

**CORPORATE PARENTING
COMMITTEE**

Date 31st October 2023

ITEM 10



Report sponsor: Suanne Lim, Director
of Early Help & Children's Safeguarding
Report author: Andrew Kaiser, Head of
Specialist Services

Update Report on Reducing Criminalisation by Children in Care CONCORDAT

Purpose

- 1.1 CONCORDAT is an agreement across the children and young people's partnership in Derby City to join up work under a singular vision to avoid the unnecessary criminalisation of children in care.
- 1.2 CONCORDAT recognises the trauma children face in their routes into care and secondary trauma caused by being a child in care, which can manifest itself through challenging, impulsive, and reckless behaviour; some of which comes to the attention of the Police and formal criminal justice system. Whilst some of this behaviour requires a robust criminal justice response, some (lower-level behaviour) requires a differentiated approach that deals with challenging behaviour, addresses trauma but does not involve using a formal (criminal justice) response, which inhibits likelihood of successful outcomes: such as gaining success in the labour market.
- 1.3 Partnerships have agreed to work together in Derby to agree both a vision for CONCORDAT, a protocol to act as a framework to deliver CONCORDAT and an action plan to support the CONCORDAT scheme in the city across both Derby City Council owned and run children's residential care homes and private children's homes in the city. This was approved at senior levels across Derby City Council, the Crown Prosecution Service (CPS) and the Office of the Police and Crime Commissioner for Derbyshire. The CONCORDAT protocol was launched on 11.10.18 and following a successful pilot programme at the Sinfin residential care homes, the CONCORDAT was widened to all city-based Derby City Council (DCC) homes and an updated action plan was developed to support this and ensure all agencies were working to a singular plan. This report provides an overview of progress made over the past 12 months and recommendations for next steps.

Children and Young People's Overview

- 1.4 When children come into care, they have often had a bad experience and this can make some children do things they later regret when they feel angry, upset, or let down. This can mean that sometimes they lash out at others close to them, such as staff in the place they live, other children they live with, or they might break things when they feel angry.

We want to try and help these children and we think that sometimes calling the Police when this happens is not always the right or best thing to do and so have written an agreement with the Police to make sure we try to help sort these situations out

without having to call the Police, unless we think there is no other choice. This does not mean we are 'letting children off'; it means that sometimes there are better ways of dealing with things. After all, most adults wouldn't call the Police every time their own children had a fight or broke something, so why would they do this for children who are living in care?

Recommendation(s)

- 2.1 To ensure Corporate Parenting Committee are kept abreast of developments, progress, and impact of the CONCORDAT programme to date.

Reason(s)

- 3.1 To ensure Corporate Parenting Committee can comment on any developments and progress with regards to CONCORDAT to date

Supporting information

- 4.1 CONCORDAT was launched in October 2018. The CONCORDAT vision is below:

A shared vision for Derby ... "custody as last resort" and establishment of a formal agreement/contract/pledge requiring local authorities, police, and other relevant agencies to set and deliver locally agreed outcomes to reduce the criminalisation of, and offending of, children and young people in care.

- 4.2 Following a successful pilot in the Sinfin based residential homes, CONCORDAT was launched across all DCC city based residential homes and was led and driven by tactical and operational groups made up of managers and staff in the Youth Justice Service, CPS, Police, and residential services to ensure adherence to the protocol and support an action plan for the homes in the city, including training and access for children to services to address challenging behaviour. The framework to drive CONCORDAT are the protocol (encompassing the 10-point check list) and the supporting action plan, which contains the work to support tactical and operational delivery.

The CONCORDAT pilot demonstrated success in terms of reducing poorer outcomes for children living in DCC residential care. These included:

- A 20% reduction in offending behaviour
- A 22.7% reduction in calls for service (from Derbyshire Constabulary)
- 11.9% reduction of children subject to part-time timetables

Progress over 2022/23

- 4.3 Progress of CONCORDAT has been maintained over the last twelve months. Tactical meetings have taken place, although at a less frequent pace due to additional responsibilities for the Head of Specialist Services following the senior management re-structure and changes in the Youth Justice Services management team.

4.4 Since the last CONCORDAT annual report (reported to the October 2022 Corporate Parenting Committee) there has been some progress (against the action plan), which is noted below:

- Development of a joint triage of children and young people appearing in Police custody between Derbyshire Constabulary and Youth Justice Service.
- Homes managers attend Section Tasking Meetings and ensure information is fed back to staff in homes to ensure they aware of key risk locations and individuals.
- Staff across residential and Specialist Services have accessed an online 8 module attachment and trauma course commissioned by the Virtual School.
- Children in care and Residential staff have accessed an attachment, trauma and neuro developmental conference day on the 27.9.22.
- Commissioning Service have confirmed that all private homes on the Derby City Council (DCC) contract have been signed up to the CONCORDAT conditions so should be using the 10 point checklist.
- The Complex Case Manager is involved in cases where there are concerns regarding a child's mental health and existing pathways are not meeting that need. The Complex Case Manager also attends CONCORDAT steering group meetings to advise the group from a specialist mental health perspective.
- Enhanced Case Planning Meetings have continued for children living in DCC residential homes.

There are several actions contained within the action plan that are in progress and RAG rated amber, which will transition to the 2023-24 plan, where these continue to remain pertinent. Tactical group members review their sections of the plan in Tactical group meetings on an incremental basis to ensure a multi-partner and corporately owned approach across Derby.

To assess impact, we have gathered data from Police and YJS systems and outlined the findings below:

4.5 **Police Data**

The below analysis has been compiled for the DCC children's homes based on addresses provided to Derbyshire Constabulary.

The table below shows the number of crime occurrences between 1st April 2022 and 31st March 2023 in each of the 4 children's homes, and for the wider Safer Neighbourhood area. These are compared to the previous year's figures.

Crime Occurrences	2022-2023	2021-2022	% Change
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Chellaston	873	936	-6.7%
Home 1	5	18	-72.2%
Boulton, Sinfin and Osmaston	3709	3847	-3.6%
Home 2	10	32	-68.8%
Home 3/4	3	4	-25.0%
Total Crimes at All Homes	18	54	-66.7%

There has been a reduction in offences at all 4 homes in the past 12 months compared to the year previous, which equates to a 66.7% decrease in total, with the largest reduction of these being at home 1. The reasons for this are explored in subsequent paragraphs.

The reductions demonstrate that with the right mix of well-matched children, strong child first management principals and an adherence to the CONCORDAT protocol, crime rates can be maintained at a low rate. The reductions in the children's homes are at a greater rate of reduction than those seen in the wider communities in which these homes are situated.

4.6 Type of Offences

The tables below show the types of crime being recorded for each home during 2022-23, with a comparison to the previous year. Due to the small number of crimes, and the large reduction across the 4 children's homes, the number of offences are so small that it can be difficult to draw meaningful conclusions when split by crime type.

Across the homes, the most common crime type is violence without Injury, accounting for 22% of all crimes, which is also the most prevalent offence in the Youth Justice Service for all children and has been for several years.

This is followed by stalking and harassment and violence with injury, with both offences accounting for nearly 17% of all crimes. At home 2, there has been a significant change in offences which signify dysregulation with reductions in violence without injury and criminal damage offences.

At home 2, criminal damage offences equated to over 31% of offences in 2021-22, compared to 20% of recorded offences in 2022-23. The data gives us cause for optimism regarding how well behaviours have been managed at home 2. Home 1 has also built further on the stability we saw in 2021-22, with over a 72% reduction in offences in 2022-23.

A great deal of work has been completed to ensure appropriate matching of children in these homes and an investment by the management team in residential services to the CONCORDAT principals, which align to the strengths-based approach in wider Children's Services across Derby and the Child First principals of our Youth Justice Service.

	2022-2023	2021-2022	%
Crime Occurrences	Home 1	Home 1	Change
STALKING AND HARASSMENT	2	3	-33.3%
OTHER SEXUAL OFFENCES	1	1	0.0%

PUBLIC DISORDER	1	1	0.0%
VIOLENCE WITH INJURY	1	1	0.0%
CRIMINAL DAMAGE	0	3	-100.0%
DRUG POSSESSION	0	3	-100.0%
POSSESSION OF WEAPONS OFFENCES	0	1	-100.0%
VIOLENCE WITHOUT INJURY	0	5	-100.0%
Total Occurrences	5	18	-72.2%

	2022-2023	2021-2022	%
Crime Occurrences	Home 2	Home 2	Change
VIOLENCE WITHOUT INJURY	4	14	-71.4%
CRIMINAL DAMAGE	2	10	-80.0%
VIOLENCE WITH INJURY	2	2	0.0%
MISCELLANEOUS CRIMES AGAINST SOCIETY	1	1	0.0%
STALKING AND HARASSMENT	1	0	n/a
BURGLARY - BUSINESS/COMMUNITY	0	1	-100.0%
DRUG POSSESSION	0	1	-100.0%
POSSESSION OF WEAPONS OFFENCES	0	3	-100.0%
Total Occurrences	10	32	-68.8%

	2022-2023	2021-2022	%
Crime Occurrences	Home 3 / Home 4	Home 3 / Home 4	Change
DRUG POSSESSION	1	0	n/a
POSSESSION OF WEAPONS OFFENCES	1	0	n/a
PUBLIC DISORDER	1	0	n/a
ALL OTHER THEFT OFFENCES	0	1	-100.0%
DRUG TRAFFICKING	0	1	-100.0%
VIOLENCE WITH INJURY	0	2	-100.0%
Total Occurrences	3	4	-25.0%

4.7 Incidents

The table below shows the number of incidents between 1.4.22 and 31.3.23 in each of the 4 children's homes, and for the wider Safer Neighborhood area. These are compared to the previous year's figures.

Incidents	2022/23	2021/22	% Change
Chellaston	2503	2591	-3.4%
Home 1	19	122	-84.4%
Boulton, Sinfin and Osmaston	8914	9262	-3.8%
Home 2	75	195	-61.5%
Home 3/4	66	113	-41.6%
Total Incidents at All Homes	160	430	-62.8%

Overall, there has been a decrease of nearly 63% in the number of reported incidents in the 4 children's homes during 2022/23. Incidents at home 1 have decreased by nearly 85%, going from 122 recorded incidents to just 19.

Home 2 has reduced by nearly 62%, falling from 195 incidents to 75.

Homes 3 and 4 have the smallest reduction in the number of reported incidents, going from 113 to 66 but this equates to a decrease of nearly 42%.

The Safer Neighbourhood areas covering the 4 children’s homes have also decreased, there has been a 3.8% reduction in the number of incidents recorded, which is far behind the figures we see for DCC residential homes.

Again, the quality of placement matching and adherence (despite challenges) to CONCORDAT, strengths based, and Child First principals are key to achieving success.

4.8 Type of incident

The tables below show the numbers of calls for service recorded for each of the homes during 2022-2023, with a comparison to the previous 12 month period.

The largest number of calls for service across all homes was for “Missing Person”, accounting for 72% of all incidents recorded in total. However, we have seen reducing numbers of missing episodes for children living in our internal residential homes in the past year, which has been informed by discussions with our strategic lead for children missing from home and care.

At home 2, there were 58 missing person incidents recorded out of a total of 75, and at homes 3 and 4, there were 49 incidents recorded out of 66 in total. Home 1 had 8 missing persons calls out of 19, which represents 42% of the calls for service. Missing person calls for service often relate to the same individuals within the homes repeatedly going missing during the time period. Reduced calls for service aligns to the metrics for reduced offences seen in the homes in this report.

	2022-2023	2021-2022	%
Incidents	Home 1	Home 1	Change
Missing Person	8	96	-91.7%
Violence *C*	3	6	-50.0%
Sexual Offence *C*	2	1	100.0%
Concern for Safety/Collapse/Illness/Injury	1	8	-87.5%
Drugs *C*	1	1	0.0%
Hoax Call	1	0	n/a
Lost & Found Property/Found Person	1	2	-50.0%
Robbery *C*	1	0	n/a
Suspicious Circumstances/Insecure/Premises/Vehicles	1	2	-50.0%
Abandoned Call	0	3	-100.0%
Criminal Damage *C*	0	1	-100.0%
Nuisance	0	1	-100.0%
Personal	0	1	-100.0%
Total Incidents	19	122	-84.4%
	2022-2023	2021-2022	%
Incidents	Home 2	Home 2	Change
Missing Person	58	136	-57.4%
Concern for Safety/Collapse/Illness/Injury	7	14	-50.0%
Lost & Found Property/Found Person	2	6	-66.7%
Other Theft *C*	2	0	n/a

Violence *C*	2	11	-81.8%
Abandoned Call	1	0	n/a
Criminal Damage *C*	1	8	-87.5%
Road Related Offence	1	0	n/a
Sexual Offence *C*	1	0	n/a
Burglary *C*	0	1	-100.0%
Crime Related Incident	0	2	-100.0%
Domestic Incident	0	1	-100.0%
Missing No Apparent Risk	0	7	-100.0%
Nuisance	0	3	-100.0%
Other Crime *C*	0	1	-100.0%
Personal	0	1	-100.0%
Suspicious Circumstances/Insecure Premises/Vehicles	0	4	-100.0%
Total Incidents	75	195	-61.5%

	2022-2023	2021-2022	%
Incidents	Home 3 / Home 4	Home 3 / Home 4	Change
Missing Person	49	74	-33.8%
Absconder/AWOL/Wanted Persons/Police and Court Orders/Bail	4	20	-80.0%
Violence *C*	4	2	100.0%
Suspicious Circumstances/Insecure Premises/Vehicles	3	1	200.0%
Suspicious Package/Object	2	0	n/a
Concern for Safety/Collapse/Illness/Injury	1	6	-83.3%
Drugs *C*	1	0	n/a
Lost & Found Property/Found Person	1	3	-66.7%
Other Crime *C*	1	0	n/a
Crime Related Incident	0	1	-100.0%
Missing No Apparent Risk	0	3	-100.0%
Nuisance	0	1	-100.0%
Other Theft *C*	0	1	-100.0%
Sudden Death	0	1	-100.0%
Total Incidents	66	113	-41.6%

4.9 Overall, we see a significantly optimistic picture in homes across 2022-23, with all homes demonstrating stability in terms of reduced numbers of offences being committed and reduced calls for service.

Appropriate matching of children placed together, Child First and trauma informed principals and consistent use of the CONCORDAT protocol can have a beneficial impact on outcomes as seen over the past 12 months. This also evidences the synergy of various strands of work across the wider partnership to adopt a trauma informed approach that can see benefits in regard to contextual risk factors such as criminality and missing from home.

4.10 Youth Justice Service Data 2022-23 compared to 2021-22

The Youth Justice Service (YJS) Information Analyst has gathered information from YJS data systems comparing 2022-2023 to 2021-22. The findings are contained in the table below.

YJS During the Period	2021/22	2022/23	Change
4 young people involved with YJS	3	4	33%
2 on substantive court orders	2	2	0%
7 offences committed in period	1	7	600%
23 court appearances by 3 young people	4	23	475%
96 face to face contacts with services in the period	37	96	159%
13 assessments completed	4	13	225%
0 breach	0	0	0%
Interventions from: mentors, neighbourhoods' teams, fire safety, LAC Nurse, education, Police, reception service as well as internal YOS officers			

- 4.11 When we look at YJS data, what we see in 2022-23 is a slightly greater number of Looked After Children living in DCC homes involved with the service and an increase in the number of offences committed. When investigating the underpinning data, the 4 children have complex needs and all have had assessments that demonstrate involvement in some form of criminal exploitation and more serious patterns of behaviour. Although this appears negative on the surface, what the underpinning data demonstrates is that the patterns of offending behaviour are those that should be brought to the attention of the formal criminal justice system, to ensure a robust approach for victims of crime and that children have a clear boundary when their behaviour becomes unsafe. This also works in line with the preventative approach the YJS has adopted where lower level behaviours are managed via less intrusive and damaging interventions, whilst more serious behaviours involve more formal mechanisms.
- 4.12 Face to face contact has been increased for children subject to YJS supervision, although (based on children's feedback) we have retained some remote working methods. The reduced face to face contacts with Looked After Children is due to the number under YJS supervision reducing. YJS systems demonstrate interventions delivered by mentors, neighbourhoods' teams, fire safety, LAC Nurse, education, Police, reception service as well as internal YJS officers.
- 4.13 The YJS continue to work with this complex cohort of children without high breach levels and attempting to reduce offending behaviour through developing and embedding Child First practice, supported by the Youth Justice Board for England and Wales and a Trauma Informed approach supported and underpinned by Health funded staff (Part-time Clinical Psychologist, CAMHS Officer and a Speech and Language Therapist). This ensures the service focuses on strengths and aspirations rather than deficits.

Cromarty Model

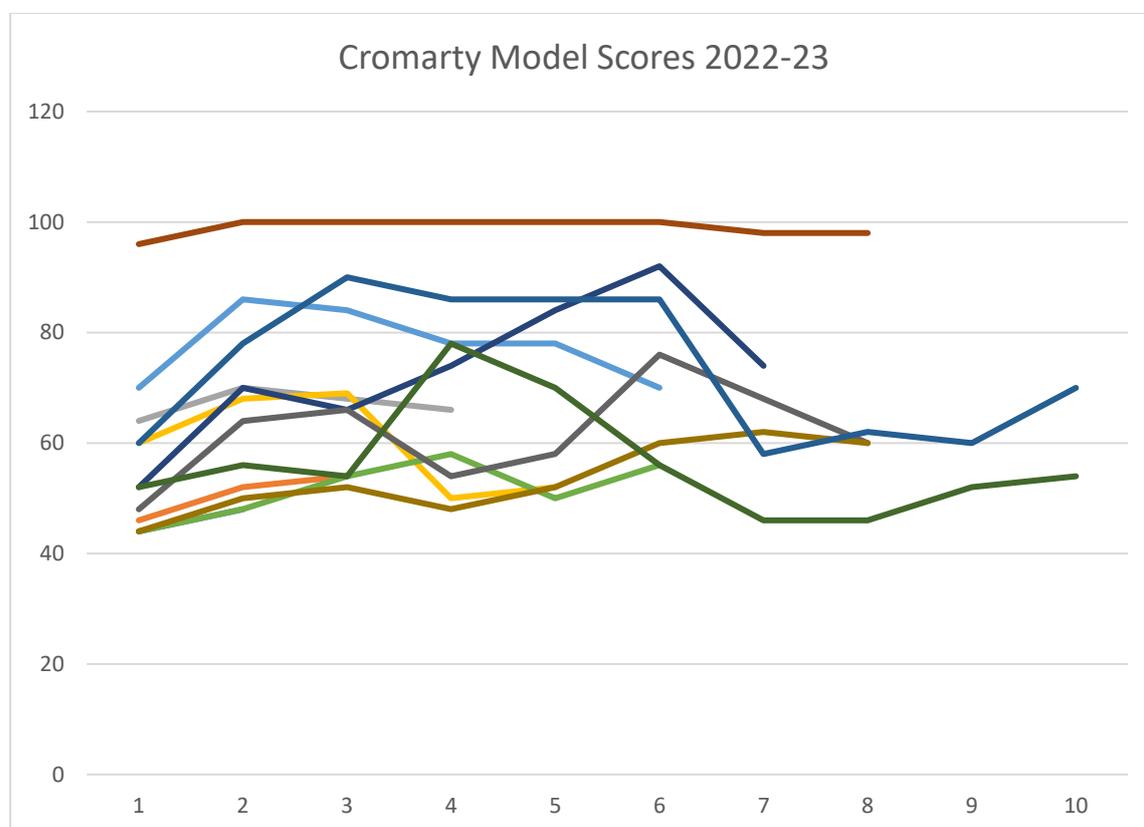
- 4.14 In 2022-23 the Cromarty Model continued to be used in Enhanced Care Planning Meetings (ECPM's) to measure progress children were making against identified targets that are broader than the simple offending metric and allowed a more

strengths based and holistic picture of that child's progress. At the beginning of the ECPM process the "team around the child" identified 10 targets which were appropriate for the child. A baseline Cromarty Model score against these targets was established and at subsequent ECPM's the Cromarty Model targets were re-scored to enable progress to be measured.

In this analysis young people have different numbers of meetings depending on their need and the time they have been in care. The data shows that some young people have had 10 meetings while another only 2 meetings.

The graph below shows the Cromarty Model score for each ECPM meeting. To interpret the graph, it is best to follow one individual line across the page.

Although progress is not always in a smooth upward trajectory the data shows that 10 of the 12 young people had improved scores by the end of the year, one was the same score, and one had a lower score.



4.15 Challenges

The key risk factor we are seeing for children relates to their emotional health and complex presentation, which can present situations where behaviour becomes dysregulated and can lead to negative outcomes such as self-harm/injurious behaviour or behaviour that could be reported as criminality. We are seeing some children struggle to cope with their past traumas, which can be complicated further by additional needs such as neurodiversity, learning needs, attachment

difficulties/disorders etc. and this is manifesting in complex behaviours that are a challenge for all agencies to manage.

- 4.16 Positively, the YJS' Clinical Psychology post has continued in role and is funded as a substantive post by the Integrated Care Board, which ensures a trauma informed approach in the service and at ECPM's. However, as reported in last year's CONCORDAT report, there was no agreement from health in continuing to fund the Youth Well-Being Worker post beyond October 2022. We have addressed this gap by bringing in a match funded Speech and Language Therapist (with the Office of the Police and Crime Commissioner funding half of the role) and using other monies to provide a therapeutic mentoring approach, which our former Youth Well Being Worker is involved in delivering.
- 4.17 There continue to be challenges pertaining to placement sufficiency nationally, which means locating suitable placements for children is difficult and this is exacerbated for children with a high level of need. This can lead to situations where we have had to match children in placements, where we know the match is not what we want. This can be disruptive for children and can lead to negative outcomes. The Commissioning Service has a strategy to develop a broader array of accommodation types for children with a range of needs to address some of this issue and we have meetings with other local providers to look at bringing more of our Looked After Children closer to Derby, where their support networks lie.

Next Steps

- 4.18 A refreshed and shorter CONCORDAT action plan will be developed by Tactical group members, who will continue to meet three times per annum (given the additional responsibilities for the strategic lead for this work) to review the action plan and refresh this on an annual basis. The plan includes:
- Including avoiding unnecessary criminalisation of Looked After Children in our refreshed Children in Care pledge, which will replace the existing vision.
 - Review and re-launch the protocol to ensure this fits current practices across partners.
 - Ensure we identify and embed new Police Single Point of Contact for DCC residential homes.
 - Refresh the CONCORDAT training offer through the partnership and led by DCC Children's Workforce Learning and Development Team.
 - Implementing stability meetings in our DCC children's homes to ensure the first signs of any potential risk regarding placement stability are addressed by a whole system approach to supporting the home and the child.
 - Implement quarterly real time data meetings between YJS, Police and residential services to track cases of children who have been and are going through Police investigation to ensure proportionate responses to children in line with the CONCORDAT protocol.
 - Bring private providers into the tactical group.

Public/stakeholder engagement

- 5.1 Stakeholders have been involved by way of senior managers being part of a steering group and senior middle managers being part of a Tactical group, to ensure that all

parts of the children's delivery system for children in care are part of this approach and can inform and influence as necessary.

- 5.2 Children and young people living in care and staff affected by this (in residential homes) have been involved by way of engagement in and completion of questionnaires, which have been completed independently and which have been aggregated to ensure we understand themes emerging from this and can use this 'voice' to inform future developments.

Other options

- 6.1 Although having a CONCORDAT in place is not in itself a statutory requirement, ensuring that the partnership is meeting its corporate parenting principals is a key thrust of the Children and Social Work Act 2017 and so CONCORDAT is statutory in essence.
- 6.2 We recommend that the CONCORDAT protocol continues to be used across all Derby City Council Children's homes, we continue to adopt the principals of using CONCORDAT for our children placed in other parts of the UK and in private homes across the city, we have a revised action plan that ensures support for staff and children which holds partners to account for ensuring best outcomes for children in care and is refreshed annually. We further recommend that every 12 months, we bring an updated position statement on CONCORDAT to the Corporate Parenting Committee.

Financial and value for money issues

- 7.1 There are no financial issues, as there is no funding attached to CONCORDAT nor any costs. We have had to utilise the resources of the partnership to skill up staff, develop the action plan, ensure appropriate training, and review progress.

Broader cost savings going forward will be realised by way of keeping children who do not need to be dealt with by the formal criminal justice system out of this system. The National Audit office estimates that it costs £8,000 per child to pass through the criminal justice system, including the costs of police, courts, offender management teams, and custody. These estimates exclude the societal costs of both recorded and unrecorded crimes, such as the costs of the physical and emotional impact on victims.

Legal implications

- 8.1 No other legal implications.

Climate implications

- 9.1 No climate implications

Socio-Economic implications

10.1 No socio-economic implications.

Other significant implications

11.1 No other significant implications.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu, Head of Legal and Insurance Services	7.9.23
Finance	Janice Hadfield, Head of Finance	6.9.23
Service Director(s)	Suanne Lim, Director of Early Help & Childrens Social Care	1.9.23
Report sponsor	Suanne Lim, Director of Early Help & Children's Social Care	1.9.23
Other(s)	NA	

Background papers: List of appendices:NA
