

Children In Care CONCORDAT

SUMMARY

- 1.1 This report provides an update on the progress of the multi -agency approach to support the behavioural needs of those children in care that would otherwise be dealt with via the youth justice system. The establishment of a multi-agency Concordat will drive the shared vision that prevention is better than remedial or rehabilitation action for children in care who are at risk of coming into contact with the youth justice system.
- 1.2 National reviews of Local Authorities have found that:
- Children in care who come to police attention may have a higher risk of being convicted as opposed to being cautioned compared to other children.
 - Children in care who enter custody show greater levels of mental health need (as a group) compared to other children in custody.
 - 94% of Children in care do not get in trouble with the law. However children in care in England are six times more likely to be cautioned or convicted of an offence than other children.
- 1.3 Nationally, it is estimated there are 400 children in care who are in custody at any one time, of which about 100 will be being held on remand. The Youth Justice Board for England and Wales cite 44% of children in care in custody are from a black or minority ethnic background, which is more than one and a half times the proportion in the general population and the looked after population.

Summary for Children and Young People.

- 1.4 There are times when some children in care feel very unhappy and they can show this by doing things such as damaging the place they live in or hurting others, which can lead to them getting arrested by the Police, having to go to Court and then having a worker from the Youth Offending Service who makes sure that they do work with them as part of what we call a Court Order.
- 1.5 We think that too many children in care are arrested and that we can lower this number. We have looked at the crimes that children in care in Derby committed over the last 2 years and these are usually not the most serious crimes and so we think there is a safe and better way of helping these children.
- 1.6 Children who are arrested will then have what is called a criminal record, which can make it harder for them to get onto some college or training courses or get a job in

the future. We think we can do something different for children in care when they behave like this by working closer with the Police and by giving staff extra training to deal with children when they are feeling angry so that staff do not always feel they have to call the Police.

- 1.7 We have met with the Police to make a plan of how we are going to do this, as we think this can make things better for children in care and we need to make sure that all the teams that have said they want to do this are going to work together.
- 1.8 So far, the Youth Offending Service (YOS), Residential Children's Services, Police, Health, Safe and Sound, the Police and Crime Commissioner, Children in Care Service and the council's Corporate Parenting Lead have said they will be part of this work. We have also asked The National Probation Service, Vulnerable Learners Service and the Virtual School if they will also help us with this work. This will help strengthen the offer to children in care by all agencies under their Corporate Parenting responsibilities. We have also asked the Children in Care Council what they think could help.

RECOMMENDATION

- 2.1 To approve the on-going development of a multi-agency Concordat approach for children in care in Derby.

REASONS FOR RECOMMENDATION

- 3.1 To ensure the right services are provided to children in care at the right time to reduce the likelihood of them having contact with youth justice services.

SUPPORTING INFORMATION

- 4.1 The Concordat work completed to date has helped to form a strategic approach and shared vision by relevant partners comprising; the Office of the Police and Crime Commissioner, YOS, Children Social Care, Residential Services, Police and Health Services. The Governance for the Concordat will come from the Youth Justice Partnership Board, Corporate Parenting Committee and Children and Families and Learners Board.
- 4.2 Operationally, a steering group chaired by the Deputy Police and Crime Commissioner and attended by a range of partner agencies provides steer for this work and is underpinned by a tactical group involving the YOS, Residential Services, Police, Health Services and the Virtual School. This group has received agreement from the steering group to develop a CONCORDAT pilot in Derby at the Sinfin care homes. This will help deliver a focused approach that can later be widened to include all Derby City Council care homes, foster carers and then private providers, as we develop the learning from the pilot to inform our approach going forward.

- 4.3 The tactical group has also benchmarked the impact of children in care on services, such as the number of Police calls for service, number of offences, YOS interventions and educational attendance/attainment. This will allow the tactical group to develop a performance framework to measure progress against some of the benchmark data outlined below, which covered the time period between October 2017 and March 2018. Findings included:
- 26 offences were reported (to the Police) in the 6 months
 - 83% involved violence against the person or criminal damage
 - There were 233 Police calls for service
 - Missing children accounted for 140 calls and absent children for 41 (77.6%)
 - 5 young people were involved with YOS
 - 14 offences were committed in the period (convictions rather than reported)
 - 13 court appearances by 3 young people
 - No breaches!
 - 5/6 young people were on part time timetables (83.3%)
 - The attendance range was 3.5%-86%
 - Average attendance was 39%
 - There were no exclusions!
- 4.4 Given the data, the tactical group (and steering group) are of the view that our approach should focus on a wider youth vulnerability and crime approach. It was clear after examining the data that some court appearances related to offences could have been dealt with 'in house' or at a Police Out of Court clinic. Positively, the low breach rate experienced by the YOS demonstrates how a trusting relationship model can help to achieve good outcomes.
- 4.5 Ensuring we hear the voice of children in care will influence what work we deliver and how we deliver this. As such, the Participation Officer has worked with the Children in Care Council (on behalf of the Head of Service for the YOS) to gather their views on how they felt young people in care could be helped by agencies when they are involved in or at risk of offending behaviour. The following is a small sample of their feedback:
- Someone can help by talking to the young person and finding out why they do something.
 - Helping the young person understand why they've been given the punishment/consequence.
 - Notice there is something wrong in advance. Help get the young person's mind off their worry or talk about it.
 - Get support for the young person with their emotions (e.g. The Keep).
 - Take young people out somewhere.
 - Do not start an argument with the young person.
 - Have someone to listen to the young person.
 - Do not judge the young person.
 - Give young people a way of getting their anger out.
 - Highlight the good things the young person does.
 - Focus on positives – reward young people when they do good things (have a

credit system?).

We will build on this further by collecting the views of 3 young people who are living in care and have been involved with the YOS to gain their direct views, which will influence delivery of our plan.

- 4.6 One of the key aspects to this work is a protocol that is to be agreed between key agencies working as part of the CONCORDAT. This will be the guiding operational tool to ensure consistency between agencies when dealing with the behaviour of children in care to ensure that all potential alternatives to using the criminal justice system have been explored before formal sanctions are used. This has been developed principally between the Police and YOS but has been consulted on with the CPS, Residential Services, Police, Health and the Virtual school and is at the point of writing this report, is ready for senior management sign off.
- 4.7 The tactical group meet on 11.7.18 with a remit to discuss the protocol, agree a performance framework, and ensure the voice of children in care informs the plan of work going forward and to develop an action plan for the next 12 months with a planned launch for September 2018.
- 4.8 Ideas for the plan include: a multi-agency launch, including training events delivered by the YOS with a focus on the impact of unnecessary criminalisation, the good lives model and styles of engagement with young people in care. This has been developed in conjunction with the Workforce Development Team.
- 4.9 There are also plans for delivery of Restorative parenting training for residential staff and young people, YOS and Runaways prevention work for young people assessed as at risk of offending or going missing and faster access to services that can help address the underlying causes of behaviour that can lead to criminalisation. As highlighted previously, the delivery will be influenced by the views of the Children in Care Council and young people living in care and involved with the YOS. Once the action plan has been designed and implemented, its progress will be directly overseen by the tactical group but with oversight and scrutiny from the steering group, the Youth Justice Partnership Board and reports will continue to be brought back to Corporate Parenting Committee.

OTHER OPTIONS CONSIDERED

- 5.1 There are no other realistic or appropriate options, as this work requires a genuine multi-agency buy in to ensure we meet the objectives of the work.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	N/A N/A N/A N/A Suanne Lim.
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Background papers: List of appendices:	Appendix 1 - Implications
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IMPLICATIONS

Financial and Value for Money

- 1.1 The only financial implication relates to training (Restorative parenting), which is a key element of adopting a different approach in dealing with young people who are at risk of criminalisation. The costs would come from the Youth Offending Service budget. All other resources needed to develop this work are already in place, it is a matter of coordinating services under the clear direction of a cross agency agreement of how to deal with children in care who present challenging behaviour.

Legal

- 2.1 The primary aim of Youth Offending Teams is to prevent offending and re-offending by children and young people as outlined in Section 37 (1) of the Crime and Disorder Act 1998. This programme will ensure the Youth Offending Service in Derby, supported by key partner agencies is working to achieve this aim.
- 2.2 The Children and Social Work Act 2017 says that when a child or young person comes into the care of the local authority, or is under 25 and was looked-after by the authority for at least 13 weeks after their 14th birthday, the authority becomes their corporate parent. This means that they should:
- act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
 - encourage them to express their views, wishes and feelings, and take them into account, while promoting high aspirations and trying to secure the best outcomes for them
 - make sure they have access to services
 - make sure that they are safe, with stable home lives, relationships and education or work
 - Prepare them for adulthood and independent living.

Personnel

- 3.1 There are no anticipated personnel issues, as all staff needed for this programme are already in place.

IT

- 4.1 There are no IT implications.

Equalities Impact

- 5.1 Children in Care and Care Leavers often face multiple deprivations that can lead to life-long needs that are not met and dependency on statutory services and risk of both child and adult criminalisation. This programme aims to ensure such unmet needs are identified and addressed as part of a multi-modal programme of support to young people. We aim to prevent the development of a criminal identity for young people through a diversionary approach, which can potentially prevent the amplification of this behaviour.

Health and Safety

- 6.1 There are no significant health and safety risks.

Environmental Sustainability

- 7.1 None arising from this report

Property and Asset Management

- 8.1 None arising from this report

Risk Management

- 9.1 Cases will need to be dealt with on a case by case basis to ensure that any potential offences that are of a serious nature are dealt following the correct procedures and that any risks a young person presents to others through their behaviour are managed to reduce that risk.

Corporate objectives and priorities for change

- 10.1 Links to the Corporate plan are through:
- Protecting vulnerable children, young people, adults and older people:
 - Making sure that we take action to safeguard vulnerable adults and children that require higher levels of support including; our looked after children and vulnerable adults with learning disabilities. This will involve early intervention and prevention wherever possible.