer children to statutory partners such as children's social care. Roles and accountabilities must be clearly set out. The out-of-court policy should describe how the safeguarding needs of children will be met and the YJS's role in this, which should be purposeful and proactive.

**Evidence:**

- the YJS's out-of-court policy, which should be cross-referenced to its safeguarding policy.

**Judgement:**

Inspectors will make a positive judgement where the YJS's out-of-court policy clearly sets out the roles, expectations and accountabilities of YJS staff and other partners/providers in keeping children safe throughout the disposal.

**h) Are arrangements set out to ensure the safety of other people?**

**Guidance:**

The YJS's out-of-court disposal policy should set out how the YJS will people. These include victims and potential victims, peers, family members, staff and the public. The policy should be cross-referenced to the YJS's risk of harm arrangements. The policy should explain expectations around assessment, planning, delivery and review, and arrangements with other providers, including how to refer children to statutory partners such as children's social care. Roles and accountabilities must be clearly set out.

The out-of-court policy should describe the arrangements to ensure the safety of other people. The YJS's role in this should be purposeful and proactive. The policy should set out how to escalate issues to managers and how managers are expected to oversee risk management of out-of-court cases.

**Evidence:**

- the YJS's out-of-court policy, which should be cross-referenced to its risk of harm policy or equivalent.

**Judgement:**

Inspectors will make a positive judgement where the YJS's out-of-court policy clearly sets out the roles, expectations and accountabilities of YJS staff and partners/providers in keeping other people safe throughout the disposal.

**3.4.2 Does out-of-court disposal provision promote diversion and support sustainable desistance?**

**Guidance:**

Out-of-court penalties and similar interventions have been available for a long time. Out-of-court disposals can be used for children who have admitted an offence but it is not in the public interest to prosecute them. Out-of-court disposals are designed to divert children from the formal prosecution and sentencing process and to promote desistance. To achieve these aims, out-of-court disposals should be made on the basis of timely joint decision-making, based on agreed protocols. Formal decision-making panels are an effective way of achieving this, but local arrangements vary. There should be established protocols for exchanging information about children and their victims.

YJSs should be able to provide a wide range of out-of-court disposal interventions that are strengths-based and future-focused and that promote positive child outcomes. Assessment, planning and delivery should pay attention to diversity factors. A personalised, responsive approach based on a child's strengths and with their active involvement has the potential to support desistance.

In any work that the YJS undertakes with children there should be evidence that efforts have been made to improve the child's engagement. This applies equally to out-of-court disposals and all other YJS work. The YJS should use the child's preferred method of communication and engage parents/carers, where relevant.

**Judgement:**

Lead inspectors should consider the extent to which the provision is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Is there an out-of-court disposal panel or other suitable means of joint decision-making in place that includes representation from the YJS, police and social care as a minimum?**

**Guidance:**

Any out-of-court disposal should have a foundation of solid and accountable decision-making to ensure that the process is transparent and applied consistently. There should be a joint decision-making process that as a minimum includes the YJS, police and social care. An independent member of the community may be part of this process and this should provide a level of independence.

In September 2023, the National Police Chiefs' Council published its revised Child Gravity Matrix. It replaces the 'ACPO Youth Offender Case Disposal Gravity Factor Matrix' from March 2013 and its approach aligns with Child First principles, which seek to prevent the unnecessary criminalisation of children.

While these improvements mark a significant step forward, it is crucial to remember that the Child Gravity Matrix should be used as a guide, not a rigid rulebook. The essence of this approach is aligned with Child First principles, which seek to prevent the unnecessary criminalisation of children. Each case should still be examined on an individual basis to ensure that justice is served in the best interests of the child and victims – the exercise of professional judgement is crucial.

A formal decision-making panel is an approach adopted by many but not all YJSs. Whatever the process, the agencies involved should have the opportunity to contribute to the decision on the most appropriate outcome for the child. The joint decision-making process should take the victim's wishes into account and give priority to what is most likely to support the child to desist from offending. The child, and their parent/carer, should be engaged with the YJS before the disposal decision, so that the YJS can motivate them and understand their perspective.

To promote the victim's engagement with decision-making panels, YJSs should ensure that the timing of contact, particularly the initial contact, meets the victim's needs; communication with victims clearly focuses on the potential benefits to them; and victims are therefore able to make a fully informed decision. It is not appropriate for the disposal decision to be decided between a YJS police officer and a YJS manager before the panel meets.

For decision-making to be a genuinely joint process, whether in a panel or otherwise, all members of the decision-making body should have sufficient seniority and delegated authority to interpret policy in the light of individual circumstances and to make defensible decisions.

#### **Evidence:**

- case inspections
- discussions with managers and staff
- discussions with partner agencies
- reports to out-of-court disposal panel
- notes of the decision-making process in individual cases
- panel meeting notes.

#### **Judgement:**

Inspectors will make a positive judgement where there is a joint decision-making process in place that includes the YJS, police and social care as a minimum. The process must support the child's needs and take account of the victim's wishes.

#### **b) Does the out-of-court disposal panel or decision-making process support timely and effective diversion?**

### Guidance:

The decision-making process should be informed by recommendations from the YJS that are sufficiently well-informed, analytical and personalised to the child. There should be a clear rationale for the proposed disposal and the type of intervention to be delivered. The YJS's recommendations should take into consideration the child's understanding of the offence and their acknowledgement of responsibility for their offending.

The thematic inspection *Out-of-court disposal work in Youth Offending Teams* (2018) found that better assessment and higher rates of voluntary involvement in interventions were achieved where YJS practitioners met the child for an initial assessment before the disposal decision was made, and where that initial assessment informed the decision-making. The inspection also found that children were more likely to comply with an intervention programme following a caution if the YJS had been involved at an early stage. This also reinforces the importance of organisations working together with the child and parents or carers, rather than passing them from one organisation to another.

### Evidence:

- case inspections
- discussion with managers and staff
- discussion with partner agencies
- reports to out-of-court disposal panel
- notes of the decision-making process in individual cases
- panel meeting notes.

### Judgement:

Inspectors will make a positive judgement where the panel/decision-making process is informed by recommendations from the YJS that are personalised and responsive to the child's needs and their understanding of, and level of responsibility taken for, the offence.

### **c) Is there a clear and effective escalation process in place when the out-of-court panel or decision-making process is unable to achieve consensus?**

#### Guidance:

The panel/decision-making process should be established with a clear sense of purpose and panel members should be accountable for their role on the panel. If the process operates effectively there are likely to be few occasions when the panel cannot achieve consensus. This may happen, however, and it is important that in such cases there is a clear and agreed escalation process that ensures a speedy resolution.

Ultimately, the police can make the final decision on out-of-court disposals. The extent to which, and reasons why, this happens should be monitored through the escalation process in order to inform any work that needs to take place, such as training.

#### Evidence:

- case inspections
- document setting out the escalation process
- discussions with managers and staff.

#### Judgement:

Inspectors will make a positive judgement where there is an agreed process that the YJS and police follow when the decision-making panel is unable to reach an agreement.

**d) Are arrangements in place to ensure out-of-court disposals are consistently applied in a timely and robust manner?**

**Guidance:**

Arrangements should be in place for the police to refer all cases to the YJS within 24 hours of a case being deemed suitable for an out-of-court disposal. The YJS should provide feedback within 10 days if an assessment is required. If those timescales are not met, inspectors should consider the reasons for the delay, and its impact on the child and the decision-making process.

The YJS partnership is responsible for the timeliness of the overall process. In some cases, delay may be appropriate in order to seek information from a victim or another agency. We may judge a case negatively if there is a delay for inappropriate reasons. The delivery of services should be in line with the nature of the disposal; the disposal should be designed to be completed within a maximum of three months. In many cases the intervention could be completed much sooner; sometimes a one-off session can be appropriate. Delivery of services should start promptly, and a disposal should not extend beyond the three-month period simply because there was a delay in planning and delivering services. The only exception to this is when there have been delays in setting up a restorative process.

The desire to deal quickly with allegations of offending should not be at the expense of a child's right to make properly informed choices, particularly when the child is first spoken to by police and where adults may not be present.

Any out-of-court disposal conditions and interventions should be in keeping with the nature of the offence and the needs of the child. The duration of any recommended interventions should be proportionate to the nature of the case and the seriousness of the offence. They should be achievable within a maximum of three months but could often be achieved within a shorter time period. The YJS should consider the broadest scope of restorative outcomes, such as reparation or letters of apology. We expect to find clear evidence that the child and their parent/carer have been involved.

**Evidence:**

- case inspections
- protocol with the police
- discussions with managers and staff.

**Judgement:**

Inspectors will make a positive judgement where arrangements for out-of-court disposals are both timely and robust in the majority of cases. Where this is not achieved, the YJS should be working to improve this.

**e) Is a wide range of out-of-court disposal interventions available that are strengths-based, future-focused and promote positive child outcomes?**

**Guidance:**

There is little published evidence of the effectiveness of specific interventions in connection with work delivered to children as part of out-of-court disposals. We believe that a strengths-based approach, tailored to the needs of the child, is likely to have a positive



impact on desistance. Interventions should build on the strengths of the child and enhance any protective factors.

An analysis of needs of and risks for children on out-of-court disposals should lead to the planning, provision of, and referral to an appropriate range of specialist and mainstream services to address these needs and risks, thereby supporting desistance. The YJS should have undertaken a gap analysis to identify where there is a lack of provision and have plans to address this. The YJS may make provision internally, or commission or deliver it in partnership or through a referral pathway with other organisations that provide specialist services, such as substance misuse services. Services should be provided in ways that are accessible and appropriate to children's circumstances and should be provided in sufficient quantity to avoid waiting lists under normal circumstances. Services should be made available to both post-court cases and to those subject to out-of-court-disposals.

Interventions to support desistance can be very brief for some out-of-court disposals. The type of interventions available should allow for both brief and more sustained interventions to be delivered.

#### **Evidence:**

- business plan/commissioning plans
- gap analysis
- service directories
- feedback from both operational staff and managers about access to specialist and mainstream services.

#### **Judgement:**

Inspectors will make a positive judgement where there is a wide range of interventions available for children on out-of-court disposals. This should include brief and more sustained interventions as befits the needs of individual children. Interventions should be strengths-based and future-focused, and promote positive outcomes for the child.

#### **f) Is sufficient attention given to compliance with, and enforcement of, conditions where appropriate?**

#### **Guidance:**

The YJS should respond appropriately to situations where the child has not complied with the requirements or conditions of a YCC. There should be evidence that efforts have been made to improve the child's engagement. The YJS should use the child's preferred method of communication and engage parents/carers to encourage compliance. Any decision to allow the YCC to remain in place despite the child's failure to comply with conditions should be clearly recorded. It should take account of the safety of others and be in the child's best interests. The YJS must inform the police when the child completes the requirements of a YCC successfully.

It should also be made clear that the child and their parent/carer understand whether they are required to comply with the out-of-court disposal, and the consequences of non-compliance, or whether engagement is voluntary. In YCC cases, if the child does not comply with the conditions, the case should be referred back to the police to consider prosecution. In YC cases, the interventions are entirely voluntary, and there are no direct consequences of non-compliance, but non-compliance with interventions can be referred to in any future criminal cases. In community resolutions and other lower-level disposals, the local operating model will set out whether or not to refer the case back to police if the child does not



comply. The case manager should have a clear understanding of the child and their parent/carer.

**Evidence:**

- case inspections
- engagement and compliance arrangements set out in policy
- discussion with staff and managers.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS makes appropriate efforts to engage and motivate the child, including alternative approaches. Recording of compliance issues should be clear, with cases referred back to the police where appropriate.

**g) Does the provision pay sufficient attention to keeping children safe?**

**Guidance:**

The YJS should be proactive in keeping children safe. A personalised, responsive approach to meeting safety and wellbeing needs effectively should be evidenced.

YJS case managers should be clear about how the safety and wellbeing needs of children they are working with are being met. As part of effective case management, YJS case managers should carry out assessments, plans, interventions and reviews that include actively considering how to keep other people safe. This should include any relevant diversity factors. YJS case managers must understand how to use escalation routes where necessary, and be confident in doing so. There should be effective management oversight of out-of-court cases that includes a purposeful focus on safety and wellbeing in individual cases.

**Evidence:**

- case inspection
- staff supervision records
- escalation processes
- minutes of multi-agency meetings.

**Judgement:**

Inspectors will make a positive judgement where the YJS takes a proactive approach in individual out-of-court cases to ensure that it is actively meeting safety and wellbeing needs. This should be supported by effective management oversight and clear, accessible escalation routes for staff.

**h) Does the provision pay sufficient attention to keeping other people safe?**

**Guidance:**

The YJS should be proactive in keeping other people safe. A personalised, responsive approach to keeping other people safe should be evidenced. This should include victims and potential victims, peers, family members, staff or the public.

As part of effective case management, YJS case managers should carry out assessments, plans, interventions and reviews that include actively considering how to keep other people safe. They should include any relevant diversity factors. YJS case managers must

understand and be confident in using escalation routes where necessary. YJS managers should oversee out-of-court cases effectively, which includes a purposeful focus on keeping other people safe. Referral mechanisms and partnership approaches should be evidenced.

**Evidence:**

- inspection of individual cases
- staff supervision records
- escalation processes
- minutes of multi-agency meetings.

**Judgement:**

Inspectors will make a positive judgement where the YJS takes a proactive approach to ensuring that the safety of others is being addressed and needs are being met in individual out-of-court cases. This should be supported by effective management oversight and clear, accessible escalation routes for staff.

**3.4.3 Are the out-of-court disposal policy and provision regularly assessed and updated to ensure effectiveness and maintain alignment with the evidence base?**

**Guidance:**

The inspector will be checking that the out-of-court disposal policy and provision are regularly reviewed in the light of evidence the YJS should evaluate and review the policy and provision to ensure it is meeting the desired outcomes of the youth justice system: preventing offending and considering of the welfare of the child.

Reviews should check whether all eligible children are given the opportunity to be diverted from the court system, and the disposal is at the lowest level it needs to be to both meet the needs of the child and protect the public.

The YJS should review policy and provision after it has evaluated the effectiveness of the process. To enable it to do this, information should be available on the success rate of each disposal type and the nature of the intervention. Those carrying out reviews should consider both case-based information and best practice from other delivery areas and research findings on the effectiveness of out-of-court disposals.

**Judgement:**

Lead inspectors should consider the extent to which the provision is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Are the out-of-court disposal policy and provision regularly evaluated and reviewed?**

**Guidance:**

Out-of-court policy and provision should be fit for purpose and meet the needs of children. The YJS should take a consistent approach to routinely reviewing out-of-court policy and provision at appropriate intervals to ensure that they are updated in line with the developing evidence base. Reviews should take account of changes in any national standards or

guidance (such as the recently revised NPCC Child Gravity Matrix in September 2023) and developments in effective practice and should consider the views of children and key stakeholders. When out-of-court policy and provision are reviewed, this should include an assessment of the impact on children with protected characteristics and on children's personal circumstances. This is a part of complying with the general equality duty. YJSs must have sufficient information to enable them to evaluate any impact effectively.

Alongside regular reviews, out-of-court policy and provision should be monitored regularly and routinely to check that they are meeting their aims. Monitoring should be informed by evidence from research about what is likely to work and improve delivery. Those carrying out monitoring should examine improvements made to processes to identify whether they are achieving what was intended, and gather feedback from stakeholders on how the processes are working in practice.

Monitoring, evaluation and review should be aligned with the evidence base, both building on existing research and contributing to it. Where appropriate, external monitoring should be considered to improve the integrity of the process and opportunities for engaging researchers, or collaborative working with similar organisations undertaking a similar improvement process, should be considered to benchmark progress and maximise learning.

#### **Evidence:**

Evidence may come from examining of the YJS out-of-court policy and related policies and guidance to identify whether they are still relevant and up to date. YJSs may have a schedule of regular reviews available. Managers and staff should be clear about which documents are the most recent and where they can be found.

#### **Judgement:**

Inspectors will form a positive judgement where there is evidence that the out-of-court policy is current and is reviewed in response to developments in policy and practice. Out-of-court provision should be evaluated and reviewed.

### **b) Does evaluation include the use of data and is it informed by necessary input from other agencies involved in delivering the out-of-court disposal service?**

#### **Guidance:**

Robust evaluation and data-based quality assurance are an intrinsic part of service delivery and should include careful analysis of diversity factors. They should involve out-of-court partners and other providers where appropriate, with a focus on identifying good practice and aspects for improvement.

The YJS should use the data that it collects not just to identify, mitigate or remove poor practice in out-of-court cases, but also to identify ways to advance equality of opportunity. Driving improvement across out-of-court provision will likely involve partners and providers external to the YJS, so any learning and action taken should be disseminated through appropriate structures internally and externally. Learning could be communicated internally, externally and between partners and providers.

Collaboration with other providers, agencies and the local community is integral to planning out-of-court services and ensures that services meet children's needs and allow for appropriate innovation.

YJSs should also use information from partner agencies. This could include a check of all disposals on the police system, to ensure the YJS is being informed of all relevant outcomes. The YJS can also use referral rates from partner organisations and completion rates when evaluating the policy and provision.

### **Evidence:**

- organisational data
- review of policy documents
- feedback from strategic out-of-court disposal meetings
- analysis of offending and re-offending data
- staff meetings, quality improvement fora and individual staff supervision
- YJS Management Board meetings
- strategic resettlement meetings with partners
- operational resettlement meetings with partners
- newsletters/bulletins.

### **Judgement:**

Inspectors will make a positive judgement where the YJS defines the data set that it will use, how frequently it will collect data, the period the data will cover and how data from other agencies will be used.

### **c) Does evaluation include active consideration of diversity issues?**

#### **Guidance:**

Evaluation of out-of-court policy and provision should include an assessment of their impact on children with different protected characteristics to ascertain whether they meet diversity needs and minimise disadvantages. This is a part of complying with the general public sector equality duty set out in the *Equality Act 2010*. Full information can be found here <https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty>.

When evaluating out-of-court policy and provision, the YJS should consider diversity and equality. It should use the diversity information that it collects not just to identify, mitigate or remove poor practice but also to identify ways to advance equality of opportunity.

If a YJS does not have diversity and equality information about children being resettled, it should be working to fill the information gaps. This could mean undertaking short surveys, or some engagement work.

#### **Evidence:**

- evaluation of out-of-court policy
- evaluation of out-of-court provision
- engagement activities
- children's surveys
- staff surveys
- complaints records and responses
- results of engagement activities or surveys
- information from the public and from voluntary organisations to help the YJS to understand the needs or experiences of children with different protected characteristics.

#### **Judgement:**

Inspectors will make a positive judgement where there is evidence that diversity issues are an intentional and integral part of the review of out-of-court policy and provision. Evaluation should seek to explain the reasons for any inequality in access to, or provision of, services and set out to reform this where possible.

#### **d) Do evaluation and review identify and respond to changes in the out-of-court disposal evidence base?**

##### **Guidance:**

The YJS should continuously improve its out-of-court provision, based on evaluation and review of the evidence base. This evaluation and review should result in multi-agency action plans supported by good evidence and current information. In undertaking reviews and developing action plans for out-of-court disposals, the YJS should take account of research and inspection evidence, alongside its own case and service-specific data and information. This work should be informed by the underlying evidence base from effective/promising practice about what is likely to work and improve delivery. It should include internal information, such as offending rates, completion rates and available feedback. The YJS should also respond to any newly published information. This should include findings from HM Inspectorate of Probation reports, information provided by the YJB and any academic papers or findings that are published.

As an example, in September 2023, the National Police Chiefs' Council published its revised Child Gravity Matrix. It replaces the 'ACPO Youth Offender Case Disposal Gravity Factor Matrix' from March 2013 and its approach aligns with Child First principles, which seek to prevent the unnecessary criminalisation of children. There are 3 key elements of this new guidance: A step-by-step guide for decision makers; Incorporating a full range of disposals; and a revised scoring framework for decision-making:

##### 1. A step-by-step guide for decision makers:

One of the Matrix's key features is a user-friendly, step-by-step guide tailored to help decision makers consider all available options. This structured approach ensures that decisions are not only effective but also appropriate, taking into account the unique circumstances of each case.

##### 2. Incorporating a full range of disposals:

The Matrix now encompasses the full range of disposals, including non-statutory options like 'no further actions' and 'community resolutions,' as well as statutory disposals such as 'Youth Cautions,' 'Youth Conditional Cautions,' and 'Charge.' This expanded scope empowers decision makers to choose the most suitable course of action. It also provides clarity on the use of out-of-court disposals for traffic offences.

##### 3. Scoring framework for decision-making:

Recognising the diversity in children's behaviour and the importance of addressing their vulnerabilities and needs, the revised Matrix introduces a new scoring framework. This framework aims to provide a more nuanced approach to decision-making, considering the specific circumstances surrounding each case.

While these improvements mark a significant step forward, it is crucial to remember that the Child Gravity Matrix should be used as a guide, not a rigid rulebook. The essence of this approach is aligned with Child First principles, which seek to prevent the unnecessary criminalisation of children. Each case should still be examined on an individual basis to ensure that justice is served in the best interests of the child and victims – the exercise of professional judgement is crucial.

### **Evidence:**

- service action plans with examples of how they are driving improvement
- monitoring reports and reviews
- evidence of the extent to which service action plans are informed by the underlying evidence base from research and effective/promising practice.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS actively evaluates and reviews the out-of-court disposal evidence base, drawing on research and inspection evidence bases and on its own case and service data and information.

## **e) Do evaluation and review lead to the necessary adjustments to out-of-court disposal policy and provision?**

### **Guidance:**

For out-of-court improvement plans to be effective, they must be informed by regular and routine monitoring to check whether they are achieving their aims. They should also be informed by evidence from research about what is likely to work and improve delivery. We are looking for adjustments to the policy in line with findings from evaluation and review, including examples of innovation and effective practice.

YJSs should monitor improvements to out-of-court disposal processes to identify whether they are achieving what was intended, and gather feedback from stakeholders on how the processes are working in practice. Improvement plans should be routinely monitored by somebody responsible for managing the relevant process, reporting under an appropriate governance arrangement such as the YJS Management Board.

Adjustments to policy and provision should be aligned with the out-of-court evidence base, both building on existing research and contributing to it. Where appropriate, YJSs should consider external monitoring to improve the integrity of the process. They should consider opportunities to engage researchers, or work collaboratively with other YJSs, partners or providers undertaking a similar improvement process, to benchmark progress and maximise learning.

### **Evidence:**

- out-of-court improvement plans and monitoring reports, and evidence of the extent to which they are informed by or contribute to research and collaborative activity
- discussion with those involved in leading or contributing to the improvement plans
- YJS Management Board minutes
- discussions with staff and managers
- review of policy documents
- case inspections

- feedback from staff.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence of out-of-court improvement planning that builds on an evidence base. There should also be evidence of monitoring taking place to ascertain whether the improvement planning is achieving the intended objectives.

### **f) Are children and their parents/carers meaningfully involved in the evaluation and review of out-of-court disposal policy and provision?**

#### **Guidance:**

The YJS should have a sound approach to consulting and involving children, their parents or carers and other key stakeholders in evaluating and reviewing policy and provision. This process should contribute to the improvement of out-of-court services. Views may be sought in a variety of ways, including surveys and questionnaires, individual discussions, workshops, focus groups and child fora. This should provide an in-depth understanding of children's needs, including where there are gaps, where needs are being met effectively, and how services should change to better address these needs.

The analysis of these views should reflect the different experiences of a range of children so that their needs and issues are better understood. The views of children, their parents or carers and other key stakeholders should be fed into out-of-court service reviews, and their representatives may be included directly in the groups conducting these reviews. Inspectors will look for evidence that any changes in the out-of-court policy and provision are informed by the experience of the children who have been subject to these disposals and their families. Feedback can be gathered at the end of each disposal and this information collated and reviewed. This information should be used to review the child's experience of the out-of-court disposal. Alternatively, feedback could be gathered from a child and/or family focus group, or feedback from a single point in time.

The YJS should use the feedback to ensure it understands the child's experience of being subject to the out-of-court disposal, such as how it has helped them, and whether they understood the requirements and implications of the disposal.

#### **Evidence:**

- strategies for consulting and involving children
- analysis of responses to consultations and surveys
- minutes of child fora and actions following
- discussion with representatives of children, their parents or carers and other key stakeholders
- examples of where consultation with children has led to specific improvements, changes in service delivery or activity
- feedback from children as part of the inspection
- reports of children's experience to management board
- evidence in the reviews of policy.

### **Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS has developed a sound approach to consultation on out-of-court work with children and their



parents or carers along with other key stakeholders. Where views have been analysed there should be evidence that this has led to specific identifiable improvements in services.

## 4.1 Resettlement policy and provision

**There is a high-quality, evidence-based resettlement service for children leaving custody.**

### Guidance:

Resettlement is the process of integrating someone back into the community after they have served a custodial sentence. Youth resettlement refers to resettling those released from the youth custodial estate while still under the age of 18, and hence still legally children. Under the *Crime and Disorder Act 1998*, the resettlement of children is a statutory responsibility of local authorities, the National Probation Service, health authorities and the HMPPS youth custody service. No one agency has sole or overall responsibility.

The YJS should provide, or have access to, a full set of services to meet all of the assessed needs of children being resettled. Services delivered should be well-planned, effective and evidence-based. They should be tailored to the individual needs of children and have the capacity to adapt to changing needs. This resettlement standard looks for an approach that achieves a balance between structural factors and personal support, in line with the research and inspection evidence base, recognising that both have a role in effective resettlement and are not mutually exclusive.

### Judgement:

Lead inspectors should make an initial default judgement of 'Requires improvement' in relation to the standard if one or more of the key questions is answered 'no'. However, the lead inspector can override this and propose a 'Good' rating where he/she thinks this is appropriate.

### 4.1.1 Is there a resettlement policy in place that promotes a high-quality, constructive and personalised resettlement service for all children?

#### Guidance:

Each YJS should have a resettlement policy that sets out the arrangements to resettle children from custody back into the community. This should outline the services that are available and describe how these are accessed.

The resettlement policy should set out how the YJS will provide a personalised and responsive service for children being resettled. It should take deliberate account of diversity issues, including protected characteristics and personal circumstances. A one-size-fits-all approach to providing resettlement services will not meet the needs of all children and the policy should reflect this. Effective partnership arrangements are crucial. The policy should set out for all partners what the expectations and accountabilities of their role are. It should also set out arrangements for the appropriate access to and exchange of information, expertise, resources and knowledge.

#### Judgement:

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those



that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Does the resettlement policy set out the arrangements for the suitable and timely provision of accommodation, education, training and employment, healthcare and other resettlement pathway services?**

**Guidance:**

The early identification of suitable accommodation for children leaving custody is critical. Arrangements should usually be in place by the mid-point of a child's period in custody. Accommodation must be suitable for the child's welfare and to support desistance, taking account of the child's age, safety and development. In addressing accommodation needs, access and proximity to existing support networks should be preserved, unless it is unsafe to do so.

Until accommodation is set up, it is difficult to organise other services with no address being available. It is also vital that the child knows where they are to live on release and has time to become accustomed to it. The policy must outline how accommodation will be sourced in sufficient time to allow the planning and implementation of ETE, healthcare and other relevant resettlement services. The policy should set out the arrangements for identifying and accessing suitable accommodation, and require this to be considered right from the point at which the child is sentenced. The policy should reinforce that the early assessment of accommodation needs for release should be considered throughout the custodial sentence. The policy should detail escalation processes.

Some children will return home to live with parents and carers. Where this is intended, the YJS should support and, where needed, help to strengthen the relationship between the child and parents and carers during the custodial phase.

The policy should outline the structural barriers that exist, based on evidence and analysis of the local needs. Structural barriers may include a lack of suitable, sustainable accommodation or ETE, lack of access to appropriate health or substance misuse services, and poor family relationships or peer support networks. The policy should describe the importance of protective factors and how these can be built on.

**Evidence:**

The YJS's resettlement policy, supported by relevant partnership agreements with partners and accommodation providers.

**Judgement:**

Inspectors will make a positive judgement where there is a resettlement policy in place that sets out the arrangements and role accountabilities for resettling children. This must be clear and current and must identify the importance of early planning in order to meet accommodation needs.

**b) Does the resettlement policy address structural barriers to effective resettlement, enabling pro-social identity development?**

**Guidance:**

For resettlement to be effective, the YJS should address the aims of both preventing reoffending and meeting the child's welfare needs. The resettlement policy should set out how to overcome the structural barriers to resettlement. Structural barriers include, but are

not restricted to, accommodation, education, training and employment, health, substance misuse, families, peer influence and finance. The resettlement policy should also recognise the role of protective factors.

The resettlement policy should set out how the YJS will provide a personalised, responsive service for children being resettled. It should take intentional and deliberate account of diversity issues, including protected characteristics and personal circumstances. A one-size-fits-all approach to providing resettlement services will not meet the needs of all children, and the policy should reflect this.

**Evidence:**

The YJS's resettlement policy, supported by relevant agreements with partners and providers.

**Judgement:**

A positive judgement requires that the resettlement policy comprehensively and clearly sets out the arrangements to address all of the structural barriers to effective resettlement. This must include an assessment of the impact of the policy on children with different protected characteristics and personal circumstances.

**c) Does the resettlement policy describe how diversity needs will be addressed?**

**Guidance:**

The public sector equality duty, set out in the *Equality Act 2010*, requires public bodies to address diversity and equality issues. It consists of a general equality duty, supported by specific duties that are imposed by secondary legislation. YJSs are not named under the Act's *Specific Duties and Public Authorities Regulations 2017* in the way that probation trusts are. This means that, in legal terms, only the general public sector equality duty applies to YJSs. Full information can be found here:

<https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty>.

The broad purpose of the general equality duty is to ensure that public authorities consider equality and good relations as part of their day-to-day business of public authorities. The general equality duty requires organisations to consider how they can contribute positively to advancing equality and good relations. They must consider equality in the delivery of services and the design of policies and, including internal policies, and keep these issues under review. The general equality duty aims to shift responsibility for promoting equality from individuals to organisations; for the first time, public authorities are obliged to positively promote equality, not merely to avoid discrimination. The duty was developed in order to harmonise the equality duties and include all the protected characteristics. In summary, those subject to the general equality duty must, in exercising their functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims of the general equality duty. To meet these, the YJS's resettlement policy should set out how the YJS will:

- remove or minimise disadvantages suffered by children due to their protected characteristics
- take steps to meet the needs of children from protected groups where these are different from the needs of other children
- encourage children from protected groups to participate in YJS services in ways that meet their needs.

The resettlement policy should set out how the YJS will meet diverse needs. In not considering how a policy can affect different groups in different ways, and addressing this, that policy is unlikely to have the intended effect. This can contribute to greater inequality and poor outcomes.

#### **Evidence:**

- YJS resettlement policy
- evidence of how the YJS Management Board, and the YJS, make sure that services are personalised and suitable for children being resettled
- evidence of partners' stated commitment, for example memoranda of understanding or service level agreements; an example of good practice would be a written YJS partnership agreement that sets out partners' commitment to meeting diverse needs in resettling children.

#### **Judgement:**

Inspectors will make a positive judgement where the YJS actively addresses diversity considerations in its resettlement policy.

#### **d) Does the resettlement policy advocate an approach to personalised support that is constructive, strengths-based and future-focused?**

#### **Guidance:**

A personalised approach is one that considers individual protected characteristics and assessed needs. The approach should be focused on the future and proactively build on a child's strengths. The YJB 2018 publication *How to Make Resettlement Constructive* shows that resettlement support is effective when it helps a child to move from an identity that has allowed offending to one that promotes a constructive future and desistance.

The constructive resettlement framework consists of three key elements to support this identity shift. First, 'constructive casework' includes personal support that explicitly guides the child to explore and develop their identity. Any structural support organised by agencies, like education and training, is then based on routes towards a pro-social identity.

Second, five key characteristics for effective practice are reflected in all resettlement support (known as the 5Cs):

- constructive and strengths-based
- co-created with the child and their supporters
- customised to the child's identity needs, including diversity
- consistent in their focus on identity from the start of the sentence
- coordinated to ensure that all support works towards the same aims.

Third, everyone working with a child should be 'identity-aware'. The approach requires everyone working with the child to be conscious of the messages the child gives us about

the way they see themselves. Equally, practitioners need to be careful that every interaction with the child fosters, rather than undermines, development of a pro-social identity. Further information is available at:

<https://yjresourcehub.uk/custody-and-resettlement/item/610-how-to-make-resettlement-constructive-yjb-document.html>

#### **Evidence:**

- YJS resettlement policy, supported by relevant partnership agreements with partners and providers.

#### **Judgement:**

Inspectors will make a positive judgement where resettlement policy comprehensively and clearly sets out an approach to personalised support that is constructive, strengths-based and future-focused. This must be clear, current, and be reviewed in response to developments in policy and practice. Reviewing should include an assessment of the impact of the policy on children with different protected characteristics.

#### **e) Does the resettlement policy set out the arrangements for access to, and exchange of, the right information to and from partners, providers and other key stakeholders?**

#### **Guidance:**

Access to the right information at the right time is particularly challenging when information is held across custody and community settings and across a range of partners and providers in the community. The research study *An Evaluation of the North West Resettlement Consortium: Final Report* (N Hazel, 2012) shows that effective information exchange with the right partners is key to effective resettlement. Further information [can be found here:](#)

<http://e-space.mmu.ac.uk/617316/1/Evaluation%20of%20the%20North-West%20Resettlement%20Consortium.pdf>

The resettlement policy should set out clear, agreed, comprehensive arrangements for exchanging information, both in a planned way as part of resettlement planning and on a more responsive basis as issues arise. The resettlement policy should set out arrangements both for the exchange of information that is related to individual children and, more broadly, for the provision of services.

The resettlement policy should set out the expectations of YJS staff in managing custodial cases. It should include the expectation that throughout the sentence, YJS case managers must ensure that there is regular communication and exchange of information to support the child and plan for successful resettlement with the:

- secure settings caseworker
- allocated social worker
- parent or carer
- other key professionals.

The policy should set out that any change in circumstances or significant events, especially pertaining to risk of harm to others or the child's safety or wellbeing, must be communicated within the network as soon as is practical.

#### **Evidence:**

- YJS resettlement policy, supported by relevant partnership agreements and/or information exchange agreements with partners and providers.

**Judgement:**

Inspectors will make a positive judgement where the resettlement policy comprehensively and clearly sets out the arrangements for accessing information and the agreements about information exchange. The arrangements and agreements must be clear, current, and be reviewed in response to developments in policy and practice or any issues that arise. Reviewing should include an assessment of the impact of the policy on children with different protected characteristics and personal circumstances.

**f) Does the resettlement policy set out arrangements to ensure that children are kept safe?**

**Guidance:**

The resettlement policy should set out expectations around how the YJS will keep children safe. It should be cross-referenced to the YJS’s safeguarding policy. Expectations of the YJS and partners/providers should cover the period of time when the child is in custody as well as on release into the community. The policy should explain expectations around assessment, planning, delivery and review, and include referral mechanisms to statutory partners such as children’s social care and arrangements with other providers. Roles and accountabilities must be clearly set out.

The resettlement policy should describe how the safeguarding needs of children in custody will be met and the YJS’s role in this, which should be purposeful and proactive. Escalation routes should be set out and clearly explained, and include expectations of the managers who oversee risk management of resettlement cases.

**Evidence:**

- YJS resettlement policy, which should be cross-referenced to the YJS’s safeguarding policy

**Judgement:**

Inspectors will make a positive judgement where the YJS resettlement policy clearly sets out the expectations and role accountabilities of YJS staff and other partners/providers in keeping children safe throughout the custodial and community elements of their sentence.

**g) Does the resettlement policy set out arrangements to ensure the safety of other people?**

**Guidance:**

The resettlement policy should set out how the YJS and its partners will ensure the safety of other people. These should include victims and potential victims, peers, family members, staff or the public. It should cross-reference to the YJS’s risk of harm arrangements. Expectations of the YJS and partners/providers should cover the period of time when the child is in custody as well as on release into the community. The policy should explain expectations around assessment, planning, delivery and review, including arrangements for referring children to statutory partners such as children’s social care and to other providers. Roles and accountabilities must be clearly set out.

The resettlement policy should describe the arrangements to ensure the safety of other people, both in custody and in the community. The YJS’s role in this should be purposeful and proactive. Escalation routes should be set out and clearly explained, and include

expectations of the managers who oversee risk of harm in resettlement cases for risk of harm.

**Evidence:**

- YJS resettlement policy, which should cross-reference to the YJS’s risk of harm policy or equivalent.

**Judgement:**

Inspectors will make a positive judgement where the YJS resettlement policy clearly sets out the expectations and role accountabilities of YJS staff and partners/providers in keeping other people safe throughout the custodial and community elements of their sentence.

**h) Does the resettlement policy address the needs of victims?**

**Guidance:**

The resettlement policy should set out how the YJS will address the needs of victims. It should be cross-referenced to the YJS’s victims’ policy or equivalent. Expectations of the YJS and partners/providers should cover the period of time when the child is in custody as well as on release into the community. The policy should explain expectations around casework, victim contact and partnership working, including how to refer children to statutory partners such as children’s social care and other providers. Roles and accountabilities must be clearly set out.

The resettlement policy should describe the arrangements to meet the needs of victims while the child is in custody and in the community. The YJS’s role in this should be well defined and proportionate. Escalation routes and working arrangements with partners should be set out and clearly explained, as should expectations of managers who oversee work to address the needs of victims.

**Evidence:**

- YJS resettlement policy, which should be cross-referenced to the YJS’s victims’ policy or equivalent.

**Judgement:**

Inspectors will make a positive judgement where the YJS resettlement policy clearly sets out the expectations and role accountabilities of YJS staff and partners/providers in addressing the needs of victims throughout the custodial and community elements of a child’s sentence.

**4.1.2 Does resettlement provision promote a high-quality, constructive and personalised resettlement service for all children?**

**Guidance:**

The inspector will need to make a judgement on the provision and availability of appropriate services and interventions to meet children’s assessed resettlement needs. Case-based inspection evidence is important in reaching a judgement about this question. Provision should be high quality and personalised, and take a constructive approach to resettlement. The YJS’s analysis of, and response to, offending and desistance data, together with safety and wellbeing, risk of harm to others and diversity considerations, should help to inform the inspector’s judgement.

Resettlement provision should take deliberate account of diversity issues, including protected characteristics and personal circumstances. A one-size-fits-all approach to providing resettlement services will not meet the needs of all children. Effective partnership

arrangements are crucial. Resettlement provision should include partners and providers, who should work in line with resettlement policy, as appropriate to their role. Arrangements for the appropriate access to and exchange of information, expertise, resources and knowledge should be effective.

### **Evidence:**

Services and interventions accessible to children being resettled should include, but should not be limited to:

- accommodation
- education, training and employment
- family and relationships (e.g. parenting and family support, domestic abuse, family group conferencing, mentoring)
- groups and gangs
- mental health (CAMHS)
- physical health (e.g. school nurse)
- reparation/community payback
- sexual health
- sexual offences
- social care (child protection/Child in Need/care experienced children/care leavers)
- speech, language and communication needs (SLCN)
- substance misuse
- offending behaviour work, including cognitive behavioural interventions
- victim work (e.g. restorative justice).

### **Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

## **a) Is suitable and timely accommodation provision available for all children leaving custody?**

### **Guidance:**

Arrangements should be in place to meet the accommodation needs of children leaving custody. This is a key aspect of resettlement work; other services cannot be organised until the child has an address to be released to. This will require the YJS to work in partnership with the local authority and other providers, who may be statutory or community and voluntary sector providers. Provision should be available to meet the needs of all children, taking into account any protected characteristics and personal circumstances.

The YJS Management Board should have mechanisms in place to monitor, review and, where needed, improve the identification of accommodation for children. Data should be available to the YJS Management Board, which should analyse this to enable it to review and improve the accommodation for children being resettled. The YJS Management Board should actively promote equality of opportunity and diversity, deliberately addressing diversity factors throughout its work. This should include addressing actual or potential discriminatory factors where they exist. There should be evidence to demonstrate how the YJS Management Board ensures that it is listening and responding to the voice of the child.



In 2009, in what is now known as the Southwark judgment, the House of Lords ruled that the primary responsibility for the accommodation of homeless 16- and 17-year olds rests with children's social care services under the *Children Act 1989*. Before that, many local authorities discharged their duties through housing departments under homelessness legislation. The Southwark judgment clarified the law. Consequently, children's social care services had to meet accommodation costs that they had not recognised previously as their responsibility. The YJS Management Board should be proactive in ensuring that this legal duty is met for children leaving custody.

### **Evidence:**

- information from inspection of resettlement cases
- YJS Management Board minutes, including relevant attendance and participation of statutory and community/voluntary sector partners
- agenda and papers submitted to the most recent YJS Management Board
- the latest available analysis of resettlement accommodation needs and provision
- evidence of how the YJS Management Board, and the YJS, make sure that accommodation services are personalised and suitable for the diversity of the local population
- evidence of partners' stated commitment, for example memoranda of understanding or service level agreements
- current strategy and procedures for seeking and using children's views (including children and victims) to improve resettlement services, with examples of how they have made a difference
- analysis of data on accommodation needs.

### **Judgement:**

Inspectors will make a positive judgement where appropriate accommodation is available for all children leaving custody. The YJS Management Board should take a proactive approach to providing suitable and timely accommodation for children being resettled. Provision should be regularly reviewed, and any shortfalls addressed. Relationships with statutory and community/voluntary sector partners and accommodation providers should be established.

### **b) Is appropriate access to other services, including education, training and employment, and healthcare, available for all children leaving custody?**

#### **Guidance:**

The YJS Management Board should have current, relevant and effective arrangements for resettlement, which are communicated to and understood by statutory and other relevant partners. It should have a clear understanding of the profile of resettlement needs. The YJS should work in partnership with the local authority and providers, who may be statutory or community and voluntary sector providers. The YJS Management Board should support and enable the YJS to deliver a personalised resettlement service to children. It should provide a clear strategic lead, monitoring the access to and quality of resettlement services.

Services should be set up so that they are available to the child **on the day of release** to meet the needs of all children, taking into account any protected characteristics and personal circumstances. The YJS Management Board should actively promote equality of opportunity and diversity, deliberately addressing diversity factors throughout its work, including addressing actual or potential discriminatory factors where they exist. There



should be evidence to demonstrate how the YJS Management Board ensures that it is listening and responding to the voice of the child.

The Management Board should have mechanisms in place to monitor, review and, where needed, improve access to resettlement services. Data should be available to the YJS Management Board, which should analyse this so to enable it to review and improve the accommodation to children being resettled.

Where children are placed in accommodation outside of the YJS being inspected (the 'home' YJS), information exchange with the 'host' or 'caretaking' YJS should be comprehensive. The home YJS should make efforts to ensure that the host YJS has everything it needs to manage the case. It should be clear which YJS is undertaking which activities, such as reviews, breach action and non-compliance panels. The home YJS should coordinate the other agencies involved and ensure that plans are aligned. Practical arrangements should be in place for the day of release, including arrangements for collecting the child from custody.

Arrangements should also include a three-way meeting with the child by way of an introduction.

#### **Evidence:**

- information from inspection of resettlement cases
- YJS Management Board minutes for meetings held within the last 12 months – these could be stand-alone, or incorporated within wider strategic meetings
- agenda and papers submitted to the most recent YJS Management Board
- the latest available analysis of resettlement needs and provision
- evidence of how the YJS Management Board, and the YJS, make sure that services are personalised and suitable for the diversity of the local population
- evidence of partners' stated commitment, for example memoranda of understanding or service level agreements; an example of good practice would be a written YJS partnership agreement with children's social care that sets out how resettlement needs will be met
- current strategy and procedures for seeking and using children's views (including children and victims) to improve resettlement services, with examples of how they have made a difference
- YJS case caretaking policy or equivalent arrangements for transfer.

#### **Judgement:**

Inspectors will make a positive judgement where appropriate, personalised and responsive services are available to all children being resettled.

### **c) Is sufficient attention paid to meeting diversity needs in resettlement provision?**

#### **Guidance:**

YJSs should have plans that set out how the diverse needs of children are to be met, either through inclusion or specialist provision. The range of services provided and commissioned should be appropriate to meet the diversity needs of children, which should be well-considered and integrated in the services that are being delivered. Resettlement services should be reviewed with sufficient frequency to ensure that they are the right ones. Where there is evidence of disproportionality, i.e. the over-representation of any particular group within the criminal justice system, for example black, Asian and minority ethnic children,

LGBT children or children from the travelling community, then additional support should be provided for them.

**Evidence:**

- information from inspection of resettlement cases
- YJS business plan
- diversity and equality plan
- contracts/service level agreements for provision
- data on take-up and usage of services and interventions
- reviews of service provision
- feedback from children and parents or carers about their views on how well their diversity needs have been considered in the services they have received
- inspection of resettlement cases.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS has paid specific attention in its planning, commissioning or contracting for resettlement services to meeting the needs of children with the range of diversity characteristics, taking into account information about any disproportionate over- or under-representation of particular groups of children being resettled in existing services.

**d) Is the approach to resettlement provision evidence-based?**

**Guidance:**

The YJS should have a clear focus on continuous improvement of its resettlement provision. Its evaluation and self-assessment should ensure that it understands and addresses areas for development, and improves the quality of provision. Appropriate action plans should be in place; these should be supported by good evidence and current information, and should be informed by regular review and evaluation to check whether they are achieving their aims. The YJS should use the underlying evidence base from research and effective/promising practice to understand what is likely to work and improve delivery.

The YJS Management Board should have mechanisms in place to monitor, review and, where needed, improve access to resettlement services. Data should be available to the YJS Management Board, which should analyse this to enable it to review and improve resettlement provision based on what the evidence says. There should be processes in place to enable the YJS to learn from things that do not go well in resettlement provision.

The views of the children, their parents or carers and other key stakeholders should be sought, analysed and used to review and improve resettlement provision. The YJS should collect and use diversity information to drive improvements in provision. Where necessary, action should be taken promptly and appropriately in response to audit or inspection. Learning from reviews, audit and inspection should be communicated effectively to staff and partners as appropriate to help integrate an evidence-based approach.

**Evidence:**

Evidence includes research and inspection evidence, as well as evidence from the YJS's own review of service delivery.

- information from inspection of resettlement cases

- resettlement action plans with examples of how they are driving improvement
- resettlement monitoring reports and reviews, service-wide and/or of individual cases
- evidence of the extent to which service action plans are informed by the underlying evidence base from research and effective/promising practice in resettlement.

### **Judgement:**

A positive judgement requires the YJS Management Board to understand what the evidence is saying about effective approaches to resettlement and how the YJS's resettlement provision matches up to that.

### **e) Are staff specifically trained to assess, identify, plan for and respond to each child's resettlement needs?**

#### **Guidance:**

Principles of effective case management apply to resettlement work in the same way that they apply to cases in the community. The resettlement landscape is complicated by difficulties such as access, geography and the involvement of many different partner agencies. Added to this, children in custody often have particularly complex needs.

All staff involved in resettlement work should have training in the core principles of effective resettlement work. YJS staff who work with children in custody should be trained in generic case management, meaning that they can assess, plan, deliver and review services, while managing risk and safeguarding issues effectively and engaging meaningfully with children. For some YJSs, the numbers of children in custody at any one time are very small, which can mean that practitioners are not working with children being resettled on a frequent or even regular basis. This may mean that staff need extra space and support to work with these children, regular training, and updates about what services are available and how to access them.

YJS staff need to be clear about their role expectations in managing custodial cases. They should be clear and confident in ensuring that there is regular communication and exchange of information to support the child and plan for successful resettlement with the:

- secure settings caseworker
- allocated social worker
- parent or carer
- other key professionals.

The YJS should identify and plan for the learning needs of all staff working with children being resettled. This includes case management training but also specialist training in how to deliver a quality resettlement service. Training should include how to address structural barriers to effective resettlement and how to work in a constructive pro-social way with children. This could include training in how to access information or services that the YJS provides for children much less frequently than in community cases, or how to advocate for the needs and rights of a child in a secure establishment.

YJS staff should actively address any needs resulting from protected characteristics or personal circumstances in considering children's accommodation. They should ensure that sentence planning focuses not only on the period in custody but also on the whole sentence, looking ahead right from the start at arrangements for accommodation on release.

YJS staff should be knowledgeable about the accommodation options available for a child on their release and be proactive in accessing placements. Training should be provided to staff to ensure that they have the skills to assess accommodation needs and to access placements. Staff should be aware of what provision is available and the types of needs that the provision is able to meet. Discussion with the child about accommodation options is important and staff should be confident in having these discussions to ensure that the child is placed in the most appropriate accommodation.

Effective supervision should take place for all staff and volunteers working with children being resettled. Managers should recognise that working with difficult and serious cases, and cases where there are significant wellbeing concerns, is emotionally demanding and that appropriate support is necessary if staff are to continue to deliver high-quality work.

The appraisal process should be used effectively to ensure that staff are competent to deliver a high-quality resettlement service. Appraisals should pay sufficient attention to identifying and addressing poor performance.

#### **Evidence:**

- interviews with staff in resettlement cases
- YJS staff team meetings
- training records
- discussions with staff
- discussion with managers
- staff supervision records
- training records, staff interviews and from evidence provided in advance.

#### **Judgement:**

Inspectors will make a positive judgement where staff are trained to confidently assess all resettlement needs and have the skills and support to access services from a variety of providers.

### **f) Does resettlement provision pay sufficient attention to keeping children safe?**

#### **Guidance:**

The YJS should be proactive in keeping children safe during both the custodial and community elements of their sentence. There should be regular communication between the YJS and the secure estate. This should not be limited to planned communication as part of sentence planning arrangements; there should also be an active dialogue with the keyworker in custody. The YJS should be aware when there are incidents, concerns or changes that may impact on safety and wellbeing and should work with the child, as well as relevant partners and providers, to address these.

Safety and wellbeing are central to effective resettlement provision throughout the sentence, including at the point of release from custody and transition into the community. A personalised, responsive approach to meeting safety and wellbeing needs should be evidenced. Where there is a concern that issues in partnership working are hindering or delaying work to meet the child's needs, this should be raised immediately and action taken to resolve the problems. If this is not successful, the issue should be escalated in line with the YJB guidance *Custody and resettlement: section 7 case management guidance*. Full information can be found here: <https://www.gov.uk/government/publications/custody-and-resettlement/custody-and-resettlement-section-7-case-management-guidance>

YJS case managers should be clear about how the safety and wellbeing needs of children they are working with are being met. This should include any relevant diversity factors. There should be effective management oversight of resettlement cases that includes a purposeful focus on safety and wellbeing in individual cases.

**Evidence:**

- information from inspection of resettlement cases
- staff supervision records
- escalation processes
- minutes of multi-agency meetings.

**Judgement:**

inspectors will make a positive judgement where the YJS takes a proactive approach in individual resettlement cases to ensure that safety and wellbeing needs are actively met. This should be supported by effective management oversight and clear, accessible escalation routes for staff.

**g) Does resettlement provision pay sufficient attention to keeping other people safe?**

**Guidance:**

The YJS should be proactive in keeping other people safe during both the custodial and community elements of a child's sentence. This should include victims and potential victims, peers, family members, staff or the public. There should be appropriate communication between the YJS, secure estate and other partners, such as the police, where relevant. This should not be limited only to planned communication as part of sentence planning arrangements, but there should also be a more active dialogue with relevant agencies. The YJS should be aware when there are incidents, concerns or changes that may impact on keeping other people safe and should work with the child, as well as relevant partners and providers, to address these.

Factors related to keeping other people safe are likely to change at the point where the child is released from custody and transitions to living in the community. A personalised, responsive approach to managing risk and keeping other people safe should be evidenced. Where there is a concern that issues in partnership working are hindering or delaying work to meet the child's needs, this should be raised immediately and action taken to resolve the problems. If this is not successful, the issue should be escalated in line with the YJB guidance *Custody and resettlement: section 7 case management guidance*. Full information can be found here: <https://www.gov.uk/government/publications/custody-and-resettlement/custody-and-resettlement-section-7-case-management-guidance>

As part of effective case management, YJS case managers should carry out assessments, plans, interventions and reviews that include actively considering how to keep other people safe. Any relevant diversity factors should be included. Managers should oversee resettlement cases effectively, which includes a purposeful focus on keeping other people safe. Referral mechanisms and partnership approaches should be evidenced, with joint work undertaken where appropriate. If a child meets the eligibility criteria for MAPPA, the YJS must refer them to MAPPA in their home area six months before the earliest possible release date, with the required management level.

**Evidence:**

- information from inspection of resettlement cases

- staff supervision records
- escalation processes
- minutes of multi-agency meetings
- pre-release meetings
- YJS risk management meetings
- MAPPA, and any other interventions such as restorative justice/shuttle mediation/reparation.

**Judgement:**

Inspectors will make a positive judgement where the YJS takes a proactive approach in individual resettlement cases to ensuring that the safety of others is being addressed and needs are being met. This should be supported by effective management oversight and clear, accessible escalation routes for staff.

**h) Does resettlement provision address the needs of victims?**

**Guidance:**

YJS staff should be clear what is expected of them in terms of contact with victims and partnership working. The YJS’s role in this should be well defined and proportionate. Staff should use escalation routes and partnership working arrangements, where appropriate. Managers overseeing the work should consider of the needs of victims and ensure that these have been met.

Where relevant, there should be an exchange of information between the victim liaison officer/YJS victim worker and the child’s YJS case manager to ensure that the wishes of the victim/s are incorporated into relevant documents and licences. Many of the duties carried out by victim liaison officers depend on cooperation and communication with the YJS case manager, particularly those that involve communicating information about the child’s sentence to the victim. This is a two-way process of communication. Timely and clear information exchange between the victim liaison officer/YJS victim officer and the victim requires good support. This is particularly necessary given the often emotionally demanding and stressful nature of this work.

**Evidence:**

- evidence from inspected resettlement cases
- staff supervision records
- escalation processes
- minutes of multi-agency meetings.

**Judgement:**

Inspectors will make a positive judgement where the YJS takes a proactive approach in individual resettlement cases to ensure that the needs of victims are being addressed. This should be supported by effective management oversight and clear, accessible escalation routes for staff.

**4.1.3 Are resettlement policy and provision regularly assessed and updated to ensure effectiveness and maintain alignment with the evidence base?**

**Guidance:**

Resettlement policy and provision should be fit for purpose and meet children's needs. The YJS should review resettlement policy and provision at appropriate intervals to ensure that they are updated in line with the developing evidence base. Reviews should take account of changes in any national standards or guidance and developments in effective practice, and should consider the views of children and key stakeholders. When resettlement policy and provision are reviewed, this should include an assessment of the impact on children with protected characteristics and personal circumstances. This is a part of complying with the general equality duty. YJSs must have sufficient information to enable them to evaluate any impact effectively.

**Judgement:**

Lead inspectors should consider the extent to which delivery is above and below the line of sufficiency for each prompt, and whether those aspects that are considered to be above the line outweigh those that are not. Where on balance the areas above the line outweigh those that are below, the inspector should consider a 'yes' judgement to the key question. One or more areas that are considered below the line may be of such importance that they preclude a judgement of 'yes'.

**a) Are resettlement policy and provision regularly evaluated and reviewed?**

**Guidance:**

Resettlement policy and provision should be fit for purpose and meet children's needs. The YJS should review them routinely, taking a consistent approach. Reviews should be carried out at appropriate intervals to ensure that policy and provision are updated in line with the developing evidence base. Reviews should take account of learning from individual cases and developments in effective practice. Where appropriate, they should consider the views of children and key stakeholders. Reviews should assess the impact of processes on children with different protected characteristics to ascertain whether resettlement policy and provision meets diversity needs and minimises disadvantages. This is a part of complying with the general equality duty. YJSs must use sufficient information to enable them to evaluate any impact effectively.

Resettlement policy and provision should be informed by regular and routine monitoring to check that they are meeting their aims, and by evidence from research about what is likely to work and improve delivery. This should include examining process improvements to identify whether they are achieving what was intended, and gathering feedback from stakeholders on how they are working in practice.

Monitoring, evaluation and review should be aligned with the evidence base, both building on existing research and contributing to it. Where appropriate, YJSS should consider external monitoring to improve the integrity of the process. They should consider opportunities to engage researchers, or work collaboratively with similar organisations undertaking a similar improvement process, to benchmark progress and maximise learning.

**Evidence:**

- YJS resettlement policy and related policies and guidance to identify whether they are still relevant and up to date
- YJSs may have a schedule of regular reviews available
- discussions with managers and staff, who should be clear about which are the most recent documents and where they can be found

**Judgement:**



Inspectors will make a positive judgement where there is evidence that the resettlement policy is current and is reviewed in response to developments in policy and practice. Resettlement provision should be evaluated and reviewed.

**b) Does evaluation include the use of data and is it informed by necessary input from other agencies involved in delivering elements of resettlement?**

**Guidance:**

Robust evaluation and data-based quality assurance are an intrinsic part of service delivery and involves deliberate and careful analysis of diversity factors. They should involve resettlement partners and other providers where appropriate, with a focus upon identifying good practice and aspects for improvement.

The YJS should use the data that it collects not just to identify, mitigate or remove poor resettlement practice but also to identify ways to advance equality of opportunity. Driving improvement across resettlement provision will likely involve partners and providers external to the YJS, so any learning and action taken should be disseminated through appropriate structures internally and externally. Learning could be communicated internally, externally and between partners and providers.

Collaboration with other providers, agencies and the local community is integral to how resettlement services are planned and ensures that services meet children's needs and allow for appropriate innovation.

**Evidence:**

- data analysis
- staff meetings, quality improvement fora and individual staff supervision
- YJS Management Board meetings
- strategic resettlement meetings with partners
- operational resettlement meetings with partners
- newsletters/bulletins.

**Judgement:**

Inspectors will make a positive judgement where the YJS defines the data set that it will use, how frequently it will collect data, and the period the data will cover. YJSs with frequent resettlement work could analyse data on a quarterly or half-yearly basis. For YJSs with few cases, a review may take place after each episode of custody.

**c) Does evaluation include active consideration of diversity issues?**

**Guidance:**

Evaluation of resettlement policy and provision should include an assessment of the impact on children with different protected characteristics to ascertain whether resettlement policy and provision meets diversity needs and minimises disadvantages. This is a part of complying with the general public sector equality duty set out in the *Equality Act 2010*. Full information can be found here <https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty>.

When evaluating resettlement policy and provision, the YJS should consider diversity and equality. It should use the diversity information that it collects not just to identify, mitigate or remove poor practice, but also to identify ways to advance equality of opportunity.



If a YJS does not have diversity and equality information about the children being resettled, it should be working to fill the information gaps. This could mean undertaking short surveys, or some engagement work.

**Evidence:**

- evaluation of resettlement policy
- evaluation of resettlement provision
- engagement activities
- children's surveys
- staff surveys
- complaints records and responses
- results of engagement activities or surveys
- information from the public and from voluntary organisations to help the YJS to understand the needs or experiences of children with different protected characteristics.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that diversity issues are an intentional and integral part of the review of resettlement policy and provision. Evaluation should seek to explain the reasons for any inequality of service and set out to reform this where possible.

**d) Do evaluation and review identify and respond to changes in the resettlement evidence base?**

**Guidance:**

The YJS should have a clear focus on the continuous improvement of its resettlement, based on evaluation and review. This evaluation and review should result in multi-agency action plans supported by good evidence and current information. In undertaking review and developing action plans for resettlement, the YJS should take account of the research and inspection evidence base alongside its own case- and service-specific data and information. This should include being informed by the underlying evidence base from effective/promising practice about what is likely to work and improve delivery.

**Evidence:**

- service action plans, with examples of how they are driving improvement
- monitoring reports and reviews
- evidence of the extent to which service action plans are informed by the underlying evidence base from research and effective/promising practice.

**Judgement:**

Inspectors will make a positive judgement where there is evidence of active evaluation and review that draw on research and inspection evidence bases alongside the YJS's own case and service data and information.

### **e) Do evaluation and review lead to the necessary adjustments to resettlement policy and provision?**

#### **Guidance:**

For resettlement improvement plans to be effective, they must be informed by regular and routine monitoring to check whether they are achieving their aims. They should also be informed by evidence from research about what is likely to work and improve delivery. We are looking for adjustments to the policy in line with findings from evaluation and review, including examples of innovation and effective practice.

Monitoring should include examining resettlement improvement processes to identify whether they are achieving what was intended, and gathering feedback from stakeholders on how they are working in practice. Improvement plans should be routinely monitored by somebody responsible for managing the relevant process, reporting under an appropriate governance arrangement such as the YJS Management Board, as well as any separate resettlement governance arrangements such as a resettlement consortium steering group.

Adjustments to policy and provision should be aligned with the resettlement evidence base, both building on existing research and contributing to it. Where appropriate, YJSs should consider external monitoring to improve the integrity of the process. They should consider opportunities to engage researchers or work collaboratively with other YJSs, partners or providers undertaking a similar improvement process, to benchmark progress and maximise learning.

#### **Evidence:**

- resettlement improvement plans and monitoring reports, and evidence of the extent to which they are informed by or contribute to research and collaborative activity
- discussion with those involved with leading or contributing to the improvement plans
- YJS Management Board minutes
- staff and manager discussions.

#### **Judgement:**

Inspectors will make a positive judgement where there is evidence of resettlement improvement planning in place that builds on an evidence base. There should also be evidence of monitoring taking place to ascertain whether the improvement planning is achieving the intended objectives.

### **f) Are children and their parents or carers meaningfully involved in the evaluation and review of resettlement policy and provision?**

#### **Guidance:**

The YJS should have a sound approach to the consultation and involvement of children, their parents or carers and other key stakeholders in resettlement. This process should contribute to improving resettlement services. The YJS may seek views in a variety of ways, including surveys, questionnaires and individual discussions. Approaches such as workshops, focus groups and child fora can provide a more in-depth understanding of children's needs, including where there are gaps, where needs are being met effectively, and how services should change to better address these needs. The analysis of these views should reflect the different experiences of a range of children, so that their needs and issues are better understood. The views of children, their parents or carers and other key stakeholders should

be fed into resettlement service reviews, and their representatives may be included directly in the groups conducting these reviews.

**Evidence:**

- child consultation and involvement strategies
- analysis of responses to consultations and surveys
- minutes of child fora and actions following
- discussion with representatives of children, their parents or carers and other key stakeholders
- examples of where child consultation has led to specific improvements, changes in service delivery or activity.

**Judgement:**

Inspectors will make a positive judgement where there is evidence that the YJS has developed a sound approach to consultation on resettlement with children and their parents or carers, along with other key stakeholders. This should include custody and community elements. Where views have been analysed, there should be evidence that this has led to specific, identifiable improvements in services.

# Rating characteristics

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## Introduction

Rating characteristics illustrate ratings across the four domain one standards (1.1, 1.2, 1.3 and 1.4), the out-of-court policy and provision standard (3.4) and the resettlement standard (4.1). in YJS inspections. Rating characteristics apply only to these standards as this is where we use qualitative evidence as the basis for our judgements. Rating characteristics are not needed for standards where we use case data to make our judgements as ratings for these standards are determined by data-based ratings' rules. The rating characteristics are not intended to be an exhaustive list, a checklist or to repeat the basis on which lead inspectors make their decisions – this is the role of the questions and prompts. Nor is it expected that every characteristic must be present for the corresponding rating to be given. Instead by highlighting some of the key characteristics for each rating the characteristics should aid fair, transparent and consistent decision-making. For ease of reference, key elements of the characteristics are also presented in table format.

## Definitions

In describing some of the things that we expect to see for each rating level the rating characteristics outline what an 'Outstanding'/'Good'/'Requires improvement'/'Inadequate' service looks like and how this links to domains two and three. Where the terms *large majority/reasonable majority/too few/minority* are used, the following percentage boundaries apply:

Large majority = over 80 per cent

Reasonable majority = 65-79 per cent

Too few = 50-64 per cent

Minority = less than 50 per cent.

## 1.1 Governance and leadership

**The governance and leadership of the YJS supports and promotes the delivery of a high-quality, personalised and responsive service for all children.**

### Outstanding

*The governance and leadership of the YJS fully supports and promotes the delivery of a high-quality, personalised and responsive service for all children.*

**DECISION RULE- An 'Outstanding' rating requires that all domain two and three ratings are 'Good' or 'Outstanding' and that judgements against the qualitative key questions and prompts are 'Outstanding' as assessed against the domain one Rules and Guidance.**

Significant evidence of effective **delivery** against the vision and strategy can be seen. Domain two and three data confirms the significant positive impact of governance and leadership in fully supporting and promoting effective delivery.

The vision and strategy take an intentional, deliberate approach to meeting diverse needs in line with the spirit of the public sector equality duty. The vision and strategy are effectively

communicated to staff, partners and other stakeholders. There is an effective governance framework and clear delivery plans that are responsive to diverse needs. These are supported by productive relationships with statutory and non-statutory partners, and there is evidence that this translates the vision and strategy into practice. The benefits of the approach are seen in practice with domain two and three cases reflecting that diverse needs are appropriately met in a significant majority of cases.

The YJS's culture is one of involvement, transparency, ownership, empowerment and improvement, with leaders listening to staff and explaining their decisions and staff feeling empowered to identify ways to improve how they do their job. Staff survey engagement scores and confidence in leaders are high. Staff morale is strong, and a significant majority of staff report positive views about the quality of leadership in the YJS and way the service is led.

The Chair of the YJS Management Board is very well engaged, with a strong and detailed understanding of the YJS's work. Other members are active in their attendance, recognising the contributions their respective agencies make. Board members strongly advocate for the work of the YJS in their broader roles. They take a child-centred approach, give priority to work to support desistance and prevent harm, support integration with wider services and treat issues of diversity as an integral part of their work.

Staff understand their roles and responsibilities within the partnership arrangements, and what they are accountable for. Partnership arrangements are fully collaborative and outward-looking, maximising the benefits for children through the appropriate exchange of expertise, resources and knowledge. The YJS is represented at the meetings of all relevant strategic groups. Representation is consistent and those attending meetings have appropriate decision-making authority. There is strong collaboration and support and clear lines of accountability.

A range of effective learning and collaboration networks are in place, identifying opportunities for creativity, innovation and improvement. Evidence-informed innovation is celebrated and championed. A collaborative and outward-looking approach is taken to working with partners and service providers, demonstrating benefits for children through the appropriate exchange of expertise, resources and knowledge. These benefits are consistent with domain two and three data demonstrating this approach in a significant majority of cases.

There is strong evidence of the YJS anticipating risks, with their mitigations and controls proven to be fully effective. Contingency arrangements for service delivery in emergencies consistently support and promote high-quality, personalised and responsive services. The impact on safety and security is assessed when carrying out changes to systems, processes or staffing, and appropriate arrangements are in place to ensure business continuity in the event of major incidents.

Staff at all levels are actively encouraged to raise concerns and there is support for those that do. There is clear and regular two-way communication, with leaders having a strong track record of listening to staff concerns and acting on them in a timely, responsive manner. Where changes are required, they are communicated in a timely and transparent way across the YJS, with a clear proactive approach to embedding and monitoring new ways of working. It is clear that staff work effectively together in delivering the service, with strong collaboration and support, clear lines of accountability and the avoidance of duplication. There is a common focus on and strong evidence of improving the quality of delivery through child centred practice. Domain two and three findings reflect this approach in a significant majority of cases.

## Good

*The governance and leadership of the YJS sufficiently supports and promotes the delivery of a high-quality, personalised and responsive service for all children.*

**DECISION GUIDANCE- A 'Good' rating requires that a reasonable majority of domain two and three ratings are 'Good' or 'Outstanding' with no 'Inadequate' ratings and that judgements against the qualitative key questions and prompts are 'Good' as assessed against the domain one Rules and Guidance.**

Evidence of effective **delivery** can be seen in most areas of the vision and strategy. Domain two and three data confirms the positive impact of governance and leadership in supporting and promoting effective delivery.

The vision and strategy take a positive approach to meeting diverse needs in line with the spirit of the public sector equality duty. The vision and strategy are communicated to staff, partners, suppliers and other stakeholders. The governance framework and delivery plans are responsive to diverse needs. These are supported by good relationships with statutory and non-statutory partners, and there is some evidence that this translates the vision and strategy into practice. The benefits of the approach are seen in practice with domain two and three cases reflecting that diverse needs are appropriately met in a reasonable majority of cases.

Leaders listen to staff and explain their decisions and staff feel empowered to identify ways to improve how they do their job. Staff survey engagement scores and confidence in leaders are sufficient. Staff morale is good, and staff generally report positive views about the quality of leadership in the YJS and way the service is being led.

The Chair of the YJS Management Board is well engaged, with a detailed understanding of the YJS's work. Other members are usually active in their attendance, recognising the contributions their respective agencies make. Most YJS Management Board members advocate for the work of the YJS in their broader roles. They take a child-centred approach, give priority to work to support desistance and prevent harm, support integration with wider services and consider issues of diversity work. Most staff understand their roles and responsibilities within the partnership arrangements, and what they are accountable for. Partnership arrangements are sufficiently collaborative and outward-looking. The YJS is represented at the meetings of some relevant strategic groups. Representation is consistent and those attending meetings usually have appropriate decision-making authority. It is clear how all staff are to work together within the partnership arrangements.

There are learning and collaboration networks in place. A collaborative and outward-looking approach is taken to working with some partners and service providers, and this is demonstrated in practice in a reasonable majority of cases by domain two and three data.

The YJS leadership team provides a good link to the YJS Management Board and delivers the vision and strategy. The team communicates the vision and strategy to staff and stakeholders, and promotes openness, constructive challenge and ideas. Risks to the service are generally understood by the team, with appropriate mitigations and controls in place.

The YJS is represented on some of the relevant strategic groups, representation is consistent and those attending demonstrate appropriate decision-making authority.

There is evidence of the YJS anticipating risks, with mitigations and controls proven to be effective. Contingency arrangements for service delivery in emergencies support and promote high-quality, personalised and responsive services. Appropriate arrangements are in place to ensure business continuity in the event of major incidents.

There is usually support for staff that raise concerns. There is two-way communication, with leaders listening to staff concerns and acting on them. Where changes are required, they are communicated sufficiently across the PDU. Staff work well together in delivering the service. There is a common focus on improving the quality of delivery through child centred practice. Domain two and three findings reflect this approach in a reasonable majority of cases.

### Requires improvement

*The governance and leadership of the YJS insufficiently supports and promotes the delivery of a high-quality, personalised and responsive service for all children.*

**DECISION GUIDANCE- A 'Requires improvement' rating is *usually* consistent with a) fewer than half 'Good' or 'Outstanding' domain two and three ratings and typically a reasonable majority of the remainder being 'Requires Improvement' rather than 'Inadequate' and b) judgements against the qualitative key questions and prompts are 'Requires Improvement' as assessed against the domain one Rules and Guidance.**

The vision and strategy do not address how the YJS will meet diverse needs in line with the spirit of the public sector equality duty. The vision and strategy are not effectively communicated to staff, partners, suppliers or other stakeholders. The governance framework is not fully effective and delivery plans are insufficiently responsive to diverse needs. Relationships with statutory and non-statutory partners are not always effective and there is evidence that this impacts on the delivery of the vision and strategy. Domain two and three cases reflect that diverse needs are met in too few cases.

Staff at all levels are not actively encouraged to raise concerns and there is limited support for those who do. Communication between leaders and staff is inconsistent with a limited track record of leaders listening to staff concerns and acting on them. Where changes are required, they are not always communicated well enough and new ways of working are not routinely monitored. Staff do not work collaboratively as a matter of routine, with muddled lines of accountability and some duplication of effort. Domain two and three findings show collaboration in too few cases. Staff survey engagement scores and confidence in leaders are low. There is very low staff morale and staff report negative views about the quality of leadership in the YJS.

The Chair of the YJS Management Board is not consistently engaged and has some gaps in their understanding of the YJS's work. Not all of the other members are active in their attendance. Not all YJS Management Board members consistently advocate the work of the YJS in their broader roles, and not all relevant local strategic partnerships give priority to work to support desistance and prevent harm, hindering the meeting of diverse needs and integration with wider services for children. Staff do not all understand their roles and responsibilities within the partnership arrangements, and what they are accountable for.

The YJS takes a child centred approach or works to support desistance and prevent harm in too few cases. Issues of diversity are not treated as a fully integral part of the YJS's work. Staff do not fully understand their roles and responsibilities within the partnership arrangements, and what they are accountable for. Partnership arrangements are insufficiently collaborative or outward-looking.

There are limited learning and collaboration networks in place, meaning that opportunities for creativity, innovation and improvement are infrequent. A collaborative and outward-looking approach is taken to working with partners and service providers in too few cases, and this is demonstrated by domain two and three data.



## Inadequate

*The governance and leadership of the YJS does not sufficiently support and promote the delivery of a high-quality, personalised and responsive service for all children.*

**DECISION GUIDANCE- An 'Inadequate' rating is usually consistent with a) less than half of domain two and three ratings being 'Good' or 'Outstanding' and more than half of the remaining ratings being 'Inadequate' and b) judgements against the qualitative key questions and prompts are 'Inadequate' as assessed against the domain one Rules and Guidance.**

The vision and strategy do not address how the YJS will meet diverse needs in line with the spirit of the public sector equality duty. The vision and strategy are not communicated to staff, partners, suppliers or other stakeholders. The governance framework is ineffective and delivery plans fail to include diverse needs. Relationships with statutory and non-statutory partners are ineffective and this significantly impacts on the delivery of the vision and strategy. Domain two and three cases reflect that diverse needs are met in none or in only a minority of cases.

Staff are not encouraged to raise concerns and there is no support for those who do. Communication between leaders and staff is poor with no track record of leaders listening to staff concerns and acting on them. Where changes are required, they are not communicated, and new ways of working are not monitored. Staff do not work collaboratively, with muddled lines of accountability and duplication of effort. Collaboration in domain two and three cases is seen in none or in only a minority of cases. Staff survey engagement scores and confidence in leaders are poor. There is low staff morale and widespread negative views about the quality of leadership in the YJS.

The Chair of the YJS Management Board is not engaged and does not sufficiently understand the YJS's work. Members are not active in their attendance. YJS Management Board members do not advocate the work of the YJS in their broader roles, and relevant local strategic partnerships do not give priority to work to support desistance and prevent harm. This hinders the meeting of diverse needs and integration with wider services for children.

The YJS does not take a child centred approach or work to support desistance and prevent harm. Diversity needs are neither considered nor met. Partnership arrangements are neither collaborative nor outward-looking. Staff do not understand their roles and responsibilities within the partnership arrangements, or what they are accountable for.

There are no learning and collaboration networks in place, and no opportunities for creativity, innovation and improvement are limited. A collaborative and outward-looking approach is taken to working with partners and service providers in no or only a minority of cases and this is demonstrated in practice by domain two and three data.

The YJS leadership team does not provide an effective link to the YJS Management Board. The team does not communicate the vision and strategy to staff and stakeholders, limiting openness, constructive challenge and ideas. Risks to the service are not understood by the leadership team, and there are significant gaps in the mitigations and controls in place.

Leaders neither listen to staff concerns nor act on them in a timely, responsive manner. Where changes are required, they are not communicated well enough meaning that new ways of working are not always effectively embedded. There is no focus on or evidence of improving the quality of delivery. Domain two and three findings reflect this in a significant majority of cases.

## 1.2 Staff

**Staff within the YJS are empowered to deliver a high-quality, personalised and responsive service for all children.**

### Outstanding

*Staff within the YJS are fully empowered to deliver a high-quality, personalised and responsive service for all children.*

The staffing structure and levels are proactively monitored and reviewed, optimising the ability of the workforce to deliver a fully effective service. The YJS focuses on current and likely future demands, which is reflected in the approach to recruitment, mobility and the strategy for covering staff absences. Managers carry out regular and holistic reviews of individual workloads, and account for the differing demands of individual cases. The YJS is proactive in recruiting and retaining a diverse workforce that reflects the local population.

The workforce has the full range of skills, knowledge and experience to deliver a high-quality service and to establish trusting, supportive, challenging and meaningful relationships with children. The use of both internal and external resources, including volunteers and mentors, is impressive, and there is a focus on the maximum benefit for each child. The YJS ensures that staff have the necessary skills and knowledge for any specialist roles, and that they are equipped to move into new roles as the YJS may require. There are high levels of staff satisfaction and motivation. Staff feel proud of the YJS as a place to work and are committed to its future success and highly motivated to deliver positive outcomes for children.

Staff clearly understand what they need to do to improve the quality of their work. Giving and seeking timely feedback, engaging in performance discussions, and coaching are a core part of the day-to-day running of the YJS. Managers are approachable and available when needed and meet regularly with their staff. They provide sound professional guidance, challenge, encouragement and motivation, and thoughtful, honest and constructive feedback on performance. They pay excellent attention to personal and career development, take account of individual staff needs and support staff to achieve their goals to staff concerns.

Continuous learning is embedded within the culture of the YJS. Managers empower staff to build on their strengths and address behaviours that are getting in the way of improved performance and all staff feel deeply involved in their own professional development. Staff are encouraged and proactively supported to undertake self-evaluation, reflect on and debate their practice, acquire new skills and disseminate best practice, creating an open dialogue throughout the YJS.

New staff benefit from highly effective induction, which includes the importance of adapting work to meet the needs of children and respecting and valuing diversity. There is a comprehensive training plan that prepares staff to work with a diverse range of children, taking account of their distinctive needs. There is equality of access to training, with appropriate flexibility and the use of innovative solutions to meet learning and development needs. Internal and external secondments for staff development are actively supported.

### Good

*Staff within the YJS are sufficiently empowered to deliver a high-quality, personalised and responsive service for all children.*

The staffing structure and levels are monitored and reviewed, enabling the workforce to deliver a sufficient service. The YJS focuses on current and likely future demands, which is reflected in its approach to recruitment, mobility and the strategy for covering staff absences. Managers carry out reviews of individual workloads, and account for the differing demands of individual cases. The YJS has recruited and retains a diverse workforce.

The workforce has most of the range of skills, knowledge and experience needed to deliver a high-quality service and to establish trusting, supportive, challenging and meaningful relationships with children. The YJS ensures that most staff have the necessary skills and knowledge for any specialist roles, and that they are equipped to move into new roles as the YJS may require. The workforce reflects the diversity of the local population. There are sufficient levels of staff satisfaction and motivation. Staff clearly understand what they need to do to improve the quality of their work.

Giving and seeking timely feedback, engaging in performance discussions, and coaching all feature in the day-to-day running of the YJS. Managers are approachable and available when needed and meet regularly with their staff. They provide professional guidance, challenge, encouragement and motivation, and feedback on performance. Individual staff needs are considered, and staff are usually supported to achieve their goals.

There is a culture of learning in the YJS. Managers encourage staff to build on their strengths and address behaviours that are getting in the way of improved performance. Staff feel involved in their own professional development. Staff are encouraged and supported to reflect on and debate their practice, acquire new skills and disseminate best practice.

New staff benefit from effective induction, which includes the importance of adapting work to meet the needs of children and respecting and valuing diversity. There is a training plan that prepares staff to work with a diverse range of children, taking account of their distinctive needs. There is equality of access to training, with appropriate flexibility and the use of innovative solutions to meet learning and development needs. There are examples of internal and external secondments for staff development being supported.

### **Requires improvement**

*Staff within the YJS are insufficiently empowered to deliver a high-quality, personalised and responsive service for all children.*

The staffing structure and levels are not effectively monitored or reviewed, which prevents the workforce from delivering a fully effective service. The YJS does not focus sufficiently on current and likely future demands, in its approach to recruitment, mobility and the strategy for covering staff absences. Managers do not regularly review individual workloads, and do not account for the differing demands of individual cases. The YJS has not recruited a diverse workforce that reflects the local population.

The workforce has an insufficient range of skills, knowledge and experience needed to deliver a high-quality service and to establish trusting, supportive, challenging and meaningful relationships with children. Not all staff have the necessary skills and knowledge for their specialist roles, and they are not well equipped to move into new roles as the YJS may require. Levels of staff satisfaction and motivation are low.

The majority of staff lack sufficient motivation to deliver positive outcomes for children. Timely feedback is not always provided to staff and performance discussions are not embedded in the YJS. Managers are not always approachable or available and do not meet regularly enough with their staff. Managers do not consistently take account of individual staff needs and staff do not always understand what they need to do to improve the quality of their work. Staff are not sufficiently supported.

The culture of the YJS does not actively encourage learning and development. Managers do not sufficiently encourage staff to build on their strengths. Staff do not feel involved enough in their own professional development. Staff are insufficiently supported to reflect on and debate their practice, acquire new skills and disseminate effective practice.

Induction for new staff is limited, insufficiently addressing the importance of adapting work to meet the needs of children and respecting and valuing diversity. A learning culture is not encouraged. The training plan does not prepare staff well enough to work with a diverse range of children. Access to training is sporadic, with limited flexibility to meet learning and development needs. Equality of access to training is not assured and internal and external secondments for staff development are not often supported.

### **Inadequate**

*Staff within the YJS are not empowered to deliver a high-quality, personalised and responsive service for all children.*

The staffing structure and levels are not monitored or reviewed, which prevents the workforce from delivering an effective service. The YJS does not focus on current and likely future demands, in its approach to recruitment, mobility and the strategy for covering staff absences. Managers do not review individual workloads, and do not account for the differing demands of individual cases. The YJS does not have a diverse workforce that reflects the local population.

The workforce has an insufficient range of skills, knowledge and experience needed to deliver a high-quality service and to establish trusting, supportive, challenging and meaningful relationships with children. Staff do not have the necessary skills and knowledge for their specialist roles, and they are not equipped to move into new roles as the YJS may require. There are substantial and frequent staff shortages that impact on the quality of the service and the ability of the YJS to deliver its strategy. There are high levels of stress, work overload and blame. Staffing levels are not actively monitored and reviewed, and there is no workforce planning meaning that the YJS cannot meet current and likely future demands.

The mix of internal and external resources, including volunteers and mentors, is not being managed, and fails to deliver benefits for children. Many cases are allocated to staff who are insufficiently qualified and/or experienced. There are low levels of staff satisfaction, motivation and resilience. There is no use of reward and recognition and staff are not supported in their development.

The culture is one in which staff are not equipped to fulfil their responsibilities or held accountable for their work. Meetings with staff are irregular, and there is no

quality supervision, guidance, challenge and support. Managers do not provide feedback on good practice or to tackle poor practice. The induction programme for new staff is deficient. No attention is paid to achieving a diverse staff group.

The YJS does not have a training plan that ensures equality of access to training, and staff have not developed the knowledge, skills and experience to enable them to deliver a high-quality service. There is no evidence of learning, self-evaluation and reflective practice, and no evidence of internal and external secondments for staff development. Access to training is poor, with no flexibility to meet learning and development needs. Internal and external secondments for staff development are not supported.

### 1.3 Partnerships and services

**A comprehensive range of high-quality services is in place, enabling personalised and responsive provision for all children.**

#### Outstanding

*The range and quality of services fully enable a personalised and responsive service for all children.*

**DECISION RULE- An 'Outstanding' rating for 1.3 requires an 'Outstanding' rating for both 2.3 and 3.3 and that judgements against the qualitative key questions and prompts are 'Outstanding' as assessed against the domain one Rules and Guidance.**

The YJS has an in-depth understanding of children's characteristics, based on a wide range of recent and reliable information. It anticipates future demands well and understands complex cases and the diversity of cases, recognising the need to develop services that meet the specific needs of all children.

There is a strong mix of targeted, specialist and mainstream services. This provides the necessary range and depth of interventions in a significant majority of cases with evidence from domain two and domain three assessments demonstrating this. There is excellent flexibility and options to cater for those in chaotic and unstable circumstances, and the most vulnerable children.

All services are easy to access, and child centred. Efforts have been made to effectively identify and remove any obstacles or barriers to access. Robust evaluation and quality assurance are an intrinsic part of service delivery and pay deliberate, productive attention to analysis on the basis of diversity factors. Evaluation involves partners and other providers where appropriate, with a strong focus on identifying effective practice and aspects for improvement.

Collaboration with partners, providers and the local community is integral to how services are planned. This has ensured that the services meet children's needs as well as allowing for appropriate innovation. Opportunities to provide integrated services and pathways of delivery, particularly for children with multiple and complex needs, are well-developed.

The YJS actively promotes understanding of children's needs and provides advice to help other providers make sure that their services are relevant and readily accessible. There are effective inter-agency protocols. These include referral processes and transitional arrangements, which support a seamless approach to accessing services. Information is

effectively and actively exchanged, while adhering to privacy and confidentiality requirements.

### Good

*The range and quality of services sufficiently enable a personalised and responsive service for all children.*

**DECISION GUIDANCE- A 'Good' rating for 1.3 requires a 'Good' or 'Requires Improvement' rating for both 2.3 and 3.3 and judgements against the qualitative key questions and prompts are 'Good' as assessed against the domain one Rules and Guidance.**

The YJS has a sufficient understanding of children's characteristics, based on recent and reliable information. It anticipates most future demands by understanding complex cases and the diversity of cases, recognising the need to develop services that meet the specific needs of all children.

There is a sufficient mix of targeted, specialist and mainstream services. This provides the necessary range and depth of interventions to meet needs in a significant majority of cases and evidence from domain two and domain three assessments demonstrates this. There is sufficient flexibility and options to cater for those in chaotic and unstable circumstances, and the most vulnerable children.

Services are mostly easy to access, and child centred. Efforts have been made to identify and remove any obstacles or barriers to access. Evaluation and quality assurance are undertaken with attention given to analysis on the basis of diversity factors. Evaluation involves partners and other providers where appropriate, with sufficient focus on identifying effective practice and aspects for improvement.

There is some collaboration with partners, providers and the local community and this impacts on services being effectively planned. This has ensured that the services meet children's needs and allow for appropriate innovation. There are opportunities to provide integrated services and pathways of delivery, particularly for children with multiple and complex needs.

The YJS promotes understanding of children's needs and provides advice to help other providers make sure that their services are relevant and readily accessible. There are some effective inter-agency protocols. Information is effectively exchanged with partners, while adhering to privacy and confidentiality requirements.

### Requires improvement

*The range and quality of services insufficiently enable a personalised and responsive service for all children.*

**DECISION GUIDANCE- A 'Requires improvement' rating for 1.3 is usually consistent with a) a 'Good' or 'Requires Improvement' rating for both 2.3 and 3.3 but not with any 'Inadequate' ratings and b) judgements against the qualitative key questions and prompts are 'Requires Improvement' as assessed against the domain one Rules and Guidance.**

The YJS does not have a sufficient understanding of children's characteristics and does not use recent and reliable information to develop this. Future demands are not anticipated well



enough and complex cases and the diversity of cases are not fully understood. The YJS does not fully recognise the need to develop services that meet the specific needs of all children.

There is a limited mix of targeted, specialist and mainstream services. The range and depth of interventions is insufficient to meet needs in a reasonable majority of cases and evidence from domain two and domain three assessments demonstrates this. There is limited flexibility and options to cater for those with often chaotic and unstable circumstances, and the most vulnerable children.

Services are often difficult to access and are insufficiently child centred. Efforts have not been made to identify and remove all obstacles or barriers to access. Some evaluation and quality assurance are undertaken but with limited attention given to analysis on the basis of diversity factors. Evaluation does not involve partners and other providers fully where appropriate, and there is an insufficient focus on identifying effective practice and aspects for improvement.

There is limited collaboration with partners, providers and the local community and this impacts on services being effectively planned. Services do not consistently meet children's needs and opportunities for appropriate innovation are limited. There are some opportunities to provide integrated services and pathways of delivery, particularly for children with multiple and complex needs.

The YJS does not consistently promote understanding of children's needs or provide advice to help other providers make sure that their services are relevant and readily accessible. Inter-agency protocols are not working well enough. Information is not routinely exchanged with partners, or privacy and confidentiality requirements are not consistently adhered to.

### **Inadequate**

*The range and quality of services do not enable a personalised and responsive service for all children.*

**DECISION GUIDANCE- An 'Inadequate' rating for 1.3 is usually consistent with a) an 'Inadequate' or 'Requires improvement' rating for both 2.3 and 3.3 and b) judgements against the qualitative key questions and prompts are 'Requires Improvement' as assessed against the domain one Rules and Guidance.**

The YJS has poor or no understanding of children's characteristics and does not use recent and reliable information to develop this. Future demands are not anticipated, and complex cases and the diversity of cases are not understood. The YJS does not recognise the need to develop services that meet the specific needs of all children.

Needs are not being addressed, and children are frequently and consistently unable to access services in a timely way or at all. The range and depth of interventions is insufficient to meet needs in a significant majority of cases and evidence from domain two and domain three assessments demonstrates this. There is no flexibility or options to cater for those in chaotic and unstable circumstances, and the most vulnerable children.

Services are difficult to access and are not child centred. Efforts have not been made to identify and remove all obstacles or barriers to access. Evaluation and quality assurance are not undertaken and there is no analysis on the basis of diversity factors. As a result, leaders and managers are unable to address shortfalls or deteriorations in the quality of provision. Evaluation does not involve partners and other providers, and there is no mechanism to identify effective practice and aspects for improvement.



There is no collaboration with partners, providers and the local community and this results in poor planning of services. Services do not meet children's needs in a significant majority of cases and there are no opportunities for appropriate innovation. There are no opportunities to provide integrated services and pathways of delivery, including for children with multiple and complex needs.

The YJS does not promote understanding of children's needs or provide advice to help other providers make sure that their services are relevant and readily accessible. There are no inter-agency protocols. Information is not exchanged with partners, and privacy and confidentiality requirements are not adhered to.

## 1.4 Information and facilities

**Timely and relevant information is available and appropriate facilities are in place to support a high-quality, personalised and responsive approach for all children.**

### Outstanding

*Information and facilities fully support a high-quality, personalised and responsive approach for all children.*

The YJS regularly and proactively reviews, improves and communicates policies and processes help staff assume responsibility and act quickly and effectively. It has aligned and linked associated policies and protocols, both within the YJS and with partner agencies. It assesses policies and procedures when they are new and regularly reviews them for their impact on diverse groups.

The YJS's delivery environment is accessible to all staff and children and it supports a rehabilitative culture through encouraging positive and open interactions while meeting the requirements of safety, security, privacy and confidentiality.

The information and communication technology (ICT) systems support effective and integrated service delivery, with the ability to record and access key information whenever and wherever required. The systems and associated protocols support robust information exchange, with information being provided responsibly and critical information made available without delay. The management information capabilities are fully developed, providing timely, targeted and user-friendly reports.

Leaders and managers have an in-depth understanding of the YJS's strengths, weaknesses and capabilities, and key information is communicated in readily accessible formats. There are comprehensive arrangements in place to analyse trends and benchmark performance, using reliable and timely information. Diversity information is an integral part of this.

A wide range of approaches are used to gain feedback from children and other stakeholders, with an effective focus on inclusivity. Potential new ways of working are always explored through self-evaluation and through learning from others and applying findings from reviews, research and scrutiny. Good practice and areas for development, improvement, creativity and innovation are actively identified, with the YJS taking decisive steps to improve delivery.

### Good

*Information and facilities sufficiently support a high-quality, personalised and responsive approach for all children.*

The necessary policies and processes are in place to enable staff to deliver a quality service that meets the needs of all children. The YJS communicates them effectively to all those to whom they apply, and they are regularly reviewed. The YJS considers the impact of its policies and guidance on diverse groups.

The YJS delivers its work in places that are sufficiently accessible to staff and children. The delivery environment is a safe place for working with children, and it supports effective engagement and the delivery of appropriate personalised work.

The ICT systems enable staff to plan, deliver and record their work in a timely way, and to access information as required. The systems produce the necessary management information, including diversity information, and facilitate the exchange of information with partners, providers and other key stakeholders.

Improvement plans are supported by the YJS's assurance systems and performance measures, the views of children, their parents or carers and other key stakeholders, and learning from audits, inspection and other review processes. Service delivery is further appraised through evaluation and development of the underlying evidence base. All these sources of learning and evidence are used to drive improvement, with actions taken promptly when required.

A range of approaches are used to gain feedback from children and other stakeholders, with some focus on inclusivity. Potential new ways of working are sometimes explored through self-evaluation and through learning from others and applying findings from reviews, research and scrutiny. Good practice and areas for development, improvement, creativity and innovation are sometimes identified, with the YJS taking some steps to improve delivery.

### **Requires improvement**

*Information and facilities insufficiently support a high-quality, personalised and responsive approach for all children.*

Not all of the necessary policies and processes for delivering a quality service and meeting the needs of all children are in place. The YJS does not always communicate them effectively to all those to whom they apply, and they are not reviewed consistently. Policies and guidance are not assessed for their impact on diverse groups.

The YJS does not deliver all of its work in places that are sufficiently accessible to staff and children. The delivery environment is not a safe place for working with all children, or for supporting effective engagement and the delivery of appropriate personalised work in all cases.

The ICT systems do not always enable staff to plan, deliver and record their work in a timely way, or to access information as required. The systems do not produce all necessary management information or enable the YJS to exchange all required information with partners, providers and other key stakeholders.

There are significant gaps in the YJS’s assurance systems and performance measures. Improvement plans are not effectively supported by either the YJS’s assurance systems and performance measures, the views of children, their parents or carers and other key stakeholders, and learning from audits, inspection and other review processes. Service delivery is not appraised through evaluation and development of the underlying evidence base. Only some of these sources of learning and evidence are used to drive improvement, with actions not always taken promptly when required.

The views of children, their parents or carers and other key stakeholders are not routinely sought, and the learning from audits, inspection and other review processes is not always evaluated. Service delivery is not consistently appraised through evaluation and development of the underlying evidence base. Diversity needs are not sufficiently analysed. The sources of learning and evidence are not always used to drive improvement, and actions are not consistently taken when required.

### Inadequate

*Information and facilities do not support a high-quality, personalised and responsive approach for all children.*

There are significant gaps in policies and processes, impeding the delivery of a quality service. Those that are in place have been poorly communicated and are not well understood, and many require reviewing. Policies and processes are not impact assessed.

The YJS’s delivery environment has poor accessibility and is unfit for purpose, failing to offer the necessary levels of safety, security, privacy and confidentiality, and hampering effective engagement.

The ICT systems do not support the recording of timely, relevant and reliable data and fail to provide key information for planning and delivering services. The systems fail to support robust information exchange, with data not submitted to partners, providers and other key stakeholders as required and critical information not being provided promptly. Management information is produced in a way that is unhelpful.

Performance indicators are not reported to an acceptable standard, and the information used to monitor performance is unreliable, out of date or not relevant. There is very limited or no monitoring of performance trends and outcomes.

The views of children are not heard or acted on, and there is a defensive attitude to complaints and a lack of transparency in how they are handled. There are limited or no performance discussions with partners and other providers. The YJS rarely seeks to learn from others, and opportunities to benefit from research, learning reviews and scrutiny are not valued. There is minimal evidence that the YJS uses sources of learning and evidence to drive improvement, and it does not take actions when they are required.

## **Domain one rating characteristics in table form**

### **1.1 Governance and Leadership**

	<b>'Outstanding'</b>	<b>'Good'</b>	<b>'Requires improvement'</b>	<b>'Inadequate'</b>
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<b>Delivery against the vision and strategy</b>	Significant evidence of the vision and strategy being delivered. There is an intentional, deliberate approach to meeting diverse needs with evidence of this in a significant majority of cases.	Evidence of the vision and strategy being delivered. There is positive activity taken to meeting diverse needs with evidence of this in a reasonable majority of cases.	Limited evidence of the vision and strategy being delivered. Relationships with statutory and non-statutory partners are not always effective and diverse needs are met in too few cases.	No evidence of the vision and strategy being delivered. Relationships with statutory and non-statutory partners are ineffective and diverse needs are met in a minority of cases.
<b>Culture</b>	Culture is one of involvement, transparency, ownership, empowerment and improvement.	On the whole there is a positive culture across the organisation, with staff feeling involved.	Negative culture across the YJS with staff feeling there is limited transparency.	Negative blame culture across the YJS, with staff feeling disempowered.
<b>Partnership working</b>	The Chair of the Management Board is well engaged. There is effective and meaningful attendance at all Board meetings, which positively impacts on delivery.	The Chair of the Management Board is sufficiently engaged. There is some meaningful attendance at Board meetings, which has some positive impact on delivery.	The Chair of the Management Board is insufficiently engaged. Attendance by partners at Board meetings is inconsistent which negatively impacts on delivery.	The Chair of the Management Board is not engaged or there is no effective chairing of the Board. There is consistently poor attendance and representation at Board meetings, which has a significant negative impact on delivery.
<b>Anticipating risks</b>	All risks are anticipated. Mitigations and controls in place. Staff are able to raise concerns.	A reasonable majority of risks are sufficiently understood, and efficient mitigations in place.	Not all risks are sufficiently understood and/or no sufficient mitigations in place.	Little to no plans in place to anticipate risks and very few if any sufficient mitigations in place.
<b>Engagement</b>	Significant evidence of an engaging and inclusive culture, staff are fully engaged.	Evidence of an engaging and inclusive culture.	Limited evidence of an engaging and inclusive culture.	No evidence of an engaging and inclusive culture.
<b>Three key questions and 11 prompts</b>	Significant number and/or over 80 per cent	Evidence of a number of and/or 65 per	Limited evidence of and/or 50 per cent of the key	No to very little evidence of and/or 40 per

	of the key questions and prompts have a positive response.	cent of the key questions and prompts have a positive response.	questions and prompts have a positive response.	cent or lower of the key questions and prompts have a positive response.
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## 1.2 Staff

	'Outstanding'	'Good'	'Requires improvement'	'Inadequate'
Staff structure and workforce	The staff structure is effective and staffing levels are sufficient and regularly monitored and reviewed with appropriate action taken. There is a diverse workforce that reflects the local population.	Staffing levels and skills are sufficient, with some monitoring and review. There is a diverse workforce.	Staffing levels and skills are not always sufficient. There is limited monitoring and review of workloads and limited diversity in the workforce.	There are substantial and/or frequent staff shortages. Staff skills are insufficient with no regular review of workloads. There workforce is insufficiently diverse.
Staff skills, knowledge and experience	Staff have the full range of skills, knowledge and experience.	Staff have the necessary skills, knowledge and experience required.	Staff do not have the necessary skills, knowledge and experience required.	Staff do not have the necessary skills, knowledge and experience required and this is not being addressed.
Staff development	Active attention is paid to staff career development. Induction, supervision and appraisal is used effectively.	There are examples of support for career development. Induction, supervision and appraisal is in place.	There are some shortfalls in developing the potential of individual staff. Staff do not receive effective supervision.	There are significant shortfalls in developing the potential of individual staff. There is a lack of quality supervision, guidance, challenge and support.
Learning culture	A culture of learning and improvement is continuously valued and promoted. Appropriate attention is	The learning needs of most staff are met. Attention is given to equality of access to training.	The learning needs of staff are not met. Access to some training is limited.	Staff learning needs are not met. There is no training plan.

	given to flexibly providing equality of access to training and the use of innovative solutions.			
<b>Staff engagement</b>	High levels of staff engagement and satisfaction. Staff are motivated to contribute to the delivery of a quality service.	Good examples of staff satisfaction and engagement. Most staff are motivated to contribute to a quality service.	Monitoring of staff engagement is patchy. Not all staff are motivated to contribute to the delivery of a quality service.	Low levels of staff satisfaction, engagement and resilience.

### 1.3 Partnership and Services

	<b>'Outstanding'</b>	<b>'Good'</b>	<b>'Requires improvement'</b>	<b>'Inadequate'</b>
<b>Analysis</b>	There is an in-depth understanding of children's characteristics, based on a wide range of recent and reliable information. The need to develop services that meet the specific needs of all children is well recognised.	There is sufficient understanding of children's characteristics, based on a range of information. The need to develop services that meet the specific needs of all children is sufficiently recognised.	There is insufficient understanding of children's characteristics, and this understanding is not based on a sufficient range of information. There is insufficient recognition of the need to develop services that meet the specific needs of all children.	There is no understanding of children's characteristics, and this understanding is not based on appropriate information. There is no recognition of the need to develop services that meet the specific needs of children.
<b>Volume, range and quality of service</b>	A strong mixture of services delivers the necessary range and depth of interventions to meet the full range of needs. There is excellent flexibility and options to cater for those with chaotic and	Services deliver the necessary range and depth of interventions to meet most needs. There is sufficient flexibility and options to cater for those with chaotic and unstable circumstances, and the most	Services do not consistently deliver the necessary range or depth of interventions to fully meet the full range of needs. There is insufficient flexibility and limited options to cater for those with	Services do not deliver the necessary range or depth of interventions to meet needs. There is no flexibility or options to cater for those with chaotic and unstable circumstances, and the most

	unstable circumstances, and the most vulnerable children.	vulnerable children.	chaotic and unstable circumstances, and the most vulnerable children.	vulnerable children.
<b>Access to services</b>	All services are easy to access, and child centred. There is robust evaluation and quality assurance paying deliberate, productive attention to analysis on the basis of diversity factors. All key partners are involved in evaluation and good attention is paid to effective practice.	Most services are easy to access, and child centred. There is some evaluation and quality assurance paying attention to analysis on the basis of diversity factors. Some partners are involved in evaluation and some attention is paid to effective practice.	Services are not always easy to access and are insufficiently child centred. There is limited evaluation and quality assurance paying insufficient attention to analysis on the basis of diversity factors. Partners are not routinely involved in evaluation and limited attention is paid to effective practice.	Services are difficult to access and are not child centred. There is no evaluation and quality assurance and no attention given to analysis on the basis of diversity factors. Partners are not involved in evaluation and there is no mechanism for identifying effective practice.
<b>Collaboration</b>	Collaboration is integral to service planning ensuring that children's needs are met and there is scope for innovation. Opportunities for integrated services and pathways are well-developed.	There is some collaboration in service planning ensuring that children's needs are usually met and there is some scope for innovation. Opportunities for integrated services and pathways are sufficient.	There is only limited collaboration in service planning meaning that children's needs are not consistently met. There is limited scope for innovation. Opportunities for integrated services and pathways are insufficient.	There is no collaboration in service planning meaning that children's needs are not met. There is no scope for innovation. There are no opportunities for integrated services and pathways.
<b>Information provision</b>	The YJS actively promotes understanding of children's needs.	The YJS promotes understanding of children's needs.	The YJS does not consistently promote an understanding of	The YJS does not promote an understanding of children's needs. There are no or



	There are effective inter-agency protocols. Information is effectively and actively exchanged, while adhering to privacy and confidentiality requirements.	There are sufficient inter-agency protocols. Information is sufficiently exchanged, while adhering to privacy and confidentiality requirements.	children's needs. There are limited inter-agency protocols. Information is not routinely exchanged.	poor inter-agency protocols. Information is exchanged.
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#### 1.4 Information and Facilities

	'Outstanding'	'Good'	'Requires improvement'	'Inadequate'
<b>Policies and Procedures</b>	The YJS regularly and proactively reviews, improves and communicates policies procedures. It has aligned policies and protocols, both within the YJS and with partner agencies. It undertakes regular review and assessment of policies and procedures.	Policies and processes are in place to enable staff to deliver a quality service that meets the needs of all children. The YJS communicates them effectively and reviews them regularly. The YJS considers the impact of its policies and guidance on diverse groups.	The necessary policies and processes are not all in place. The YJS does not always communicate them effectively and they are not reviewed consistently. Policies and guidance are not assessed for their impact on diverse groups.	There are significant gaps in policies and processes. Those that are in place have been poorly communicated and are not well understood, and many require reviewing. Policies and processes are not impact assessed.

<b>Delivery environment</b>	The delivery environment is accessible to all staff and children. It supports a rehabilitative culture and meets the requirements of safety, security, privacy and confidentiality.	The delivery environment is sufficiently accessible to staff and children. This provides a safe place for working with children and supports effective engagement.	The delivery environment is not sufficiently accessible to staff and children. It is not a safe place for working with children, or for supporting effective engagement.	The delivery environment has poor accessibility and is unfit for purpose, failing to offer the necessary levels of safety and hampering effective engagement.
<b>ICT</b>	ICT systems support effective and integrated service delivery Systems and protocols support robust and timely information exchange. Management information capabilities are fully developed.	ICT systems enable staff to work effectively. Systems produce the necessary management information and facilitate the exchange of information with partners, providers and other key stakeholders.	ICT systems do not always enable staff to work effectively. Systems do not produce all necessary management information or enable the YJS to exchange all required information with partners, providers and other key stakeholders.	The ICT systems do not support effective working. Systems fail to support robust and timely information exchange. Management information is produced in a way that is unhelpful.
<b>Analysis</b>	Leaders and managers have an in-depth understanding of the YJS's performance with key information effectively communicated. There are comprehensive arrangements in place to analyse trends and benchmark performance.	Improvement plans are well supported by a range of measures. Service delivery is appraised through evaluation and development of the underlying evidence base. Learning and evidence are used to drive	There are significant gaps in assurance systems and performance measures. Improvement plans are not effectively supported. Service delivery is not appraised through evaluation and development of the underlying evidence base.	Performance indicators are not reported to an acceptable standard, and the information used to monitor performance is unreliable, out of date or not relevant. There is very limited or no monitoring of performance trends and outcomes.

	Diversity information is an integral part of this.	timely improvement.	Only some sources of learning and evidence drive improvement, with actions not always taken promptly when required.	
<b>Evaluation</b>	A wide range of approaches are used to gain feedback with an effective focus on inclusivity. Potential new ways of working are always explored through a variety of mechanisms applying findings from reviews, research and scrutiny. Good practice is actively sought with the YJS taking decisive steps to improve delivery.	A range of approaches are used to gain feedback with some focus on inclusivity. Potential new ways of working are sometimes explored through mechanisms such as self-evaluation and learning from others. Good practice is sometime identified with the YJS taking some steps to improve delivery.	Stakeholder views, including those of children, are not routinely sought, and the learning from audits, inspection and other review processes is not always evaluated. Service delivery is inconsistently appraised and diversity needs are insufficiently analysed. Actions to improve are not consistently taken when required.	The views of children are not heard or acted on, with a defensive attitude to complaints. There are limited or no performance discussions with partners and other providers. The YJS rarely seeks to learn from others including through scrutiny and research.

### 3.4 Out-of-court disposal policy and provision

**There is a high quality, evidence-based out-of-court disposal service in place that promotes diversion and supports sustainable desistance.**

#### Outstanding

*The out-of-court disposal service is high quality and evidence-based, promoting diversion and supporting sustainable desistance.*

The out-of-court disposal policy is comprehensive and achievable. It is both evidence-based and innovative and focuses on delivering high-quality services through child centred practice. The policy clearly sets out robust arrangements to keep children safe, ensure the safety of other people and promote diversion.

The policy deliberately and intentionally recognises the diverse needs of children and describes in detail the arrangements for meeting those needs. It fully explains the arrangements for accessing and exchanging information from partners, providers and other stakeholders.

Joint decision-making processes are well established, with all relevant partners actively engaged. Decision-making is timely, robust and defensible. There is appropriate access to all services, including education, training and employment and healthcare. Access to all services takes full and explicit account of diversity needs and is evidence-based. Out-of-court disposal provision pays full attention to keeping children and other people safe and promotes diversion.

The YJS regularly evaluates and reviews out-of-court disposal policy and provision. Evaluation and reviews are based on data and involve all relevant agencies that deliver out-of-court disposals. Evaluation and review identify changes in the out-of-court disposal evidence base and lead to the necessary adjustments to out-of-court disposal policy and provision. Children and their parents or carers are meaningfully involved in the evaluation and review of out-of-court disposal policy and provision. Evaluation and review proactively include identifying and learning from good or promising practice.

#### Good

*The out-of-court disposal service is of sufficient quality and based on some evidence, promoting diversion and supporting desistance.*

The YJS has an out-of-court disposal policy that describes the arrangement for delivering a high-quality service for all children. The policy is responsive to diverse needs. It is based on some evidence and demonstrates some innovation, focusing on improving the quality of service delivery through child centred practice. The policy clearly sets out sufficient arrangements to keep children safe, ensure the safety of other people and promote diversion.

The out-of-court disposal policy recognises the diverse needs of children and describes the arrangements for meeting those needs. It explains the arrangements for accessing and exchanging information from partners, providers and other stakeholders.

Joint decision-making processes exist, with relevant partners actively engaged. Decision-making is usually timely, robust and defensible. There is appropriate access to most other services, including education, training and employment and healthcare. Access to services takes account of diversity needs and is evidence-based. Out-of-court disposal provision pays attention to keeping children and other people safe and promoting diversion.

The YJS evaluates and reviews the out-of-court disposal policy and provision. Evaluation and review are based on data and involve most of the relevant agencies that deliver out-of-court disposals. Evaluation and review identify changes in the out-of-court disposal evidence base and lead to some adjustments to out-of-court disposal policy and provision. Children and their parents or carers are usually involved in the evaluation and review of out-of-court disposal policy and provision. Evaluation and review include some learning from good or promising practice.

### Requires improvement

*The out-of-court disposal service is of insufficient quality and not sufficiently based on evidence, failing to sufficiently promote diversion and support desistance.*

The out-of-court disposal policy describes the arrangements for delivering a service for all children, but it is not responsive to diverse needs or evidence-based. It does not demonstrate innovative approaches or focus sufficiently on improving the quality of delivery through child-centred practice, including diversity. The policy does not set out robust arrangements to keep children safe, ensure the safety of other people or promote diversion.

The out-of-court disposal policy does not recognise the diverse needs of children well enough or describe the arrangements for meeting those needs. Arrangements for access to and exchange of information from partners, providers and other stakeholders are not clear.

Joint decision-making processes are not sufficiently established and only some relevant partners are engaged. Decision-making processes are unclear and inconsistent and are often not timely. There is appropriate access to some but not all services. Access to services does not take sufficient account of diversity needs or the evidence base. Out-of-court disposal provision pays limited attention to keeping children and other people safe. It does not sufficiently promote diversion.

The YJS does not regularly evaluate and review out-of-court disposal policy and provision. The evaluation and review that it does carry out are not based strongly enough on data and do not involve most of the relevant agencies delivering out-of-court disposals. Evaluation and review do not link strongly enough to the out-of-court disposal evidence base and do not always lead to adjustments to out-of-court disposal policy and provision. Children and their parents or carers are not always involved in the evaluation and review of out-of-court disposal policy and provision. Evaluation and review include insufficient learning from good or promising practice.

### Inadequate

*The out-of-court disposal service is of poor quality and not evidence-based, failing to promote diversion or support desistance.*

There is no out-of-court disposal policy, or the out-of-court disposal policy does not describe the arrangements for delivering a high-quality service for all children. If there is a policy, this

is not responsive to diverse needs or evidence based. The policy does not demonstrate innovative approaches and is not focused on improving the quality of delivery through child-centred practice, including diversity. The policy does not set out arrangements to keep children safe, ensure the safety of other people and promote diversion.

The out-of-court disposal policy does not recognise the diverse needs of children or describe the arrangements for meeting those needs. It does not include arrangements for access to and exchange of information from partners, providers and other stakeholders.

Decision-making processes are not joint and partners, including the police, are not well engaged. Decision-making processes are unclear and result in decisions being made that are neither timely nor robust. Access to other services, including education, training and employment and healthcare, is inconsistent or unreliable. Access to all services does not take any account of diversity needs or the evidence base. Out-of-court disposal provision pays no attention to keeping children and other people safe. It does not promote diversion.

The YJS either does not review and evaluate its out-of-court policy and provision, or pay attention to diversity issues, or its evaluation and review are not based on data and do not involve the relevant agencies delivering out-of-court disposal. Evaluation and review do not link to the out-of-court disposal evidence base or lead to adjustments to out-of-court policy and provision. Children and their parents or carers are not involved in the evaluation and review of out-of-court policy and provision. Evaluation and review do not recognise learning from good or promising practice.

### 3.4 Out-of-court disposal policy and provision

	'Outstanding'	'Good'	'Requires improvement'	'Inadequate'
Policy-Arrangements	The policy sets out robust arrangements focussing on delivering high-quality services. It is fully evidence based and demonstrates innovation.	The policy sets out arrangements focussing on delivering high-quality services. It is partly evidence based and demonstrates some innovation.	The policy does not sufficiently set out arrangements and does not focus well enough on delivering high-quality services. It does not set out robust arrangements.	There is no policy, or the policy does not describe the arrangements or focus on improving the delivery of practice.

<p><b>Policy- Information exchange</b></p>	<p>The policy deliberately and intentionally recognises the diverse needs of children. The policy describes in detail how all needs will be met including through information sharing arrangements.</p>	<p>There is recognition of diverse needs in the policy and sets out how all needs will be met. How needs will be met is set out through information sharing arrangements.</p>	<p>The policy does not recognise the diverse needs of children well enough. It does not describe the arrangements for meeting needs. Information access and exchange arrangements are not clear.</p>	<p>The policy does not recognise the diverse needs of children. There are no arrangements set out for information access or exchange.</p>
<p><b>Decision making processes</b></p>	<p>Joint decision making is well established, with all relevant partners actively engaged. It is timely, robust and defensible with appropriate access to all services, including education, training and employment and healthcare. Access to all services takes full and explicit account of diversity needs and is fully evidence-based.</p>	<p>Joint decision making is established, with relevant partners usually well engaged. It is mostly timely, robust and defensible with appropriate access to most services. Access to services usually takes account of diversity needs and is based on some evidence.</p>	<p>Joint decision making is not well established, with relevant partners usually well engaged. It is not timely and is insufficiently robust without appropriate access to many services. Access to services does not take account of diversity needs or the evidence base.</p>	<p>Decision-making processes are not joint, and partners are not well engaged. Access to services is inconsistent or unreliable. Diversion is not promoted and there is no link to the evidence base.</p>
<p><b>Review and evaluation</b></p>	<p>Regular evidence-based reviews take place and take account of diversity and based on data. Children and their parents/carers are actively involved, and</p>	<p>Regular reviews take place taking some account of diversity and based on data. This relate to some extent to the evidence base. Children and their</p>	<p>Regular reviews do not take place or do not take sufficient account of diversity and data. Reviews if they take place do not relate well enough to the evidence base. Children</p>	<p>Regular reviews do not take place or do not take any account of diversity and data. Reviews if they take place do not relate to the evidence base. Children and</p>



	effective or promising practice is frequently identified.	parents/carers are sometimes involved, and effective or promising practice is sometimes identified.	and their parents/carers are rarely involved, and effective or promising practice is rarely identified.	their parents/carers are not involved, and effective or promising practice is not identified.
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## 4.1 Resettlement policy and provision

There is a high-quality, evidence-based resettlement service for children leaving custody.

### Outstanding

*The resettlement service for children leaving custody is high quality and evidence based.*

**DECISION RULE- Any YJS that is rated as inadequate on the resettlement standard is unable to achieve an outstanding overall rating.**

The resettlement policy is comprehensive and effective while remaining achievable. It is appropriately innovative and focuses on improving the quality of service delivery through child-centred practice, including diversity. The policy clearly sets out robust arrangements to keep children safe, ensure the safety of other people and address victims' needs.

The resettlement policy is evidence-based. It takes full account of structural barriers to effective resettlement and recognises the role of pro-social identity shift. The approach throughout the policy is one of personalised support that is constructive, strengths-based and future-focused. The policy deliberately and intentionally recognises the diverse needs of children and describes in detail the arrangements for meeting those needs. Arrangements for access to and exchange of information from partners, providers and other stakeholders are clearly explained.

Suitable and timely accommodation is available for all children leaving custody. There is appropriate and timely access to all other services, including education, training and employment and healthcare. This is planned for in advance and available for all children immediately after leaving custody. Access to all services takes full and explicit account of diversity needs and is evidence-based. Resettlement provision pays full attention to keeping children and other people safe and fully addresses the needs of victims.

The YJS regularly evaluates and reviews its resettlement policy and provision. It pays intentional and productive attention to diversity issues. Evaluation and reviews are based on data and involve all relevant agencies that deliver resettlement. Evaluation and review identify changes in the resettlement evidence base, and this leads to any necessary adjustments to resettlement policy and provision. Children and their parents or carers are meaningfully involved in the evaluation and review of resettlement policy and provision. Evaluation and review proactively include identifying and learning from good or promising practice.

### Good

*The resettlement service for children leaving custody is of sufficient quality and underpinned by some evidence.*

The resettlement policy describes the arrangements for delivering a high-quality service for all children, which is responsive to diverse needs. It is based on some evidence and demonstrates some innovation, focussing on improving the quality of service delivery through child-centred practice, including diversity. The policy clearly sets out robust

arrangements to keep children safe, ensure the safety of other people and address victims' needs.

The resettlement policy takes account of structural barriers to effective resettlement and recognises the role of pro-social identity shift. The approach throughout the policy is one of personalised support that is constructive, strengths-based and future-focused. The policy recognises the diverse needs of children and sufficiently describes the arrangements for meeting those needs. Arrangements for access to and exchange of information from partners, providers and other stakeholders are explained.

Suitable and timely accommodation is available for most children leaving custody. Appropriate access to most other services, including education, training and employment and healthcare, is available for all children leaving custody. Access to all services takes account of diversity needs and is evidence-based. Resettlement provision pays attention to keeping children and other people safe and fully addresses the needs of victims.

The YJS evaluates and reviews its resettlement policy and provision and pays attention to diversity issues. Evaluation and reviews are based on data and involve most of the relevant agencies that deliver resettlement. Evaluation and review identify changes in the resettlement evidence base and lead to some adjustments to resettlement policy and provision. Children and their parents or carers are involved in the evaluation and review of resettlement policy and provision. Evaluation and review include some learning from good or promising practice.

### **Requires improvement**

*The resettlement service for children leaving custody is of insufficient quality and sufficiently based on evidence.*

The resettlement policy describes the arrangements for delivering a high-quality service for all children, but it is not sufficiently responsive to diverse needs or evidence based. It does not demonstrate innovative approaches and or focus sufficiently on improving the quality of delivery through child-centred practice, including diversity. The policy does not set out robust arrangements to keep children safe, ensure the safety of other people or address the needs of victims.

The resettlement policy does not take sufficient account of structural barriers to effective resettlement or recognise the role of pro-social identity shift. The policy does not describe an approach that is based on personalised support that is constructive, strengths-based and future-focused. The policy does not recognise the diverse needs of children well enough or describe the arrangements for meeting those needs. Arrangements for access to and exchange of information from partners, providers and other stakeholders are not clear.

Suitable and timely accommodation is not available for most children leaving custody. There is appropriate access to some but not all other services, including education, training and employment and healthcare. Access to all services does not take sufficient account of diversity needs or the evidence base. Resettlement provision pays some attention to keeping children and other people safe. It does not fully address the needs of victims.

The YJS does not regularly evaluate and review its resettlement policy and provision and pays insufficient attention to diversity issues. The evaluation and review that it does carry out are not based strongly enough on data and do not involve most of the relevant agencies

that deliver resettlement. Evaluation and review do not link strongly enough to the resettlement evidence base and do not always lead to adjustments to resettlement policy and provision. Children and their parents or carers are not always involved in the evaluation and review of resettlement policy and provision. Evaluation and review include insufficient learning from good or promising practice.

### Inadequate

*The resettlement service for children leaving custody is of poor quality and is not evidence-based.*

There is no resettlement policy, or the resettlement policy does not describe the arrangements for delivering a high-quality service for all children. If there is a policy, this is not responsive to diverse needs or evidence based. There is no demonstration of innovative approaches and the policy does not focus on improving the quality of delivery through child-centred practice, including diversity. The policy does not set out arrangements to keep children safe, ensure the safety of other people or address the needs of victims.

The resettlement policy does not take account of structural barriers to effective resettlement or recognise the role of pro-social identity shift. It does not describe an approach that is based on personalised support that is constructive, strengths-based and future-focused. The policy does not recognise the diverse needs of children or describe the arrangements for meeting those needs. Arrangements for access to and exchange of information from partners, providers and other stakeholders are not included.

Suitable and timely accommodation is not available for most children leaving custody. Access to other services, including education, training and employment and healthcare, is inconsistent and unreliable. Access to all services does not take any account of diversity needs or the evidence base. Resettlement provision pays no attention to keeping children and other people safe. It does not address victims' needs.

The YJS either does not review and evaluate its resettlement policy and provision, and pay attention to diversity issues, or the evaluation and review that it does carry out are not based on data and do not involve the relevant agencies that deliver resettlement. Evaluation and review make no link to the resettlement evidence base and do not lead to adjustments to resettlement policy and provision. Children and their parents or carers are not involved in the evaluation and review of resettlement policy and provision. Evaluation and review do not recognise learning from good or promising practice.

#### 4.1 Resettlement policy and provision

	'Outstanding'	'Good'	'Requires improvement'	'Inadequate'
Policy-Arrangements	The policy is comprehensive, effective, evidence-based, innovative and achievable. It focuses on child-centred practice, including	The policy describes the arrangements and is based on some evidence. It is child-focused including diversity and	The policy does not effectively describe the arrangements and is insufficiently evidence based. It is not sufficiently child-	There is no policy, or the policy does not effectively describe the arrangements. The policy is not evidence based or child-focused,

<p style="text-align: center;"><b>Policy- Structural barriers</b></p>	<p>diversity setting out robust arrangements.</p>	<p>sets out robust arrangements.</p>	<p>focused, taking insufficient account of diversity.</p>	<p>taking no account of diversity.</p>
	<p>The policy is evidence-based taking full account of structural barriers to effective resettlement and recognising the role of pro-social identity shift. The approach is one of personalised support and deliberately and intentionally recognises diverse needs. Information exchange arrangements are clearly explained.</p>	<p>The policy is evidence-based taking sufficient account of structural barriers to effective resettlement with some recognition of the role of pro-social identity shift. The approach is personalised and there is sufficient recognition of diverse needs. Information exchange arrangements are sufficiently explained.</p>	<p>The policy is insufficiently evidence-based taking in sufficient account of structural barriers to effective resettlement. There is limited recognition of the role of pro-social identity shift. The approach is insufficiently personalised with only limited recognition of diverse needs. Information exchange arrangements are insufficiently explained.</p>	<p>There is no policy, or the policy is not evidence-based taking no account of structural barriers to effective resettlement. There is no recognition of the role of pro-social identity shift. The approach is not personalised with no recognition of diverse needs. Information exchange arrangements are not explained.</p>
<p style="text-align: center;"><b>Access to services</b></p>	<p>Suitable and timely accommodation is available for all children leaving custody. There is appropriate and timely access to all services, that is planned for in advance and available for all children immediately after leaving custody. Access to all services takes full and explicit account of diversity needs, is evidence-</p>	<p>Suitable and timely accommodation is available for most children leaving custody. There is appropriate and timely access to most services, that is planned for in advance and available for most children immediately after leaving custody. Access to services takes some account of diversity needs, is sufficiently</p>	<p>Suitable and timely accommodation is not available for most children leaving custody. There is insufficient access to most services for children upon release. Access to services takes insufficient account of diversity needs or the evidence-base and pays insufficient attention to keeping children</p>	<p>Suitable and timely accommodation is not available for children leaving custody. There is insufficient access to services for children upon release. Access to services takes no account of diversity needs or the evidence-base and pays no attention to keeping children and other people safe failing to</p>

<b>Review and Evaluation</b>	based, pays full attention to keeping children and other people safe and fully addresses the needs of victims.	evidence-based, and pays sufficient attention to keeping children and other people safe and addresses the needs of most victims.	and other people safe failing to address the needs of most victims.	address the needs of victims.
	Regular evidence- based reviews take place and take account of diversity and based on data. Children and their parents/carers are actively involved, and effective or promising practice is frequently identified	Regular reviews take place taking some account of diversity and based on data. This relate to some extent to the evidence base. Children and their parents/carers are sometimes involved, and effective or promising practice is sometimes identified.	Regular reviews do not take place or do not take sufficient account of diversity and data. Reviews if they take place do not relate well enough to the evidence base. Children and their parents/carers are rarely involved, and effective or promising practice is rarely identified.	Regular reviews do not take place or do not take any account of diversity and data. Reviews if they take place do not relate to the evidence base. Children and their parents/carers are not involved, and effective or promising practice is not identified.

## **Glossary**

A glossary of terms used in this document is available at:

<https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/10/Youth-inspection-report-glossary-1.pdf>