

Youth Justice Plans

YJB Practice Guidance March 2021

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Context and legal framework

Local authorities have a statutory duty to submit an annual youth justice (YJ) plan relating to their provision of youth justice services. Section 40 of the Crime and Disorder Act 1998 sets out the youth offending partnership's responsibilities in producing a plan. It states that it is the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan, setting out:

- how youth justice services in their area are to be provided and funded
- how the youth offending team (YOT) or equivalent service will be composed and funded, how it will operate, and what functions it will carry out.

The YJB recognises that planning within the current context is extremely challenging. The sector has responded remarkably but the impact of Covid-19 for children is still yet to fully emerge. Early indications are that for many it has been devastating, and that in 2021 partners must work together to put plans in place to mitigate the negative impacts of the last 12 months.

There are many unknowns and ongoing difficulties that emerged in 2020 that are challenging the delivery of youth justice services and may limit some elements of delivery. However, a year on, many services have settled into adapted ways of working. The planning and production of a Youth Justice Plan is beneficial to partnership working and service delivery to ensure the best outcomes for children.

We also recognise that each local area will have its own governance and oversight arrangements for the completion of statutory plans, and that some aspects of this 'sign off' may need to be completed after the required date of submission to the YJB. Therefore, it is acceptable to gain an "*in principle agreement*" from youth justice partners (Management Board) and sign off via the Chair of the Management Board as a minimum requirement for submission to the YJB.

The YJ plan must be submitted to the YJB and published in accordance with the directions of the Secretary of State. We request that YJ plans be submitted to the YJB by **30th June 2021**, by e-mailing YJB CBU CBU@yjb.gov.uk.

Your YJ plan can be submitted at any time. The 30 June 2021 is the date by which your plan must be submitted to ensure timely payment of your Youth Justice Grant for 2021/22.

Annex A includes a summary outline of grant requirements against terms and conditions to support services understanding of minimum compliances.

Child First

You will be aware that the YJB's vision is of a Child First youth justice system, which we define as a system where all services:

- Prioritise the best interests of children and recognising their particular needs, capacities, rights and potential. All work is child-focused, developmentally informed, acknowledges structural barriers and meets responsibilities towards children
- Promote children's individual strengths and capacities to develop their pro-social identity for sustainable desistance, leading to safer communities and fewer victims. All work is constructive and future-focused, built on supportive relationships that empower children to fulfil their potential and make positive contributions to society
- Encourage children's active participation, engagement and wider social inclusion. All work is a meaningful collaboration with children and their carers
- Promote a childhood removed from the justice system, using pre-emptive prevention, diversion and minimal intervention. All work minimises criminogenic stigma from contact with the system

We are satisfied that the evidence supports this as the best approach to achieve better child outcomes. Much of this is explored in the recent research by Loughborough University alongside UKRI, Child First Justice¹ – the research evidence base.

Whilst many of you will be employing a Child First approach to a greater or lesser extent, we want to build capacity within the sector further. We recognise that systemically this is a long-term vision which requires policy and legislative changes at the centre, which we are seeking to influence as set out in our strategic plan². We also recognise that this vision extends far beyond the youth justice system into mainstream services and beyond and again are working to re-frame youth justice across government.

However, there is much that can be done within the existing system within local arrangements and the content of plans should reflect your activity in working to achieve the above vision.

¹ Child First Justice: The research evidence-base can be viewed online here, https://repository.lboro.ac.uk/articles/report/Child_First_Justice_the_research_evidence-base_Summary_report_/14153162

² YJB Strategic Plan 2021-2024. You can view the strategic plan online here, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/966200/YJB_Strategic_Plan_2021_-_2024.pdf

How to produce your plan

The YJB recognise that there are many mature multi-agency partnerships across England and Wales, who have years of experience in leadership and governance of youth justice services. These services often have their own individualised and local approach to production of their YJ plans. However, as the landscape is constantly fluid some partnerships have newly formed governance arrangements and newly appointed Chairs and Heads of Service. We therefore offer this advice on '*How to Produce your Plan*' as a guide.

The Management Board should govern and own this process; it is their opportunity to collectively shape the direction of the delivery of youth justice so that it best meets the needs of the locality, children, families and communities. Opportunities for wider participation, significantly where children and their families can themselves shape and influence the delivery of your service is also strongly encouraged.

YJ planning process – what might it include?

The Management Board (led by the Chair) should take the lead for planning, beginning with a planning session, with contributions from all partners. The planning process may include the following:

Reflect and plan

- Looking back to learn from the past and recognise achievements, consider plans based on what is known now and horizon scans to base plans in context
- Consider current performance, this may include performance data against local and national indicators, self-assessment against Standards for Children in the youth justice system³, other existing improvement plans
- Identifies and understands the needs of children in the justice system within the cohort, and identifies where the priorities are to support good outcomes
- Considers key risks, issues and challenges, and plots key milestones

Consult

- Involve input from children and families, enabling the voice of the child and user feedback and participation
- Consults with staff and volunteers, particularly regarding, improvements to service delivery and identifying learning and development needs of the workforce to support performance improvement and better outcomes

Engage wider strategic partnerships

- Consider the, regional and national context the partnership is operating in. What is the strategy and vision of key stakeholders within which the YJ Plan will 'sit'?
- Looks for support from the sector and takes the opportunity to plan across wider areas – PCC area, CCG footprint, regional, devolved political area
- Takes on board relevant wider strategic plans, (including perhaps, Police and Crime Plan, Local authority plans (Children and Young People Plan for example), VRU/CSP/LCJB/Public Health Plans)
- Is shared with partners for feedback and amendments

³ Standards for Children in the youth justice system, can be viewed online here:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957697/Standards_for_children_in_youth_justice_services_2019.doc.pdf

Content of the YJ Plan

Statute requires the production of an annual plan, the YJB also welcomes plans that cover more than one year. Where YJ plans are covering more than one year, the YJB recommend an annual refresh and updating of key information, particularly relating to available resources, governance and key achievements from the previous year.

Plans will cover both strategic and operational elements. The wider strategic picture should be captured, whilst outlining also the key business activities that will be undertaken by services to achieve wider strategic aims.

Partnerships producing a longer and more strategic plan covering a number of years, often supplement their strategic plan with a more detailed operational business plan. It can be the case that the strategic element of the YJ plan can often remain the same over a longer period of time (the YJB Strategic Plan can offer an example).

In the Crime and Disorder Act it states, the YJ Plan should set out how youth justice services in their area are to be provided and funded as well as key information about the Youth Offending Team (YOT). The plan therefore, should seek to include all services that contribute to the prevention of offending of children in their local area, as well as describing how the YOT itself operates and what functions it will carry out. This can be achieved through descriptions of operational partnership approaches across a local area, and the strategic links that underpin them.

The YJ Plan should set out the **direction and strategy of youth justice services**, describing how in particular, quality services will be provided to ensure positive outcomes for children and improvements in performance indicators, in particular:

- reducing first time entrants to the youth justice system
- reducing the use of custody
- reducing reoffending rates
- locally agreed performance indicators that evidence positive outcomes for children

The YJ Plan should describe how **leadership and governance** is set up to monitor the **quality and effectiveness** of youth justice services across your area.

Revised Standards for children in the youth justice system were implemented from 2019, and self-assessments against these standards were carried out by all local partnerships and submitted to the YJB in 2020. The planning process for your YJ Plan should align the gaps or areas for improvement your partnership has identified through the self-assessment process alongside an action plan to address any areas of improvement.

The local governance arrangements are likely to focus on the YJ Management Board or equivalent, but where appropriate descriptions of wider governance and leadership should be included.

Effective governance and leadership requires quality information being made available to all key partners. It is important to understand the needs and diversity of the local children's population, to devise and deliver appropriate individual and personalised services. The YJ Plan should contain information on the needs of children in the local area, including:

- a profile of offending by children, including a breakdown by gender, age, ethnicity, looked after status, types of offending
- how the needs of your cohort have been assessed to inform delivery decisions
- how the service demonstrates a Child First ethos and practice. In doing this you may wish to focus upon each of the four Child First tenets (outlined above) individually and consider plans to implement work within each. For example, under the first tenet, how you might plan to move away from offending behaviour programmes towards a model of working which focus on a child's individual strengths and build positive behaviours and sense of identity.

Other key information to consider in your YJ Plan should reflect your local context. We include suggestions alongside areas where we also wish to drive improvements across the system below. Understanding approaches to these also enables us to capture emerging and existing good practice, to share more widely and in support of advising Ministers.

- what the staffing of the youth justice service looks like, what the **workforce learning and development** needs are, and how they will be met
- what is known about **child criminal exploitation** in your area, and any initiatives or plans the partnership has in place to work together to address and prevent the harm arising from exploitation of children (information on serious violence should be considered as part of this)
- what is known about any groups of **over-represented children** in the youth justice system in your area, and any initiatives or plans the partnership has in place to work together to address this
- what local partnerships are doing to ensure effective services are available for **constructive resettlement** for children leaving secure estate and settling back into the community, or transitioning across to adult secure estate or community services
- what the partnership and key stakeholders regard as **effective practice** in youth justice. What aspects of their service delivery and design have contributed to, and resulted in their key achievements
- how youth partnerships hold education to account over levels of exclusion from schools/colleges, referrals to **Elective Home Education** and the provision and delivery of **EHCP's** (Education, Health and Care Plans), and how decisions are being monitored, challenged and addressed to ensure

that the actions of all education establishments are appropriate and in the best interests of children

- what local partnerships are doing to prevent children who are at risk of offending from being progressed into the formal youth justice system, and what they are doing to divert children who have offended from being escalated further through the formal youth justice system

Suggested structure

To aid YJ partnerships in the process of production of a YJ plan, an outline structure has been suggested below:

Introduction, vision and strategy

A forward or statement introducing the plan from the Chair, or a senior representative of the local authority, confirming that the plan has been developed and agreed across Youth Justice partners, works well as evidence of governance of the plan.

Having an executive summary outlining the key points in the plan, including opportunities, risks and challenges, works well. This provides a focus on key priorities going forward and key achievements from the last year.

Outlining the vision and strategy of the local partnership at the beginning of the plan, sets the overall tone of the narrative to follow, and gives a wider perspective to the detail of the rest of the plan. This offers the opportunity to develop your own child first vision that all partners are committed to and shapes activity towards achieving it.

Governance, leadership and partnership arrangements

This section should provide an overview of how the partnership is meeting statutory requirements for the oversight of youth justice services. It should contain a description of the local governance arrangements for youth justice services, outlining how the youth justice management board links in with other governance boards, or groups with relevant oversight responsibilities and shared aims.

A description of the partnership arrangements at both an operational and strategic level, that contribute to support for children in the justice system. As a multi-agency partnership, youth justice services must contain specialists, or access to specialist provision for children being supervised, this includes Police, health, education, social work and probation as a minimum. A description of operational partnerships should include confirmation that this is the case, in addition to describing the workforce available to deliver statutory youth justice work.

Resources and services

Your YJ plan will need to provide assurance that the YJB grant will be used appropriately (as described in the Terms and Condition of Grant).

In this section you are required to include details of:

- how the YJB Grant will be used
- partnership resources that contribute to the aims and expected outcomes of the plan

A description of effective and efficient use of resources should be linked to performance and outcome measures set out in the plan:

- e.g. 'we use our grant, partner contributions and available resources to deliver these services and we believe they produce the following benefits and outcomes. Our performance will be improved in 2021/22 by.....'

Performance and priorities

This section should contain a summary of key performance targets, as a minimum describing what current performance looks like and what the partnership is aiming for in the future. Performance against the nationally measured targets should be captured in the plan. Partnerships should demonstrate an understanding in their plan of how they are performing in reducing:

- use of custody, (in both remand and sentencing)
- first time entrants (FTEs) to the criminal justice system
- reoffending

Local performance targets are encouraged, and local data to measure these targets are also welcomed as a useful way of overcoming the challenges to delays in national data.

Capturing the key priorities for the period is an important aspect of the plan. In challenging times, partnerships cannot always deliver on all they would wish to, so focusing on key priorities and stating these in your YJ plan helps to inform key actions in the business plan or improvement plan section.

Responding to the pandemic and recovery from COVID-19

This section should follow on from the Recovery Plans submitted in 2020/21, and:

- include a summary of the ongoing challenges of delivering services during the pandemic and through to recovery, including any specific changes to ongoing service design or delivery
- describe lessons learned from delivering services since March 2020 and any specific responses to the findings from the Her Majesty's Inspectorate of Probation (HMIP) Covid19 thematic⁴
- review of the 2020 Recovery Plan submitted to the YJB and any actions or learning arising from that plan.

Challenges, risks and issues

This section should include:

- An outline of current challenges, risks and issues to local YJ services
- What actions are being taken to address existing issues and challenges
- What proposed action may be needed to address potential risks should they emerge

We recognise that during this period of delivery there may be crossover between the challenges, risks and issues identified in the section above and in this section

YJ Plans should also consider a response to key findings from any relevant local inspections, HMIP thematic inspections, reviews or learning exercises that have taken place in the last 18 months including:

- Learning from any serious incident reviews reported locally
- Improvement actions from HMIP inspections, including thematics
- Improvement actions from other relevant inspections of statutory partners that may impact on YJ services

⁴ A thematic review of the work of youth offending services during the COVID-19 pandemic can be viewed online here: <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2020/11/201110-A-thematic-review-of-the-work-of-youth-offending-services-during-the-COVID-19-pandemic.pdf>

YJ plans should consider a local response to key findings from:

- YJB conclusions published in early 2021 around 'Ethnic disproportionality in remand and sentencing in the youth justice system'⁵
- consider findings from the HMIP annual report⁶ published in November 2020

Service business and improvement plan

It is important during the preparation of your YJ Plan that you consider and capture detail around the following:

- What key improvements to youth justice services and outcomes for children are needed and how they will be delivered
- What benefits will be delivered and what success will look like
- What development of the workforce in 2021/22 and beyond looks like
- How the partnership will improve. What action will be taken?
- What support is needed to improve? How will Youth Justice Sector Improvement Partnership (YJSIP)⁷ be used to improve?
- How the YJB Strategic Plan 2021-24 will influence your local plan?

⁵ Ethnic disproportionality in remand and sentencing in the youth justice system, can be viewed online here: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/952483/Ethnic disproportionality in remand and sentencing in the youth justice system.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/952483/Ethnic_disproportionality_in_remand_and_sentencing_in_the_youth_justice_system.pdf)

⁶ HMIP Annual Report: Inspection of youth offending services (2019-2020), can be viewed online here: <https://www.justiceinspectors.gov.uk/hmiprobation/inspections/year2020/>

⁷ Youth Justice Sector Improvement Partnership (YJSIP), can be viewed online here: <https://yresourcehub.uk/youth-justice-sector-improvement-partnership.html>

Sign off, submission and approval

YJ Plans must be agreed by your partnership and signed off by the Chair of the board **before** submission to the YJB.

YJ Plans can be submitted to the YJB at any point but we request that approved plans are submitted by **30th June 2021**.

YJ Plans should be submitted by e-mailing the YJB CBU team at CBU@yjb.gov.uk.

If there is wider sign off, scrutiny or governance required for your YJ plan taking place after the 30th June, your plan can be submitted as long as the management board Chair has approved the plan. The 'sign off' by the Chair is an indication that the wider management board have approved the submitted plan.

The Heads of Innovation and Engagement covering your region/Wales are available to review and consult on locally approved plans. Should feedback from the Heads of Region/Wales be sought, we advise consultation on a draft version take place as early as possible and before formal submission.

The YJB regards the plan as a public document and will make your plans or its content available to anyone making a reasonable request. We would also encourage you to consider making your plans available online.

The YJB recommends that you consider the production of a summary version for the general public and a simplified and accessible version for children.

While the YJB provides grant to local areas, it is neither a signatory to the plan nor directly responsible for its contents. Consequently, neither the YJB nor the Ministry of Justice logo should appear on the document.

Annex A – Summary outline of grant compliances

The below replicates Annex 3 within the YOT Grant Terms and Conditions. Grant payment is made to the Local Authority as one lump sum when all the compliances set out below have been met. Payment will be made on condition that the following information will be provided by the timescale indicated. A failure to provide this information could result in the YJB on behalf of the Secretary of State for Justice requiring that the grant payment be returned.

31 May 2021	Submission of the signed audit certificate for the previous year's 2020/21 Youth Justice Grant	Send to: YJBGrants@yjb.gov.uk
30 June 2021	Youth Justice Plan	Send to: CBU@yjb.gov.uk copied to your relevant Head of Region or Wales
30 June 2021	Submission of a signed agreement of Conditions of Grant (e-signatures are now acceptable) – an email submission to the YJB must be copied to other signatories and state explicitly that the other signatories have agreed to conditions.	Send to: YJBGrants@yjb.gov.uk
31 July 2021	Submission of the planned overall income and workforce data for the YOT through YJ application framework	Contact: InformationandAnalysis@yjb.gov.uk
As per Data Recording Requirements (DRR) ⁸	Submission of quarterly YOT case management and AssetPlus data via Connectivity	Contact: InformationandAnalysis@yjb.gov.uk
31 May 2022	Submission of the signed audit certificate for this year's 2021/22 grant	Send to: YJBGrants@yjb.gov.uk

If YOTs are experiencing delay/difficulties with any of the above, contact with their relevant Head of Region/Wales is essential.

⁸ Data Recording Requirements, can be viewed online here:
<https://yiresourcehub.uk/data/item/669-data-recording-requirements-for-youth-offending-teams-april-2021-to-march-2022.html>