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Overview and Scrutiny Committee- 4 October 2022

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Overview and Scrutiny Committee held in the Council Chamber - The Guildhall on 4 October 2022 commencing at 6.30 pm.

- Present:** Councillor Mrs Diana Rodgers (Chairman)
Councillor Roger Patterson (Vice-Chairman)
- Councillor Mrs Jackie Brockway
Councillor Christopher Darcel
Councillor Michael Devine
Councillor Mrs Caralyne Grimble
Councillor John McNeill
Councillor Peter Morris
Councillor Robert Waller
- In Attendance:**
Nova Roberts Director of Change Management, ICT & Regulatory Services
Katie Storr Democratic Services & Elections Team Manager
- Also Present:** Councillor Trevor Young
Councillor Stephen Bunney
- Also in Attendance:** Mr Andy Cook – Future4Me – Lincolnshire County Council
Mr Tony Pryce – Future4Me – Lincolnshire County Council
- Apologies:** Councillor Mrs Tracey Coulson
Councillor Timothy Davies
Councillor Cherie Hill
- Membership:** Councillor Mick Devine substituting for Councillor Tim Davies

22 MINUTES OF THE PREVIOUS MEETING

RESOLVED that the Minutes of the Meeting of the Overview and Scrutiny Committee held on 6 September 2022 be confirmed and signed as a correct record.

23 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest made at this point in the meeting.

24 MATTERS ARISING SCHEDULE

The matters arising schedule, setting out the position of previously agreed actions, as at 26 September 2022, was presented to Members. Brief verbal updates were given in respect of the two green actions, with assurance being offered that those matters referenced in the green action entitled "Questions arising from O and S re Leisure Provision" were being worked on and would be amalgamated with any matters discussed in the later agenda item, on the evening's agenda, and in anticipation of Everyone Active's visit to the Committee's November meeting.

With no questions and with no requirement for a vote, the Matters Arising were duly **NOTED**.

25 PRESENTATION ITEM - THE WORK OF FUTURE4ME TEAM - PREVENTION AND EARLY INTERVENTION IN RESPECT OF YOUTH OFFENDING.

The Chairman welcomed Guest Speakers, from Future4Me which incorporated Youth Justice, Mr Andy Cook and Mr Tony Pryce, who in opening outlined the roles they held, the nature of these, and the purpose of the evening's presentation. This being to provide an overview of the Team's work, demonstrate its diverse nature, the approach used and its impact and effectiveness. The service was dedicated to providing across the board support for adolescents, including those who were involved in the youth offending system.

Mr Cook set out the context in which the Team worked

- A Large rural, coastal county, which brought with it geographical and logistical issues
- 147,000 children
- 360 schools across the county
- 76 maintained, academy or special secondary schools
- Approximately 50,000 children on roll at secondary school
- The areas of highest deprivation in Lincolnshire can be found in pockets of the major towns and along the coast
- Approximately 150 children in the youth justice system

A large proportion of Mr Cook's teams work was multi-agency, with a multi-disciplinary team. Whilst core activities were funded by the County Council, key funders were also the Youth Justice Board and the Lincolnshire Police and Crime Commissioner, with resources also provided from a number of partnership agencies including Police Officers, Probation Service, Health Workers, Court Officials and Education.

Mr Cook hoped that the presentation given would demonstrate the changed approach since the establishment of his Team in 2018. With the main drivers being diversionary and prevention, at the centre of which were the decisions taken by the Joint Diversionary Panel which would be further expanded on later in the presentation.

The legal framework in which the Youth Offending Teams worked and their Statutory functions were outlined to the Committee, as set out in the Crime & Disorder Act 1998 :-

- to co-ordinate the provision of youth justice services for all those in the authority's area who need them
- to carry out such functions assigned in the youth justice plan formulated by the local authority

There were 3 National targets set by the Youth Justice Board, these being: -

- Number in Custody
- Number of First Time Entrants
- Rate of Re-Offending

A consultation was underway to move to more qualitative measures nationally, and this was the approach Lincolnshire partners had used for a time.

A summary of the outcomes achieved in recent years, in respect of Youth Crime, were shared with the Committee during which it was noted

- There had been a significant reduction in first time entrants
- There were low numbers of children in youth custody
- There had been an overall decrease in children being arrested and detained.
- Many more children were given restorative outcomes.
- There was a smaller core group of young people influencing re-offending rates
- There had been a specific focus on tackling links to drug supply and exploitation
- Specific interventions to reduce serious violence and knife crime.
- The importance and stability of Education, Training and Employment and had been recognised
- Multiple complex needs recognised and addressed
- There had been collaboration work with district partners around addressing exploitation and Anti-Social Behaviour.

Exploitation was of the biggest risks to young people and often a reality of some youth offending, blurring the line between victim and perpetrator.

Local indicators and priorities were also set in Lincolnshire these were: -

- Reduce Offending and Anti-Social Behaviour to ensure Lincolnshire is a safe place to live.
- Children and young People are fully supported and provided with all available opportunities to realise their potential.
- Ensuring our staff have the skills, training and knowledge to meet the complex and diverse needs of young people.
- Victims of crime are given a voice through restorative practice to ensure safer communities in Lincolnshire.
- Recognising the importance of education, training and employment for children and young people in Lincolnshire.
- Reducing criminalisation by diverting where possible away from the formal criminal justice system.

This had given to rise to Future4Me being established, an overarching service geared towards supporting adolescents established in 2018. They supported children and young people across a wide range of complex needs. This included a dedicated integrated complex care team to support mental health, emotional well-being and speech, language and communication. Support was also provided to young people aged 16 and 17 around homelessness and ensuring stability at home, they tackled missing children and exploitation, and worked with young people to create a positive future; using sport, community schemes and diversionary activities. Looking at the whole picture, changing behaviours and avoiding life limiting their futures where it was not necessary. For those that did find themselves on the wrong side of the law, support was also offered on release, with numbers being relatively small.

Mr Pryce then addressed the Committee and outlined how the Joint Diversionary Panel operated and how it made decisions. Members were advised how historically any youth aged 10-17 who found themselves in trouble would solely be dealt with by the Police and criminal system. The action taken would be informed by the offence and that person's history. In effect it was an escalatory system, and whilst interventions could be offered, some had serious long-term implications on a young person's future.

It was noted the Panel could not deal with Crown Court offences and the perpetrator had to admit guilt to be suitable to be considered by the Diversionary Panel.

Decision making at the Panel was holistic in nature and considered all aspects of that young person's life. Time was taken to ensure the Panel accurately understood what could have led to the behaviour in order to be able to address the behaviour.

The Panel met every week, and always had police, court and children services representatives. On average they dealt with 12/15 cases per week; 300 – 400 per year. There had been 36 referrals from the West Lindsey area to the Panel with the average age of referral being 14.

The Panel were responsible for determining whether it was defensible and or justifiable to deal with matters out of court. The Panel was also responsible for then developing a package of interventions noting that everything agreed had to have a restorative element. The Panel had moved away from the escalation process with each offence being dealt with on its merits. A young person could be subject to a Panel decision multiple times (as long as there was admission of guilt). Decisions were mandatory, meaning perpetrators had to comply, where there was non-compliance, cases where brought back to the Panel and alternative decisions could made.

Engagement rates were fairly high, but an exact percentage was unavailable, needs of the victim were also an important consideration. Prior to the new approach re-offending rates had been around 45% , with the new approach this was down to 29%.

The approach described was not universal across the Country and as such it was a post code lottery for service users if they left the County, with a number of the options not being available. Lincolnshire was leading the way in this type of approach, and an offer to shadow the Panel was extended.

A lengthy question and answer session ensued. Members commented on the informative and interesting presentation, noting the work of the Panel but sought indication as to what victims felt about the approach? Was their satisfaction measured?

Assurance was offered that decisions were bound by a Code to ensure the victim's voice was heard and it was a consideration. Victims were spoken to pre any Panel hearing and post. Managing expectations and being clear about what was achievable was key. Victim Officers were Members of the Panel and their role was to champion the voice of the victim.

Work had been commissioned with the University of Lincoln to get more victim feedback and Mr Pryce indicated he would be happy to share this with Members, once received. Trends were positive as understanding grew. The new approach it was hoped gave victims answers. A full evaluation of the Panels effectiveness had been undertaken and published and again, the presenters were happy to share this with the Committee.

In response to concerns it could be viewed as a "soft option", it was stressed that it was not presented as a soft option, sanctions were mandatory and in reality, most victims were not looking for punitive action they simply did not want the same thing to happen again.

Members recognised the risk of county lines exploitation, and how easy it was for young people to be involved. Clarification was sought and received as to how such concerns could be raised before a crime was committed, noting the established safeguarding routes which Members and public could access on the District Council's website, childrens' services and the non-urgent police number.

Reassurance was offered that the vast majority of young people came before the Panel once and once only. The sole intention was to be proportionate, to understand all factors and considerations (environment, health, home life) and seek to firstly address and support these where possible, hence the cross range of services present on the Panel. The rewarding nature of the work was shared with Members, and the positive outcomes and transformations seen.

In responding to further questions Members learnt that the current budget was circa £1.9m, made up of funding from Youth Justice, the Office of the Police and Crime Commissioner and Lincolnshire County Council; funding provided had been stable and there had been no indication this would be reduced. Funding for youth justice was a statutory requirement. The work of the department and panel was audited by both Ofsted and HM Probation Services. All audits had been positive and inspection was anticipated imminently. West Lindsey data was available, and the team were fully aware of where peaks, or spikes were. Numbers continued to reduce, currently 65% of cases were dealt with out of Court. Magistrates supported the alternate approach and were known to highlight in Court cases they felt should have first, or would have benefitted from, referral to the Panel. Assurance was offered that mechanisms were in place to ensure there was no complacency.

Again, acknowledging the fine line young people trod in choosing the right path and the wrong path and how a number of factors affected this including deprivation, a visiting Member spoke of concerns within his Ward at the increase in serious cases in recent years and where young people were at such risk of exploitation. West Lindsey specific data was welcome, given the level of anti-social behaviour reported and witnessed, it was suggested the figures seemed low. Clarification was given that anti-social behaviour was actually

treated slightly differently. Whilst this could be a pre-cursor to more serious issues and there was an early help service which ran alongside the Panel's work, cases referred to the Panel were driven by Police arrests and the responses to those arrests drove the Panel's case numbers.

Schools were leading the way in early intervention work and examples of exemplar service were shared. It was also noted that the Service had engaged with the District Council's targeted work at Hemswell, providing short term interventions and projects in response to escalating ASB, with positive outcomes seen. The District Council's Senior Management had expressed a desire for the two service providers to work together in the future. Members were advised of some notification agreements which were in place regarding ASB, which high-lighted this pre-cursor behaviour to the early intervention team, although acknowledged this had slipped during Covid times.

The reasons for the decrease in entrants was outlined and this was considered to arise from the changed position in respect of escalation and eradicating the use of Youth Cautions, which were considered across the board as non-effective. It was confirmed service users could now be "de-escalated" which had not been the case previously.

Members indicated they were reassured by responses and questioned whether police resources hindered the Panel's work. Whilst Police resources was not something Mr Pryce could influence, he was confident that that the Team could cover the county, were providing a responsive approach, acknowledged and managed the rurality of Lincolnshire and its differences, North to South, East to West. Commitment from partners was strong consistently, financial contributions were stable. There were establish processes for considering and escalating risks at a strategic level and outcomes were positive.

The number of repeat offenders was reducing, and addressing route causes rather criminalisation unnecessarily, the data suggested was more successful. The Team, Panel, and all connected to the work shared aspiration was to be supportive, proportionate, reduce re-offending, reduce victim numbers, leading to safer communities and brighter futures from difficult starts. The Multi-agency approach was considered the key strength. The intention of the evening's visit and presentation had been to raise awareness of the Service, its priorities, and the fundamental change in service delivery style and perceptions around young offenders.

In the bringing questions to an end, given the length of the session, a Member indicated there were a number of other questions he would have welcomed the opportunity to pose. Permission was sought from both the speakers and the Chairman for these to be posed outside of the meeting, with both the questions and responses received being reported back through the next Matters Arising report or similar.

At the conclusion of the question and answer session the Lead Officer again thanked Mr Cook and Mr Pryce, for the informative presentation, for their time and for their open, honest, and transparent approach to the Committee.

Throughout the course of the discussion a number of follow up items had been agreed and these were summarised to the Committee, namely: -

- Sharing with Members the Outcome of Work recently commissioned with Lincoln

University to ascertain victim feedback of the approach used – once it becomes available;

- reference to an Evaluation undertaken and a report which had been published in the public domain about the Panel's effectiveness – and again sharing this with Members;
- A Request for additional general statistics about the work of Future4 Me and ideally West Lindsey specific where feasible;
- An offer to see the decision making in action and to attend the Panel as observers; and
- A copy of the presentation slides displayed during the evening; and
- responses to additional questions, referenced earlier.

The offer to shadow / observe the Panel was most welcomed.

The Lead Officer's comments were echoed by the Chairman and Members and, in return, Mr Cook and Mr Pryce thanked Members for the opportunity before leaving the meeting.

Note: Councillor Trevor Young left the meeting at the conclusion of this item.

26 FORWARD PLAN

In response to a Member's question, Officers confirmed that a revised over-arching Enforcement Policy, followed by service specific enforcement policies, were anticipated for consideration by the Prosperous Communities, outlining the current timeline with the first scheduled for November 2022.

With no further comments, questions, or requirement for a vote, the Forward Plan was **DULY NOTED**.

27 COMMITTEE WORKPLAN

Members gave consideration to the proposed work plan for upcoming meetings of the Overview and Scrutiny Committee, noting those items referenced at the bottom of the Plan, which were pending inclusion.

With no questions or comments, the work plan was **DULY NOTED**.

28 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

29 PREPARATION ITEM - EVERYONE ACTIVE

It was explained to the Committee that there would be representatives from Everyone Active attending the November meeting, having previously visited in March 2022, and the intention of the discussion item was to ascertain areas of focus from Members.

Before opening the matter for discussion, the Chairman advised the Committee that her preference would be for Members to focus on reviewing progress on those areas and issues raised previously, but would be guided by Members.

At the request of the Chairman, noting the change in Membership since the last visit, the Democratic Officer, supporting the meeting, summarised briefly the matters which had been raised, as follows: -

- Cleanliness of wet side change rooms: - on 29 March Members were advised that drainage issues in the wet-side changing rooms, had been recognised by the company and there was an agreed list of works and remedial action to begin addressing these areas. A full site inspection had been undertaken, with weekly and monthly walk-arounds also being implemented.
- Review of Suppliers: - on 29 March Members were advised a review of suppliers had begun recognising the preference to use local services but needing to balance that with improving standards which could result in using outside contractors, for example for cleaning and maintenance.
- Pool Experience and length of time to resolve issues – having raised personal experiences of the using the swimming pool – assurances were given that the scheduled repairs, servicing, maintenance and ad hoc works would be prioritised in order to improve the facilities for users.
- User Numbers and Improving Access to Facilities – On 29 March Members were advised, it was recognised that there was scope for the use of, for example the sports hall or pitches, to be reviewed, in light of specific examples provided by Members.
- Future Engagement Work - On 29 March Members were advised, focus for future work was to engage with community groups, sports clubs, volunteer activity groups and find a way to enable people to participate at whichever level they felt comfortable. Improving access to activities for all, and working with local groups to increase availability of services, was the priority for improving overall wellbeing as the district, and country, emerged post-pandemic.

Members indicated they were in agreement for all of the above items highlighted to be re-raised as part of any presentation.

Members also suggested the following areas: -

- An update on the outreach service
- Recent complaints regarding water temperatures and cleanliness
- Lack of improvements to wet-side

In concluding, Members were in agreement for the discussions to be summarised and

shared with the Everyone Active and relevant Officers, in order to inform their presentation to the Committee at the November meeting.

It was respectfully requested that those presenting be in a position to answer questions posed, that there be clarity in the information and that sufficient time be allowed for questions and follow ups.

Members also indicated it would be useful to understand the limits of the contract, to enable Members to understand what they could and could not affect with the remit of the contract.

Before bringing the discussion session to an end, a Member raised a wider issue related to community involvement and participation, and which related to the Council's funding of facilities on Roses in Gainsborough. The Member sought indication as to whether this could be a future topic for this Committee, to understand community usage and whether the funding had offered value for money. Officers undertook to take the question raised away and consider where best it may be addressed.

The meeting concluded at 8.18 pm.

Chairman

Additional questions posed outside of the meeting and responses received.

Minute No. 25 Relates

Q1 During Andy Cook's presentation he made reference to 5 children/adolescents currently being in custody (it was not clear if this was for the whole County, or just West Lindsey), but with such low numbers (given a secondary school population of 50K throughout the County), I assume that they are not in custody locally. I therefore assume that their families may have to travel significant distances to visit a person in custody. Is there anything more which the Youth Justice Team think WLDC could do to better support these families in this regard?

A: The number of children referenced related to Lincolnshire children across the whole county and generally we have had low numbers of children in custody which is positive. There are secure children homes in both Sleaford and Nottingham which provides local options and where possible would want children closer to their home to maintain important family links although Wetherby in Yorkshire is the main centre for children from this area as a larger youth detention centre. There are schemes available which financially support families around visits and case managers liaise closely with families and custody units to ensure there are no barriers to family members seeing children within custody which is regarded as critical.

Q2 On the fifth PowerPoint slide - Key Strategic Priorities - the fifth priority is given as "Recognising the importance of education, training and employment for children and young people in Lincolnshire." Is that correctly worded as a Key Strategic Priority; who is recognising it; how? How were these key priorities approved, how and when are they to be reviewed, to ensure that they remain suitable?

A: This priority has been recognised by the Youth Justice Board, HMIP and Ofsted (inspectors) and was identified as a key priority by the Lincolnshire YOS strategic management board. The priorities were shaped within a recent board development session and are driven by intelligence, performance data and analytics. They are reviewed annually within the youth justice plan and also reflect the importance of children having stable and regular attendance at school or college to mitigate the risk of involvement in criminal behaviour.

Q3 During the presentation reference was made to the escalatory 'ladder' which had been the way the system worked before 2018, can either of the County Council officers comment on what led to that system and what produced the change - was it national government, external events, or something else?

A: The 'ladder' of disposals available to youths still exists and is applied relatively rigorously in some areas of the country. Lincolnshire YOS, along with Lincolnshire Police, recognised that the previous system and its application of

these disposals was leading to increasing numbers of first-time entrants to the criminal justice system whilst at the same time offering certain disposals, such as the Youth Caution, which were entirely ineffective in reducing the likelihood of a young person committing further offences. The YOS and Police thus devised the Panel as a means of making consistent, proportionate and informed decisions with the ability to offer intervention and support to young people without having to criminalise them where appropriate/defensible.

Q4 What percentage of outcomes have direct restorative outcomes. What does this suggest; has feedback been obtained from victims, especially regarding why this may not be taken forward? Is there a danger of re-traumatising victims by pursuing restorative justice and how is this mitigated?

A: As part of the JDP referral process the Police officer will outline the panel process to the victim and will ask them if they are happy to be contacted by one of the YOS Victim Liaison Officers (VLOs); we would always respect a victim's wish not to be contacted. All victims who consent will be contacted prior to the Panel process by a VLO in order to ensure their voice is heard at Panel both in terms of the impact of the offence but also as to whether they would be willing to engage in a directly restorative outcome.

Whilst we do not at present keep statistics as to the split between direct and indirect restorative elements I can reassure members that there are few instances where a victim has asked for a directly restorative outcome and we are not able to deliver this. However, on occasion safeguarding, risk or other concerns may make a directly restorative element unsuitable and in these instances we may have to progress an indirect restorative element. The VLO would keep the victim updated as to progression of the restorative element and the reasons behind any changes would be relayed to the victim.

Q5 Given the County Council's legal duties, is there a danger of a 'sausage machine' mentality, in that individuals become lost in the process rather than receiving bespoke attention/outcomes? How is this prevented?

A: I can confidently say that we have moved away from a 'one size fits all', prescriptive approach in terms of dealing with young people who commit criminal offences. We have removed all elements of automatic escalation from the process and now look at each admitted offence in its own right. The holistic range of information we gather ensures that we have a full understanding of the young person's past and current circumstances/experiences and we are confident we have an effective range of disposal options which allow us to implement a bespoke mix of intervention, restorative content and other support in each case.

Q6 Allied to question 5, what assurance can County Council officers provide that junior colleagues can exercise their discretion confidently, how is this monitored and assessed?

A: All staff within the team have clear avenues to access learning and development opportunities which enable them to fulfil their roles and ensure that they are confident within their professional role. Staff have access to monthly supervision and also are set annual appraisal targets which are reviewed within 1-1 sessions and feedback provided to promote development.

Q7 What are the risks to the service and to young people of being at the forefront of the 'non-universal' elements of the service as discussed in the presentation? How are these mitigated?

A: This is mitigated by the principle that support is based upon a very clear needs profile and ensuring that any support or intervention is both proportionate and time limited to only as long as required. We are committed to a child first approach and not drawing children into the system where this is not necessary. Additionally many of the services such as Youth Centres, youth and community development and Positive Futures also retain a universal offer. The service can reduce the potential for children to require more long term and complex support if we act in a preventative and targeted way. Where those needs are not addressed the long term consequences are potentially significant and progress into adulthood thus also placing a financial burden upon many services.