

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

19 MARCH 2019

REPORT BY THE CORPORATE DIRECTOR OF EDUCATION AND FAMILY SUPPORT

PROPOSED DISAGGREGATION OF YOUTH OFFENDING SERVICES FROM THE WESTERN BAY ARRANGEMENTS

1. Purpose of report

- 1.1 The purpose of this report is to gain approval from Cabinet to disaggregate the Youth Offending Services (YOS) for Bridgend from the Western Bay Youth Justice and Early Intervention Service (WBYJEIS) collaboration.

2. Connection to Corporate Improvement Objectives/other corporate priorities

- 2.1 The report links to the following improvement priorities in the Corporate Plan:

- **Supporting a successful economy**

We will take steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.

- **Helping people to be more self-reliant**

We will take early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.

- **Smarter use of resources**

We will ensure that all of our resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background

- 3.1 Youth offending services/teams are a statutory multi-agency partnership that have a legal duty to co-operate in order to secure youth justice services appropriate to their area. They are funded from a variety of sources including UK Government, Welsh Government and statutory partners (for example the local authority, police, the probation service and health).
- 3.2 Section 39 (1) of The Crime and Disorder Act 1998 places a duty on each local authority, acting with its statutory partners (for example police, probation and health) to establish youth offending teams in their local area to deliver youth justice services.
- 3.3 Bridgend, Neath Port Talbot and Swansea Youth Offending Teams have been in a voluntary, collaborative service since 29 May 2014 when the first WBYJEIS

Management Board was held and all local management boards ceased to exist. The Management Board is chaired by Neath Port Talbot County Borough Council's Director of Social Services, Health and Housing and has a membership in line with the requirements of the Crime and Disorder Act including Cabinet Members from all three local authorities.

- 3.4 All activity of the Youth Offending Services (YOS) across the Western Bay region is overseen and monitored by the WBYJEIS Management Board. There is a Cabinet Member from each local authority on this management board.
- 3.5 The development of regional working came at a time of significant financial challenge for all partners. As the service began collaborating in 2014-2015 each local authority realised a 20% saving against core funding as a result of the amalgamated approach to the delivery of services. The Western Bay service has been continuously undergoing redesign across the three local authority areas responding to opportunities and changes in demand. Subsequent years have shown a year on year reduction in staffing levels from 107 full-time equivalent in 2015-2016 to 84.5 in 2017-2018. The service income has also reduced from £4,230,124 in 2015-2016 to £3,629,749 in 2018-19.

4. Current situation/proposal

- 4.1 In 2018 Welsh Government made the decision to migrate health services for Bridgend from Abertawe Bro Morgannwg Health Board to Cwm Taf Health board to align decision-making across Health and Local Government. This change will take effect from 1 April 2019. It was agreed by all partners at WBYJEIS Management Board level that this would be an opportune time to end the collaboration.
- 4.2 There are only two shared resources, the service manager post (which is currently vacant) and the Promoting Positive Engagement (PPE) grant which is currently awarded to Bridgend on behalf of the three local authorities (LAs). Officers have contacted Welsh Government (WG) to request that the PPE grant is distributed to each individual LA for the financial year 2019-2020 onwards but we have not received confirmation of this arrangement at the time of writing this report. Should we not be able to have the grant allocated in this way, it is proposed that Bridgend will distribute the grant for one transition year by the three LAs entering into a Service Level Agreement (SLA).
- 4.3 If Cabinet approves the disaggregation of the YOS the service will revert to working as a single YOS however discussions have already begun with Cwm Taf YOS and there will be opportunities to collaborate across this boundary on specific projects. Bridgend has an operational manager who has been in post for eight years and following disaggregation the operational manager would be able to concentrate on managing YOS services locally instead of having to split their time across the three LAs.
- 4.4 An existing group manager will be allocated to oversee the service with the support of the Head of Education and Early Help.

5 Effect upon policy framework and procedure rules

- 5.1 There are no effects upon BCBC's Policy Framework or Procedure Rules.

6 Equality Impact Assessment

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics and an EIA status of low priority is considered appropriate at this stage

7. Well-being of Future Generations (Wales) Act 2015 Assessment

- 7.1 A Well-being of Future Generations (Wales) Act 2015 assessment has been completed and is detailed in Appendix A to this report. A summary of the implications from the assessment relating to the five ways of working is as follows:
- 7.2 Long-term – It incorporates how funding will be allocated to projects for the financial year and beyond as sustainability of projects is important by covering a summary of achievements; structure and governance; resources and value for money; partnership arrangements; and risks to future delivery against the youth justice outcome measures.
- 7.3 Prevention – One of Youth Justice key performance indicators is to reduce first time entrants into the youth justice system
- 7.4 Integration – Through restorative interventions the physical environment can be improved with young people taking ownership of the impact negative behaviour can have, make amends to victims making them feel safe and developing young people’s understanding of their own and other cultures
- 7.5 Collaboration - Youth Offending Services/Teams (YOTs) are statutory multi-agency partnerships who have a legal duty to co-operate in order to secure youth justice services appropriate to their area
- 7.6 Involvement – There is a young person’s sub group of the management board who are engaged in decision making including the development of the annual Youth Justice Plan.

8. Financial implications

- 8.1 The 2018-19 funding for the Bridgend Youth Offending Service is shown in the table below;

	Bridgend YOS £
Youth Justice Grant	193,357
WG PPE Grant	319,641
Other Income *	221,229
LA Core Budgets	384,060
TOTAL FUNDING 2018-19	1,118,287

*Other income includes smaller grants and income from partners regarding shared posts

- 8.2 All grants except for the Welsh Government Promoting Positive Engagement (PPE) grant are allocated to each respective LA and therefore would not be affected should the service be disaggregated. The PPE grant however is allocated as a regional grant with Bridgend acting as the lead authority. Should the service disaggregate it is

proposed that each LA have their proportion of the grant allocated to them respectively. Welsh Government (WG) has been informed of this intention and we await their response as to whether this can be actioned for the 2019-2020 grant award. Should this not be possible for the 2019-2020 financial year it is proposed that Bridgend enter into a SLA for one year with Neath Port Talbot County Borough Council and the City and County of Swansea Council for the PPE grant only.

- 8.3 As well as awaiting confirmation from WG on the PPE Grant, at the time of writing this report none of the values for the funding of the other grants for 2019-20 have been confirmed. However, the new service will have to operate within the existing resources available, once confirmed.
- 8.4 It is proposed that any arrangements for posts which are currently regionally working will cease and the post remain with their respective parent authority. Bridgend has sufficient funding for all its employees providing there is no reduction to any of the funding streams for 2019-2020.
- 8.5 Should there be any redundancies as a result of the disaggregation these will have to be met by each employing authority, and from Bridgend's perspective from within existing directorate resources.

9. Recommendation

9.1 It is recommended that Cabinet:

- approve the disaggregation of Bridgend Youth Offending service from WBYJEIS by March 2019 as set out in section 4 of this Report; and
- delegate authority to the Corporate Director (Education and Family Support) to agree the terms of and enter into a SLA with Swansea and Neath Port Talbot regarding the PPE grant for one transition year if Welsh Government are unable to split the grant for 2019-2020 in conjunction with the Head of Legal and Regulatory Services.

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Background documents: None

Appendix A

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015 ASSESSMENT

Project Description (key aims): The production of a Youth Justice Plan is a statutory duty of the local authority under Part 3, section 40 of the Crime and Disorder Act 1998.

The plan sets out:

- how youth justice services are to be provided and funded; and
- how the Youth Offending Service established by the local authority is to be composed and funded;
- how it will operate; and
- what function it is to carry out.

Section 1

Complete the table below to assess how well you have applied the 5 ways of working.

Long-term

(The importance of balancing short term needs with the need to safeguard the ability to also meet long term needs)

1. How does your project / activity balance short-term need with the long-term and planning for the future?

The purpose of the Youth Justice Service is to ensure that youth justice services are available to young citizens. It is the main vehicle through which youth justice services are coordinated and delivered working to reduce anti-social behaviour (ASB), offending and reoffending amongst children and young people. It incorporates how funding will be allocated to projects for the financial year and beyond as sustainability of projects is important by covering a summary of achievements; structure and governance; resources and value for money; partnership arrangements; and risks to future delivery against the youth justice outcome measures.

Prevention

2. How does your project / activity put resources into preventing problems occurring or getting worse?

<p>(How acting to prevent problems occurring or getting worse may help public bodies meet their objectives)</p>	<p>One of Youth Justice key performance indicators is to reducing first time entrants into the youth justice system. By doing this we</p> <ul style="list-style-type: none"> • Increase opportunities for young people to reach their potential • Reduce the number of victims of crime in the longer term • We achieve a safer community for all • There will be reduced pressure on higher tier services <p>The measurement of success will be:</p> <ul style="list-style-type: none"> • Fewer children and young people entering the youth justice system with increased diversion and increased prevention numbers. • Reduced levels of youth crime. • Early access to services based on early identification of need • Increased parental responsibilities • Increased restorative practises • Increased community reassurance
<p>Integration</p> <p>(Considering how the public body's well-being objectives may impact upon each of the wellbeing goals, on their objectives, or on the objectives of other public bodies)</p>	<p>3. How does your project / activity deliver economic, social, environmental & cultural outcomes together?</p> <p>Providing effective youth justice services has a positive impact on well-being objectives through direct delivery of interventions that improve a young person's access to education training and employment giving them a better chance to be economically independent, through diversion and resettlement work more able to be integrated in their local community, through restorative interventions the physical environment can be improved with young people taking ownership of the impact negative behaviour can have, make amends to victims making them feel safe and developing young people's understanding of their own and other cultures</p>
<p>Collaboration</p> <p>(Acting in collaboration with any other person (or different parts</p>	<p>4. How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</p> <p>Youth Offending Services/Teams (YOTs) are statutory multi-agency partnerships who have a legal duty under the crime and Disorder Act 1998 to co-operate in order to secure youth justice services appropriate to their area</p>

<p>of the body itself) that could help the body meet its well-being objectives)</p>	<p>funded from a variety of sources including UK Government, Welsh Government and the statutory partners. (ie local authorities, Police, HM Prison and Probation and Health).</p> <p>Bridgend, Neath Port Talbot and Swansea Youth Offending Teams have been a merged service since 29 May 2014 when the first Western Bay Youth Justice and Early Intervention Service (the Western Bay Service) Management Board was held and all local management boards ceased. The management board is chaired by the Neath Port Talbot Director of Social Services, Health and Housing and has a membership in line with the requirements of the Crime and Disorder Act 1998 including Cabinet Members from all three local authorities and the Police and Crime Commissioner.</p> <p>The service is represented on all three Community Safety Partnership Boards, the Western Bay Safeguarding Children Board and the Western Bay Area Planning Board, and Supporting People Boards. The service manager has strategic links with the South Wales Criminal Justice and Integrated Offender Management Board, Multi Agency Public Protection Arrangements (MAPPA), the Youth Justice Advisory Panel and having recently stepped down as chair of YOT Managers Cymru remains involved in areas of practice development across Wales. In each locality it has been important to ensure local relationships are retained which is achieved by linking key members of senior staff to local meetings, the strategic manager maintains links through the Family Support Continuum Steering Group in Swansea, Think Family Executive Group in Neath Port Talbot and the Senior Management Group of Education and Family Support in Bridgend. These meetings are prioritised and provide additional communication links with Public Service Boards.</p>
<p>Involvement</p> <p>(The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves)</p>	<p>5. How does your project / activity involve stakeholders with an interest in achieving the well-being goals? How do those stakeholders reflect the diversity of the area?</p> <p>Engaging young people in decision making and accepting responsibilities for their actions and future is critical to developing skills as constructive members of their community; Article 12 of the UNCRC establishes the right of young people to participate where decisions are being made that affect their future.</p> <p>In January 2018 a young persons sub group of the management board was formed. It is only made up of four young people at present but between them they represent the whole area of delivery ie each local authority, pre-court, post court and exit planning. They meet two weeks before each management board and go through the intended agenda and raise any issues or observations they may have. They receive the minutes and actions taken following on from any suggestions they make for change are fed back. The group is new and still developing.</p>

Section 2 Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals (use Appendix 1 to help you).

Description of the Well-being goals	How will your project / activity deliver benefits to our communities under the national well-being goals?	Is there any way to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?
<p>A prosperous Wales An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>With appropriate support for children and young people who may be at risk of offending to ensure that they attend school regularly will improve their wellbeing and relationships within the family and increase their likelihood of being economically involved.</p>	<p>Early intervention may have a positive impact</p>
<p>A resilient Wales A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p>The Youth Justice service staff use their expertise to facilitate behaviour change in attitudes towards attending school regularly. A positive emphasis on attending school and its opportunities for children and young people when they leave the education system is paramount.</p>	<p>Data on school attendance and engagement is a key performance indicator</p>
<p>A healthier Wales A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<p>Children and young people who access the service are promoted to access a wide range of health services including general health, sexual health and mental health services.</p>	

<p>A more equal Wales A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p>	<p>Youth Justice services all children and families irrelevant of their background or circumstances</p>	<p>Increasing engagement will have a positive inclusive effect</p>
<p>A Wales of cohesive communities Attractive, viable, safe and well-connected communities.</p>	<p>Youth justice services work to address underachievement, anti-social behaviour and offending they also work with Police and other agencies to ensure that these issues are addressed where required.</p>	<p>Prevention work should have a positive impact on the community</p>
<p>A Wales of vibrant culture and thriving Welsh language A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>	<p>Young people who access the service are actively engaged to become involved citizens in all areas including, sports, music and community activity.</p>	<p>Increasing engagement will have a positive inclusive effect</p>
<p>A globally responsible Wales A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>Young people who access the service are actively engaged to become involved citizens</p>	<p>Increasing engagement will have a positive inclusive effect</p>

Section 3**Will your project / activity affect people or groups of people with protected characteristics? Explain what will be done to maximise any positive impacts or minimise any negative impacts**

Protected characteristics	Will your project / activity have any positive impacts on those with a protected characteristic?	Will your project / activity have any negative impacts on those with a protected characteristic?	Is there any way to maximise any positive impacts or minimise any negative impacts?
Age:	Yes	No	Early intervention – engagement at an earlier stage will prevent young people from being engaged with anti-social or criminal behaviour
Gender reassignment:	Yes	No	
Marriage or civil partnership:	Yes	No	
Pregnancy or maternity:	Yes	No	
Race:	Yes	No	
Religion or Belief:	Yes	No	
Race:	Yes	No	
Sex:	Yes	No	
Welsh Language:	Yes	No	

Section 4 Identify decision meeting for Project/activity e.g. Cabinet, Council or delegated decision taken by Executive Members and/or Chief Officers

Cabinet

Compiling Officers Name:

Nicola Echanis

Compiling Officers Job Title:

Head of Education and Early Help

Date completed:

29/01/2019