

MIDDLESBROUGH COUNCIL

Final Report of the Children and Young People's Learning Scrutiny Panel

YOUTH OFFENDING AND PARTNERSHIP WORKING WITH SCHOOLS

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THE AIM OF THE SCRUTINY REVIEW

1. The purpose of the review was to examine how the South Tees Youth Justice Service (STYJS) works in partnership with schools in Middlesbrough to improve school attendance, educational engagement and attainment for those young people involved in the criminal justice system.
2. The review aims to assist the Local Authority in achieving its strategic priority:
 - ***Children and Young People*** - *We will show Middlesbrough's children that they matter and work to make our town safe and welcoming and to improve outcomes for all children and young people.*

TERMS OF REFERENCE

3. The terms of reference, for the scrutiny panel's review, are as follows:
 - a) To examine the role of South Tees Youth Justice Service (STYJS).
 - b) To identify the barriers to young people in the youth justice system engaging in education.
 - c) To examine how the STYJS works with schools in Middlesbrough to:
 - react swiftly and firmly to early signs of criminal behaviour;
 - promote engagement in the education system;
 - improve attendance;
 - prevent exclusions (fixed-term and permanent);
 - improve attainment; and
 - deliver well-targeted educational support.
 - d) To identify effective practice in respect of partnership arrangements with schools, which actively support the delivery of high-quality and bespoke education in the youth justice system.

BACKGROUND INFORMATION

4. Children who are supervised by youth offending teams (YOTs) are more likely to have, or have experienced, problems with school attendance, educational engagement and attainment. Problems with schooling can have a lasting negative effect on an individual's further education, training or employment, thus affecting their life chances. ¹
5. In terms of the link between education and young people in the criminal justice system:
 - In 2016, Charlie Taylor was commissioned to review the entirety of the youth justice system. Following the review, it was concluded that education needs to be central to the response to youth offending. The review reported that too many children in the youth justice system had been out of school for long periods of time through truancy, or following exclusion, and half of 15-17 year olds in youth offending institutions had the literacy or numeracy levels expected of a 7-11 year old.
 - In 2017, One Education reported that:

¹ <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/05/ETE-EP-v2.1.pdf>

- approx 90% of young people in the youth custody population had been suspended from school, at any one time, compared to 3-5% of general population;
 - 63% of boys and 74% of girls had been permanently excluded (N.B. there was a significantly lower number of girls in the youth custody population and that needed to be taken into account when considering the data);
 - 40% of young people had not been to school since they were 14; and
 - 90% were not attending before they reached 16 years old.
6. In June 2022, HM Inspectorate of Probation published findings from a thematic inspection of Education, Training and Employment (ETE) services in Youth Offending Teams (YOT) across England and Wales. The inspection was undertaken between November 2021 and January 2022. The report outlined that: *“Of the 181 cases inspected, two-thirds (65 per cent) of children (aged 10-17 years) had been suspended from school and almost half (47 per cent) had been permanently excluded. This resulted in some children not participating in any ETE services for two years or more”*. The report also stated that *“Children on youth justice caseloads have lives that are filled with disruption, trauma, adverse experiences, poor mental health and specialised needs. The services we spoke to were aware of this, and are striving to put ETE opportunities in place, but it remains the case that there are major barriers to children getting the education or training they so desperately need, if they are to stay away from crime. Services must strive to overcome these hurdles”*.²
7. To provide a snapshot of data, on 1 August 2022, just over 25% of the young people (post 16) open to South Tees Youth Justice Service (STYJS) were Not in Education Employment or Training (NEET). In terms of data in relation to young people open to the service who have been excluded, work was undertaken to report on data from the last academic year (1 September 2020 and 31 August 2021). The data highlighted that the percentage of young people open to the STYJS, who had been permanently excluded, was 6.6%. In comparison, the percentage of all young people who had been permanently excluded during that academic year was 0.29%.
8. The links between young people’s education and involvement in criminal behaviour is clearly an important issue, which requires a robust response.

SUMMARY OF EVIDENCE

Term of Reference A - To examine the role of South Tees Youth Justice Service (STYJS).

Youth Justice Services

9. Youth justice services are multidisciplinary statutory partnerships, which aim to deal with the needs of the whole child. Youth justice services are required to have staff from local authority social care and education, the police, the National Probation Service and local health services.
10. Children in the justice system often have multiple and complex needs. Where possible, youth justice services should seek to divert children from the justice system entirely and address these needs. For those who do offend, the core focus of youth justice services must continue to be rehabilitation, tackling the underlying causes of youth offending, and

² <https://www.justiceinspectorates.gov.uk/hmiprobation/media/press-releases/2022/06/ete-thematic/>

delivering a system that gives children the support they need to break the cycle of offending and build productive and fulfilling lives.³

11. Youth justice services supervise 10 to 18 year-olds who have been sentenced by a court, or who have come to the attention of the police because of their offending behaviour but have not been charged - instead, they are dealt with out of court. There is a range of out of court disposals, which are available to youth justice services.
12. If a referral has been received from the police following an offence being committed, youth justice services will work closely with the police and the Crown Prosecution Service (CPS) to determine and assess the options available to the young person. A Triage disposal can be used, which aims to prevent young people from re-offending and slipping deeper into the criminal justice system. In low-risk cases where the young person admits the offence, and both the family and victim agrees, that can involve restorative intervention, rather than court action. The procedure followed is quite complex and technical.

Youth Justice Board

13. The Youth Justice Board (YJB) is a non-departmental public body responsible for overseeing the youth justice system in England and Wales. The YJB provides the majority of funding to youth justice services and monitors their performance. The YJB also publishes guidance, such as the national standards for youth justice services.

HM Inspectorate of Probation

14. HM Inspectorate of Probation is the regulating body of youth justice services. HM Inspectorate of Probation reports to the government on the effectiveness of work with adults, children and young people who have offended, with an aim to reduce reoffending and protect the public.

National Outcome Measures for Youth Justice Services

15. There are three national outcome measures for youth justice services:
 - to reduce first time entrants to the youth justice system;
 - to prevent re-offending by children and young people; and
 - reduce the use of custody for young people (both sentenced and remanded).
16. Currently, there is no requirement for youth justice services to collect data in respect of educational attainment, truancy or exclusion from school. However, future changes to data requirements are planned, in order to capture and evidence the impact of offending on these areas.

A joint inspection of education, training and employment services in youth offending teams in England and Wales

17. In June 2022, following a joint inspection of education, training and employment services in youth offending teams in England and Wales, HM Inspectorate of Probation published a thematic report. The recommendations contained within the report proposed that the YJB

³ <https://www.gov.uk/government/publications/national-standards-for-youth-justice-services/standards-for-children-in-the-youth-justice-system-accessible-version>

should revise its national indicator of ETE engagement to one that provides a more meaningful measure of performance. The report also included seven recommendations for youth justice management boards. In summary, the recommendations state that youth management boards should:

- ensure children receive comprehensive ETE assessments;
- monitor, alongside the local authority, key aspects of ETE work for children working with the youth offending team, including:
 - the extent of school exclusion in the youth offending team cohort;
 - the actual level of attendance at school, college, work or training placement;
 - the extent of additional support provided to children with special educational needs (SEN)/additional learning needs (ALN);
 - that every child with an education, health and care plan (EHCP) or individual development plan (IDP) has it reviewed on an annual basis to meet the statutory requirement.
- develop ambitious aims for ETE work in the youth offending teams, including the achievement of Level 2 English and Mathematics by every child;
- establish a greater range of occupational training opportunities for those children beyond compulsory school age; and
- monitor and evaluate the levels of educational engagement and attainment in disproportionately represented groups within the youth offending teams caseload.

Key Performance Indicators

18. In light of the report published by HM Inspectorate of Probation, the YJB has proposed key performance indicators (KPIs) to capture suitable education, training and employment (ETE), which will be introduced in April 2023. In future, youth justice services will be required to capture data in relation to:

- the percentage of children in the community, and being released from custody, with a suitable ETE arrangement; and
- the percentage of children who have identified special educational needs and disabilities (SEND) and the percentage of these children who are receiving support.

19. The YJB believes reporting on this data in future will provide transparency and accountability and assist in recognising the progress of young people and their successes, as well as identifying the barriers and challenges.

2019 Inspection

20. The STYJS was last inspected by HM Inspectorate of Probation in 2019 and received a 'good' rating. There was one 'area for improvement' identified and the inspectorate stated "*There should be an education representative on the Board and in a specialist role in the staff team*".

21. The STYJS Management Board took immediate action and a STYJS Education, Training and Employment Specialist (ETE) was appointed in August 2020.

SEND Quality Mark

22. In May 2022 the service secured national accreditation through the SEND Quality Mark in recognition of the work undertaken with partners to meet the needs of young people, subject to intervention by the STYJS.

Next Steps

23. In terms of next steps:

- One of the STYJS strategic priorities in 2022/23 is to ensure that the service contributes to supporting young people at risk of exclusion.
- As youth justice services will be measured upon a new set of KPIs, the STYJS plans to:
 - put in place monitoring systems to ensure that young people and those at risk of exclusion are tracked and supported to access services they need;
 - monitor assessment processes for young people identified as at risk of exclusion to ensure that those include effective plans to engage them in ETE; and
 - conduct audit activity of ETE processes.
- The Head of STYJS will work with the management board and heads of service within the education directorate to take forward the recommendations included in the HM Inspectorate of Probation thematic report. This work will include:
 - introducing new data sharing agreements to enable pupil-level data to be captured and reported upon; and
 - implementing tracking and monitoring systems to analyse and evaluate data in the future, with the overarching aim of reducing exclusions and improving the education experience and outcomes for young people.

24. *Further information in respect of the role of the STYJS can be found in the minutes and associated documentation for the meeting of the Children and Young People's Learning Scrutiny Panel, which was held on 5 September 2022.*

Term of Reference B - To identify the barriers to young people in the youth justice system engaging in education.

25. A significant majority of students attend school each year and go on to achieve great things. However, in some circumstances a small but crucial minority may become involved in crime and will therefore require support and rehabilitation. Issues leading to these incidents varies case-by-case but can typically be described as exposure to exploitation, such as substance misuse and/or the inability to regulate behaviour resulting in violence or persistently disruptive behaviour.

26. There can be numerous and complex reasons contributing to a child not attending school and/or being excluded.

Drug and Alcohol Related Issues

27. Although the link between substance misuse and crime is complex, there is evidence to suggest that a significant number of those committing criminal offences have problematic alcohol or drug use.⁴

28. In terms of drug or alcohol related issues, the STYJS works with Project ADDER to provide substance misuse support. In May 2021, an ADDER Worker post was appointed to, to

⁴ <https://www.justiceinspectorates.gov.uk/hmiprobation/research/the-evidence-base-probation/specific-areas-of-delivery/substance-misuse/>

create additional capacity in the STYJS and provide advice, guidance, intervention and support for young people with substance use needs. The post also improves links and redefines pathways to ensure that young people are referred into Tier 3 services in a timely way. In addition, the post has been successful in establishing links with the Substance Misuse Services in the Youth Custody Service, which has supported a better pathway for the resettlement of young people back into the community. All young people open to the service, who have drug/alcohol issues, can be referred to the ADDER Worker for specialist support. The role offers a point of contact and support for STYJS staff, re-introducing a level of expertise for staff which was previously not available. Staff members also benefit from increased training in substance misuse and receiving advice and guidance on how to best support those with drug/alcohol issues. Links have also been established with the wider ADDER Team, which plan to support pathways into adult provision, for those young people who transition to probation.

Serious Youth Violence

29. Serious youth violence has become an area of significant concern for agencies working with young people, and that includes schools. There are increasing concerns that the most vulnerable young people in society are being drawn into differing forms of organised crime. Exposure to such behaviours and lifestyles can leave young people vulnerable to exploitation.
30. In 2021, a report entitled 'Violence and Vulnerability' was published by the Crest Advisory Group (Violence and Vulnerability). The report states that the risk of violence is heightened for those living in areas with high levels of neighbourhood crime and income deprivation, areas such as Middlesbrough.
31. The STYJS is currently working with CREST Advisory Group, as part of a strategic needs assessment for the newly developed Cleveland Unit for the Reduction of Violence (CURV). Once published, STYJS plans to work closely with the CURV and partners, including schools, to address the issues identified.

Complex Needs

32. Many children/young people open to the service have multiple and complex needs.
33. There is a range of support available for pupils including the multi-agency Pupil Inclusion Panel (PIP), which forms part of the new Inclusion and Outreach Service. Alongside that, the STYJS has worked in partnership with local government colleagues across Hartlepool, Redcar & Cleveland and Stockton and the Tees, Esk and Wear Valley NHS Trust to develop a Trauma Informed Model of working. The model supports staff to develop bespoke packages of support for those young people with the most complex needs. If a young person is accepted on to the pathway, a formulation meeting is held followed by sessions for up to 15 weeks and progress is continuously reviewed and monitored. Furthermore, a discharge report provides a psychological overview of mental health symptoms, and informs an onward trauma informed care plan linking to an individualised intervention plan for the child/young person. The pathway provides psychological input to enable the formulation of a holistic plan, which in turn provides a better understanding of the barriers to young people in the youth justice system engaging in education.
34. The barriers to progression with ETE, as identified by young people, are detailed at paragraph 69 of the report.

35. Further information on the barriers to young people in the youth justice system engaging in education can be found in the minutes and associated documentation for the meeting of the Children and Young People's Learning Scrutiny Panel, which was held on 12 December 2022.

Term of Reference C - To examine how the STYJS works with schools in Middlesbrough to:

- **react swiftly and firmly to early signs of criminal behaviour;**
- **promote engagement in the education system;**
- **improve attendance;**
- **prevent exclusions (fixed-term and permanent);**
- **improve attainment; and**
- **deliver well-targeted educational support.**

36. Schools are a protective factor and assist in preventing young people engaging in criminal activity. Driving activity with schools aims to ensure education is central to the response to youth offending.

The STYJS Education, Training and Employment (ETE) Team

37. The STYJS ETE Team, comprises the ETE specialist and a dedicated Support Worker. The work of the team has been fundamental in:

- improving the education offer provided by the STYJS;
- developing pathways into services for young people, including SEND and Inclusion the Outreach Service;
- establishing systems to monitor and track those young people identified as NEET; and
- establishing an extensive network with local ETE providers to maximise opportunities for young people.

38. The STYJS ETE Team works in a collaborative way to provide advice, information, guidance, monitoring and oversight in respect of a young person's education, training and employment.

39. Since August 2021, every school age young person supervised by the STYJS is recorded, monitored and shared with the Inclusion and Outreach Service on a monthly basis. Collaboration has now improved and a more formalised process has been established. The joint protocol, which has been developed between the Inclusion and Outreach Service and the STYJS, enables effective communication, including sharing information and planning joint visits.

40. Following a referral, contact is made with parents/carers and the relevant school to arrange a planning meeting for the young person. The planning meeting determines what support needs to be put in place, taking into account the voice of the child and issues raised by school. Through regular sessions, the STYJS ETE Specialist is able to develop trusting relationships. The STYJS ETE Specialist has formalised processes and plays a key role in building positive relationships with young people to identify and address the barriers preventing them from engaging in education. These barriers are then discussed with the relevant school and through partnership working, solutions are put forward.

41. To provide support, the ETE Specialist also links in with other education teams, such as the Virtual School and the SEN Team. The ETE Specialist also attends Pupil Inclusion Panel (PIP) meetings, Inclusion Triage meetings and ETE Risk meetings.

42. For those in custody, the STYJS ETE Specialist undertakes work in terms of sentence planning. A protocol has been developed and shared with all schools in Middlesbrough and Redcar and Cleveland to ensure institutions receive the correct information in respect of EHCPs and learning plans. The protocol aims to ensure that those in custody receive effective support.

Prevention

43. In recent months, the STYJS has developed a prevention offer for young people on the periphery of criminal behaviour, with one of the referral criteria being 'young people at risk of exclusion from school/education'. Referrals are taken directly by the service or via the Multi-Agency Children's Hub (MACH).
44. All young people who are at risk of exclusion are monitored and tracked by the ETE Specialist and these cases are discussed in supervision sessions with the ETE Support Worker.
45. Previously, the STYJS had also identified the need to implement a framework, which delivers a preventative intervention aiming to improve school attendance, educational engagement and attainment. Subsequently, the STYJS Inclusion Pathway has been developed.

STYJS Inclusion Pathway

46. Following its endorsement by the Children and Young People's Learning Scrutiny Panel on 12 December 2022, the STYJS Inclusion Pathway was implemented in mid-December (2022). Since its introduction, 25 referrals have been received.
47. The STYJS Inclusion Pathway creates a mechanism which enables Case Managers to access support for young people who are at risk of disengagement from education. The pathway has been designed to promote engagement in the education system, improve attendance, prevent exclusions (fixed-term and permanent), improve attainment and deliver well-targeted educational support.
48. Training has been delivered for Case Managers, which included information on the importance of the STYJS Inclusion Pathway and the reason for its development.
49. The introduction of the STYJS Inclusion Pathway demonstrates effective practice in respect of partnership arrangements with schools, colleges and training providers to actively support the delivery of education.
50. In terms of the process followed, Case Managers contact schools, colleges and training providers to collect the following information:
- the young person's up-to-date attendance record;
 - information about the young person's behaviour in school/training;
 - the young person's academic levels/achievements;
 - the young person's risks and concerns in respect of ETE;
 - any services or support provided/not provided in response to the young person's special educational needs and whether a SEN Plan or EHCP is in place; and
 - the young person's attitude to ETE.
51. Gathering information from schools, colleges and training providers plans to provide a holistic picture of the young person.

52. Case Managers record attendance and exclusions. When assessing the young person, a referral is made to the STYJS ETE Team if the young person's attendance record is lower than 75% and/or the young person has been suspended more than 10 times during one term.
53. The referral mechanism in respect of attendance levels reflects the national average for young people attending school and does not take into account those attending alternative provision or pupil referral units. The figure of 75% reflects the nature of the cohort, however, work is planned to review attendance data of the STYJS cohort and the attendance threshold currently applied will be revisited. At present, some exclusion teams in the Tees Valley become involved if a young person has reached the threshold of 20 suspensions during one term. By lowering that threshold to 10, a preventative approach has been adopted.
54. With regards to the support provided by the STYJS ETE Team, the ETE Specialist and the ETE Support Worker will complete checks on Capita and consult with Case Managers and other education teams. Following these checks, if it is determined that support is required, the case will be allocated to the ETE Specialist.
55. Upon referral, a bespoke education plan and package of support is developed and both will take into account the young person's views, the parent/carer's views and the school's views to ensure that challenges and barriers are understood and addressed.
56. Collaborative relationships have been established to ensure that the education plan complements and reinforces the approaches taken by other statutory services and agencies involved with the young person.
57. To develop the education plan, the STYJS ETE Team will meet with the young person, their family and the school. A restorative approach is taken to discuss, assess and determine how the necessary support can be provided. The education plan includes objectives and rules aiming to promote the young person's engagement with education. The plan is developed with the young person, in consultation with the school, and mutually agreed objectives/rules are identified. A young person's needs, and the effective strategies to support those needs, are determined on a case-by-case basis. The education plan identifies the most appropriate way of delivering effective teaching and learning for each young person.
58. The Inclusion Pathway plans to provide an effective mechanism to ensure that barriers, to young people in the youth justice system engaging in education, are effectively assessed and addressed. Ultimately, the aim of the Inclusion Pathway is to increase inclusion and prevent exclusion. Future work is planned to collect and analyse both qualitative and quantitative data to demonstrate the impact of the STYJS Inclusion Pathway, specifically the improvements that have been secured as a result of its implementation.

Reacting Swiftly and Firmly to Early Signs of Criminal Behaviour

59. Neighbourhood and community influences can cause young people to become more vulnerable to committing crime. There has been an increase in partnership working between the STYJS and schools and a contextual safeguarding approach has been promoted by the STYJS Education, Training Employment Specialist via the Pupil Inclusion Panel (PIP). This approach encourages partners to share information and collectively plan to reduce risk in different settings. In addition, the development of an intelligence sharing form enables schools to share concerns with Cleveland Police, as they occur. The contextual safeguarding approach aims to understand, and respond to, young people's experiences in

a range of social contexts, including within school or college, in their groups of friends and within their community and local area.

60. The STYJS has undertaken work to improve links between schools and Police Community Support Officers (PCSO) and neighbourhood policing teams. For example, with regards to a particular school's concerns in respect of one pupil potentially engaging in criminal activity, the STYJS had contacted the PCSO and linked in with the school to ensure essential information was shared. Consequently, the sharing of information enabled the school to submit a Vulnerable, Exploited, Missing, Trafficked (VEMT) referral.
61. *Further information and case studies demonstrating how the STYJS works with schools can be found in the minutes and associated documentation for the meetings of the Children and Young People's Learning Scrutiny Panel, which were held on 5 September 2022 and 16 January 2023.*

Term of Reference D - To identify effective practice in respect of partnership arrangements with schools, which actively support the delivery of high-quality and bespoke education in the youth justice system

Effective Practice guide - Education, Training and Employment

62. In 2022, HM Inspectorate of Probation published a document entitled 'Effective practice guide - Education, training and employment. The guide was based on a joint inspection of education, training and employment and training services in youth offending teams in England and Wales.⁵
63. The information outlined below, demonstrates effective practice (nationally) in respect of partnership arrangements with schools and focuses on preventative work.

Bristol Safer Options Hub

64. Not engaging with the education system or being excluded from it are strong indicators which place children at risk of involvement in youth violence. In addition, school exclusions are a risk factor for child criminal exploitation (CCE) (National Crime Agency, 2018). Therefore, it is important that YOTs contribute to preventative work that minimises the potential for later involvement in criminal justice processes.
65. The Bristol Safer Options hub is an example of effective practice in strategic planning and high-quality outcomes. The hub is contained within the local authority safeguarding policies and arrangements, and it requires schools, colleges and other education settings to develop a response to violence and exploitation. In response to rising serious violence and child criminal exploitation in Bristol, in 2018, the local authority launched a specialist team, known as the Safer Options hub, whose job it is to support change across the whole partnership system. This was extended in 2019, with funding from the Home Office and the introduction of an Avon and Somerset-wide Violence Reduction Unit in the police. In 2020 it was integrated with Bristol's child sexual exploitation (CSE) and missing response.
66. The team, managed by a Safer Options Manager, involves staff from a range of disciplines, including a CSE social worker, contextual safeguarding social worker, reducing offending of children in care practitioner, missing engagement practitioner and police intelligence investigator. In addition, there are options for specialist funding, depending on need, for

⁵ <https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/05/ETE-EP-v2.1.pdf>

education inclusion managers, youth justice prevention practitioners and senior youth and community practitioners.

67. While team members do not carry caseloads, they offer training, consultations, advice and some interventions to support case managers in working effectively with those on their caseload.

68. An example of the work undertaken by Bristol Safer Options Hub is outlined below:

If a child is found to be in possession of a weapon in school, the education inclusion managers make an assessment, advocate for the child and allocate support to the child. Data provided in December 2020 (operational from February to March and September to December 2020) noted:

- 23 weapons in school assessments were sent to YOT disposal panel
- 87% of children were able to remain in their original school place
- 100% received support or intervention
- 0 repeat offences
- 0 permanent exclusions.

The last word: what children said about ETE provision

69. The services of User Voice were commissioned, a national charity created and run by people who have been in prison and on probation, to give a voice to the children involved with justice services. They spoke with 29 children, to gather their perspectives on the ETE services that they had received. The children identified a number of barriers to progression with ETE and, consequently, their desistance, as follows:

- Multiple needs
Children spoke of numerous areas of need, which impacted on their ability to focus on ETE. These included substance use, homelessness, bereavement, discrimination, living in care and managing the transition to adulthood, to name a few.
Practitioners should be aware of these needs when planning and implementing any ETE delivery, so interventions can be sequenced appropriately, and any specific needs can be accommodated. Complex and often overlapping needs can often feel overwhelming, so it is important to instil a sense of hope for the child and their family or carers.
 - Neurodiversity
A number of the children spoken to report they had a neurodiverse condition, which impacted on their engagement and experience with ETE. At least two had not been assessed for learning difficulties. Others had been assessed but still indicated their needs were not catered to in accordance with the outcomes of this.
Practitioners should look for signs of neurodiversity and follow up, undertake relevant screenings and refer for specialist assessments, where appropriate. The outcomes of these assessments should be embedded in the child's assessment, plan and intervention delivery.
 - Mental health
Anxiety was a key barrier preventing a number of the children from attending ETE, even when it was something that they genuinely wanted to do.
Practitioners should openly discuss with the child, parents/carer any potential barriers to attending ETE provision, acknowledge these, explore the impact and develop collaborative strategies to overcome these.
- Covid-19

Covid-19 impacted on the way in which the children interacted with ETE and their YOS worker. Mask-wearing, telephone calls, online learning and quarantining have become the norm; however, the social aspect of group sessions has been lost and missed.

Practitioners have found creative ways to continue delivering YOS services during the pandemic; for example, they have maintained contact by meeting in parks and providing online support. It is important to consider innovative ways to deliver the full range of interventions for children.

➤ Lack of meaningful involvement

18 of the children didn't have an ETE plan or didn't know if they had one, but they believed a plan would be helpful to them. One child was very clear on the fact he had a plan but highlighted that he wasn't involved in developing it.

Practitioners should actively involve children and parents/carers in their assessments, plans and reviews. This co-creation will ensure the plan is individually tailored, allows the child to take ownership of achieving their goals and means they are more likely to engage with the plan.

➤ Lack of options - in terms of choices and flexibility

The children spoke of a desire to move on; they wanted to get a job or a skill that they could use moving forward. School was a challenging environment for a number of the children, and they felt that training would have been a better option for them. The children also raised some challenges regarding the timing of courses and their inability to get up in the morning, whether due to sleep issues or lifestyle factors.

Practitioners should explore a range of ETE options and not simply fit the child into a generic offer, linking to meaningfully involving the children and parents/carers. It is important to have high expectations and aspirations for children in terms of their ETE achievements and future career, and practitioners should empower children and those around them to have these of themselves. Considering a range of options customised for the child will assist with this and may well instil a sense of hope.

➤ Relevance

The biggest issue for children was the lack of relevance of the options available or consideration of their skills, interests, abilities and circumstances. Volunteering isn't seen as a viable option to children who need to support themselves financially. Those with neurodiverse conditions were repeatedly offered options that weren't suitable for them, while others were doing courses that were too easy to keep them interested. As the children were not meaningfully involved in assessments and plans and were not offered a choice, it is unsurprising that they feel the ETE they are doing is not relevant to them.

Practitioners should ensure ETE interventions are appropriate for the child's specific set of circumstances, including their protected characteristics, living circumstances, financial situation, strengths and areas of interest, to name but a few, so that they feel the intervention is relevant to them as an individual.

➤ Being meaningfully involved with their ETE plans

➤ Support

93 per cent had regular check-in with their YOS worker. These check-ins were considered helpful and supportive by some. Many of the children did mention how 'nice' their YOS worker is and some reflected on the lengths they go to support them.

➤ Achievements

Despite a lack of relevance for many, nearly all the children spoken with reported some benefit from engaging with ETE, and with the YOS more generally. Most of these benefits were acquiring soft skills and better behaviour; however, six attained qualifications and two reported better attendance.

Conclusions: ETE in the youth justice system

70. Overall, the guide identified that expectations were met in relation to ETE when the following are in place:

- coordinated leadership, with representation from all relevant parties and a shared ambition around ETE for all children;
- robust information-exchange between partners;
- multi-agency ownership and responsibility in contributing to ETE provision;
- a vigorous analysis and use of management information and data to inform ETE service delivery;
- specialist assessments of speech, language and communication needs, which support the child and mitigate barriers to ETE; and
- a skilled practitioner group that can meaningfully support children with ETE.

Annual report: inspection of youth offending services (2019-2020)

71. In 2020 an annual report was published by HM Inspectorate of Probation⁶. The report stated that in Leicester, there is evidence of good work to support children with special educational needs and disabilities. Educational psychologists are linked to the YOT and work alongside colleagues who are based in the school, so that schools feel supported in managing children's behaviour. Each child who goes into custody is allocated an educational psychologist to ensure that their educational needs are being met, especially during the transition periods into and out of custody. There is a 'fair access panel', which is attended by senior leaders from all schools, including the academies. The YOT education worker attends the panel to advocate for the child, and the school must demonstrate that it has done all it can before it considers exclusion. The schools hold each other to account for any exclusions, and each school must seek support from the pupil referral unit before an exclusion is agreed.

ADDITIONAL INFORMATION

72. During the course of the scrutiny panel's investigations, information came to light which, while not directly covered by the terms of reference, is relevant to the work of the panel on this topic. This related to:

Reoffending

73. There are 45 young people (Year 7 to Year 11) in Middlesbrough who are currently receiving support from the STYJS. When referring to previous data that has been collected, it is estimated that approximately 38% of these young people will reoffend. Reporting data in respect of reoffending is both technical and complex, as there is a need to track young people over a period of time. Future work will aim to capture trends and assess the impact of the work undertaken by the STYJS.

Young Offender Institutes

74. In respect of young offender institutes, there are currently four in operation, previously there had been more. Currently, there are two secure schools being built.

75. At present, there are youth offending institutes for young people aged 15 to 18. When in custody, those institutes offer 30 hours of education to young people. Secure schools plan to provide an emphasis on education and they will operate more like schools than prisons.

⁶ <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/11/HMI-Probation-Youth-Annual-Report-2020.pdf>

Regardless of whether a young person has been remanded or sentenced, those in custody will be offered education.

76. Wetherby Young Offender Institution is currently the closest institution to Middlesbrough. Currently, there are no plans for this institution to become a secure school. Although Wetherby Young Offender Institution operates essentially as a prison, the education provision is good. Therefore, those in custody are able to access a reasonable standard of education.

CONCLUSIONS

77. Based on the evidence, given throughout the investigation, the scrutiny panel concluded that:

Young people in the Youth Justice System

- a) Children known to youth justice services - both school age and over-16s - encounter challenges in accessing education, training and employment (ETE). Young people in the youth justice system have often experienced multiple adverse childhood experiences and consequently there can be numerous and complex reasons contributing to a young person not attending school and / or being excluded. Problems with schooling can have a lasting negative effect on an individual's further education, training or employment, thus affecting their life chances. The links between young people's education and involvement in criminal behaviour is clearly an important issue, which requires a robust response.

Reacting Swiftly and Firmly to Early Signs of Criminal Behaviour

- b) In the last year there has been an increase in partnership working between the STYJS and schools in Middlesbrough and a contextual safeguarding approach has been promoted. The contextual safeguarding approach aims to encourage partners to share information and collectively plan to reduce risk in different settings and enables schools to share concerns with Cleveland Police as they arise. It is important that the contextual safeguarding approach is reviewed to ensure it delivers a whole-system approach, coordinates a multi-agency response to violence and exploitation, allows schools to react swiftly and firmly to early signs of criminal behaviour, supports the work of the Cleveland Unit for the Reduction of Violence (CURV) and specifically links to improved ETE outcomes. It is vital that the STYJS plays a key role in reviewing the contextual safeguarding approach to ensure schools, colleges and other educational settings develop a robust and responsive approach to violence and exploitation, which involves partner agencies.
- c) By supporting young people at risk of exclusion, the STYJS contributes to preventative work which minimises the potential for later involvement in criminal justice processes.

The STYJS and ETE

- d) Evidence suggests that STYJS staff are working hard to ensure the delivery of a high-quality, personalised and responsive ETE service for young people involved, or at risk of being involved, in the criminal justice system. The STYJS has a strong focus on the young person's needs and a preparedness to engage with education providers to achieve the best-possible outcome for them. The STYJS manages each case by engaging the young person, parents and carers, taking account of each young person's diverse needs.

- e) A STYJS Education, Training and Employment Specialist (ETE) was appointed in August 2020 to improve collaboration and tackle and address periods of absence or disengagement from educational services. Evidence suggests that the STYJS ETE Specialist is a skilled relationship-builder and meaningful, trusting relationships are established to help promote engagement. Effective joint working has been established between the STYJS and the Inclusion and Outreach Service, which ensures a young person's needs are appropriately assessed when planning and implementing any ETE delivery. To further enhance the support offered, it would be beneficial for each young person who goes into custody to be allocated an educational psychologist to ensure that their educational needs are being met, especially during the transition periods into and out of custody (see effective practice example from Leicester, which is detailed at paragraph 71 of the report).

The STYJS Inclusion Pathway

- f) To further enhance partnership working with schools and maximise the likelihood of young people engaging successfully in education, the STYJS Inclusion Pathway has recently been introduced. Although the intervention is only in its infancy, case studies demonstrate that the STYJS is making a direct impact through relationship building, addressing barriers, and partnership working where real tangible opportunities are being created for young people to engage in education. Evidence suggests that planning for ETE is well-informed, holistic and personalised, actively involving the child, their parents/carers and the relevant school. This co-creation helps to ensure the education plan is individually tailored, allowing the young person to take ownership of achieving their goals and means they are more likely to engage with the plan. Although case studies demonstrate the positive impact of the STYJS Inclusion Pathway, it is vitally important that its impact can be evidenced by data analysis. Subsequently, there is a need for data to be collected, analysed and evaluated to demonstrate the impact of the intervention on attendance, exclusions and attainment.

Use of Information and Data

- g) From April 2023, the STYJS will be required to report on key performance indicators (KPIs) relating to education, training and employment (ETE). The future changes to data requirements will capture and evidence the impact of offending on educational attainment, truancy and exclusion from school and will improve collaborative working between the STYJS and schools. However, there is a need for the STYJS to access a wealth of local data and information from partners to inform ETE service delivery. The use of analytical software, clear data management arrangements and information exchange agreements and processes will enable the STYJS to drill down to an individual level to determine trends and develop summary dashboards for key areas. It is envisaged that reporting of such data will not only recognise the progress of young people and their successes but will also assist with identifying barriers and challenges.

RECOMMENDATIONS

78. The Children and Young People's Learning Scrutiny Panel recommends to the Executive:

- a) That the STYJS supports Children's Services to undertake a review of Middlesbrough Council's contextual safeguarding/risk outside of the home approaches to ensure delivery of a robust and co-ordinated whole-system/multi-agency response to violence and exploitation; which:

- allows schools and education providers to react swiftly and firmly to early signs of criminal behaviour;
 - improves ETE outcomes for young people involved in the criminal justice system; and
 - supports the work of the Cleveland Unit for the Reduction of Violence (CURV).
- b) That each young person who goes into custody is assessed to determine whether an educational psychologist should be allocated to them, to ensure their educational needs are being met (especially during the transition periods into and out of custody).
- c) That data is collected, analysed and evaluated to demonstrate the impact of the STYJS Inclusion Pathway on school attendance, exclusions and attainment.
- d) That a system, data management arrangements and information exchange agreements are put in place to ensure the STYJS can access a wealth of data and information, from partner agencies, to:
- drill down to an individual level;
 - determine trends;
 - develop summary dashboards for key areas;
 - report on the progress of young people and their successes;
 - identify barriers and challenges; and
 - improve service delivery.
- e) That, in 6 months' time, the Children and Young People's Learning Scrutiny Panel receives:
- a detailed account of the work that has been undertaken to implement recommendations a) to d); and
 - an effective analysis of data from partner agencies (including schools), reporting on:
 - the profile of children/young people who come into contact with the STYJS, their needs, challenges and experiences of education; and
 - the STYJS's performance, specifically the impact of the STYJS Inclusion Pathway on school attendance, exclusions and attainment.

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- Rob Brown - Director of Education and Partnerships, Middlesbrough Council
- Kay Dargue - Head of STYJS, Middlesbrough Council
- Ifran Hanif - STYJS ETE Specialist, Middlesbrough Council

N.B. In respect of Term of Reference c) - The head teachers of all Middlesbrough's secondary schools were written to and provided with the opportunity to submit their views on how partnership arrangements between the STYJS and schools could be further enhanced/developed - no feedback was received.

ACRONYMS

80. A-Z listing of common acronyms used in the report:

- CCE - Child Criminal Exploitation

- CSE - Child Sexual Exploitation
- ETE - Education, Training and Employment
- KPIs - Key Performance Indicators
- NEET - Not in Education, Employment or Training
- PIP - Pupil Inclusion Panel
- STYJS - South Tees Youth Justice Service
- YJB - Youth Justice Board
- YOS - Youth Offender Support
- YOT - Youth Offending Teams

BACKGROUND PAPERS

81. The following sources were consulted or referred to in preparing this report:

- Reports to, and minutes of, the Children and Young People's Learning Scrutiny Panel meetings held on 5 September 2022, 12 December 2022 and 16 January 2023.

COUNCILLOR DENNIS MCCABE

CHAIR OF THE CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

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