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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 young people in care.
- 1.2 CONCORDAT recognises the trauma that young people face in both their routes into care and the secondary trauma caused by being a child in care and that this 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 but does not involve using a formal response, which inhibits the 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 Derby City Council owned and run children's residential care homes. 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 homes and an updated action plan was developed to support this and ensure that all agencies were working to a singular plan. This report provides an overview of progress made since April 2019 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 young people 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 young people they live with or they might break things when they feel angry.

We want to try and help these young people 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 and health 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 young people 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 are able to comment on any developments and progress with regards to CONCORDAT to date.

Supporting information

- 4.1 A CONCORDAT (as mentioned) 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 Tactical and operational groups are in place made up of managers and staff in the Youth Offending 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 young people to services to address challenging behaviour.
- 4.3 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 young people subject to part-time timetables

Benchmark data (for all DCC Childrens homes) has been collected and this will be analysed in April 2020 to measure the impact of phase 2 of the CONCORDAT.

- 4.3 The action plan is delivered through the CONCORDAT operational group, which consists of staff from a range of agencies and is led by Residential and Youth Offending Services. Progress has including:
- Training of residential staff in the Sinfin homes on restorative parenting, including young people making a film about this aspect of the training. REMEDI plan to show this film to young people who participated.
 - Development of a multi-agency training podcast to include: trauma informed practice (including the science behind the theory), the protocol, work of the Youth Offending Service. This podcast will be embellished on an on-going basis thereby acting as the key staff induction and training tool across the partnership.
 - A new Police Single Point of Contact (SPOC) being successfully implemented across all homes in the city
 - Sessions on the 10 point checklist (part of the protocol) have commenced (delivered by the CPS) and further sessions are planned
 - A format for enhanced case management meetings has been devised to ensure each young person in every home has a multi-agency approach to their behaviour management. These meetings are due to commence from February 2020.
 - DCC Participation lead has developed guidance for DCC residential staff on gathering voice (of the child) and how to use this to drive positive change in the homes.
 - Connexions have re-invigorated their offer of pre-course support for children in care and children who have left care.
 - It has been agreed (by Health) that the YOS CAMHS Officer will act as fast track assessor for CONCORDAT. The fast track process is in development before dissemination to members of the CONCORDAT Operational Group.
 - Benchmark data for phase 2 CONCORDAT has been developed by YOS, Police and Virtual school. This will help us to measure progress at year end (April 2020)
- 4.4 CONCORDAT will be an on-going programme and the next steps include: staff and young person evaluations on Restorative Parenting training for phase 1 to be completed, Steering group to be re-established to ensure senior drive, Tactical group to be chaired on rotational basis to ensure shared responsibility across the partnership, Non-Violent Resistance training planned for residential staff, once Restorative Parenting training has been completed a report is being completed for DMT requesting that all children in care can access free leisure passes and there is a planned session for Military and Police cadets to offer insights into careers/options in these areas for all young people living in DCC residential care homes.

The Derby City Council (Children's) Workforce Learning and Development Team have also agreed to become part of the tactical group to ensure a more senior view of the continual training and development required to make CONCORDAT a success.

The action plan is kept under review by the Tactical group to ensure that it remains fit for purpose going forward and that any necessary adaptations can be completed across the range of services involved.

- 4.5 There have been challenges during phase 2 including staffing within residential homes due to recruitment and some sickness, which means consistently applying the CONCORDAT and its underpinning principals has been challenging. However, a meeting between Residential Services, CPS, the Local Authority and Police is planned on 17.1.20 to discuss this with a view to developing consistency in line with both the protocol and other areas of practice in regards to vulnerability such as missing children.

The difficulty in delivering a successful CONCORDAT whilst there are staffing challenges within the residential children's homes, is that it means (as mentioned) consistent adherence to policies such as the CONCORDAT protocol and missing children's protocol is less likely. Also, less experienced staff are more likely to contact the Police sooner when they think a young person has gone missing or has committed an offence, as they lack the experience of more established staff who are likely to take a more balanced view of a situation before action is taken that can then not be retracted. This situation is being addressed in terms of both staffing and how agencies can support residential services to best utilise CONCORDAT principals.

Public/stakeholder engagement

- 5.1 Stakeholders have been involved by way of senior managers being part of a steering group, senior middle managers being part of a tactical group and operational managers and staff being part of an operation 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 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. As mentioned evaluation of the Restorative Parenting training is also on-going.

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 adopt the principals of using CONCORDAT for our children placed in other parts of the UK, we have a revised action plan that ensures support for staff, children and young people and which hold partners to account for ensuring best outcomes for children in care and is refreshed bi-annually but reviewed quarterly. We further recommend that every 12 months, we bring an updated position statement on CONCORDAT to the Corporate Parenting Committee and that this report is scheduled for post April, to ensure that we have time to assess progress and impact against benchmark data, which will make for a more enlightening report for the 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. The only cost has been for Restorative Parenting training for residential staff and young people. This has been taken from Youth Offending Service funds and although requests have been made for support from partner agencies to contribute towards this, nothing has been forthcoming to date.

Broader cost savings going forward will be realised by way of keeping young people 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 young person 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.

Other significant implications

- 9.1 No other significant implications.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu	22.1.20
Finance	Alison Parkin	21.1.20
Service Director(s)	Suanne Lim	22.1.20
Report sponsor	Suanne Lim	
Other(s)	NA	

Background papers:	
List of appendices:	NA