



Leicester
City Council

**MEETING OF THE CHILDREN, YOUNG PEOPLE AND EDUCATION
SCRUTINY COMMISSION**

DATE: TUESDAY, 6 DECEMBER 2022

TIME: 5:30 pm

**PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles
Street, Leicester, LE1 1FZ**

Members of the Commission

Councillor Batool (Chair)

Councillor Willmott (Vice-Chair)

Councillors Crewe, Khan, Dr Moore, Riyait and Thalukdar

Co-opted Members (Voting)

Carolyn Lewis

Church of England Diocese

Mr Mohit Sharma

Standing Invitees (Non-Voting)

Youth Representatives

Jennifer Day

Teaching Unions representative

Janet McKenna

UNISON Branch Secretary

Members of the Commission are invited to attend the above meeting to consider the items of business listed overleaf.

For the Monitoring Officer

Officer contacts:

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**USEFUL ACRONYMS IN RELATION TO OFSTED AND
EDUCATION AND CHILDREN'S SERVICES**
(updated November 2015)

Acronym	Meaning
APS	Average Point Score: the average attainment of a group of pupils; points are assigned to levels or grades attained on tests.
ASYE	Assessed and Supported Year in Employment
C&YP	Children and Young People
CAMHS	Child and Adolescent Mental Health Service
CFST	Children and Families Support Team
CICC	Children in Care Council
CIN	Children in Need
CLA	Children Looked After
CLASS	City of Leicester Association of Special Schools
COLGA	City of Leicester Governors Association
CPD	Continuing Professional Development
CQC	Care Quality Commission
CYPF	Children Young People and Families Division (Leicester City Council)
CYPP	Children and Young People's Plan
CYPS Scrutiny	Children, Young People and Schools Scrutiny Commission
DAS	Duty and Advice Service
DCS	Director of Children's Services
EAL	English as an Additional Language
EET	Education, Employment and Training
EHA	Early Help Assessment
EHCP	Education Health and Care Plan
EHP	Early Help Partnership
EHSS	Early Help Stay Safe
EIP	Education Improvement Partnership
ELG	Early Learning Goals: aspects measured at the end of the Early Years Foundation Stage Profile
EY	Early Years

EYFS	Early Years Foundation Stage: (0-5); assessed at age 5.
EYFSP	Early Years Foundation Stage Profile
FS	Foundation Stage: nursery and school Reception, ages 3-5; at start of Reception a child is assessed against the new national standard of 'expected' stage of development, then teacher assessment of Foundation Stage Profile areas of learning
FSM	Free School Meals
GCSE	General Certificate of Education
GLD	Good Level of Development
HMCI	Her Majesty's Chief Inspector
HR	Human Resources
ICT	Information, Communication and Technology
IRO	Independent Reviewing Officer
JSNA	Joint Strategic Needs Assessment
KPI	Key Performance Indicator
KS1	Key Stage 1: National Curriculum Years (NCYs) 1 and 2, ages 5-7; assessed at age 7.
KS2	Key Stage 2: NCYs 3, 4, 5, and 6, ages 7-11; assessed at age 11.
KS3	Key Stage 3: NCYs 7, 8 and 9, ages 11-14; no statutory assessment.
KS4	Key Stage 4: NCYs 10 and 11, ages 14-16; assessed at age 16.
KTC	Knowledge Transfer Centre
LA	Local Authority
LADO	Local Authority Designated Officer
LARP	Leicester Access to Resources Panel
LCCIB	Leicester City Council Improvement Board
LCT	Leicester Children's Trust
LDD	Learning Difficulty or Disability
LESP	Leicester Education Strategic Partnership
LLEs	Local Leaders of Education
LP	Leicester Partnership
LPP	Leicester Primary Partnership
LPS	Leicester Partnership School
LSCB	Leicester Safeguarding Children Board
LSOAs	Lower Super Output Areas
MACFA	Multi Agency Case File Audit

NCY	National Curriculum Year
NEET	Not in Education, Employment or Training
NLEs	National Leaders of Education
NLGs	National Leaders of Governance
OFSTED	Office for Standards in Education, Children's Services and Skills
PEPs	Personal Education Plans
PI	Performance Indicator
PVI	Private, Voluntary and Independent
QA	Quality Assurance
RAP	Resource Allocation Panel
RI	Requires Improvement
SA	Single Assessment
SALT	Speech and Language Therapy
SCR	Serious Case Review
SEN	Special Educational Needs
SEND	Special Educational Needs and Disabilities
SIMS	Schools Information Management Systems
SLCN	Speech, Language and Communication Needs
SLEs	Specialist Leaders of Education
SMT	Senior Management Team
SRE	Sex and Relationship Education
TBC	To be Confirmed
TFL	Tertiary Federation Leicester
TP	Teenage Pregnancy
UHL	University Hospitals Leicester
WIT	Whatever it Takes
YOS	Youth Offending Service
YPC	Young People's Council

PUBLIC SESSION

AGENDA

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1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed.

3. MINUTES OF THE PREVIOUS MEETING

**Appendix A
(Pages 1 - 14)**

The minutes of the meeting of the Children, Young People, and Education Scrutiny Commission held on 25 October 2022 are attached and Members are asked to confirm them as a correct record.

4. CHAIR'S ANNOUNCEMENTS

5. PETITIONS

The Monitoring Officer to report on the receipt of any petitions.

6. QUESTIONS, REPRESENTATIONS, AND STATEMENTS OF CASE

The Monitoring Officer to report on any questions, representations, or statements of case received.

7. CHILDREN OUT OF SCHOOL REPORT

**Appendix B
(Pages 15 - 42)**

The Strategic Director of Social Care and Education submits a report to provide an overview about the provision of education to children who are not on the roll of a state-maintained school also those on roll but attending alternative provision, and the statutory responsibilities and processes of the local authority.

8. YOUTH JUSTICE PLAN 2022-23

**Appendix C
(Pages 43 - 96)**

The Strategic Director of Social Care and Education submits a report on the proposed Youth Justice Plan for 2022-23.

9. JOURNEY TO EXCELLENCE: ONE YEAR ON FROM THE OFSTED INSPECTION OF LOCAL AUTHORITY SERVICES (ILACS)

**Appendix D
(Pages 97 - 112)**

The Strategic Director of Social Care and Education submits a report updating the Commission on the follow on steps for Children's Services from the OFSTED inspection in 2021.

10. COMMISSIONING APPROACH TO SEND TRANSPORT - UPDATE

**Appendix E
(Pages 113 - 120)**

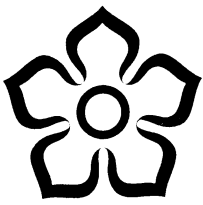
The Strategic Director of Social Care and Education submits a report providing the Commission with an update on the commissioning programme for Special Education Needs and Disabilities (SEND), including the Taxi re-procurement exercise to ensure new contracts were in place with effect from 1 April 2022 and progress on managing demand and reducing reliance on the use of taxis.

11. WORK PROGRAMME

**Appendix F
(Pages 121 - 124)**

The Commission's Work Programme is attached for information and comment.

12. ANY OTHER BUSINESS



Leicester
City Council

Appendix A

Minutes of the Meeting of the
CHILDREN, YOUNG PEOPLE AND EDUCATION SCRUTINY COMMISSION

Held: TUESDAY, 25 OCTOBER 2022 at 5:30 pm at City Hall

P R E S E N T :

Councillor Batool (Chair)
Councillor Willmott (Vice Chair)

Councillor Khan
Councillor Dr Moore

Councillor Riyait
Councillor Thalukdar

In Attendance

Deputy City Mayor Russell – Social Care and Anti-Poverty
Assistant City Mayor Cutkelvin – Education and Housing

Standing Invitees (Non-Voting)

Jennifer Day
Janet McKenna

Teaching Unions
Union Representative

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25. APOLOGIES FOR ABSENCE

The Chair welcomed those present and led introductions.

There were no apologies for absence.

Meeting confirmed as quorate with 3 elected members present.

5.35pm Cllr Khan and Cllr Thalukdar join the meeting.

26. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business to be discussed.

Councillor Dr Moore declared an interest in SEND items as she was the Chair of the Advisory Board at Millgate School. Councillor Dr Moore gave assurance that she retained an open mind for the purpose of discussion and any decisions being taken, on that basis she was not required to withdraw from the meeting.

5.40pm Councillor Willmott joined the meeting.

27. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the meeting of the Children, Young People and Education Scrutiny Commission held on 7th September 2022 be confirmed as a correct record.

28. CHAIR'S ANNOUNCEMENTS

None at this time.

29. PETITIONS

The Monitoring Officer reported that no petitions had been received.

30. QUESTIONS, REPRESENTATIONS, AND STATEMENTS OF CASE

It was noted that a number of questions had been received this morning in relation to the Ashfield Academy Residential Provision – Strategic Review. However, under Scrutiny Procedure Rule 10 as set out in the Council's Constitution, questions for scrutiny meetings must be submitted at least five clear days before the meeting. Those questions were therefore not submitted in time to be taken at this meeting.

The Chair asked that officers provide responses in writing to the questions received earlier today outside of the meeting.

31. ASH FIELD ACADEMY RESIDENTIAL PROVISION - STRATEGIC REVIEW

The Chair agreed to a change in the running order of the agenda to take the item on Ashfield Academy Residential Provision – Strategic Review as the first substantive item of business next.

In accordance with Scrutiny Procedure Rule 8 and given that several people were present for this item, including those that posed the questions earlier today, the Chair indicated that she would allow two members of public to make a short address to the commission as part of this item after the report from officers.

The Strategic Director of Social Care and Education submitted a report providing an overview of the strategic review of residential provision at Ashfield Academy and the associated consultation proposal to cease funding with effect from September 2024.

The Director of SEND and Early Help introduced the report and explained the residential provision was currently funded from the High Needs Block (HNB) grant which was awarded to schools for educational purposes. The HNB was

under significant pressure due to increasing numbers of children and young people with special educational needs and disabilities being approved for Education, Health, and Care Plans (EHCP) which placed a statutory duty on the local authority to provide support.

Members were advised that Ashfield Academy provided education and support to children and young people and all its pupils had an EHCP. The school capacity was for 160 pupils and there was provision for overnight residential for up to 18 pupils per night for 4 nights a week throughout the term. The overnight residential provision was only available to Ashfield Academy pupils and not the wider Special Education Needs and Disability (SEND) population which amounted to over 1000 pupils across all special schools in Leicester.

Members noted the duty to provide short breaks and respite support for all SEND children and young people and that was currently provided through the council's Disabled Children Service.

Members noted that:

- The provision at Ashfield had been reviewed between January and March 2022 and school staff, pupils, parents had been involved in that.
- The findings showed the residential provision was highly regarded but there was no clear evidence to show the outcomes could not be delivered within the daily school curriculum.
- It was found that none of the children or young people attending Ashfield had a specific requirement documented in their EHCP for this sort of health or social care support which may be considered as educational and training and if so would need to be recorded in section F of the EHCP. Such a requirement would mean that the Local Authority would have to ensure the provision was available, which if needed could be provided through the Disabled Children's Service, who have access to Barnes Heath House children's residential provision.
- Discussions with the school had taken place to explore options for expansion including opening the provision to other SEND children and young people across the City and those with complex health needs, however the school had indicated that was not an option they wanted.
- Meetings with pupils, parents/carers and staff were due to take place and any issue or concerns would be taken into consideration as part of the decision making process.

Regarding the budget implications it was advised that the HNB grant had to be spent specifically in accordance with government rules, at present there was an overspend of £5.5 million per year, and currently there was a firewall between an overspend and the rest of the council's budget however that firewall expired at the end of this financial year, and so steps needed to be taken to cover the overspend and ensure the HNB balanced. Officers confirmed that the City Council along with other authorities in a similar position were required to set out plan's showing how they would bring their high needs block to balance in a short time. It was necessary therefore to ensure that specific types of health or social care support were included in EHCP's.

Members were informed that there was no issue about the quality of the provision, or its staffing and it was for the school to decide what they do in terms of staffing, however there was a question as to whether it was appropriate for the local authority to continue to fund the provision from the HNB, particularly when the school's attention had been drawn to other possible funding routes and their point of view was not to pursue those options.

Members were invited to express their views and any submission for the current consultation.

The provision was clearly high value, well thought of and made a difference to the lives of the young people and their carers but the council was in a position where it could no-longer continue to fund it and meet the need for how HNB was funded, and it was suggested that the council should look at how as a council it could fund it.

There was some support for a version of option 2 in the report and suggested that Ashfield should be further encouraged to consider widening its provision. It was felt that widening the provision would be good for them although appreciated they would have to consider costs of residential etc. but on the face of it there appeared to be scope for negotiation or for other council resources to be found to help keep the provision in place.

As regards the suggestion to provide funding from the general fund it was important to note that the general fund was also under very severe pressure too and would also require savings to be made.

Assistant City Mayor Councillor Cutkelvin (Education and Housing) referred to the way in which the HNB grant had been divided up over time from previous decision making processes but because of increased demand and pressure on that budget the service were systematically going through spending decisions to check it was fitting of the HNB and to have focus on the purpose of the funding.

The Strategic Director of Social Care and Education explained that the review was not just about the provision at Ashfield Academy, other areas had been examined to identify whether they should be funded through the HNB grant this included health and NHS activity so various conversations had occurred in consideration of the budget pressures.

Members noted that Ashfield had been asked to consider supporting children with health needs who did not attend the school and health colleagues were also looking for such placements which they would have funded but Ashfield had decided they did not want to include children who don't attend the school.

In terms of residential provision generally for SEND children across the city there was a respite provision available which was provided for by another division (Disabled Children's Service) funded from the council's general fund. However, there was high demand for that service so there was scope for Ashfield to consider expanding their offer and receive alternative funding.

Members acknowledged the need for respite in the city for other children but also felt that Ashfield had a specialism, and some felt it would be a challenge to integrate a child from outside the school, accommodate their families and cater to their needs.

Members were regretful about the situation and recognised that it involved individual children who were used to having this provision. It was argued that the provision was educational, that skills for independent living were educational and especially so for those with a profound disability. Development of social skills was also important and so this provision should be considered as educational and offering that facility within a special environment with staff that know how to support the children and with the insight of what to do.

Members noted that Ashfield had developed their residential provision as part of a historic response to need and it was open to all children who attended the school regardless of whether it was a “need” within their own EHCP, however the issue remained that it was a very costly provision and there was a necessity to reduce costs.

The Principal Education Officer advised that in terms of education funding from HNB there had to be specific educational need laid out in the individuals EHCP, independent living skills may be included in that but that was not included as a residential aspect and independent skills could be explored during the school day and did not have to be done outside the ordinary school day. Other children across the city were not in extra residential provision and were being taught independent skills during the school day.

It was suggested that the report published for this meeting would have been helpful to other interested parties in terms of responding to the consultation. It was advised that this report had been circulated to the school, and officers had been open and transparent about the intention and reasons for reviewing the funding. Meetings were scheduled with the school for the end of November 2022 as a further opportunity to hear and take questions from people to feed into the consultation. Members noted that as an academy the council did not have any direct control over the school and had to go through its Senior Leadership Team who it was hoped would share the details of discussions with the wider school staff, parents etc. It was noted that Ashfield had been spoken with as early as December 2021 in terms of the proposition to expand the residential provision, and there had also been ongoing discussion with the teaching union about further exploring funding options, business models and ways of sustaining the provision and that was something that officers would still seek to do.

Officers advised it was possible to extend the consultation, which was still to run for a full 2 months in any event, to take account of the report publication if so wished.

The Chair invited the 2 members of public to address the committee.

The father of a former pupil at Ashfield addressed the commission and gave an insight into his experience and his view of the benefits of the residential provision and the impact upon his son's progress and development of independent skills. The father suggested that the effects of losing this provision would be wide spread and would impact on the system more if young people could not learn to do basic skills and therefore required more support as adults.

Mr Tom Barker, Teaching Assistant at Ashfield Academy addressed the committee and referred to the questions he had sent earlier in the day. He remarked on the comments of officers that HNB funding could only be provided for those with a certain need and expressed concern about the motives of the consultation. Clarification was sought on the consultation proposals and queried why an assessment of the residential provision was conducted if the EHCP contained the information needed.

The Strategic Director Social Care and Education thanked Mr Tom Barker for his questions and referred to constitutional advice previously given and informed a written response to those questions would be provided outside of this meeting.

Regarding the comments made by the father of a previous pupil it was advised that there was no dispute about the quality of the residential provision, and it was worthy of note that other respite provisions throughout the city were also rated outstanding. Officers were proud that the city offered outstanding residential/respite provision, however, the position was that the HNB was ringfenced money and the council had a duty to look at every line of its budget and the savings that had to be made to ensure the HNB balanced.

In relation to the point made about EHCP content, those were written by professional's, and it was their duty to ensure they put what the child needed, and the council would find funding for that need and by law the council was required to deliver that support. The key element here was that none of the children at Ashfield had that provision written into the educational part of the EHCP as explained earlier.

There was continued discussion about the content of EHCP's and the advice within those being provided by professionals. It was stated that in broad terms education was about learning, it was also holistic and appreciated there was a need for self-care, but the issue was also about the High Needs Block funding educational and that was driven by the contents of section F of these plans, and it was officers belief those contents could be delivered within the school day.

The Chair noted that the school held in reserve nearly £4 million and enquired if there were any observations about that. It was confirmed the school did hold that level of reserves, but they had not expressed any view as to what that was reserved for or whether it might be used toward the respite/residential provision.

Regarding any impact on children if funding of the provision was withdrawn, it was suggested social/life skills support could be given during the school day, and those that needed respite provisions could be referred through the disabled children's service who dealt with access to respite provision at a Leicester city council owned and run facility.

Deputy City Mayor Russell, (Social Care and Anti-Poverty) commented on the importance of respite care, as well as the importance of access to that for all children in the city. It was noted there needed to be parity of access and it was paramount that there was good respite care. The council's own respite provision was very good, rated outstanding and there was an opportunity and flexibility for Ashfield to explore that as well as considering expanding their offer.

Members discussed the options set out in the report and the implications for the general fund which was also under pressure from increases in other areas. Some members felt there was a case to be argued for funding to continue under an "educational" heading and to be supported through the HNB and there was a consensus that funding in principle should not be stopped. Members also felt it was important that there be further engagement with the school to look at expanding the provision as well as exploring alternative funding sources.

Assistant City Mayor Cutkelvin (Education and Housing) thanked members of the commission for their comments noting that everybody recognised the importance and value of the Ashfield provision and reiterated that there was no intention to see the facility close however, this point had been reached following a long process of engagement and officers would go back to the school again to talk about options.

It was moved and seconded that Members of the Children Young People and Education Commission object to funding in principle being withdrawn from Ashfield Academy and upon being put to the vote was carried unanimously.

It was also moved and seconded that officer's further engage with Ashfield Academy to explore expanding their residential provision to take in other children from across the city and if the school decided to expand their provision the council to assist finding alternative funding sources and provide funding through its general fund or other service funds such as Children's Health, and upon being put to the vote that was carried by a majority.

The Chair thanked officers for the report and drew discussions to a close.

AGREED:

1. That the contents of the report be noted,
2. That the public consultation period should be extended to run for a 12 week period from the date on which the report to this meeting was published (17th October 2022).
3. That the comments and suggestions of the members of the commission set out above, be fed into the consultation,

4. That the members of the Children Young People and Education Scrutiny Commission object to the withdrawal of funding in principle from Ashfield Academy,
5. That officer's further engage with Ashfield Academy to explore expanding their residential provision to take in other children from across the city and if the school decides to expand their provision the council to assist finding alternative funding sources and provide funding through its general fund or other service funds such as Children's Health.

32. VIRTUAL SCHOOL HEADTEACHER REPORT ACADEMIC YEAR 2021/22

The Strategic Director of Social Care and Education submitted a report summarising the educational outcomes and attainment of Leicester's Looked after Children during the academic year 2021/22

Deputy City Mayor Councillor Russell, Social Care and Anti-Poverty introduced the report referring to the recent celebratory event to recognise looked after children's achievements and providing details of those achievements and the support provided by the Virtual School Team.

It was noted that these Looked after Children, who often faced considerable challenges and trauma, were being given significant additional support by the virtual school to increase their educational performance and achieve positive outcomes.

7.10pm Councillor Khan and Councillor Willmott left the meeting.

Attention was drawn to the notable achievements, enrichment activities, and cultural activities which included involvement with organisations such as the Curve theatre, Frog Arts and Big Mouth forum as well as the work around transitions between primary and secondary schools and provision of opportunities to access learning.

7.15pm Councillor Willmott re-joined the meeting.

Members of the Commission welcomed the report and the provision of data which they felt was very impressive.

Members queried if there were issues with some schools providing the right level of support to Looked After Children (LAC). It was advised that sometimes a child would not have the right level of support as they were in and out of schools due to placements moving but each school had dedicated responsibility for LAC and sometimes, they were just getting to know that child so the challenge in the virtual school team was working with those schools to ensure continuity and there was a significant amount of training with teachers to ensure the same awareness for the child.

Key priorities of the virtual school were noted. Regarding the support given to foster carers and designated teachers it was advised that there was various support in place for foster carers. Educational elements formed part of the

foster care programme and there were regular training opportunities within that programme. As an example, the virtual school offered key stage 1 support such as phonics and was providing that support to the foster carer in the same way a school offered it for parents thereby making sure foster carers had as many tools as possible to support the educational journey of children in their care.

It was advised that foster carers were greatly engaged, and they were present and celebrating with the children at the celebration events. There was also great engagement with kinship carers and carers in children homes too looking after all the children and all of them were keen and supporting the child's educational journey.

Members noted that the virtual school worked with all children who are looked after, from pre-school early years to age 16 and beyond. In terms of post 18 year olds, for some young people the normal time line to pass specific exams etc didn't work and so there was more flexibility to enable a break from formal education with opportunity to go back when they were more settled, and it was about making sure educational options were in place for them to access and having options for them to engage in the world more broadly.

The Chair noted that in broad terms there seemed to be over-representation of white children in the virtual school cohort and queried whether that suggested that BAME children's needs were not being identified or if there were other factors.

Deputy City Mayor Councillor Russell (Social Care and Anti- Poverty) responded that across the whole population of LAC there was a higher population of white children, and that was also reflected across the country with children brought into the care of local authorities disproportionately more likely to be from a white British economically challenged background.

The Director of Early Help agreed there was disproportionality in the figures and there were some hypotheses around that, but various agencies were yet to reach any conclusion as to why that was so. Work was being done to track children from their initial referral to services to the point at which they became looked after and the reasons behind that were found to be different across different authorities, although it had been established that children were not being taken into care because of their background. Assurance was given that although there was disproportion that was not because BAME children's needs were being missed.

The Chair thanked officers for the report.

AGREED:

That the contents of the report be noted.

33. SEND PUPIL PLACE PLANNING MODEL 2022

The Strategic Director submitted a report providing details of the SEND Pupil Place Planning Model 2022

The Assistant City Mayor Cutkelvin for Education introduced the report, advising in terms of service sufficiency that the work done was quite advanced compared to other local authorities and officers had developed a sophisticated model of doing that. The new process looked at SEND projection and the work done was being held up as best practice.

Members welcomed the report, and the ensuing discussion included the following points:

Regarding the data contained within the report showing children's primary needs and the main characteristics of Autism Spectrum Disorder, (ASD) and the categories of need that depended on medical diagnosis it was queried whether that medical diagnosis was evidenced or based upon a parent informing. It was advised that the figures referred to were taken from school census information but for a "confirmed" diagnosis there would need to be seen a medical diagnosis.

It was clarified that the Resource Allocation Panel made decisions about what placements and funding should be made of an Education Health and Care Plan (EHCP).

In terms of discussions with Dept. for Education (DfE) about using this model currently there was no requirement to include a SEND place planning return to the government, however from next year that would become a statutory requirement, so the service was already ahead of that in terms of being able to provide the information. The service had developed this model and it wasn't yet known what the DfE model would be so there may have to be some adjustment although at moment this was the best way for the service to be projecting SEND place need and gave power to look and forecast for the future rather than get to a crisis point and react.

The Strategic Director of Social Care and Education commented that the DfE had clearly indicated that the number of EHCP's in a local authority area and the number children in special schools was a factor when determining the High Needs Block grant therefore the modelling was especially helpful as well as being several steps ahead nationally.

The Chair enquired whether the service was convinced that the SEND forecasting model being imposed from 2023 would improve the results of the model currently in use. In reply it was felt that the current model provided more information than the DfE were likely to be asking for, certainly in the first year and it was probable that both models would be used so that comparisons on accuracy could be made and to identify if there was a better model.

There was concern that paragraphs 5.1.1 and 5.1.2 suggested the block funding deficit would rise to £9.3 million in 2 years and queried whether the government would bridge that gap. Officers replied that if children were identified as having a specific need on their EHCP then the council had a statutory duty to provide for that need, however the Higher Needs Block was ring fenced and meeting that need from within that provision was a challenge

hence the spending review that had taken place as referred to in the earlier discussion and at present there was no indication of further funding from the government.

The Chair thanked officers for the update and indicated that this topic item would remain on the work programme to come back for a progress report in 6 months.

AGREED:

That the contents of the report be noted, and a progress report be brought to a future meeting in 6 months.

34. SEND INSPECTION FRAMEWORK UPDATE

The Director of SEND and Early Help provided a verbal update on the new Area SEND inspections framework from Ofsted and the Care Quality Commission (CQC)

The Director of SEND and Early Help reminded members that there had been a consultation issued regarding developing a new framework for SEND local areas. It was noted that in the past the city was subject to a SEND local area inspection last in 2018 which resulted in a written statement of action that led to an accelerated progress plan.

It was advised that the Dept. for Education had now issued proposals to change the process, a special meeting was held on 17th August to brief on the content included in proposals and the submissions were made by 5th September. Members noted that officers had also engaged with health colleagues and other stakeholders to ensure a rounded response.

The Chair thanked officers for the update.

AGREED:

That the update be noted and any further update to be brought to a future committee meeting as appropriate.

35. SEND ACCELERATED PROGRESS PLAN

The Strategic Director of Social Care and Education provided a verbal update on the SEND Local Area Accelerated Progress Plan which was currently being considered by the Dept. for Education.

It was noted that NHS England had reviewed the submission and indicated they would respond in due course as to whether the team had delivered on their last objective requirement.

AGREED:

That the verbal update be noted and any further developments to be brought to a future meeting.

36. SEND GREEN PAPER CONSULTATION RESPONSE

The Strategic Director of Social Care and Education shared the response from Leicester City Council to the Governments SEND Green Paper Consultation.

The Director of SEND and Early Help introduced the report drawing attention to the response to the consultation green paper on SEND provision and explained that outcomes were still awaited.

It was noted that significant representations had been made from across the country, however with recent changes in the political climate there was some uncertainty about when the matter would move forward or if it would become legislation.

The Chair thanked officers for the update.

AGREED:

That the update be noted and any further progress on the consultation outcomes to be brought to future meeting as appropriate.

37. FOSTERING SERVICE ANNUAL REPORT 2021/22 AND STATEMENT OF PURPOSE

The Strategic Director of Social Care and Education submitted a report providing an overview of the activity and performance of the council's Fostering Service from 1st April 2021 to 31st March 2022.

Members also received the annual statement of purpose setting out the services aims, objectives and configuration and noted that there was an annual requirement to provide this report.

The Chair thanked officers for the report.

AGREED:

That the contents of the report be noted.

38. ADOPTION SERVICE ANNUAL REPORT 2021/22 AND STATEMENT OF PURPOSE

The Strategic Director of Social Care and Education submits a report to provide an overview of the activity and performance of the Family Adoption Links Regional Adoption Agency incorporating Leicester City Adoption Service from 1st April 2021 to 31st March 2022.

Members also received the annual statement of purpose setting out service aims, objectives and configuration.

Members welcomed the report and data although some initial concern was expressed that the marketing and branding in the report at first glance made

children appear as commodities.

Deputy City Mayor Russell acknowledged the concern raised and explained the challenges in engaging more people to become foster carers and adoptees which was why there was marketing and branding.

The Chair commented that the new arrangements seemed to be working well and noted that the year covered by the report was heavily disrupted by Covid and enquired whether there were any concerns about the arrangements or particular cases as a result.

Officers advised that adoption was impacted by Covid however Leicester handled the situation well, continuing with introductions, placements, and innovative ways of introducing to adopters. Some aspects were done virtually which worked well and was something the service learnt from and have continued to include through the process.

As regards individual cases there were ongoing difficulties with court process and getting adoption orders due to court delays however there was no risk in terms of children already looked after or in placements.

It was queried whether there was any comparative data for the new regional adoption agency with other regional local authorities. Members were informed that although it had taken a while to become a regional adoption agency the service had been consistent with the work done around adoptions and throughout all inspection processes the service have been shown to be good bordering on outstanding. Leicester had joined with Lincolnshire and Leicestershire which were both strong on adoption and shared clear aims, wanting to see better outcomes and wanting to source adopters that could take larger sibling groups and older children and the new arrangements would be closely monitored to see how it developed.

The Chair thanked officers for the report.

AGREED:

That the contents of the report be noted.

39. WORK PROGRAMME

Members of the Commission were invited to consider the content of the work programme and any suggestions for inclusion to be brought to future meetings.

AGREED:

That the contents of the Work Programme be noted.

40. ANY OTHER BUSINESS

There being no other business, the meeting closed at 19-55

Executive Briefing

Children not in state-maintained Schools

Date of meeting: LMB 13 October 2022

CMB 27 October 2022

CYPE Scrutiny TBC

Lead director/officer: Sue Welford

Useful information

- Ward(s) affected: All
- Report author: Ellen Collier
- Author contact details: ellen.collier@leicester.gov.uk
- Report version number: 3

1. Summary

This report provides an overview about the provision of education to children who are not on the roll of a state-maintained school also those on roll but attending alternative provision, and the statutory responsibilities and processes of the local authority.

It covers

- key processes relating to children who are not on school rolls and not receiving a suitable elective home education (EHE).
- the DfE's plans to implement a Register of EHE and Children Missing Education (CME) children and their plans requiring Local Authority's to provide support for EHE.
- potential local authority vulnerabilities.
- Elective Home Education (EHE) with a focus on the approach of the Local Authority.
- other forms of education including independent schools, alternative providers and unregistered settings.
- key data, and the management of work including pressures services are under due to the increase in the numbers of EHE children over the last decade and the rise in numbers during the pandemic.

2. Recommended actions/decision

- To note the current and changing position for the local authority in relation to children not on roll at a state-maintained school and recognise the challenge that knowing about these children brings.
- To note the increasing responsibilities for elective home education that will be placed on the council.
- To consider the information relating to unregistered providers and the increasing role for the local authority.
- To note the information relating to alternative providers and the need to review the current arrangements involving the Leicestershire Education Business Company (LEBC).
- To understand the pressures on the current staffing to fulfil our statutory responsibilities in relation to home education and unregistered settings.

3. Scrutiny / stakeholder engagement

4. Background and options with supporting evidence

Parents are responsible for ensuring that their children of compulsory school age are in receipt of a suitable education. Children reach compulsory school age on 31 December, 31 March or 31 August, when they turn five on or prior to one of these prescribed days.

They are no longer of compulsory school age on the last Friday in June in the school year in which they turn 16. The vast majority of parents choose to send their child to a state-maintained school. Some choose to send their child to an independent school, some elect to educate their child at home. Some parents who elect to home educate use the services of providers outside the home to provide some sessions to their child.

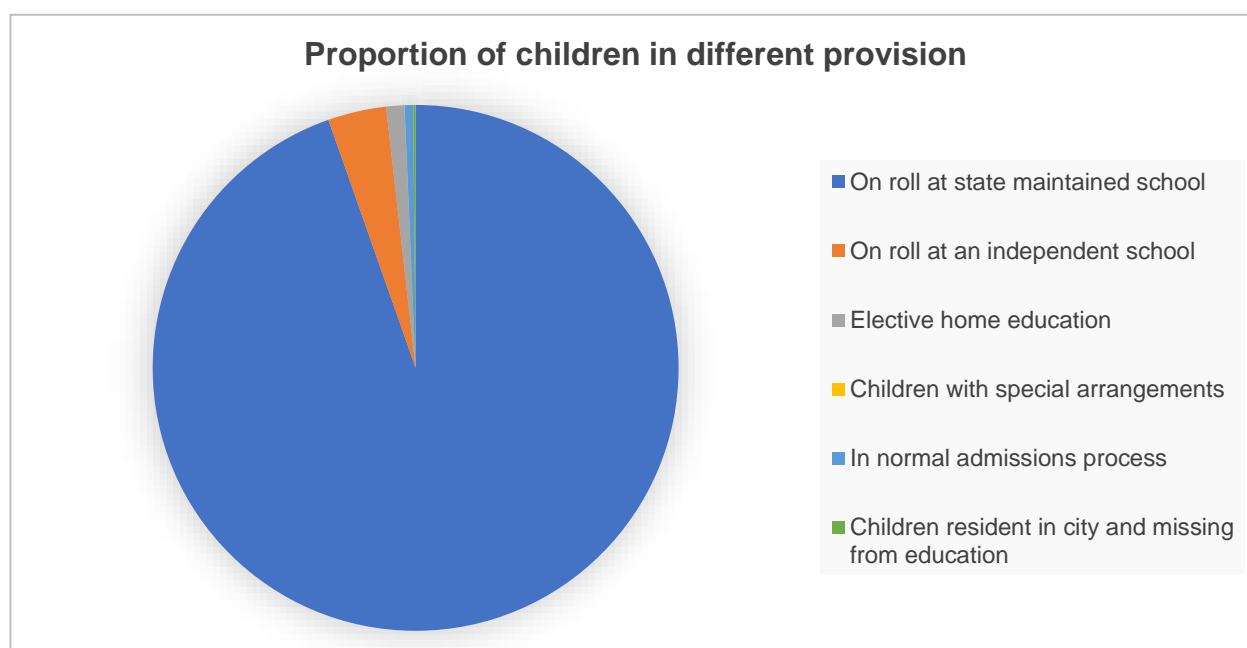
The local authority is responsible for checking that the arrangements made by the parent are suitable for the child.

The report reviews the situations where a child is not attending a state school and how the council acts to understand whether this provision is suitable and to ensure that children are safe.

5. Detailed report

a. Data on city children of school age – education setting or status

The data below is a snapshot of the education status of all city children on **5th June 2022**. This date is used to provide the whole cohort of children. At the current point of the academic year there are significant numbers of children for whom we await confirmation on their whereabouts following transition to secondary school and movement to the county. County provides their October census in December each year.



On roll at state-maintained school	93.0%
On roll at an independent school	3.5%
Elective home education	1.1%
Children with special arrangements	0.0%
In normal admissions process	0.5%
Children resident in city and missing from education	0.1%
Total	100%

In addition to these at anytime there are some “Whereabouts investigations” – these are children who are known to have been in the city but who may have left and whose

whereabouts are being investigated. See [Children Missing Education](#) section for details about the processes followed.

In addition to the above children, there were 2,844 county children on roll at city state-maintained schools.

b. Elective Home Education (EHE)

1. Under S7 Education Act 1996, it is the duty of the parent of every child of compulsory school age to ensure that their child receives an efficient full-time education suitable—
 - (a) to their age, ability and aptitude, and
 - (b) to any special educational needs they may have, either by regular attendance at school or otherwise.

The reference to ‘or otherwise’ is EHE. There are children who are EHE who have never attended a registered school, and others who have attended a maintained and/or independent school at some point before being deregistered by their parent for the reason of EHE.

The circumstances under which a school or the local authority can prevent the removal of a child from their school roll by a parent for the reason of EHE are limited to:

- where there is a Care Order giving the local authority (LA) parental responsibility (PR), or,
- where the LA has issued a School Attendance Order naming the school where the child is on roll or
- where a child’s Education Health and Care plan names a special school and the LA do not agree that the child’s needs will be met by EHE and the view is that they should remain on the school roll.

Where it appears to the LA that a child is not receiving a suitable education, if informal enquiries fail to resolve the concerns, the School Attendance Order (SAO) process is followed. The SAO process results in an Order to the effect that the parent must satisfy the LA that the child is receiving a suitable education otherwise or requiring a parent to register the child at a specified school. The failure of a parent to comply with an Order is an offence under S443 of the Education Act 1996

2. LAs are required to have a Policy on EHE; the LA’s Policy was updated in October 2022 (the final copy is attached to this report).
3. The local authority uses the following process for children who are identified as being electively home educated:
 - i. an Education Welfare Officer seeks to have a conversation with the parent about their decision (if agreed with parents). This is ideally prior to the school removing the child from roll to confirm the reason for their decision; that there isn’t an issue that if resolved would change their minds; ensuring that they are aware of the implications of EHE for example, that no tutor is provided,
 - ii. the parent is then asked to complete a Plan setting out the arrangements they intend to make for the child’s education,
 - iii. at approximately the six-month point the parent is asked for a Report about progress on the plan

- iv. then again at the 12 month point and then
- v. annually thereafter. (Section 3 in the January 2022 policy.)

It is important to note that schools and the LA cannot refuse to remove a child from a school roll where a parent is seeking to EHE other than in the scenarios set out in section b 1 above.

The team prioritises those children and families considered vulnerable as a result of information provided by the school, from social care or early help or as result of other enquiries made by the team. Children who are identified as potentially vulnerable are escalated for checks ahead of other children.

4. The DfE guidance includes very little detail of what constitutes a suitable education. They reference case law which suggests that parents should ensure their children are able to succeed in wider society. The implication of this is that they should be educated in English and mathematics. Parents do not have to follow the National Curriculum. There should be an element of supervision of the child's education by the parent.

In addition to the regulatory framework and the DfE guidance, there has been a recent Judicial Review resulting in a High Court Judgement in the case of *Christina Goodred - V - Portsmouth City Council and The Secretary Of State For Education*; the High Court confirmed that LAs are entitled to ask parents to provide more than a description of the education being provided to their child. This is also more than just an assertion that their child is receiving a suitable home education.

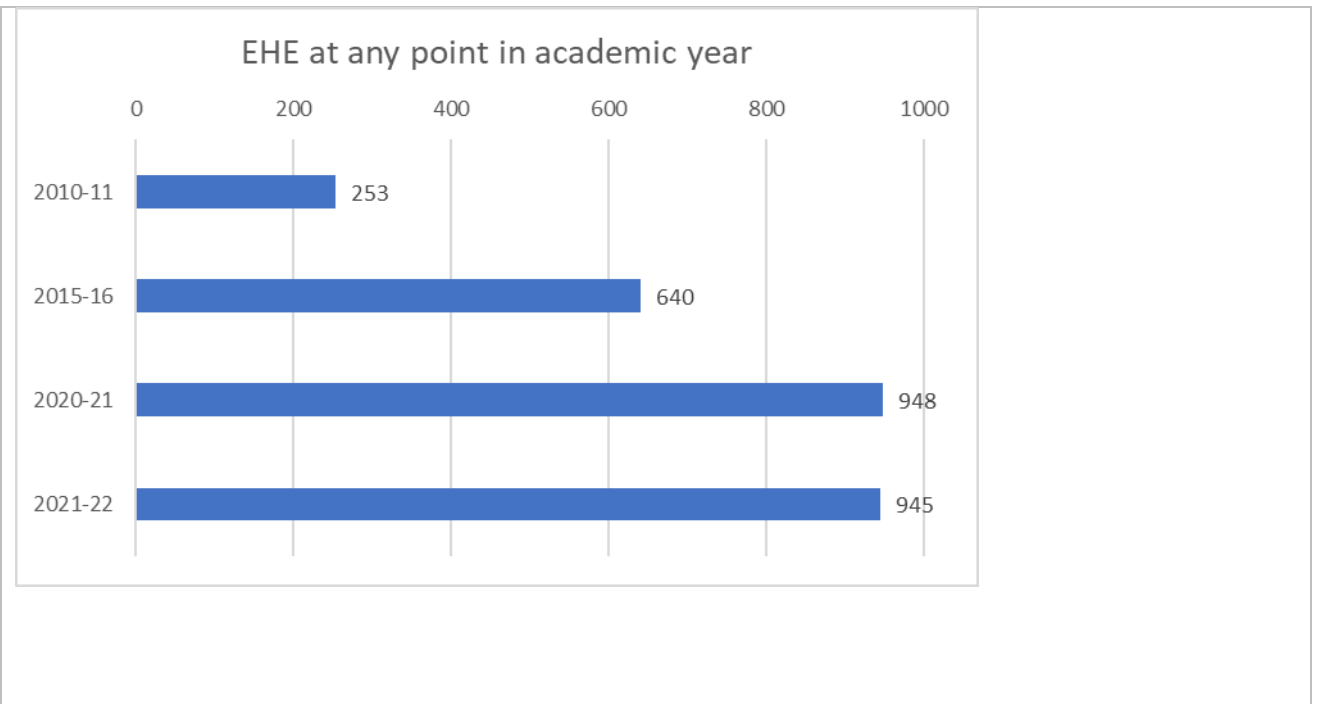
The LA approach is consistent with this ruling.

5. Data prepared for the ILACS Ofsted inspection demonstrated our approach to cases where the lack of information led us to conclude that the children appeared to be missing from education. In some instances, parents claimed they were home educating their children, but they had refused to share any information with us, or the information did not demonstrate that the children were engaging in learning. Inspectors found that our approach to using School Attendance Orders was appropriate and effective.

The Education Welfare Service continue to work closely with families and schools as children come off school rolls. They seek to ensure that families stating that they are home educating have actively chosen that route and undue pressure has not been placed upon them to remove their child from a school roll (known as 'off-rolling').

6. The current high numbers of children who are home educated, including children new to home education means that we are unable to fully comply with our Home Education policy for all children.

In common with national trends, there has been a gradual increase in the number of EHE children in Leicester over the last decade: the total number of school age children in the city who were EHE at any point during the academic year 2010/11 was 253, in 2015/16, 640, in 2020/21, the figure was 948 and numbers appear to have stabilised in 2021/22 at 945. Visual representation below.



The reasons for parents opting to home educate are known to be varied and there has been no requirement to collect this information until the publication of the data collection by the DfE. This information will now be collected and held where parents are willing to share.

The majority of home educating parents provide their children with a suitable education. A small percentage do not. Our process is designed to identify those children who are not receiving a suitable education and therefore are missing from education. This is our statutory duty.

There are two key areas of challenge:

- some parents do not accept that the LA has the right to ask them to provide evidence that their children are receiving a suitable education. It sometimes takes significant time to assure them that we do have that right.
- some parents are reluctant to provide sufficient information for the LA to be assured.

These challenges mean that there is a significant amount of following up of cases to ensure appropriate and adequate information has been provided.

7. In summer 2021 a new electronic (e) system for engaging with parents was implemented to reduce the manual collection of information from home educating parents. Whilst increasing numbers of parents are responding to our e-system requests, a significant number prefer to communicate with us via email or post and some are reluctant to engage with us at all.
8. There is a limited resource of 1.5fte staff dedicated to supporting those who are EHE; a teacher trained EHE Adviser and an administrator. Significant support is also provided by the EWS service manager as some parents are uncooperative to the degree that management involvement is appropriate. Education Welfare Officers are involved in following up the cases of non-responsive parents although there are challenges in ensuring the timeliness of this work.
9. The Government included in its Schools Bill, the introduction of a local authority held registration of children of compulsory school age who are not educated full-time at school. This will include EHE children, with parents being required to inform the LA of their child's EHE status.
10. There will be an impact on staff resource linked to this new duty both in terms of a predicted small increase in numbers of previously unknown EHE children, but also in relation to a new duty to provide support to home educating parents, which could include for example, offering advice to home educators, examination support, or support for home education groups. There will also be an additional burden on staff in relation to termly data returns to DfE.
11. The first collection of data in relation to EHE and CME has just been submitted to the DfE and can be found at Appendix 2.

c. Children Missing from Education (CME)

Children missing education are children of compulsory school age who are not registered pupils at a school *and* are not receiving suitable education. There has been a steady increase in the number of children identified as CME. These children may have been previously on roll at a school and have come off roll, children who have not secured a school place or children whose home education has been deemed unsuitable.

When a child comes off roll at a school, the school is responsible for ensuring that they move onto the roll of their next school. Schools are required to ask for information about where the child is moving to and will then follow up. Sometimes the parent does not provide this information and the school does not know where the child has gone. Prior to removal from roll the school will work with the Education Welfare Service to determine if the child has left the area. The Education Welfare Service, working with the Children's Information Team, will follow up with other council services, health and other colleagues to establish that a child has left the area and is safely elsewhere.

The processes for identifying children missing education that are followed by the education welfare team involve a wide range of checks; these include numerous actions taken with the aim of confirming that the child is safely in education, or at least in the admissions process in their new location.

- Any contact information on family is followed up
- Home visits are undertaken - this includes checks with neighbours
- NHS Patient registration
- Council databases
- Any other source of information that can be identified

When it is established that a child is living in the city and not in receipt of a suitable education, there is significant work undertaken by Education Welfare, Admissions and, if required, Special Education Services to ensure these children return to education as quickly as possible. Actions include following the School Attendance Order process when parents do not voluntarily register their child at school.

The proposed register of children not on school roll will include these children. There will also be a requirement to report termly to DfE.

d. Independent Schools

Independent schools are fee paying schools (also referred to as private schools). In the city, we have 13 such schools, 11 with a religious ethos (nine Muslim and two Christian). All independent schools in England are registered with the Department for Education and are regulated directly by the Secretary of State for Education. The DfE can close schools for serious or persistent breaches of standards. They are now inspected by Ofsted. On 12th September 2022, there were 1,530 children registered at city independent schools, some of whom live outside the city area. Since 2016, independent schools have been required by law to share the details of the children on roll with the local authority in which the school is sited, and they must also inform the local authority when a child is removed from the school roll. All independent schools in the city share this data. During inspections of these schools Ofsted will contact the Education Division to discuss the school's compliance in relation to provision of data and safeguarding information.

The local authority has no responsibility for the quality or quantity of education provided in these schools but they are subject to Keeping Children Safe in Education (which is the statutory DfE safeguarding guidance for all schools in England and Wales). They are required to access training and support to follow the agreed local safeguarding children's partnership board (LSCPb) arrangements.

The majority of city independent schools access the council's Safeguarding in Education offer and there are good relationships with all independent schools with regard to the provision of on roll/ off roll data. There are four schools in the city who

do not access the Safeguarding in Education offer. We have not received annual safeguarding self-audit reports from these schools which they should return under Section 14B Children Act 2004 / Section 175/ Section 156 Education Act 2002. This is being followed up with the schools and action may be taken.

Further support for these schools is available via an independent schools' forum implemented by the LSCPB.

e. Unregistered Settings – Alternative Providers (AP) Settings

“Alternative provider settings are places that provide education for children who can't go to a mainstream school. These are used by schools and local authorities to arrange education for pupils who, because of behaviour, exclusion, illness or other reasons, would not otherwise receive suitable education.” (Alternative Provision, DfE January 2013)

There are a number of providers of alternative education in the city which are used by schools to place pupils who are on their school roll. The placements will normally be part-time. Such pupils are usually also attending their own school for the rest of the week. These providers are not schools; they are not Ofsted registered and therefore not subject to the usual school inspection regime and there are no formal arrangements to evaluate their quality. The prudent use of such provision can be of significant benefit to the child as they may access outdoor learning, vocational qualifications etc.

Alternative providers are subject to [Alternative Provision Statutory guidance for local authorities January 2013](#). APs are also subject to Local Authority Designated Officer (LADO) investigations where concerns are reported.

Schools are responsible for carrying out due diligence checks before placing pupils in alternative provision (AP). Leicestershire Education Business Company (LEBC) is the body that local schools use for safeguarding and quality assurance prior to placing pupils in alternative provision. The LA does not have a direct role in this process in relation to safeguarding and quality assurance. The schools are responsible for closely monitoring pupil attendance and progress and for ensuring the provision is meeting the pupils' needs and that safeguarding is in place. The effectiveness of these arrangements form part of a school's Ofsted inspection whereby they will check on the whereabouts of children recorded as attending provision offsite. The education division intends to review the robustness of the LEBC and schools' processes.

Ofsted expects local authorities to know about pupils who are placed in AP and also those on part-time timetables in order to understand their whereabouts. An e-system has been developed and implemented for schools to report to the local authority all children who are not in school full-time due to part-time or AP arrangements.

The E form includes a list of all known AP and is linked to the main education database which triggers an alert to any staff who have the particular student on their caseload. There is a dashboard process under development which will provide us an overview of the use of different AP and also potentially alert us to any illegal schools. An AP falls into the category of an illegal school when they have five or more pupils attending full-time education or, who have one or more child who is looked after (attending full-time) or one or more pupils with an EHCP (attending full-time)

There is no statutory role for the local authority in quality assuring or in ensuring that there are sufficient quality providers. The DfE is currently reviewing alternative provision through the SEND green paper consultation.

f. Unregistered settings – other providers

There are a number of providers who are known to provide support to home educating families. These include both online and onsite providers. There is no role for the local authority with these providers. Our awareness is raised when parents refer to them in conversations with officers in the Education Welfare Service, or in the plans and reports submitted to the LA about their children's elective home education.

These providers are subject to Local Authority Designated Officer (LADO) investigations where concerns are reported. We are alert to the providers in respect of the potential for them to be operating as illegal schools. Illegal schools are providers who have five or more pupils attending full-time education or, who have one or more full-time child who is looked after or one or more full-time pupil with an EHCP. They must not contravene these thresholds. A provider meeting or exceeding these thresholds must be registered with DfE as an independent school and not to have done so is an offence.

If the local authority believes a provider of education to home educated children is operating illegally, the Education Welfare Service will alert Ofsted Independent Schools section. Ofsted will then investigate.

The local authority has no powers or duties to assess the quality of education in relation to such providers. Our only insight into the quality of provision is the evidence provided by parents. The majority of parents are reluctant to share detailed evidence with us.

The DfE's expectation of local authorities is included in [Unregistered independent schools and out of school settings- Advice \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

This includes:

- to identify settings
- to clarify registration requirements
- to disrupt unsafe settings and tackle concerns identified
- to support Ofsted prosecutions of illegal providers
- to safeguard children (LADO related processes) and
- to support families to ensure children are receiving a suitable education

The Schools' Bill includes a duty on certain out-of-school education settings to provide local authorities with information from their registers. It is understood that the DfE plans to extend the local authorities' duties in respect of these settings.

g. Online tuition providers

There has been an increase in the number of online tuition providers supporting home educating families. These online providers are not subject to any regulations although they would be subject to LADO processes should a concern be reported.

h. Responsibilities of the local authority:

The local authority is responsible for ensuring parents are meeting their statutory responsibilities with respect to the education of their children i.e. to ensure that they receive a fulltime education either by regular attendance at school or otherwise.

The Education Welfare Service, within the Education Division, manages the delivery of this responsibility in relation to each element above. The team also supports the regular attendance at school of those on roll of maintained schools through a traded case work offer. The service is responsible for all related enforcement work.

There has been a significant increase in the number of children who no longer access their education through a state-maintained school. This has an increasing impact on the service and its capacity to carry out the statutory duty on behalf of the local authority. There have also been additional duties linked to improving school attendance.

These pressures include:

- The number of children who are electively home educated at any time point during a school year has increased from 243 to 945 in the last decade.
- Operation of the Penalty Notice system (over 5,500 in average year)
- Increase in children possibly missing education from 250 to over 2,000 cases per school year
- Concept of persistent absence (pupils with 90% or below attendance)

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

6.1 The education welfare service has a net budget of £355k net of £529k of income from schools for what was previously deemed non-statutory casework. Changes in legislation due to come into effect mean effectively that some elements of this casework become part of the LA's statutory duty and therefore non chargeable. The extent of the loss of traded income and the cost of the new minimum non-tradeable duties of the service as outlined by the DfE are not clear at this stage and require further work.

Martin Judson, Head of Finance

6.2 Legal implications

The main legal obligations are set out in the body of this report. The report also highlights the areas of concern where the local authority may not be able to comply with the statutory requirements. It is therefore recommended that ongoing legal advice is obtained should proposals be developed to address these concerns.

The local authority needs to be mindful of its obligation under section 436A of the Education Act 1996 to make arrangements to identify, as far as it is possible to do so, children missing education (CME). This duty applies to all children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than at school (either at home or in alternative provision).

On this basis unless the local authority is satisfied that a home-educated child is receiving a suitable full-time education, then a child being educated at home is potentially in scope of this duty. The statutory guidance on Elective Home Education recommends that each local authority should have a written policy statement on EHE which is clear, transparent and easily accessible and is consistent with the legal framework.

The report sets out the Council's policy and approach in this regard.

Julia Slipper, Principal Lawyer (Education & Employment), Tel ext: 6855

6.3 Equalities implications

The Public Sector Equality Duty (PSED) is a general duty that applies to schools, and other public bodies. It requires schools to have due regard to the need to eliminate discrimination, harassment, victimisation and other prohibited conduct, improve equality of opportunity; and foster good relations between different groups of people: those who share a protected characteristic and those who do not.

Under the Equality Act 2010, it is unlawful for any education provider, including a private or independent provider, to discriminate between pupils on grounds of disability, race, sex, gender reassignment, pregnancy and maternity, religion or belief, or sex.

The government's aim to ensure all young people receive a world-class education which allows them to reach their potential and live a more fulfilled life, regardless of background. That education should be provided in a safe environment, whether at school or at home. Parents have a right to educate their children at home, and the government wants the many parents who do it well to be supported. The parents' right to educate their child at home applies equally where a child has SEN. This right is irrespective of whether the child has a statement of special educational needs or an Education, Health and Care Plan (EHC plan), or neither.

Elective home education is a term used to describe a choice by parents to provide education for their children at home - or at home and in some other way which they choose - instead of sending them to school full-time. This is different to education provided by a local authority otherwise than at a school. There are many reasons why parents do choose to educate children at home and these children will be from across many protected characteristics.

The department for education recommends that each local authority should have a written policy statement on elective home education which is clear, transparent and easily accessible by using different formats as necessary. It should consider local circumstances and set out how the authority will seek to engage and communicate with parents.

It is important that home education doesn't result in children dropping off the radar and becoming vulnerable to poor standards of education or risks to their safety and wellbeing. Ensuring that children are receiving their education in settings which are subject to inspection is an important safeguarding measure which is intended to keep children from across all protected characteristics safe.

The report provides a briefing on Elective Home Education (EHE) with a focus on the approach of the LA. It cites that in common with national trends, there has been a gradual increase in the number of EHE children in Leicester over the last decade which has resulted in significant increases in demand on the service. The increased role for the local authority and to fulfil statutory responsibilities in relation to home education, and unregistered settings the report proposes an increase in resource to provide the necessary

staffing. It is important that any recruitment in this regard is in line with the council's recruitment policies and procedures.

Equalities Officer, Surinder Singh, Ext 37 4148

6.4 Climate Emergency implications

There are no significant climate emergency implications directly associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

7. Background information and other papers:

LCC Home Education Policy – Appendix 1

[DfE Elective Home Education Guidance for LAs/Parents](#)

8. Summary of appendices:

Appendix 1: LCC Home Education Policy

Appendix 2: DfE Elective Home Education and Children Missing Education Voluntary data return

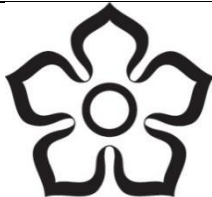
9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a “key decision”? If so, why?

No

Appendix 1

 Leicester City Council	Policy prepared by:	Learning and Inclusion
	Revision number:	9.0
	Revision date:	October 2022
	Review date:	September 2023

Education and Children’s Services – Learning and Inclusion Elective Home Education Policy

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EWO Education Welfare Officer
 EWS Education Welfare Service
 EHCP Education Health and Care Plan
 HEA Home Education Adviser
 LA Local Authority
 LCC Leicester City Council

1. Background

Individuals with parental responsibility (including parents, guardians and carers – referred to as parents hereafter) have a legal right to choose to educate their children other than by attending school.

1.1 Duty of parents

All parents are strongly encouraged to read [Elective Home Education Departmental Guidance for Parents April 2019](#) before they withdraw their child or children from school.

The Education Act 1996 states that: *The parent of every child of compulsory school age shall cause him (her) to receive efficient full-time education suitable to his (her) age, ability and aptitude, and to any special educational needs he (she) may have, either by regular attendance at school or otherwise.*

This places the responsibility for a child's education firmly with the parents. The interpretation of efficient and suitable are derived by Case Law and set out in Government Guidance¹:

- Efficient education: Education that achieves what it sets out to achieve; and
- Suitable education: Education that primarily equips a child for life within the community of which the child is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if the child wishes to do so.

Case law² also states that a suitable education – for a child capable of learning such skills – should instil in them the ability to read, write and cope with arithmetical problems. From this, we understand that an education that does not include English and Maths cannot be considered suitable.

There are no legal requirements imposed on parents to ensure that their child takes formal examinations or to follow the National Curriculum. There are no set hours, days or weeks when education has to take place and no requirement for formal lessons. Parents are not required to follow a school model of education, follow school hours or complete work in books.

Financial responsibility for children educated at home rests with the parents. This includes all books, paper resources and the payment of examination fees for a child who is to be entered for accredited examinations (e.g GCSEs). There is no entitlement to free school meals.

Information regarding local centres which allow students to take examinations as a private candidate is available on the [Council's website](#).

When considering the suitability of a child's home education, the LA operates in accordance with the Departmental Guidance. Parents who choose to educate their children at home are strongly advised to acquaint themselves with the law and

¹ Department for Children, Schools and Families (now Department for Education), Elective Home Education – Guidelines for Local Authorities, 2007. Available at: <http://www.education.gov.uk/schools/pupilsupport/parents/involvement/homeeducation/a0073367/elective-home-education-guidelines>

² Harrison and Harrison v Stevenson (1982) QB (DC) 729/81.

guidance related to Elective Home Education; parents' rights and responsibilities are set out in Department for Education: [Elective home education Departmental guidance for parents - April 2019](#).

1.2 Duty of the Local Authority (LA)

Leicester City Council (LCC) complies with [Department for Education Guidance: Elective home education departmental guidance for local authorities April 2019](#)

The Education Act 1996 (as amended) imposes a duty on LCC to promote high standards in Primary and Secondary education for persons of compulsory school age (whether at school or otherwise).

Local authorities have a general duty to make arrangements to safeguard and promote the welfare of children (section 175 of the Education Act 2002) in relation to their education functions as a local authority. This Policy forms part of the LA's remit under this section.

In addition, LAs have a statutory duty under the Act (as amended), to make arrangements to establish the identities, so far as it is possible to do so, of children in the authority who are not receiving a suitable education.

Once a child reaches compulsory school age, and in the event that they come to the attention of LCC, the LA must satisfy itself that the child is receiving full time education suitable to their age, aptitude and any special educational needs the child may have.

To fulfil these statutory duties LCC follows a process, described below in section 3 to confirm the suitability of Elective Home Education; many parents find this process helpful and supportive of their education provision.

2. Choosing and starting home education

Parents have a range of reasons for choosing to educate their child at home and a home educated child may never have attended a school, or, they may have attended and then been withdrawn by the parent for the reason of home education.

2.1. Children who have never attended school

If a child has never attended school, there is no legal requirement on parents to register their child's home education status with LCC. However, LCC strongly urges parents to make contact to confirm that home education is taking place. This is because each LA has a legal duty to ensure that every child living in their area is in receipt of a suitable education.

2.2. Withdrawing a child from a maintained mainstream school

When a child has been on roll at a school, and the parent/carer decides to educate their child at home, they must write to the Head teacher of their school, informing them of their intention to home educate. The Head teacher will delete the child's name from the register and they will notify the LA. (Where parents are willing, the school and relevant professionals may seek to discuss their decision prior to the child being removed from roll in case the parent may wish to reconsider, for example, where there is a school related matter that can be resolved, or where the parent hasn't been aware of the implications of elective home education.)

2.3. Children attending Special Schools (including independent special schools)

If the child who is to be withdrawn is a pupil at a special school, the school must inform the local authority before the child's name can be withdrawn from the school roll and the authority will need to consider whether the elective home education is suitable before amending part 4 of the child's EHCP.

2.4. Independent schools

Parents who withdraw their children for home education from independent schools are encouraged to get in touch with LCC's Education Welfare Service at the earliest opportunity. Contact: 0116 454 5510 / education.welfare@leicester.gov.uk .

All registered schools (irrespective of the type of school) must notify the LA when a child is removed from roll.

2.5. Contact from the Local Authority

The Education Welfare Service seeks to undertake a discussion with the parents usually within 4 school weeks of the home education starting to provide general information, support and advice about the child's home education and about the LA's process, also to gather some initial information about the education being provided. This initial stage of the process is usually undertaken by an Education Welfare Officer (EWO).

Following this (irrespective of whether or not the parent has engaged with the EWO), details of the child are passed to the Home Education Adviser (HEA) along with any supporting information obtained.

3. Contact with the Home Education Adviser

The standard pattern of involvement of the HEA is as follows:

- Initial contact with parent following receipt of referral from EWO
- Six months later – six month review (usually undertaken only for newly home educated children)
- Annual review – approximately a year later

Initial contact

The HEA will send parents a welcome letter which includes a link to a template for an education plan. Parents are requested to complete the plan with as much detail as possible setting out how they intend to educate their child. Parents may opt to use their own format rather than the plan although the information provided will ideally need to cover the same areas.

Whichever format is used, helpful details include how a parent intends to ensure the development of English and Maths eg examples of books or websites a parent and child intend to use. If a parent doesn't use such resources, they are asked to show how they will develop the child's English and Maths. The information should also include details of any provision external to the home, and up to date contact details for the family.

The parent is asked to return the education plan (or information in a format of their choosing) by a specified date (which is usually 3 weeks from the date of contact).

At this point, assuming there are no concerns about suitability of the education, the HEA sends a letter to the parent to acknowledge receipt and to explain that the next contact will be six months hence.

Six month review

Where sufficient information is shared with the HEA, a follow up request for information is made six months after the family has started to home educate; ideally, parents are asked to complete an education report template although again, they may prefer to share the information requested in a format of their choosing. Again, the update should include details of any provision external to the home, and up to date contact details for the family.

The parent will be asked to set out in detail the education they are providing for each of their children to show that the education satisfies the Education Act ie that the child/ren is/are receiving a full-time education suitable to age ability and aptitude and any special educational needs.

It is helpful if the report is accompanied by photos of each child's work and/or other information of the parent's choosing which **could** include timetables, curriculum plans, workbooks, dated work over a period of time, reports detailing the child's progress etc. A parent may prefer a conversation with the HEA which could also include the child, either via a telephone call or a home visit or meeting at another venue. **Irrespective of the information shared or the means of contact, the information will need to be sufficient to assure the Local Authority that the child is receiving a suitable education.**

Assuming there are no concerns about the suitability of education, the HEA sends a report detailing the suitability of education over the previous six months.

Annual review of home education

The same process will occur at the time of the child's annual review. As a result of an annual review (where the child is receiving a suitable education), the LA issues a report indicating that the parents, in the previous period (usually twelve months), have provided a suitable education.

Home Visits

In the case of newly home educated children, the HEA will usually seek to undertake a home visit where there are concerns about the suitability of the education. In addition, where a parent requests a home visit, the HEA will aim to accommodate this request. Home visits may also be arranged by the HEA (or an EWO) where concerns have been shared with the EWS about a child's education. (See section 8.) (Parents are under no obligation to agree to a home visit in relation to home education.)

4. Outcomes at each point of contact

Outcomes will be either that:

- The education is considered to have been/be full time and suitable to the age, aptitude and any special educational needs the child may have or
- The education is not yet considered to be full time and suitable to the age, aptitude and any special educational needs the child may have but has the potential to become so. In this case, the HEA will make suggestions and recommendations to help the family establish their education provision and agree

a date at the time with parents usually within six weeks to review the progress they have made, or

- The education, even after suggestions have been made, is not considered to be full time or is not suitable to the age, aptitude and any special educational needs the child may have. The case will be closed to Home Education and referred to an EWO for investigation as a possible case of a child missing from education.
- Parent has declined to share any information – see section 8

5. Information amounting to concerns - received by the LA about education a child is receiving

If a member of the public or another agency or department contact the EWS to indicate concern about the education that is being provided, depending on the details of the information shared, the HEA will usually seek a meeting with the home educating family to explain the contact that has been received and to discuss the matter. The identity of the person raising the issue will not necessarily be shared if consent has not been given. The education provided will be discussed and support offered if necessary.

If a meeting is requested by the HEA, if parents prefer not to meet, they will be invited to send in the report they would have sent at the time of the Annual Review (or in another format of their choosing) ideally including photographs of the work that has been completed; see section 3 for additional information.

6. Year 12 and 13

Young people in Years 12 and 13 may be home educated instead of participating in more formal education provision. Parents may be asked by DWP or the Benefits Agency for details of the education they are providing and may be expected to have exams arranged for their child via validated centres. There is no formal communication between the LA and families of home educated young people in this age group other than to confirm their status.

7. Educating children with Special Educational Needs at home

Parents' right to educate their child at home applies equally where a child has SEN. This right is irrespective of whether or not the child has an Education and Health Care Plan (EHCP). The EHCP remains in force and will be annually reviewed.

If the parents' attempt to educate the child at home results in provision that falls short of meeting the child's needs, then the parents are not making "suitable arrangements", and the authority could not conclude that they were absolved of their responsibility to arrange the provision in the statement. Parents need only provide an efficient, full-time education suitable to the age, ability and aptitude and to any special educational needs the child may have as defined in Section 7 of the Education Act 1996. It is the authority's duty to arrange the provision specified in the EHCP, unless the child's parent chooses to home educate. If a parent elects to home educate a child with an EHCP the local authority is not under a duty to secure the provision; that is the parent's responsibility.

Where parents prefer (and if sufficient information is available), the annual review of the EHCP can be used to establish the suitability of education. However, many parents find that a visit from the HEA offers positive support and reassurance and this option remains available to families subject to any local or national restrictions.

The LA may conclude that, where a parent isn't able to ensure their child is receiving a suitable education at home, that their needs should be met in school.

8. Cases where the judgement is that the child appears to be missing from education

If parents refuse to provide information about the education a child is receiving, or, if the view is that a child is missing from education because the information provided does not indicate that a child is receiving a suitable education at home, the child's case will be referred to an EWO for investigation.

The parent will be required to find a way of satisfying the Education Act by ensuring suitable education provision. The Education Act 1996 (as amended) states that: *If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him (her) to satisfy them within the period specified in the notice that the child is receiving such education.*

Parents can contact the EWS at any time to request a review to confirm that the education is now full time and suitable to the age, aptitude and any special educational needs the child may have. In this case, the child's case will always be reviewed by the HEA and EWS action will cease if suitable education is confirmed.

If no information is provided, or, if the information provided by the parent does not satisfy the LA that the child is receiving a suitable education, the EWS will follow the School Attendance Order procedure. Failure to comply with an Order is an offence and proceedings will usually be initiated. Information will be laid with the Magistrates' Court.

9. Responsibility for Elective Home Education policy and practice

In accordance with Government Guidance¹, a named Senior Officer in Leicester City Council has responsibility for Elective Home Education policy and practice:

Name: Sue Welford

Role: Principal Education Officer

Postal Address:

City Hall

Leicester City Council

115 Charles Street

Leicester LE1 1FZ

Telephone: 0116 454 1009

This Senior Officer is familiar with Elective Home Education law, policies and practices and is responsible for ensuring that HEAs are trained and qualified in the law and home education methods and competent to confirm the suitability and appropriateness of Elective Home Education provision.

In addition, HEA and consultants employed by LCC will have Disclosure and Barring Service check (DBS – formerly the CRB check) and be trained in safeguarding to

Level 3 of the Leicester City Children’s Safeguarding Board or equivalent (see <http://www.lcitylscb.org/> for more information on this training level).

The HEAs employed by LCC will carry an Identification badge at all times and it is prudent for parents to check for this identification before admitting anyone to their home.

10. Record keeping and data protection

All EHE Reports, related correspondence and preliminary information will be kept by the Education Welfare Service. Strict control over access to these records will be maintained in accordance with LCC’s policies and procedures for data protection and safeguarding which in turn comply with relevant legislation such as the General Data Protection Regulation and Data Protection Act 2018. The Council’s Privacy Notice is available on the LA’s website.

Home Education Records will be maintained for 10 years after the child is no longer of compulsory school age (or longer as required by Government). They will be destroyed at the beginning of the academic year following this retention period. Records for children with special educational needs may be retained for up to 35 years in accordance with legal requirements.

11. Monitoring ethnic origins

LCC is required to collect and record data on children’s ethnic backgrounds even when they are educated at home³. The data enables the careers and experiences of children from different backgrounds to be monitored, and helps us to:

- identify barriers to achievement
- establish strategies to raise standards
- comply with equal opportunities legislation and the Race Relations Amendment Act
- ensure effective allocation and targeting of funding.

Providing this information is voluntary but parents are encouraged to do so. A child’s ethnicity is personal to that individual and the individual’s decision will not be questioned. If a parent or child has actively refused to provide this information they will be recorded as “refused” in LCC systems rather than recording an ethnic background for that child.

Parents and children have the right to see their personal files, including the ethnic background data held by the LCC and to have this ethnicity data amended or deleted. We monitor ethnicity based on the codes provided by the Department for Education, listed below:

Leicester City Council Code	Department for Education Code	Description
AAF	AAFR	AAFR - African Asian
ABA	ABAN	ABAN – Bangladeshi
AIN	AIND	AIND – Indian
AOT	AOTA	AOTA - Other Asian

³ Ethnic monitoring – General Article, Department for Education (online) – last updated 28 April 2011; last accessed 05 September 2011 at <http://www.education.gov.uk/schools/pupilsupport/inclusionandlearnersupport/mea/a0077022/ethnic-monitoring>

APK	APKN	APKN – Pakistani
BAO	BAOF	BAOF - Other Black African
BLB	BCRB	BCRB - Black Caribbean
BLG	BOTH	BOTH - Any other Black background
BSO	BSOM	BSOM – Somali
CHE	CHNE	CHNE – Chinese
MOT	MOTH	MOTH - Any other Mixed background
MWA	MWAS	MWAS - White/Asian
MBA	MWBA	MWBA - White/Black African
MWB	MWBC	MWBC - White/Black Caribbean
NOT	NOBT	NOBT - Info not obtained
OEO	OOTH	OOTH - Any other Ethnic Group
REF	REFU	REFU – Refused
WHB	WBRI	WBRI – British
WEU	WEUR	WEUR - White European
WHR	WIRI	WIRI – Irish
WHT	WIRT	WIRT - Traveller - Irish Heritage
WOW	WOTW	WOTW - Other White
WRO	WROM	WROM - Roma/Roma Gypsy

12. Complaints procedure

Complaints regarding the Elective Home Education Service are dealt with through LCC's Complaints procedure.

Stage 1 – Making a complaint

Once a complaint has been made, an acknowledgement will then be sent to you within 24 hours telling you the name and telephone number of the person to be contacted in the event of any further queries on your complaint.

If we can, we will resolve your complaint straightaway but sometimes we may need a little longer to investigate and respond. We will however, send a reply in writing to you within 10 working days or let you know when you can expect to hear from us.

Stage 2 – Not satisfied with our response?

If when we respond you are not happy with the way we have dealt with your complaint, you may ask for it to be reviewed by a Senior Manager, from a different Section to the one you're complaining about. You should expect a response within 20 working days.

It is hoped that Leicester City's Complaints Procedure will quickly resolve any problems you may have. However, should this not be the case then you can refer your complaint to the Local Government Ombudsman.

Information on "How to complain to the Local Government Ombudsman" can be found at <https://www.lgo.org.uk/> or by picking up a copy of the leaflet from any of the LA's main access points.

13. Other information

This information is available in local community languages and alternative formats upon request. Please contact: Education Welfare Service, LCC Education Welfare - Care of LCC Central Post Room - LE1 6RN. Tel: 0116 454 1925.

<http://www.leicester.gov.uk>

Email: home-education@leicester.gov.uk

Advice and support concerning Elective Home Education is also available on the [LCC website](#).

For further advice on Special Education Needs:

- visit: <http://www.leicester.gov.uk/your-council-services/education-lifelong-learning/about-us/lea-services/special-education-service>

or email: educ-special-education-service@leicester.gov.uk

Appendix 2: DfE Elective Home Education and Children Missing Education

Voluntary data return

Data item number	Data item name	Data item option	Response
1.1	Number of EHE children on census date	Number	632
1.2	EHE Sex	Female	337
		Male	295
		Unknown	0
1.3	EHE Ethnicity	White British	124
		White Irish	3
		Traveller of Irish Heritage	18
		Any other White background	39
		Gypsy/Roma	8
		White and Black Caribbean	12
		White and Black African	11
		White and Asian	10
		Any other Mixed background	41
		Indian	64
		Pakistani	36
		Bangladeshi	5
		Any other Asian background	30
		Black Caribbean	10
		Black African	49
		Any other Black background	9
		Chinese	1
		Any other ethnic group	33
		Refused	6
		Information not yet obtained	123
1.4	EHE Expected year group	Reception	0
		Year 1	23
		Year 2	45
		Year 3	40
		Year 4	45
		Year 5	57
		Year 6	52
		Year 7	59
		Year 8	68
		Year 9	79
		Year 10	85
		Year 11	79
		Unknown	0

Data item number	Data item name	Data item option	Response
1.5	EHE Primary reason	Physical health	0
		Mental health	4
		Health concerns relating to COVID-19	0
		Did not get school preference	4
		Permanent exclusion	0
		Risk of school exclusion	0
		Difficulty in accessing a school place	0
		Philosophical or preferential reasons	20
		Religious reasons	4
		Lifestyle choice	0
		Suggestion/pressure from the school	0
		Dissatisfaction with the school - general	2
		Dissatisfaction with the school - SEND	3
		Dissatisfaction with the school - bullying	0
		Parent/guardian did not give a reason	0
		Other	14
		Unknown	581
1.6	EHE additional child safeguarding/education requirements	Child in need	1
		Child protection plan	0
		Looked after child	0
		SEN support	74
		Education, Health and Care plan	13
2.1	Number of CME on census date	Number	67
2.2	CME Sex	Female	36
		Male	31
		Unknown	0
2.3	CME Ethnicity	White British	7
		White Irish	0
		Traveller of Irish Heritage	3
		Any other White background	6
		Gypsy/Roma	9
		White and Black Caribbean	0
		White and Black African	0
		White and Asian	1
		Any other Mixed background	1

Data item number	Data item name	Data item option	Response
		Indian	3
		Pakistani	0
		Bangladeshi	0
		Any other Asian background	1
		Black Caribbean	0
		Black African	2
		Any other Black background	1
		Chinese	0
		Any other ethnic group	1
		Refused	1
		Information not yet obtained	31
2.4	CME expected year group	Reception	0
		Year 1	8
		Year 2	2
		Year 3	9
		Year 4	3
		Year 5	3
		Year 6	3
		Year 7	6
		Year 8	5
		Year 9	9
		Year 10	7
		Year 11	12
		Unknown	0
2.5	CME additional child safeguarding/education requirements	Child in need	2
		Child protection plan	2
		Looked after child	2
		SEN support	8
		Education, Health and Care plan	1
3.1	Number of children who started EHE during the year	Number	296
3.2	Previous school type	None - previously not of compulsory school age	10
		Early years setting	8
		Local authority maintained school	108
		Academy	103
		Free school	5
		Independent school	38
		Special school	2

Data item number	Data item name	Data item option	Response
		Alternative provision	0
		Pupil referral unit	6
		Home educated outside the LA	3
		Educated elsewhere/unknown	13
3.3	Number of EHE children during the year	Number	926
3.4	Number of EHE children returning to school during the year	Number	165
3.5	Number of EHE children who leave the LA during the year	Number	40
3.6	Number of section 437(1) notices issued	Number	62
3.7	Number of school attendance orders issued	Number	42
3.8	Number of school attendance orders revoked	Number	14
3.9	What support does your local authority offer EHE children and their families?	Advice about EHE	Extensively
		Signposting to sources of assistance	Sometimes
		Distribution of useful information	Sometimes
		Resource development	Not at all
		Examination access	Not at all
		Discounted access to amenities	Not at all
		Preferential access to services	Not at all
		Other	Termly newsletter to those who want it. Information about exam centres and college courses for EHE KS4
3.10	Number of CME during the year	Number	262

Leicester City Youth Justice Plan 2022-23

Children and Young People and Education Scrutiny

Date of meeting: 6 December 2022

Lead director/officer: Martin Samuels

Useful information

- Ward(s) affected: All
- Report author: Karen Manville: Head of Service – Early Help and Prevention
- Author contact details: 0116 454 4600 karen.maville@leicester.gov.uk
- Report version number: 1

1. Summary

- 1.1 It is the duty of each local authority after consultation with partners to formulate and implement an annual youth justice plan setting out:
 - a) how youth justice services in their area are to be provided and funded; and
 - b) how the Children and Young Peoples Justice Service will be composed and funded; how it will operate, and what functions it will carry out.
- 1.2 The statutory youth justice plan is approved by the Leicester Youth Justice Management Board and must be submitted to the national Youth Justice Board (YJB) by 30th June and published annually once formal approval has been granted from Full Council. Planning and guidance is issued by the YJB annually in early spring, and every year the YJB agrees that local authorities can submit draft plans, subject to full council approval. This year the YJB have stipulated that a new template must be used, and guidance has been provided for Youth Offending Teams (YOT's) nationally. The new template has meant a longer more detailed plan to be created that will then be refreshed yearly.
- 1.3 The document is the youth justice partnership's main statement of purpose and sets out its proposals to prevent offending by children and young people. The plan shows not only what the Children and Young Peoples Justice Service (CYPJS) (the local name given to Leicester's YOT) will deliver as a service, but how strategic links with other supporting initiatives will be developed and maintained.
- 1.4 This plan supports a range of associated partnership strategies including the Leicester Early Help Strategy 2020-2023, Police and Crime Plan, Violence Reduction Strategy, the Safer Leicester Partnership Plan and delivery plans within the Social Care and Education department. The youth justice plan is supported by a more detailed partnership plan and operational delivery plan overseen by the Head of Service for Early Help and Prevention, who reports progress to the Leicester Youth Justice Management Board
- 1.5 As a statutory regulated service, youth offending services are normally inspected every three years by Her Majesty's Inspectorate of Probation (HMIP). The most recent single inspection took place in August 2019 and a thematic inspection on Education, Training and Employment was undertaken in January 2022. The thematic inspection report was published in June 2022. Thematic inspections are not graded and that on ETE combines findings from 6 YOT's. The service continues to strive for standards that would be considered outstanding and are inspection ready.
- 1.6 The Youth Justice Plan is required to address the areas of performance, structure and governance, resources, value for money, partnership arrangements and risks to future delivery. The plan takes into account local performance issues, lessons from CYPJS thematic inspections, together with learning from any serious incidents.
- 1.7 Key priorities for the Leicester Youth Justice Management Board for 2022-23 include areas for development highlighted by the HMIP thematic inspection and self-assessment against the Youth Justice Board national standards. Some of the priorities from the 2021-2022 plan have

also been rolled forward as a result of ongoing work required which was impacted by the coronavirus pandemic. Section 13.0, pages 37 – 40 of the youth justice plan outlines development plans over the next twelve months focusing upon the services key priority areas.

2. Key Successes

2.1 Although the last two years has certainly brought more challenges, the service has continued to be innovative with a number of achievements to be proud of. The following outlines some of the examples of success:

- The REACH Team: Following a successful bid in partnership with the Violence Reduction Network and Leicestershire County Council. We have developed a programme that reaches out to young people who are at risk of exclusion or who have been excluded from education. The intervention adopts an innovative contextual prevention approach, spanning schools and the immediate community vicinity to proactively identify and engage young people at 'teachable' moments in 'reachable' spaces thus recognising that school-based behavioural events are precursors to exclusion and criminal activity. Working alongside schools identified for high exclusion rates, young people are identified for intervention using clear eligibility criteria. The overall aim of the intervention is to help children and young people gain the skills and knowledge to improve their life chances and avoid further exclusion from school and becoming engaged in serious youth violence. The funding is in place until January 2024 and potentially will be extended for a further year dependent upon the outcomes achieved. The delivery will be independently evaluated by Sheffield Hallam University. (Appendix 7 – REACH presentation).
- The service has embedded a robust offer to young people who have experienced Acute Trauma (ACE) in their lives and how to support young people with a history of trauma. Staff have been fully trained and regular case formulations take place to enhance the direct work with our children.
- Embedding the groupwork programme 'Which Way' focusing on reduction of reoffending and the interface with the youth service for co-facilitating and reaching more cohorts of young people (Appendix 8 Which Way Q4 2021-22 report).
- Ongoing development of a localised approach and strategy embedding the 'Lundy Model' as an effective way of engaging children, young people and their families in influencing service delivery and design. This has also led to improvements with young people knowing why the service is involved with clear evidence of engagement within assessments and plans. This was evidenced in the direct feedback form HIMP as part of the ETE thematic inspection. The service has enhanced the co-production of plans with many examples of plans being written by children (Appendix 9 - coproduced plans).
- Focussed deep dives through task and finish groups, exploring disproportionality and unconscious bias within the CYPJS cohort in relation to ethnicity and children who are looked after. All staff have received training and the recommendations are routinely revisited and presented to the management board for ongoing development and sharing of best practice.
- Developed a robust approach to working with children and young people on EHCP's to ensure staff are skilled and able to adapt plans to meet identified needs. Staff were trained and a panel set up for staff to gain consultation on specific cases via SES and educational psychologists. This is now fully embedded, and staff are contributing to EHCP reviews as well as ensuring information held within the plans are used for working with children open

to the service. The service is working with key partners to strengthen the support for children with neurodiversity needs and staff are being trained to recognise and work with said children. This will remain an ongoing priority.

- The Local Authority invested in the evidenced based Signs of Safety approach to support direct work with families and case management. All staff within CYPJS have revisited training over the past year to further enhance the use of SOS in day-to-day practice. The service has identified practice leads to help embed the Signs of Safety approach in the work undertaken to continue to improve outcomes for children, young people and their families.
- Leicester City Violent Crime joint action group (JAG). Working in partnership the JAG is working to redesign the public service response to violence in Leicester City through greater collaboration and integrated working. The meeting utilises a cohort Management approach, the concept ensures that agencies are working through partnership intelligence to identify those children and adults most at risk of committing serious violence and recognising those children who may be on the periphery who require support. Support for individuals is agreed and delivered across the partnership, intelligence and intervention updates are reviewed monthly and revised action is agreed. The service is working closely with the VRN to ensure the serious youth violence duties are met.
- The Community Resolution and Prevention Team has now been operational since November 2019 and as provided intervention to more than 600 children and young people. The relaunch of this team will see it be re-branded as the Early Intervention team. We are now able to report a full year's cohort reaching the 12- month post closure point and the data demonstrates a significant drop in the number of young people who have re-offended as well as the number of offences committed which is supporting our reduction in FTE's. The intervention was independently evaluated by Sheffield Hallam University and the findings were published in June 22. (Appendix 10 Community Resolution and Prevention Team – Quarter 4 2021 – 2022 Progress Report).
- The Attendance Centre has maintained focus on development of sessions to increase confidence, self-efficacy, and motivation to desist from offending behaviour. A review and refresh of delivery have enhanced opportunities for young people to build knowledge and skills that aid desistance from offending and gain qualifications in preparation for working life. A well-established programme of intervention has been proving effectiveness, emphasising its focus on education and training. Intervention under the AC is also aligned with the Child first, Offender Second principle.
- CYPJS have been working in partnership with community safety representatives to support weeks of action. For example, the service has been working closely with Police Officers in the Beaumont Leys and Braunstone areas of the city, engaging with young people in the evenings around the 'knife arch' and pop-up surgeries as part of County Line Intensification initiatives.
- The Leicester Summer Arts College provides young people with an opportunity to get involved in a range of art projects to support self-expression whilst learning a variety of new skills. Young people are offered the opportunity to attend several trips which develops young people's confidence and enables them to feel part of a team. All young people have the opportunity in gaining an Art Awards. They showcase their work at an awards ceremony and receive their accreditation (Appendix 11 summer arts presentation).
- Continual improvements in several performance indicators including the reduction of numbers being remanded and entering custodial establishments.

3. Key Risks and Mitigations

- 3.1 A key risk at the time of finalising this plan is the continued impact of the coronavirus pandemic and irregular provision of performance data provided nationally. The impact of COVID for years to come is evident and will impact on all children's services including CYPJS.
- 3.2 An ongoing challenge for the CYPJS is to maintain continuous improvement in the context of any proposed national changes. Additional risks to future service delivery arise from reduced government and partnership funding. This also includes the current consultation on new KPI's being implemented April 2023.
- 3.3 The service is working with strategic partners through the YJMB to ensure that national changes to the criminal justice system through Police, HM Courts and Probation services are managed appropriately and address risk, public protection, and safeguarding priorities for young people.
- 3.4 The Service underwent a full-service redesign, primarily due to funding reductions in 2019, and subsequently received a GOOD outcome from the HMIP single inspection later that year. The service has received excellent verbal feedback from the thematic ETE inspection in January of this year. The service is now striving for outstanding in all areas but is also acutely aware of the financial situation and budget reductions that will occur over the next two years. It is therefore imperative to consider the impact budget reduction will have on front line services and potential outcomes for our families. This will mean an increase in case load numbers for individual staff, and this will have to be closely monitored.
- 3.5 HMIP were recently clear that the service was working with complex children and young people. The service is also conscious of the emerging risks regarding the increase cost of living and how this will impact on the families we work with. More collaboration and support across the partnership will be key to ensure our families receive the best offer and support possible. Leicester's partnerships are in a good place to be able to respond to an increase in need.
- 3.6 Child First approach - Increased scope to develop out of court interventions will require that we build a wider partnership approach to our commitment to Child First, Offender Second. Supported learning will be delivered across the partnership to establish 'child-first' principles, moving away from offence-type interventions to more holistic, relational approaches which seek to build trust and address multiple risk and protective factors.
- 3.7 Transitions- The growing cohort of young people aged 16 -18 open on orders makes it imperative that we improve all transitional arrangements (health, services, accommodation, education etc), ensuring that there are strengths in the transition to adult probation services particularly around maturation and understanding gaps in support. Our workforce development programme considers all training needs associated to transitions; the offer is to be expanded to include partners from probation. Service planning for the coming year specifically focuses on work to develop processes with the new Probation Service young people's team and sets out action to address key transitions related to education, health, and accommodation. The service will also be working closely with adult social care to ensure robust transitional safeguarding processes are in place.
- 3.8 Prevention and Early Intervention - Considering the balance of the prevention open case load compared to the statutory caseload we will continue to strengthen the focus on the prevention and early intervention opportunities. Invest to Save Other Funding, multiple funding streams across the partnership may result in a duplication of services and inability to demonstrate the impact of specific interventions.

3.9 The increased risk of cases escalating through the criminal justice system is notable due to the complexity of cases. Reflecting children's experiences of trauma, serious youth violence and exploitation will be paramount.

4. Recommended actions/decision

4.1 The purpose of the report is to review the statutory Youth Justice Plan for 2022-23, directing any comments to the Head of Service for Early Help and Prevention.

Recommendations

4.2 To consider, and note, the achievements from 2021-22

4.3 To consider, and agree, the priorities for 2022-23

3. Scrutiny / stakeholder engagement

5.1 The report has been presented to the Leicester Youth Justice Management Board 22 June 2022 and all partners have contributed to the plan.

4. Background and options with supporting evidence

6.1 The full report has been provided

5. Detailed report

7.1 Attached with this summary

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

The gross budget for 22/23 is £1.5m with income budget of £1m, this includes Youth Justice grant of £0.8m. The grant has been uplifted by 9.8% reflecting the commitment to frontline youth justice service.

Paresh Radia - Finance

6.2 Legal implications

There are no direct legal implications arising from the contents of this report.

Pretty Patel
Head of Law

6.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The report sets out the proposed statutory Leicester City Youth Justice Plan for 2022/23. From the perspective of meeting our Public Sector Equality Duty aims, the Youth Justice Plan sets out priority activities that seek to promote equality of opportunity for young offenders by reducing the adverse impacts they are likely to experience through involvement with the criminal justice system; and by achieving these outcomes and enabling young offenders to take part in city and community life, contribute to improved good relations between different groups of people. In terms of the protected characteristic of race, the Leicester Youth Justice Management Board will continue to implement the recommendations from the task and finish group findings, exploring disproportionality of ethnicity and children looked after.

However, the report and the appendix do not explore in any detail the protected characteristics of young people in the service, any potential issues in terms of over representation and how this compares to local demographics and the national picture or any work being done locally to address any specific issues related to this (other than race as cited above). To make further progress in meeting our public-sector equality duties, in particular that we are advancing equality of opportunity and eliminating discrimination, the service should ensure that the monitoring of disproportionality, trends and issues include the protected characteristics of young offenders not least sex, race, disability, religion and belief.

The proposed Youth Justice Plan 2022/23 offers a high-level overview of the planned work for the coming year, however there are a number of strands of work where equalities, and particularly the PSED, will need to be an on-going consideration, such as the ongoing work to create a Remand Strategy which has taken a partnership approach. It may be the case that an Equality Impact Assessment is required for some strands of work such reviewing policies and services, where changes will directly impact on young people in the service, and advice can be sought from the Equalities Team on this as required.

Sukhi Biring, Equalities Officer, 454 4175

6.4 Climate Emergency implications

There are limited climate change implications directly associated with this report. However, in line with the council's declaration of a climate emergency and aim to reach carbon neutrality, it should be noted that the council has an important role to play in addressing carbon emissions relating to the delivery of its services, and those of its partners. This should be addressed through consideration of opportunities to reduce emissions, for example through the use of sustainable travel practices, efficient use of buildings, use of the council's sustainable procurement guidelines and other measures as appropriate to the service.

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

7. Background information and other papers:



Leicester City Youth
Justice Plan 2022-23

8. Summary of appendices:

Included in the Youth Justice Plan in section 7

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a “key decision”? If so, why?

No

PAPER I Annex A - Youth Justice Plan

Service	Leicester Children and Young Peoples Justice Service (CYPJS)
Service Manager/ Lead	Karen Manville Head of Early Help and Prevention Brian Bodsworth Service Manager for Children and Young Peoples Justice Service and Youth Service.
Chair of Leicester Youth Justice Management Board	Martin Samuels Strategic Director, Social Care & Education, Leicester City Council

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Foreword by Martin Samuels Strategic Director, Social Care & Education, Leicester City Council and chair of Leicester City Youth Justice Management Board

In the same way as every other part of society, the past two years have been an unprecedented period for the Youth Justice system. Pulling out highlights from that experience, and summarising the key priorities for the coming year that this leads to, is therefore something of a challenge. That said, the feature from the pandemic that stands out most strongly is the way in which the Youth Justice Management Board, and the Children and Young People's Justice Service, responded to the inevitable challenges in such a positive and constructive manner. This underlined beyond question the intense commitment to children that is central to the ethos of Leicester.

I have had the privilege of chairing the Board since I joined Leicester City Council at the beginning of March 2020, just a matter of days before the pandemic struck and the first lockdown was announced. Despite the limitations imposed by the requirements for social distancing, I have had contact with all the members of the Board in a variety of contexts, as well as a number of the team managers, both when they have presented reports to the Board and in other situations. As we progressively move into more 'normal' times, I am looking forward to meeting more of the staff over the coming months.

The arrival of Covid-19, and its particular impact in Leicester, meant that teams across all of the partners to the Board had to display an extraordinary level of creativity in seeking ways in which they could continue their vital work with children and families. Central to our shared approach, and consistent with our deeply held values, Leicester signalled early that we would maintain 'business as usual' in terms of maintaining our oversight of children, finding innovative means to deliver this promise even during the lockdowns and restrictions on contact required to fight the pandemic. Direct work with children continued throughout, with group work being delivered on a virtual platform and new ideas and solutions developed to enable working with children in community settings, all with the aim of ensuring that we continued to reach out to the many varied communities across the city – connecting with them on the basis of their needs and context, rather than our convenience.

This Youth Justice Plan provides an excellent opportunity to take stock of the past year, and to plan for the year ahead, doing so alongside the children and families of Leicester. A central element of our work has been embedding the Lundy Model of rights-based participation. The practical impact and benefit of this work on service design and on individual practice has been very evident. In January 2022, the service was one of six across the country to host a thematic inspection, focused on education, training and employment. I was delighted at the extent of

the positive feedback received from HMI Probation. Their recommendations provide the core of the key priorities within this plan. This reflects the strong aspirations that lie at the heart of the approach of both the service itself and of the wider partnership. These continue to drive all of us forward, making me proud to be part of this strong team.

I hope that you take the time to read the full plan. Like me, you will be impressed by the work that has been done by the Youth Justice Management Board and by the Children and Young People's Justice Service during the past year, and our plans for the future. This also gives me the opportunity to thank each of the partners, and all of the staff, for their support for the work that we have collectively delivered during these challenging times, and to underline how much this gives me confidence for our shared ability to address the priorities and challenges of the year ahead, always doing so in ways that put the interests of children and families at the heart of everything we do.

1. Introduction, vision, and strategy

1.1 The CYPJS is positioned within the Social Care and Education Department of the Local Authority. The service is strategically overseen by the Head of Service for Early Help and Prevention which has a portfolio of services including the Early Childhood Services, Family Support, Youth Services, Family Therapy programmes, as part of our Edge of care offer, and the Children and Young Peoples Justice Service (CYPJS). This approach contributes to a co-ordinated whole family response supporting earlier identification of families with multiple and complex needs together with increased opportunities for more targeted work with children and families at risk of poor outcomes or involved in crime and anti-social behaviour.

1.2 The CYPJS Service Manager oversees the operational delivery of the service and partnership work under the management of the Head of Service. The Head of Service is managed by the Director for Social Care and Early Help who reports directly to the Strategic Director for Social Care and Education. Governance arrangements for CYPJS reside with the multi-agency Leicester City Youth Justice Management Board (LYJM Board) chaired by the Strategic Director for Social Care and Education.

1.3 The Head of Service took up post in April 2021 with a background in youth justice, therefore bringing a wealth of experience to this role which will be key to the implementation of the annual plan. The Service Manager took up post at the same time having a background in Youth Justice as well as overseeing the Youth Service in Leicester. This supported a strong handover of responsibilities with minimal to no impact on the service during this transition.

1.4 The LYJM Board has senior officer level representation from statutory services including Police, Health, and the National Probation Service. (*Refer to LYJMB Membership and Terms of Reference Appendix One*) Representation is also in place from Education/SEND, Safer Leicester Partnership, Violent Reduction Network (VRN), and The Office of The Police Crime Commissioner. A key focus of the board over the last year has been strengthening the strategic response and shared ownership of the partnership strategic plan alongside ensuring services are effective in light of the challenges the coronavirus pandemic has brought. The board also commissioned two discreet pieces of work in 2021 exploring disproportionality of ethnicity and children looked after within the CYPJS cohort. This work has been ongoing with regular updates presented at the board.

1.5 There is a close alignment between Leicester's Youth Justice Plan and the Violence Reduction Network's (VRN) Response Strategy. This includes several shared priorities and co-investment in projects and applications for further funding. The development of Leicestershire Police's Violence and Complex Crime Unit (VCCU), with a dedicated team focusing on prevention, has provided further partnership opportunities to strengthen the local system. This will place the Board in a strong position for discharging the new Serious Violence legal duty when it comes into force later in 2022/23.

1.6 The board meets on a quarterly basis where performance and finance reports are presented by the Head of Service and Service Manager, to inform strategic decisions and resource allocation. A strategic partnership action plan is maintained by the Head of Service and overseen by the board. HM Courts are kept abreast of the performance and governance through the Service Manager chairing quarterly court liaison meetings.

1.7 The board reports include quarterly analysis of performance against key national and local youth justice indicators, audit and self-assessment activity, Serious Incident reporting, National Standards audits, and spotlight thematic topics. The board receives deep dive thematic reports with recommendations that are reviewed at the board on a regular basis. The board reviews and revises its performance management framework regularly, to consider best practice and changing local and national priorities. Ongoing strategic partnership analysis and priorities for 2022 included child sexual exploitation (CSE), mental health, education and neurodiversity, disproportionality, and serious youth violence.

1.8 The effective participation and engagement of children and young people remain a high priority for the service. The Head of Service has (through a task and finish group made up of colleagues from the wider Early Help service) developed an addendum to the Social Care and Education Participation strategy that specifically focuses on the service response to ensuring effective co-production with young people and their families in their assessments, plans and interventions. There has been a drive to train all staff in the adopted Lundy model which has had positive outcomes for improving the voice and participation of our children, young people, and families.

1.9 The Head of Service is a member of key governance groups linking to LYJMB such as the Strategic Offender and Mappa Management Board (SOMMB), Local Safeguarding Partnership Board for reporting and monitoring lessons from Serious Incidents and Child Practice Reviews. The Head of Service for Early Help and Prevention is the chair of the Early Help and Supporting families Working Group which is a subgroup of the Leicester's Children's Trust. The Head of Service has lead responsibility for delivering against the 'Early Help' strand of the SOMMB delivery plan for Leicester Leicestershire and Rutland. This has evidenced great progress being made within the city in particular for the prevention and protection of young people who are criminally exploited and at risk of offending and re-offending. The Service Manager deputises for the Head of Service and ensures attendance at all operation delivery groups that sit beneath the strategic boards. A number of these boards are being re-shaped in 2022.

1.10 The Service Manager also holds quarterly liaison meetings with key partners and stakeholders including the Police, Courts, CAMHS, Turning Point (substance misuse provider) etc.

1.11 The aims of Leicester Children and Young People's Justice Service (CYPJS) are to prevent children and young people offending, to reduce re-offending and the use of custody. This is achieved through working in partnership to deliver services that ensure children and young people are safeguarded, the public and victims of crime are protected, and those who enter the criminal justice system are supported with robust risk

management arrangements. Our aim is to intervene early to provide help and support to young people and reintegrate them into their local communities without further offending.

1.12 This Plan supports a range of associated partnership strategies including the Leicester Early Help Strategy 2020-2023, Police and Crime Plan, Leicester, Leicestershire and Rutland Violence Reduction Strategy, the Safer Leicester Partnership Plan, Knife Crime strategy, and delivery plans within the local authority Social Care and Education department.

1.13 We are working closely with our partners in the criminal justice system to ensure resources are effectively targeted at the minority of children and young people who repeatedly offend and are responsible for the majority of youth crime.

1.14 As with all agencies, the Children and Young People's Justice Service has faced challenges because of the coronavirus pandemic. However, the service has responded well with minimum disruption to service delivery with continued direct work with children and young people. The service put in place a dedicated COVID-19 business continuity plan, in addition to the overarching plan, which was subject to regular reviews by the Head of Service and quarterly at board level. The Head of Service attended weekly COVID-19 meetings to ensure service delivery was monitored. CYPJS continued to meet its statutory obligations and all children were seen throughout the pandemic. The service also developed a range of online resources and delivered group work sessions virtually where necessary.

1.15 The CYPJS are active partners in the delivery of the Supporting Families (SF) Programme holding a caseload of families identified as SF. This has ensured that targeted whole family support continues to be provided to families that are open to CYPJS. In addition to the SF programme, where there are young people working with CYPJS that require additional support they adopt the Early Help Assessment model and become the lead professional for the family co-ordinating the agencies involved and action plan.

1.16 Victim work is a key priority for the service with victims of youth crime receiving support from a dedicated officer post and follow up work with young people about the consequences and impact of crime and anti-social behaviour. There have been ongoing developments of the use of this role within out of court disposals and prevention cases to support a reduction of young people entering statutory services.

1.17 The CYPJS works holistically to support children and young people to have high aspirations in their lives and for their future. The service works in partnership to address all the complex issues young people display including physical and mental wellbeing, Acute Childhood Trauma and Education attainment for example. The service recognises the need to ensure earlier intervention which has a greater impact. This is being evidenced through the prevention/community resolution offer which was established in 2020 within CYPJS.

1.18 The CYPJS has continued to prioritise young people's engagement in individually tailored assessment and support programmes. The service has an established comprehensive quality assurance framework, reviewed annually, to oversee assessments, pathways, planning and interventions through to outcomes. The service continues to ensure

evidenced based interventions are utilised whilst working to establish more research-based practice within the service.

1.19 Using internal resources and external funding from the Office of the Police and Crime Commissioner, Violence Reduction Network and Supporting Families, the Community Resolution and Prevention Team has become an established part of the CYPJS making a positive impact in reducing the numbers of children and young people entering the criminal justice system and/or re-offending. The key objectives of the team have been to:

- a) to divert children and young people away from crime and the criminal justice system.
- b) to engage young people on the cusp of offending, or who have received a community resolution for committing a low-level offence, to divert them away from the formal justice system.
- c) prevent the escalation of offending and serious youth violence and reduce the need for statutory services and resources.

1.20 All children and young people known to the service, regardless of their offending, receive one to one intervention on knife related offending and consequences. These have been well received across the service and partnership and the service has maximised the funding received from the Office of the Police Crime Commissioner, to create bespoke group work packages in partnership with Targeted Youth Support services. The packages have concentrated on two distinct groups of young people targeting those at risk in a prevention project as well as those appearing on the habitual Knife Carrier list in reducing further offending. The Head of Service is a member of the Knife Crime Strategic Group that oversees the Leicester City Knife Crime Strategy. The Service Manager attends a fortnightly Serious Youth Violence Joint Action Group (JAG) to identify and divert young people identified through a coordinated partnership response.

1.21 The ACE project has provided training and support over the last year to all staff including sessions at the CYPJS service meetings as well as a focus on supporting the emotional wellbeing of staff. The project provides training, consultation and advice as well as direct work with young people and their families. The project team receive on average 5 direct referrals a month to support children, young people and families displaying trauma from their childhood. The project has developed and provided case formulation support which has enabled case managers to map and respond to childhood trauma. Children trauma work and training has been rolled out across Children services to enable a coordinated response to children experiencing trauma. Police in custody suites have also received trauma informed training to support this approach across the partnership.

1.22 Over the last year, the service has incorporated learning from a domestic homicide review and a Critical Learning Review within 2020/21 involving one young person who was open to the service and one that had been closed for a period of time where it was felt best practice to undertake a review. Recommendations for CYPJS have been shared with the Leicester Youth Justice Management Board with learning identified incorporated within

the service delivery plan. At the time of writing this report, the domestic homicide review had not been formally published.

1.23 Targeted individual advice and guidance continues to be offered to our vulnerable children and young people who are not in education, training, or employment (ETE) CYPJS continues to support young people’s access to education, training, and employment with some excellent results. The service was part of the HMIP thematic inspection on education, training, and employment in January 2022 with some excellent feedback at the end of the focused week. Several projects were regarded as outstanding and trailblazers and are featured in the thematic inspection report. Post 16 young people were impacted directly by COVID-19 with young people becoming unemployed or post 16 provisions closing because of the coronavirus. That said, the Connexions Service continues to work with economic regeneration partners to ensure that Education, Training and Employment for young people open to the CYPJS remain a priority. CYPJS are now working closely with the employment hub located within the city which will help improve EET outcomes for young people aged 16+.

1.24 The service is a key partner within the partnership response to serious organised crime and gang related offending in Leicester. The service is a key partner within the sub regional Child Criminal Exploitation hub for Leicester, Leicestershire and Rutland. The multi-agency response to criminal exploitation with a referral pathway and practice guidance for practitioners has been critical in ensuring the right responses are made at the right time for children and young people vulnerable to exploitation. This was commended in the recent thematic inspection.

1.25 The service has worked in partnership with key agencies such as children’s social care, targeted youth, and the police to embed a localised protocol and approach to continue to reduce the over-representation of children looked after (CLA) and care leavers within the criminal Justice system. Through concerted partnership work, whilst Leicester is still slightly above the national average/YOT comparator group, there has been a reduction of CLA in the CYPJS cohort. The partnership is not complacent and is committed to maintaining this as a priority moving forward

2021 – 2022

Total number of LAC = 316
Number known to CYPJS between 1st April 2021-31st Mar 2022 = 6 =1.89%

2020 -2021

Total number of LAC for Leicester City = 312

Number known to CYPJS between 1st April 2020-31st Mar 2021 = 21 = 6.7%

2019 -2020

Total number of LAC for Leicester City= 298

Number known to CYPJS between 1st April 2019-31st Mar 2020 = 16 = 5.4%

The service ensures a robust deep dive of all CLA cases and works closely with CLA colleagues to provide a wraparound programme of support. There will be a yearly follow up on the task and finish group established in 2021 and reported on in the previous Youth Justice Annual Plan. The following recommendations were made and there has been progress achieved and updated through the board:

- the previous joint protocol between the CYPJS and Children's Social Care is revised and updated. This has been completed and will be reviewed on a yearly basis.
- children looked after and known to the CYPJS are reported to the LYJM Board and relevant partners quarterly to monitor trends in practice and performance.
- offending by CLA is reported to the Corporate Parenting Board by the corporate parenting Head of Service and recommendations reported to the Service Manager for follow up.
- on-going training in restorative justice is included in support for social care, health, and Police professionals to ensure appropriate use of community resolutions and out of court disposals for children looked after.
- a joint thematic audit of current open cases of looked after children known to the CYPJS is undertaken to identify current practice and areas for development. This is repeated on at least an annual basis.
- a review of best practice in areas that are deemed to be good or outstanding in reducing looked after children offending is undertaken to support local improvement. This requires further investment and will be a priority for 2022/3.

1.26 Over the last year, the Court, Custody and Resettlement Team within the CYPJS has provided a consistent offer to those entering the secure establishment and close working relationships with the courts and secure estate. This has resulted in increased confidence from the courts with good congruence rates regarding packages presented to the court. Whilst there are secure operational links with custodial establishments it is felt this area can continue to be monitored to ensure effective resettlement packages are always provided. The service has recently reviewed transitions and resettlement policies and provided

briefings to staff. The Covid pandemic did impact on direct delivery of session to young people in custody but an increase in video calls, telephone calls and letters were used by staff to ensure regular contact was maintained.

1.27 One action within the operational delivery plan for the Children & Young People's Justice Service (CYPJS) 2021-22 was to ensure there is no unconscious bias towards children and young people from different ethnic backgrounds who are open to the service. To explore this fully, a task and finish group was set up to explore if there is any ethnic disproportionality within CYPJS processes and practice affecting young people's experience and outcomes. The task and finish group was chaired by the Head of Service for Early Help and Prevention with one Team Manager taking the lead for coordinating work. Membership of the group consisted of representative roles from within CYPJS:

- a) The task and finish group completed work as follows (which has been regularly reviewed with the task and finish group continuing to meet to monitor impact through 2022/3).
- b) Using the Ethnic Disproportionality Tool with performance data reviewed and amended to reflect a breakdown of ethnicities, overlaid with education, SEND, social care and early help data.
- c) Benchmarking against the recommendations from the 'Lammy Review of Black, Asian and Minority Ethnic (BAME) representation in the Criminal Justice System (2017).
- d) Completed mapping against good practice identified by the Ministry of Justice report exploring 'Tackling Racial Disparity in the Criminal Justice System' (Feb 2020).
- e) Young People's survey re: experience of practice in relation to diversity and ethnicity in particular.
- f) Staff survey re: experience and professional practice within the Children & Young People's Justice Service.
- g) Quality assurance of 37 cases where there have been breaches of court orders to test out key lines of enquiry that arose from the data we reviewed.
- h) Mapping local data against the YJB infographic re: Exploring racial disparity and how it affects children in their early years and within the youth justice system.
- i) Making tweaks to processes as the group became aware of anomalies eg) being able to request a change to a young person's ethnicity on ONE etc.
- j) Sharing good practice and learning as part of the Association of YOT Managers network on racial equality.

1.27 Whilst our cohort size is small, there are some key variances identified:

- a) Data analysis identifies that we do have disproportionality in relation to an over representation of breach rates for white British and mixed heritage young people within the CYPJS cohort. However, following extensive quality assurance activity, whilst we did have a flag in relation to potential disproportionality within breach processes, there was no evidence that young people had been treated differently as a result of their ethnicity or that their background and culture was considered less so than other ethnic groups. This is monitored through supervisions and data to ensure that this continues to be analysed.
- b) Further data analysis and quality assurance activity completed identified variances in comparator data with national datasets. As an example, Leicester has a higher number of white British and mixed heritage young people within the CYPJS cohort who have special educational needs (SEN) and/or an education, health and care plan compared with the national cohort where it is more prevalent with higher numbers of young people having SEN.
- c) Inconsistencies in processes being applied in practice with not enough focus on diversity and culture. The staff survey and young people's survey have also identified some key areas of development, some not in relation to ethnicity.
- d) Reviewing all of the findings, the task and finish group developed 25 recommendations that have been incorporated into the CYPJS service delivery plan. These recommendations were divided into three key areas:
 - Improving quality of practice
 - Building capacity and confidence within the workforce
 - Active participation influencing planning and delivery
- e) The recommendations have been monitored through the management board and two presentations have been provided with a further update provided to the board in June 2022. This ensures that the work is being monitored regularly. The work has also been presented at a range of Leicester board meetings and highlighted as excellent practice at a senior level within the authority.

2. Local context

2.1 There are just over 84,000 children aged 0-17 in Leicester, representing about a quarter of the local population. Not only is Leicester one of the youngest cities in the country, it is also one of the most ethnically and culturally diverse: 185 different languages are spoken by Leicester residents and 67% of the school population is made up of ethnic minority groups. Children in Leicester are more likely to live in low-income families and experience poverty than they are in other cities in England. The city is among the top 20% most deprived areas of the country, and children in Leicester are over four times more likely to be living in poverty than those in wealthier areas of the country. More than one in four (27%) of children in Leicester live in poverty before housing costs are taken into account. When considering housing costs, 41% of children are in poverty. Linked to the high levels of deprivation, children and families in Leicester have poorer health and a life expectancy that is below the average in England.

2.2 Across the Social Care and Early Help division the high need and family complexity is recognised. The ETE thematic inspection in January 2022 acknowledged the complexity of cases seen. Many of the children and young people coming through to the service present with complex needs, have experienced adverse childhood experiences, and consequently they require additional welfare support.

3. Child First

3.1 Leicester Youth Offending Service changed its name in 2019 to Children and Young People's Justice Service. The name was developed and chosen by children in the service and the name reflects the voice of the children we work with and our child first approach. Offending was a word that our children wanted to have removed as often the label offender led to a different response for our children being seen as offenders first and children second. In Children's Services our three-year plan has participation and coproduction as one of the five key priorities highlighting the commitment, at a strategic level, for participation and co-production to be at the heart of strategic thinking and operational delivery.

3.2 The Early Help and Prevention Head of Service led on a task and finish group to look at embedding the adopted Lundy model into practice across all Early Help services, including that of youth justice. A guidance paper for each service was created (*Appendix two Participation Pledges*) and champions volunteered to attend the meetings from each service area. A video was created to promote the work and the champions across Early Help all staff were trained in the Lundy model and rights-based practice was put at the heart of our work and vision for future service delivery.

4. Voice of the Child

4.1 The Service Manager has been working on improving the feedback forms, and use of, across youth justice with the view of ensuring this feedback is presented in the performance reporting to the board on a quarterly basis. The voice of the child will then help to consistently inform service delivery.

4.2 It is recognised that there is difficulty when collecting feedback from children and young people, with different needs, capacities and at different levels of engagement. Whilst also acknowledging that some children and young people are also in very challenging places

emotionally. The service recognises and values the voice of the child and their rights to participate.

4.3 Acknowledging the different contexts, the service has developed multiple channels for feedback. Children and families can choose how and when they provide feedback. "Always on" methods, such as comment boxes, social media platforms, compliment pro-active forms, surveys and focus groups are some of the channels available. The current user feedback rate at closure of intervention is 75%, with the service target set at 80%. The leadership team acknowledge that processes to hit this target need to be more robust and have recently introduced tighter processes that take account for feedback. This is a priority in 2022/3. Appendix Three details quotes from children and parents at the end of intervention.

4.4 Participation continues to be a priority in the Youth Justice Management Boards partnership plan. The Participation strategy specifically focuses on the service response to ensuring effective co-production with young people and their families in their assessments, plans and interventions. Co-production will continue to be a priority to support the planning, designing, delivering, and reviewing services. During the pandemic whilst the attendance centre was closed and activities moved to a virtual platform, the service took the opportunity to relaunch the offer but in co-production with our children. Art sessions and workshops were developed for children to re design the service from its name, image, delivery model and activities. Since opening the centre has been better attended with some outstanding outcomes for our children and young people.

4.5 Policy and procedures are subject to ongoing review to ensure that a child first approach is a corner stone of practice. For example, the remand strategy work led by the police representation at the board has ensured a child first approach to its work. This is a creative and innovative piece of work that fits in the national standards framework as well as the child first approach that has been adopted across the partnership.

5. Governance, Leadership and Partnership Arrangements

5.1 The CYPJS is fully integrated into local partnership planning arrangements for both children and young people and criminal justice services. There are regular joint meetings with key partners including the Police, Courts, Health (Public Health and Clinical Commissioning Group) and Probation to support the delivery of shared strategic priorities.

5.2 Leicester's annual Youth Justice Plan is underpinned by a strategic partnership delivery plan (which the YJMB is accountable for) and an operational service plan for the CYPJS (which the Service Manager is responsible for). Both plans support a range of associated partnership strategies including the Leicester Early Help Strategy 2020-23, Leicester Children and Young People's Plan, Police and Crime Plan, VRN Response Strategy and the Safer Leicester Partnership Plan.

5.3 The Head of Service for Early Help and Prevention or CYPJS Service Manager is represented on/or responsible for the following key strategic partnerships (at the time of writing consideration across the partnership is being undertaken to look at several boards and reconfiguring them under the Strategic Partnership Board arrangements:

- Leicester Children's Trust Board (LCTB)
- Local Safeguarding Children's and Adults Board (LSCAB)

- Safeguarding assurance meeting
- Corporate Parenting Board (Looked After Children)
- Early Help and supporting Families Working Group
- Safer Leicester Partnership (SLP)
- Strategic Offender and MAPPA Management Board (SOMMB)
- Prevention and Early Intervention Board
- Adolescence Safety and Diversion Board
- Adult Offending and Vulnerability Board
- Children and Adolescent Mental Health Service (CAMHS) Multi Agency Partnership
- Family Therapies Board
- Prevent Steering Group and Channel Panel
- Operational delivery MAPPA Meetings
- Substance Misuse Partnership Board
- Level 2 and 3 Mappa meetings
- Early Help Assessment Partnership Allocations Hub
- CSE, Missing and criminal exploitation meeting
- Serious Youth Violence Jag
- The Serious Violence Delivery Group'
- SEND partnership meeting
- Joint Solutions Panel
- Family Hubs Project Board
- Association of YOT Managers regional representative
- Knife Crime Strategy Group.
- Domestic Abuse delivery meeting
- Assurance and Development Board for Healthy Together
- Young carers group
- Participation Network

5.4 The Children and Young Peoples Justice service sits in Early Help and Prevention in the Social Care and Early Help Division and Social Care and Education Department.

5.5 The CYPJS is one of four services within Early Help and Prevention service, which forms part of Leicester's Children's Social Care and Early Help division. Reporting to the Head of Service for Early Help and Prevention, the CYPJS has a dedicated Service Manager who oversees the operational delivery of the CYPJS and Youth Service.

5.6 The CYPJS has a diverse workforce that reflects the diversity of the local communities that it serves. The entire workforce is employed on a permanent basis, apart from the Community Resolutions and Prevention Team soon to be relaunched as the Early Intervention Service. Whilst there is an underrepresentation of female employees in all parts of the service apart from management, there has not been any detrimental impact on front line service delivery specifically towards our females that may require female practitioners. However, this will continue to be an area that we monitor. Currently this is not problematic as the local demographic of the cohort of young people we are working with are predominantly male reflective of our workforce for both gender and ethnicity. (Appendix four for structure chart of the service and staff demographics).

5.7 Through our disproportionality of ethnicity work, we identified an underrepresentation of managers who are Black, Asian or of another ethnicity. As YOT staffing structures tend to be more stable with less movement, we have incorporated actions within our disproportionality plan to include opportunities for shadowing and matrix management and active involvement in our Local Authorities commitment to reverse mentoring.

5.8 Services for children and young people known to the CYPJS are provided by directly employed staff and external specialist staff who are located within the CYPJS. The service's office base is in the city centre in the same building as social care, but staff also undertake direct work in local communities and home environments. Venues used include the children and family centres and youth centres across the city. Despite the COVID pandemic, felt particularly in Leicester due to periods of lockdown longer than anywhere else in the country, the service continued to offer direct work with all children across the service and developing robust virtual offers for group work.

5.9 The main activities delivered by the CYPJS are pre- and post-court interventions. Case Managers (supported by a Youth Advocate where required), oversee:

- Youth and Youth Conditional Cautions.
- Pre-sentence reports for young people appearing before Youth Magistrates and Crown Courts.
- Post sentence supervision of all young people aged 10-17, including community reparation and restorative justice work. The service provides supervision to young people who receive custodial sentences and resettlement into the community. Intervention is supported by a robust group work delivery plan through our Attendance Centre and 'Which Way' programmes that offer our children a range of learning experiences and are co-designed with our children.
- Out of court disposals are managed through our robust joint decision-making process (Out of Court Disposal Panel) which covers both the county and the city. This enables earlier identification of children and young people at risk of crime and anti-social behaviour, with an opportunity to prevent escalation of offending and address wider family issues through targeted interventions. The panel meets weekly and is subject to regular scrutiny by a multi-agency panel chaired by the Office of Police and Crime Commissioner.

5.10 The Early Intervention Team, deliver intervention to young people receiving a community resolution and those at risk of child criminal exploitation or offending. The team are having an outstanding impact on our first-time entrants. Working with the Violence Reduction Network we have developed the REACH project, funded by the Youth Endowment Fund. The project directly supports young people on the cusp of exclusion, short term exclusion and struggling within educational settings. The Early Intervention Service is also supporting a DfE initiative to co-

locate multi-agency teams within Alternative Provision settings and has a prevention officer based within Carisbrooke (pupil referral unit).

5.11 There is an extensive range of partnership staff supporting CYPJS:

- 1 FTE Seconded Probation Officer
- 2 FTE Seconded Police Officers
- 1 FTE Seconded Pre-16 Education Specialist
- 1 FTE Seconded Post 16 Education Co-ordinator
- 1 FTE Substance Misuse worker.
- Direct support from a CAMHS Practitioner on a full-time basis to work closely with the Child and Adolescent Mental Health Service (CAMHS).
- Two ACE's practitioners working across LLR offer support for the trauma induced work with staff to support their work with children and young people that display acute childhood trauma (ACE's).
- 1 FTE Dedicated Educational Psychologist.

5.12 Vulnerable children and young people who are not in education, training or employment are offered targeted individual advice and guidance. Education Psychology support and deliver intervention to all young people. There is a specific focus upon young people who have an Education, Health Care Plan, those who require Speech and Language Therapy and those in custody. Education Psychology also support the service workforce development programme. Connexions support all children in year 11 and those above school age. The Education Welfare Service contributes towards a fulltime ETE coordinator to support children of statutory age. The coordinator is responsible for:

- Coordinating resources to address school age ETE needs, collaborating with schools and education providers
- Overseeing the allocation of work relating to custodial education, pre- and post-16 transitions, and educational psychology
- Managing all referrals to education welfare service
- Exchanging information relating to ETE records with schools and the host local authority when a young person enters custody
- Engaging the local authority in terms of attendance and representation of CYPJS issues at key focussed meetings

5.13 As part of the ACE project within NHS England, we continue to prioritise and address the area of trauma and emotional trauma in the lives of young people. CYPJS staff have received specialist training to identify and respond effectively to emotional trauma which continues to strengthen support plans for children and young people. It also ensures that there is a greater understanding for victims of youth crime about the experiences for some children and young people. The project is developing at pace and have recently launched a joint ACE and CAMHS referral to ensure young people and children receive the most appropriate service at the right time.

5.14 Our volunteers are vital in helping to make a difference to the lives of children, young people, their families, and victims of crime. We work with a wide range of volunteers reflecting the diversity of Leicester's communities.

5.15 The youth justice mentoring project, for out of court disposals, has been set up to help tackle the underlying challenges that exist in a child's/young person's life, which may lead them

to commit crime and antisocial behaviour. The scheme aims to engage children and young people on a one-to-one basis and deliver tailored intervention to address their offending behaviour, increase their knowledge and consequently divert them from offending. The mentoring support provided is set up on a swift and short-term basis to maximise the impact and effectiveness of the intervention. The service continues to recruit, train, and support many community panel members for the delivery of Referral Orders.

5.16 The CYPJS works in partnership with the Youth Service to deliver criminal exploitation and knife awareness programmes for two distinct groups of young people, those who are known to carry knives and those that are at risk of becoming knife carriers. This work is being supported through funding by the Office of the Police and Crime Commissioner (OPPC). Specific programmes have been delivered, in partnership, to reduce the number of knife related offences across the city, with the service being a key contributor to the Knife Crime Strategy incorporating serious youth violence. The group work programmes have been co-produced with our children and young people. Preparations were underway for the 'Knife Angel' and a week-long 'Festival of Peace' in May 2020, however due to the coronavirus pandemic, these initiatives could not go ahead with the launch of the strategy delayed. It is now in discussions once more for a potential delivery in 2022/3.

6. Resources and Services

6.1 The YJB Youth Justice Grant allocation focusses on innovation and service improvement and supports the annual partnership delivery plan reviewed by the Leicester Youth Justice Management Board. This ensures resources continue to be prioritised in areas where there are risks to future delivery and performance.

6.2 There has been a continued downward trajectory regarding the number of children in the youth justice system. Leicester City has seen a further reduction in number of children open to the service over the last two year with average 122 caseload (2019/20) v. average 73 caseload (2021/22). Nationally, this is reflective of the Covid 19 pandemic, and a trend seen by neighbouring YOTs, and it is expected to increase alongside Covid 19 easing to pre-pandemic levels. However, it is also clear that the Prevention and Community Resolutions Team have had a significant impact on the statutory side of youth justice by diverting children at the earliest reachable point.

6.3 Locally, we can demonstrate how team impacting upon the FTE rate which was previously higher than the regional and national averages. This has resulted in the reduction of young people receiving court convictions and escalating through the Criminal Justice System. The figures represent a 53% decline in the number of young people receiving a Court order 2019/2020, compared with 2021/2022. Despite the slight increase in the number of Youth Cautions and Youth Conditional Cautions in this last 12 months compared to the previous 12 months there is still a 38% reduction between 2019/2020 and 2021/2022. From April 2019 – 2020 the use of community resolutions has increased by approximately 700%. From the 1st of April 2020 to the 31st of March 2022, 660 children have been referred for intervention. Offending data post intervention is strong, for the last year just under 5% of young people have offended 6 months post closure. This reduction has however been timely to enable necessary developmental activity following our most recent inspection in 2019.

6.4 The early identification and intervention through the Police issued Community Resolutions and referrals for preventative intervention will continue to be a key priority for the forthcoming year, in addition we will focus upon:

6.4.1 Utilising existing community risk management processes, for example the Serious Youth Violence Joint Action Group to engaging siblings/children of the most serious offenders to ensure wrap around services are provided and timely referrals are made.

6.4.2 Working within primary school settings – the early data analysis identified young people who may have struggled during the transition year from primary to secondary school, however, were not identified as needing additional support. This work needs to be developed in partnership with education.

6.4.3 Analysing first time entrants' data to support prevention initiatives, for example we know young people committing knife offences are not eligible for a Community Resolution. Increasing the need for addition prevention to be delivered in a range of universal settings.

6.4.4 Utilising Community Resolutions as a viable option preferred to Youth Cautions and potentially Youth Conditional Cautions.

6.5 The CYPJS leadership team and the Police meet monthly to focus on are range of developmental areas, the key priorities for the forthcoming year:

6.5.1 Out of Court Disposals (linking with the Early Intervention Team) – Focused on achieving the best practice outcomes for children as identified in the Crest Advisory Report that examines the effectiveness of out of-court disposals and diversion programmes and considers whether there is scope to increase their use. It is acknowledged that the outcomes identified are likely to become expectations in practice and the meeting is keen to progress with early adoption of these. This move would impact positively on the improvements required by HMI Probation.

6.5.2 Data Sharing – This is a key feature of both HMIP and Crest Report and the meeting is focused on what data the Services readily have available that could provide a more robust overview of out of court work. A barrier to achieving this to its full potential is the need to have data analyst support. This strand will also support any grant or bid submissions that will bolster the work of the Police, Youth Justice, and other partners.

6.5.3 Cohort Management – this is a new concept that agencies are working through to identify those children and adults most at risk of committing serious violence and recognising those children who may be on the periphery who require support. This work is being led by the Violence Reduction Network and the Violence and Complex Crime Unit.

6.6 The complexity of cases escalating through the criminal justice system is notable, the staffing time and partnership time across all disposals has increased. Alongside this, there has been an increase in intensity of support needed, when reviewing the assessed risk levels. The consequence of this is a need for higher contact rate, more intensive support, and increased multi-agency planning, increase staffing time per child. We have two key processes to support the reduction of risk these are the Re-Offending toolkit meetings and the Case Management and Diversity Panels.

6.7 Service improvement activity in 2021-22 has been ongoing using the YJB Re-offending Toolkit to ensure a detailed understanding of local re-offending rates and ensure that the frequency rates are targeted more effectively by the management team. Attendance by the police and the Integrated Offender Manager has enabled the sharing of real time intelligence for case managers to respond to reducing drift and delay in refreshing assessments and pathways and planning. Intelligence sharing also supports the delivery of initiatives in the community, for example weeks of action and group delivery to prevent first time entrants and re-offending. The Service has fully embedded this toolkit within its weekly management reoffending toolkit meetings.

6.8 The Case Management and Diversity Panel reviews all cases that are assessed as high risk in any risk domain or where diversity needs to be considered, in custody or on remand cases, and those that have been transferred or are being caretaken. In addition, any cases where there has been a significant change can be referred. It supports the management and reduction of risk through multi-agency information sharing and decision making, the delivery of targeted intervention planning and supports transitions and resettlement. The panel also promotes and provides an additional level of management oversight. It has been highly regarded by HMIP.

6.9 The cohort of young people aged 16 -18 open to the service has been steadily increasing. Ongoing data and quality assurance scrutiny is supporting how we develop and delivery impactful intervention, this will continue to be reviewed on a quarterly basis to inform practice. During the last year transitions and resettlement policies were reviewed and updated, and service briefings were delivered. It will be a key priority to strengthen working arrangements with custodial establishments post pandemic. To support transitions and flexible approaches to ensure there is capacity for continues assessment, planning and delivery to support resettlement back into the community. There will be a key focus of working closely with the Probation Service as they develop their young people's team.

6.10 Accommodation is included as part of all intervention planning by case managers for any young person made subject to a custodial sentence or remanded to Youth Detention Accommodation. Every young person who is made subject to a custodial sentence or made subject to Youth Detention Accommodation is allocated a Youth Advocate. The focus of the advocate work is to deliver and enable access for support with health, family, education, training, employment and accommodation. Parenting support is provided to all young people in custody and their families throughout the custodial sentence to plan and support reintegration into the community. Other key professionals will be invited to custodial reviews depending on the specifics of each case being presented to the panel.

6.11 Development to support transitions will be key, working with, and holding a range of services accountable in supporting the planning and delivery of key transitions. Including accommodation/residence, change of services, health, education and exit strategies for children when they reach the end of their order. The key focus will be upon those with Education Health Care Plans, Special Educational Needs and those that are Looked After.

6.12 The service routinely updates its quality assurance activity schedule outlining CYPJS 2022-23 quality assurance activity with broader actions tracked and progressed through the improvement/business plan. We prioritise improvements around practice and recording,

following implementation of whole child's journey case management guidance. These have been developed following learning from the National Standards self-assessment and associated actions absorbed into the improvement plan. CYPJS has held, and will continue to do so, bi-monthly developmental practice workshops, and build on the quarterly service meetings which covers a variety of quality improvement activities. Board member governance and scrutiny of quality assurance processes will be a key priority.

6.13 Workforce Development Training and learning is delivered through internally commissioned training/workshops for CYPJS specific activity, accessing the divisional and corporate training programmes and through self-directed research keeping up with practice developments. This year CYPJS will develop a new Skills Matrix Training Plan that will be supported by a service wide self-assessment using the YJB's Youth Justice Skills Audit for Youth Justice Practitioners (Appendix 5 The workforce development plan for 2022). The priorities identified and actions will feed into the service delivery plan.

6.14 Statutory partners funding contributions in Health, Police and the Probation Service are yet to be confirmed for 2022-23 at the time of writing this plan, however it is envisaged these will remain at the same levels. The OPCC has yet to confirm 2022-23 additional funding for the service. Additional funding has been secured from the Supporting Families payments by results and the Violence Reduction Network in Leicester to support the Early Intervention Team to continue for one final year. There will be a review of this team to look at mainstreaming the work within CYPJS due to the significant impact it is having on FTE and other KPI's (Financial, staffing and in-kind contributions made by local partners is contained in Appendix six for 2022-23).

6.15 Invest to save, as part of supporting the preventative agenda, has been a priority for CYPJS over the past year and will continue to do so throughout 2022-3. Initiatives have included:

6.15.1 The Early Interventions Team has been Independently evaluated in March 22 and we are awaiting the outcome. Work will be undertaken to mainstream this service and will be a priority area for 2022/3.

6.15.2 The REACH Programme which was derived from a VRN supported bid to the Youth Endowment Fund. Independent evaluation will support whole system development and delivery.

6.15.3 Focused deterrence approach to reducing serious violent crime within a high-risk community. This is a VRN led initiative to develop a strong multi-agency partnership working involving CYPJS, the police, support service/s and the community.

6.15.4 Home Office GRIP fund which Leicestershire Police receive funding for to provide a regular and visible policing presence to prevent serious violence in crime hotspots. Working in cooperation to develop focused Youth Work to support policing initiatives.

7. Progress on Previous Plan

7.1 The service set an aspirational Youth Justice Plan for 2021/22 and it was set as a three-year plan. It is clear to see that significant progress has been made in many of the priorities set on the backdrop of some of the most challenging times.

7.2 Key priorities for the Leicester Youth Justice Management Board for 2021-22 included areas for development highlighted by the HMIP inspection and self-assessment against the Youth Justice Board National Standards. Some priorities from the 2021-2022 plan will be rolled forward because of ongoing work required which was impacted by the coronavirus pandemic.

7.3 The HMIP ETE thematic inspection report was recently published after being inspected in January 2022. Key recommendations will be included in the partnership and operational plan as well as verbal recommendations that were provided at the end of the inspection week.

7.4 Leicester Youth Justice Management Board to continue to improve ownership of strategic priorities with a full self-assessment completed in 2021-2022. This was undertaken on two occasions with a further self-assessment in December 2021 (against the HMIP criteria) with recommendations included in the partnership plan and service delivery plan.

7.5 A priority was to embed the social care and education participation strategy, ensuring that the views of children and young people, their parents/carers and other stakeholders are fully embedded in key areas within the CYPJ service as follows:

- a. Strengthened co-production informing improved assessments, plans and service delivery which is evident within quality assurance processes. Progress has been made and this is being realised through the QA approach.
- b. Use friendly induction processes evidencing that children and young people know why we are involved and what the trajectory is. The induction paperwork has been revisited and children have been involved in looking at the induction approach and written paperwork. In addition, there have been group work sessions developed in partnership with children to introduce them and their families in what to expect from CYPJS.
- c. Victim voice more evident within out of court disposals with a stronger focus on restorative justice processes. Work has been undertaken to ensure the victim voice is always heard within the out of court processes and paperwork has been amended to reflect this. There is work being undertaken with the County YOS to develop the processes further within the out of court arena having received feedback from HMIP and a joint process established.

7.6 The service continues to strive for best practice and improve quality of practice in the following areas:

- a) improvement in the quality of reviews and effective management oversight. The service has seen significant improvements in this area with reviews continually benign monitored. This will remain an ongoing priority with the aim of 80% of reviews being deemed "good" or "outstanding" through the QA approach. HMIP provided encouraging verbal feedback on management oversight during the thematic inspection in January.
- b) board members to become part of the quality assurance process. This is still an area to consider. However, Board members receive quarterly QA reports in the board

meetings and opportunities are there to provide feedback and advice on areas for development. This continues to be an area to consider for the best use of board members time and skill base.

7.7 To implement the recommendations from the task and finish group findings, exploring disproportionality of ethnicity and children looked after. This is ongoing and was reviewed at the management board in June 2022. It will continue to be a priority for the 2022/3 plan.

7.8 To establish a bespoke programme to support young people through transitions smoothly. The transitions policy for the service was updated and was supported by briefings to the service. Updates have specifically focused upon custodial and Probation transitions. Work is ongoing to focus upon all transitions, including health, education, accommodation, children who move services and children who reach the end of their order.

7.9 To establish a bespoke Health dashboard for CYPJS to track themes and trends but also provide staff with a wealth of health data to inform their planning and delivery. The dashboard has been created and trialled but there has been a delay due to the service level Agreement which has now been resolved. This will therefore continue to be a priority as it embeds in 2022/3.

7.10 Create a 'Remand Strategy' to support the effective management and support for young people who are remanded into custody including those who are held overnight in police custody. This piece of work, although ongoing, has been an excellent partnership approach to creating a child first remand strategy across LLR. It is hoped that it will be signed off over the summer period so will remain a priority for 2022/3 to embed the strategy across the services.

7.11 Increase the focus on substance misuse treatment both through increased and appropriate referrals and informing the new commissioning arrangements from 2022. This has been completed both in terms of being an active participant in the commissioning arrangements for 2022 and revisiting the referral process and working agreements with the provider. Referrals are being closely monitored to ensure an increase is seen and engagement is improved. A priority area for 2022/3 will be to concentrate on the engagement and retention of young people in treatment and sustaining successes.

7.12 Expand the offer within the service, merging a range of programmes to develop a co-ordinated pathway of interventions to both prevent and protect young people who are at risk of offending and child criminal exploitation. This will include the development of the POP pathway (prevention of offending) which will reflect support from across the wider social care and help division.

7.13 Continue to be a core member of the VRN and simultaneously prepare, alongside partners, for the new Serious Violence Legal Duty within the Police, Crime, Sentencing and Courts Act 2022. As a specified authority, this will require the Board to ensure CYPJS is adopting a public health approach in both preventing and reducing serious violence locally.

7.14 Specific focus on post – 16 EET resources to ensure an improvement in outcomes that have been directly impacted by COVID over the past 12 months. This has been actively worked on and the service has seen an increase in Post -16 EET. This remains a performance priority and recommendations from our thematic inspection will form part of our partnership planning over the coming months.

8. Performance and priorities.

8.1 The key performance indicators, which remain a priority for the service, are preventing youth offending, reducing re-offending and the use of custody for children and young people as well as a suite of local performance indicators and a monthly dashboard of indicators. The impact of the CYPJS performance and its contribution to wider safeguarding and public protection responsibilities are monitored and reported through the local Children's Trust Board, Safeguarding Children and Adults Board and SOMMB Strategic Board (Strategic Offender Management and MAPPA Board).

8.2 The CYPJS performance management reporting arrangements inform the Leicester Youth Justice Management Board's decision making and influence service delivery across the partnership. This includes a rag rating system for the service to track the key performance indicators compared with their respective YOT family, regional and national datasets. This is also underpinned by the quality assurance framework which are aligned with performance outcomes such as custody and reoffending rates, using tools to track reoffending rates to ensure robust measures are in place and maximising resources.

8.3 The CYPJS completes regular 'deep dive' analysis reports for the Leicester Youth Justice Management Board on priority areas. Over the year this has included, young people who were in custody/remand, Looked After Children, and young people who have an education health care plan.

8.4 Reducing First Time Entrants (FTE) Performance

FTE PNC rate per 100,000 of 10-17 population –
Oct 20 – Sep 21: Rate of 207 per 100,000. (Actual Number of FTE= 73 young people)
Oct 19 – Sep 20: Rate of 223 per 100,000. (Actual Number of FTE = 78 young people)
GREEN - Decrease -7.3%

8.5 Key priorities from 2021/22 and progress

8.5.1 To further reduce the numbers of young people entering the criminal justice system, in partnership with other local agencies though more integrated and targeted earlier support. This remains a key priority but there has been a significant downward trend in children entering as FTE. This progress can be contributed to the Early Intervention Team.

8.5.2 Expand the Early Intervention Team within the CYPJS to include making best use of existing programmes such as the Attendance Centre, Which Way Groupwork Programme and the Targeted Youth Service Team. This will enable the team to focus specifically on the prevention and protection of young people who are at risk of child criminal exploitation and becoming first time entrants. Arrest data, education records and social care records alongside evidenced based approaches will be utilised in tracking outcomes post intervention to monitor the effectiveness interventions. This will evidence and inform the desired trajectory for permanent resources to be positioned at an earlier stage within the CYPJS which may lead to a reorganisation of resources at a later stage. The team has contributed significantly to the reduction in FTE and reoffending rates. This will continue to be a priority and work during 2022 will concentrate on further evidencing impact and realigning resources to mainstream the team.

8.5.3 To further reduce the frequency and seriousness of re-offending by first time entrants by earlier identification and assessment of first-time entrants, including young people subject to court orders. There has been a sustained reduction in both frequency and seriousness of offending. This will continue to be a priority for the service.

8.6 Reducing First Time Entrants (FTE) Priorities for 2022-23

8.6.1 The Early Intervention Team – Development will continue to be a key priority and work during 2022 will concentrate on further evidencing impact and realigning resources to mainstream the team.

8.6.2 The Service Manager will drive the adolescent offer to ensure children and young people receive the right services at the right time with a clear partnership pathway.

8.6.3 To further reduce the frequency and seriousness of re-offending by first time entrants by earlier identification and assessment of first-time entrants, including young people subject to court orders. The service has developed the REACH project, through YEF funding, which will identify children in the school environment at risk of entering the criminal justice system and provide a wraparound evidence-based package of support. This will be a priority over the coming year to monitor impact by reaching children at the earliest point.

8.7 Reducing Reoffending Performance for 2021-22

<p>Reoffending rates after 12 months – Quarterly cohort</p>
<p>Re-offending rates -quarterly cohort Reoffences per reoffender Jan 20 – March 20 (latest period) = 4.71 Reoffences per reoffender Jan 19 – March 19 (previous year) = 2.17 Increase of - 117.6% (47 young people -14 re-offenders – 66 reoffences = 4.71 re-offences/reoffender) Compare to (48 young people-12 reoffenders-26 reoffences-2.17 reoffences/reoffenders)</p>
<p>Binary Rate -quarterly cohort Binary Rate Jan 20 – March 20 cohort (Latest period) = 29.8% Binary Rate Jan 19 – March 19 cohort (previous year) = 25% Increased by - 4.79 (47 young people committing 66 offences) (48 young people committing 26 offences)</p>
<p>Yearly Reoffending rates annual reoffending data</p>
<p>12 Month cohorts – Annual Data Reoffences per reoffender Apr 19 March 20 (latest period) = 3.07 Reoffences per reoffender Apr 18 – March 19 (Previous year) = 2.90 Increased by -5.9 % (186 young people - 42 re-offenders -129 reoffences= 3.07 (re-offences/reoffender) Compare to (195 young people – 60 re-offenders -174 reoffences= 2.90 (re-offences/reoffender)</p>
<p>12 Month cohorts - Annual Data – Binary Rate Apr 19 – March 20 (Latest period) = 22.6% Binary Rate Apr 18 – March 19 (previous year) =30.8% GREEN - Decrease by -8.19</p>

(186 young people committing 129 offences) (195 young people committing 174 offences)
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8.8 Priorities in 2021/2 and progress

8.8.1 To confidently articulate the impact of reoffending rates over the coming year due to tracking a smaller cohort and the likelihood of bigger swings in the percentage rates of offending. This will then enable the CYPJS and partnership to respond effectively, using local up to date knowledge to inform planning and delivery. The service has been able to do this although to a limited degree due to a lack of data being provided over the past two years due to the impact of the Pandemic. This has been raised at board level and the service had relied on local data to inform delivery. Therefore, this will remain a priority for this year specifically frequency rates of offending for a very small cohort of young people.

8.8.2 Expand the Early Intervention Team to focus specifically on the prevention and protection of young people who are criminally exploited and offending. Arrest data, education records and social care records alongside evidenced based approaches will be utilised in tracking outcomes post intervention to monitor the effectiveness interventions. This will evidence and inform the desired trajectory for permanent resources to be positioned at an earlier stage within the CYPJS which may lead to a reorganisation of resources at a later stage. However, this will need to consider the severity of offences of young people which require more intensive support from case managers. This has been achieved and the service is now looking at maximising the project and realigning resources to mainstream it.

8.8.3 To continue to reduce the frequency and seriousness of re-offending by young people known to CYPJS at first tier interventions, where statistically this remains a challenge both locally and nationally.

8.8.4 As part of the ACE project with NHS England, continue to prioritise and address the area of trauma and emotional trauma in the lives of young people.

8.8.5 The service will develop a clear policy and upskill staff in social media. Strategic managers need to consider local policy frameworks for monitoring online activity in line with surveillance legislation and guidance. This information can assist assessments being completed by staff within the service. The service is redesigning its webpage for children and families.

8.8.6 The early identification and intervention through the Police issued Community Resolutions and referrals for prevention intervention will continue to impact upon FTE's. These young people would have had to continue offending or have committed more serious offences before coming to the attention of the service and receiving support. It is well documented that earlier intervention has a greater impact rather than delaying interventions until young people are more entrenched in offending behaviours. Additionally, the team is working with Case Managers across the service to identify siblings of those young people on statutory orders and known associates who may be at risk of becoming involved in criminality. The case management and diversity panel is actively looking at siblings of the most serious offenders to ensure wrap around services are provided and timely referrals made.

8.9 Reducing Reoffending Priorities for 2022-23

8.9.1 To confidently articulate the impact of reoffending rates over the coming year due to tracking a smaller cohort and the likelihood of bigger swings in the percentage rates of offending. This will then enable the CYPJS and partnership to respond effectively, using local up to date knowledge to inform planning and delivery.

8.9.2 To realign, relaunch and mainstream the Early Interventions Team to focus specifically on the prevention and protection of young people who are criminally exploited and re-offending. The trajectory is on target due to the substantial evidence of impact this service has had. A realignment/ review will be required to mainstream this part of the service.

8.10 Reducing the Use of Custody Performance 2021- 22

Use of Custody rate per 1,000 of 10-17 population
Jan 21 – Dec 21: Rate of 0.11 per 1,000. (9 custodial sentences)
Jan 20 – Dec 20: Rate of 0.29 per 1,000. (14 custodial sentences)
Decreased by – 0.17

8.11 Progress to date on priorities set 2021/2

8.11.1 To reduce the use of remands to youth detention accommodation and custodial sentencing for all young people including children looked after. This has been a priority and the service has seen a significant reduction for both areas – this will continue to remain a key priority. The service continues to see a reduction in the number of remands. However, there may have been an impact also due to the pandemic so this will continue to remain a priority and link with the remand strategy work that is in progress.

8.11.2 To complete an annual audit on all remand and custody cases to ensure any appropriate action is taken and ongoing scrutiny of these cases is in place. A yearly deep dive is now in place and has been completed each year for three years. A report was presented to the Board in March 2022 and recommendations are in the service delivery plan. This will remain a yearly approach and embedded in our quality assurance framework.

8.11.3 To develop a local Remand Strategy which includes alternatives to police custody and improved strategic links with estates. This was a key action within last year's plan and there has been limited progress in this area due to prioritisation of other demands, however work is underway for this to be a key priority for this year. Ongoing work is taking place, and this will remain a priority for 2022/3.

8.12 Reducing the Use of Custody Priorities for 2022/23

8.1 To reduce the use of remands to youth detention accommodation and custodial sentencing for all young people including children looked after.

8.12.2 To complete and embed a local Remand Strategy which includes alternatives to police custody and improved strategic links with estates. The strategy having a clear child first approach.

8.12.3 To review the court and resettlement team in CYPJS. To review the impact this team has had on the quality and reduction of edge of custody and remand cases. This will also include the role of the advocate for ISS cases and custody cases.

8.13 Education, Training & Employment (ETE) Performance 2021-22

8.14 Progress to date on priorities set 2021/2

8.14.1 To reduce the numbers of NEET young people with a specific focus on those aged 16+ who are not in full time Education, Training & Employment known to CYPJS. This will include expanding the use of accredited programmes through the group work offer and providing an exit route into further education, training and employment opportunities. Although some work has been achieved it was heavily impacted by the pandemic and numbers in post 16 EET dropped significantly. This was carefully monitored at a service and board level, and we are now seeing a return to more typical outcome data. This will therefore remain a priority for 2022.

8.14.2 To improve the targeting of ETE support for high-risk entrants and repeat offenders, including engagement with Educational Psychology services. Work has been undertaken to improve this area and a revisit of surgeries are now in place for children and staff to meet and consult with educational psychologists. Educational psychologists also attend the case management and diversity panel to consult and support staff with cases that meet the threshold for this meeting. This panel and representation were highly regarded in the ETE thematic inspection in January.

8.14.3 To ensure the service continues to respond to the needs of children and young people on EHCPs and any identified learning and neuro diversity needs. Staff will be able to use the health data provided routinely to respond appropriately to children and young people with identified health and learning needs. This will include working with the courts to ensure the right response to children with learning needs and adapt approaches, accordingly, including neurodiversity needs. This will need to be a priority for 2022. Some progress has been made in regard to work on EHCP's and the support from SES. However, further work is required specifically regarding wrap around support for children with neurodiversity needs.

8.15 Education, Training & Employment (ETE) Priorities for 2022-23

8.15.1 To reduce the numbers of NEET young people with a specific focus on those aged 16+ who are not in full time Education, Training & Employment (NEET) and known to CYPJS. This will include expanding the use of accredited programmes through the group work offer providing an exit route into further education, training and employment opportunities

8.15.2 To ensure the service continues to respond to the needs to children and young people on EHCPs and any identified learning and neuro diversity needs. Staff will be able to use the health data provided routinely to respond appropriately to young people with identified health and learning needs. This will include working with the courts to ensure the right response to children with learning needs and adapt approaches, accordingly, including neurodiversity needs. It is also hoped that the service will benchmark its work and progress against the SEND YOT's criteria for SEND awards and be able to apply for the award in 2023/4.

8.15.3 The thematic inspection of Education, Employment and Training services in Youth Offending Team in England and Wales identified the following recommendations that will be incorporated and prioritised within the partnership plan. (Not published at time of writing)

- Ensure that all children have a comprehensive ETE assessment
- Monitor, alongside the local authority, key aspects of ETE work for children working with the YOT, including:
 - the extent of school exclusion in the YOT cohort;
 - the actual level of attendance at school, college, work or training placement;
 - the extent of additional support provided to children with SEN/ ALN;
 - that every child with an ECHP or ILP has this reviewed on an annual basis to meet the statutory requirement.
- Develop ambitious aims for ETE work in the YOT, including the achievement of Level 2 English and Maths by every child
- Establish a greater range of occupational training opportunities for those children beyond compulsory school age
- Monitor and evaluate the levels of educational engagement and attainment in disproportionately represented groups within the YOT caseload in order to develop improvement, also including:
 - children with an EHCP/ ILP;
 - children with SEN/ ALN;
 - children permanently excluded from school;
 - out of court disposal cases
 - children released under investigation

8.16 Serious Youth Violence Priorities for 2022-23

8.16.1 CYPJS is a duty holder of the new Serious Violence duty and as such there is an expectation to fulfil a number of functions, for example: engaging fully with the relevant local partnership to prevent and tackle serious violence, sharing relevant aggregated and anonymised data, where practicable, to support the development of the evidence-based intervention and problem profile/strategic assessment, advising on appropriate responses to increase levels of safety within the local partnership area.

8.16.2 The Service Manager attends the serious violence delivery group and is co-leading relevant response strategy priorities. For example, supporting innovation through relevant bids and delivery of services such as the REACH project and a review of evidence-based interventions aimed at reducing violence-related reoffending.

8.16.3 Youth Justice spans both the secondary and tertiary levels of violence prevention through its early intervention work with children at risk of involvement in violence as well as those who have already committed a violence-related offence. The key priorities are to:

- Work in cooperation with the Police and VRN team, to develop cohort data to highlight key demographics and the prevalence of known risk factors amongst young people involved in violence-related offending.
- Support all cohort management processes for example the Serious Violence action group.
- Development analytical support to reduce the extent to which data can be used in planning, operational delivery and evaluation.

8.17 Restorative Justice and Victims.

8.17.1 CYPJS Victim Contact Officer (VCO) provides all direct victims of crime the opportunity to capture their voice in terms of the impact of the offence(s), supports them to be part of a restorative justice approach and works collaboratively with the Case Manager to support the child to make amends for the harm they have caused. The VCO follows the Victim's Codes of Practice and provides an enhanced service to vulnerable victims, including those under 18 years of age, those who are elderly, disabled or victims of hate crime.

8.17.2 The VCO contacts all victims of young people being sentenced to an Out of Court Disposal or Court Order to capture the victim's voice by way of a Victim Impact Statement (VIS). The victim will be offered support to attend meetings with the young person who has caused harm as part of a restorative approach which is carefully risk assessed and managed by the VCO and case manager. Victim Impact Statements are utilised by the case manager within their intervention sessions with the young person to increase their understanding of the impact and explore reparative opportunities.

8.17.3 Restorative Justice at the CYPJS offers young people who have offended:

- An opportunity to explain what happened
- An opportunity to put right any harm caused by completing direct reparation, where appropriate and / or community reparation work
- Re-integration back into the community
- Support to write letters of apology or face to face apology, where appropriate

8.17.4 CYPJS has a directory of community reparation placements set up by the Restorative Justice and Volunteer Co-ordinator, which includes painting and gardening projects to support older people's communities. Reparative activities take into account the victim's wishes and the young person's ability and interests to ensure restorative justice is meaningful for both parties. The young person is supported to attend and is supervised by either an advocate or volunteer within CYPJS to also ensure that they feel safe. Young people, where assessed as suitable for group work can be referred to the Victim and Restorative Justice programme as part of the Attendance Centre offer.

8.17.5 It is evident through research, that there is a risk of offending by young people who have been a victim of crime. Young people open to CYPJS are also supported where they have been a victim of crime, exploitation and / or adverse experiences. Support can be offered by the VCO who will also work directly with the young person to support their needs and signpost to other

services as required. The case manager will also work closely with Children’s Social Care to look at Safety Planning with the young person, parent / carer and the network involved.

8.17.6 Key Priorities for victim and RJ work:

- To review existing data sets relating to the victim offer uptake
- Explore existing processes in capturing victim’s satisfaction and ensure this is analysed to inform the future VCO work and practice of the victims and satisfaction rates.

9. National standards

9.1 Members of the Youth Justice Management Board paired up with a Team Manager in CYPJS in 2020 to complete a self-assessment against each of the five national standards (below). This was then reviewed in 2021. Indicative gradings were applied and validated. This is being revisited as an activity in 2022/3 to benchmark progress to date and identify areas for further development which will then be incorporated into the operational and strategic partnership delivery plans.

Standard One: Out of Court Disposals	
Operational – Good	Strategic – Good with outstanding features
Standard Two: Court	
Operational – Good	Strategic - Good with outstanding features
Standard Three: Community	
Operational – Good	Strategic - Outstanding
Standard Four: Secure Settings	
Operational - Good	Strategic – Good
Standard Five: Transitions	
Operational - Good	Strategic – Good

9.2 **Standard One: Existing Priorities and progress:**

9.2.1 The development of a communication strategy for The Early Intervention Team. The manager established a robust communication strategy at a strategic, operational and practitioner level. The strategy will be enhanced in 2022.

9.3 Standard One: New Priorities 2022/3:

9.3.1 In collaboration with the police, produce information that is provided to all young people when brought into custody for the first time.

9.3.2 Adopt panel pre assessments, utilising the prevention assessment framework for outcomes that are likely to be community resolutions and Asset plus for Youth cautions.

9.3.3 Develop information exchange with Liaison and Diversion to ensure all young people are provided with intervention at the earliest opportunity.

9.3.4 Out of Court Disposals (linking with the Early Interventions Team) focused on achieving the best practice outcomes for children as identified in the Crest Advisory Report. Examining the effectiveness of out of court disposals and diversion programmes and consider whether there is scope to increase their use.

9.3.5 Data Sharing - to consider what the partnership has readily available that could provide a more robust data analyst to deliver out of court work.

9.3.6. Cohort Management - continue to develop partnership processes to identify those children and adults most at risk of committing serious violence and recognising those children who may be on the periphery who require support.

9.4 Standard Two: Existing priorities and progress:

9.4.1 Greater evidence was required to illustrate that CYPJ officers have informed YP and carers/family of their order and clarify their understanding. Communication has been enhanced, and adjournment notices have been amended to ensure young people, parents and carers are communicated with effectively.

9.4.2 Strengthen the voice of young person in the Pre-Sentence Report (PSR) workforce development has focused upon participation and co-production over the last year. Quality assurance assures us that the voice of the young person is reflected. This will remain a priority as part of our commitment to improving our rights-based service.

9.5 Standard Two: New Priorities 2022/3:

9.5.1 Pre-sentence report gate keeping and quality assurance review - to ensure quality, strong voice of young people and high congruence rate.

9.5.2 Review of bail support options available to the court will be undertaken.

9.5.3 Breach quality assurance processes to be reviewed and developed to inform best practice.

9.6 Standard Three: Existing priorities and progress:

9.6.1 To revisit the induction process and forms that YP and families complete. Paperwork was redesigned through the disproportionality task and finish group and was launched as part of Children Rights and Participation Training in April 2021

9.6.2 To promote effective practice around building pro-self-identity. NACRO Training has taken place and resources have been rolled out. Work has been completed in service and team meetings to promote self-identity work with children. Quality assurance activity is scheduled in July 2022 to measure the impact of this work.

9.6.3 Continue to embed the social care and education participation strategy, ensuring that the views of children and young people, their parents/carers and other stakeholders are fully embedded in key areas within the CYPJ service. Co-production informing improved assessments, plans and service delivery which is evident within quality assurance processes. Co-produced plans replace 'Pathways and planning' (for all pre- and post-court outcomes/disposals, except for young people in custody where there is no resettlement plan). Assessed priorities in Pathways and Planning should be utilised to identify what needs to go into the plan and inform the co-produced plan.

9.7 Standard Three: New Priorities for 2022/3:

9.7.1 Child Review Meetings (CRM) to be introduced for all YROs and Custodial sentences (DTOs and Section 250's which replace section 90/91) from the 01.04.22 for new Orders and where there is more than 6 months left on the child's sentence. The rationale for the introduction of CRM's is to further enhance children's and families' participation in our service.

9.7.2 Establish data analytics and impact measures to ensure relevant services are utilised and delivered with other relevant specialist agencies and to evaluate intended outcomes and expedience of delivery.

9.7.3 Case Supervision guidance and service evaluation to be completed to provide assurance that current processes and supporting materials are fit for purpose based upon current offending behaviours.

9.8 Standard Four: Existing priorities and progress:

9.8.1 To have a comprehensive Remand Strategy, the Children in Custody working group is overseeing the development of Joint LLR Children in Custody Protocol. The protocol is now drafted ready for executive sign off.

9.8.2 Systematic recording of post court reports in contacts. The completion of the post-court report and evidence it has been sent within two hours to Youth Custody service. Processes have been updated and brief provided to the service with improved evidence of process being adhered to.

9.8.3 Strengthen links to family members and home visits as standard and increase communication with YP in custody to ensure creative ways are used as well as standard visits. Progress was limited due to the impact of Covid, therefore work to address this is ongoing.

9.8.4 Develop effective communication strategy with the three key secure settings (Werrington, Weatherby and Clayfield's). Progress has been made with Werrington. An effective communication and information exchange checklist is to be agreed as a working document with custodial establishments.

9.9 Standard Four: New priorities for 2022/3:

9.9.1 Release on temporary licence guidance to be implemented (pending the YJB review).

9.9.2 Review of processes to ensure there is a robust approach to holding services and agencies to account in the event of insufficient planning and delivery of the transition and or resettlement plan for a child.

9.9.3 Ensure that initial sentence planning considers all transitions at the earliest opportunity.

9.10 Standard Five: Existing Priorities and progress:

9.10.1 Review of resettlement standards (7 pathways) and update resettlement policy. Quality assurance is demonstrating progress in this area with ongoing work on accommodation and desistance.

9.11 Standard Five New priorities for 2022/3:

9.11.1 Child Review Meetings (CRM) to be introduced for all YROs and Custodial sentences (DTOs and Section 250's which replace section 90/91) from the 01.04.22 for new Orders and where there is more than 6 months left on the child's sentence.

9.11.2 Review of the joint CYPJS and probation transitions policy.

9.11.3 Develop working practices and protocols with the new Probation young adults' team

9.11.4 Development to support all transitions will be key over the coming year.

10. Challenges, Risks and Issues

10.1 A key risk at the time of finalising this plan is the continued impact of the coronavirus pandemic and irregular provision of performance data provided nationally. The impact of COVID for years to come is evident and will impact on all children's services including CYPJS.

10.2 An ongoing challenge for the CYPJS is to maintain continuous improvement in the context of any proposed national changes. Additional risks to future service delivery arise from reduced government and partnership funding.

10.3 The service is working with strategic partners through the YJMB to ensure that national changes to the criminal justice system through Police, HM Courts and Probation services are managed appropriately and address risk, public protection and safeguarding priorities for children and young people.

10.4 The Service underwent a full-service redesign, primarily due to funding reductions in 2019, and subsequently received a GOOD outcome from the HMIP single inspection later that year. The service has received excellent verbal feedback from the thematic ETE inspection in January of this year. The service is now striving for outstanding in all areas but is also acutely aware of the financial situation and budget reductions that will occur over the next two years. It is therefore imperative to consider the impact budget reduction will have on front line services and potential outcomes for our families. This will potentially mean an increase in case load numbers for individual staff, and this will have to be closely monitored.

10.5 HMIP were recently clear that the service was working with complex children and young people. The service is also conscious of the emerging risks regarding the increase cost of living and how this will impact on the families we work with. More collaboration and support across the partnership will be key to ensure our families receive the best offer and support possible. Leicester's partnerships are in a good place to be able to respond to an increase in need.

10.6 Child First approach - Increased scope to develop out of court interventions will require that we build a wider partnership approach to our commitment to Child First, Offender Second. Supported learning will be delivered across the partnership to establish 'child-first' principles, moving away from offence-type interventions to more holistic, relational approaches which seek to build trust and address multiple risk and protective factors.

10.7 Transitions- The growing cohort of young people aged 16 -18 open on orders makes it imperative that we improve all transitional arrangements (health, services, accommodation, education etc), ensuring that there are strengths in the transition to adult probation services particularly around maturation and understanding gaps in support. Our workforce development programme considers all training needs associated to transitions; the offer is to be expanded to include partners from probation. Service planning for the coming year specifically focuses on work to develop processes with the new Probation Service young people's team and sets out action to address key transitions related to education, health, and accommodation.

10.8 Prevention and Early Intervention - Considering the balance of the prevention open case load compared to the statutory caseload we will continue to strengthen the focus on the prevention and early intervention opportunities. Invest to Save Other Funding, multiple funding streams across the partnership may result in a duplication of services and inability to demonstrate the impact of specific interventions.

10.9 The increased risk of cases escalating through the criminal justice system is notable due to the complexity of cases. Reflecting children's experiences of trauma, serious youth violence and exploitation will be paramount.

10.10 Disproportionality within CYPJS processes and practice affecting young people's experience and outcomes will remain a priority. Ensuring there is no unconscious bias towards children and young people from different ethnic backgrounds who are open to the service was one action within the operational delivery plan for the Children and Young People's Justice Service (CYPJS) 2021-22 and will remain as such. An established task and finish group recently benchmarked the

progress of identified action, key updates have been included in the service wide disproportionality action plan that will be achieved over the coming year.

10.11 An analysis of local knife crime trends during 2021-22 was undertaken and we reviewed our delivery of services to habitual knife carriers. We found that knife related offences have increased over the last two years and that the majority were at the lower end of seriousness. Our response across the partnership needs further consideration, specifically in relation to the identification of habitual knife carrier criteria to offer a lower tariff knife crime intervention through our prevention team. We offer knife safety sessions through our Youth Service within education settings and will develop this further with the Early Intervention Team.

10.12 The service continues to work closely with health partners. Our unique health dashboard will outline presenting health needs of young people so that we can develop our health pathways. Decisions in relation to medium- and longer-term health funding will determine the on-going viability of our Health Pathways, the cessation of which would leave a gap in relation to identify, assessing and providing health services for children and young people and in the effective delivery of trauma-informed practice.

10.13 Harmful Sexual Behaviour (HSB) work undertaken at the service. Whilst HSB is a less frequent but high-risk area for youth justice services, we need to ensure all staff are suitably trained. AIM 3 assessment training has been delivered to CYPJS practitioners, work needs to be completed with Learning and Development Team to track assessment completion and ensure practitioners remain up skilled in this area. We need to consider how to further develop the offer for HSB intervention for higher risk young people.

11. Service Improvement Plan

11.1 The service business and improvement plan reflects the Youth Justice Boards vision of child first offender second by developing services that are trauma informed and aim to understand children and young people, using services and interventions that work in conjunction with the theories of desistance. Within the plan we have also identified actions that pertain to all areas of our National Standards Self-Assessment as well as including recommendations from our most recent inspection and other thematic inspections. Learning and action from case learning reviews, Quality Assurance, deep dives and performance is also included.

11.2 The Partnership Plan overseen by the Youth Justice Management Board underpins the service improvement plan and they are clearly aligned (Appendix 12 Service delivery plan).

12. Evidence-based practice and innovation

12.1 Although this past year has certainly brought more challenges with the ongoing pandemic and restrictions to adhere to, the service has continued to be innovative with several achievements to be proud of. The following outlines some of the examples of success:

- The REACH Team: Following a successful bid in partnership with the Violence Reduction Network and Leicestershire County Council. We have developed a programme that reaches out to young people who are at risk of exclusion or who have been excluded from education. The intervention adopts an innovative contextual prevention approach, spanning schools and the immediate community vicinity to proactively identify and

engage young people at 'teachable' moments in 'reachable' spaces thus recognising that school-based behavioural events are precursors to exclusion and criminal activity. Working alongside schools identified for high exclusion rates, young people are identified for intervention using clear eligibility criteria. The overall aim of the intervention is to help children and young people gain the skills and knowledge to improve their life chances and avoid further exclusion from school and becoming engaged in serious youth violence. The funding is initially for one year with a potential to be extended for a further two years dependent upon the outcomes achieved in the first year. The delivery will be independently evaluated by Sheffield Hallam University (Appendix 7 – REACH presentation).

- The service has embedded a robust offer to young people who have experienced Acute Trauma (ACE) in their lives and how to support young people with a history of trauma. Staff have been fully trained and regular case formulations take place to enhance the direct work with our children.
- Embedding the groupwork programme 'Which Way' focusing on reduction of reoffending and the interface with the youth service for co-facilitating and reaching more cohorts of young people. (Appendix 8 Which Way Q4 2021-22 report).
- Ongoing development of a localised approach and strategy embedding the 'Lundy Model' as an effective way of engaging children, young people and their families in influencing service delivery and design. This has also led to improvements with young people knowing why the service is involved with clear evidence of engagement within assessments and plans. This was evidenced in the direct feedback form HIMP as part of the ETE thematic inspection. The service has enhanced the co-production of plans with many examples of plans being written by children (Appendix 9 - coproduced plans).
- Focussed deep dives through task and finish groups, exploring disproportionality and unconscious bias within the CYPJS cohort in relation to ethnicity and children who are looked after. All staff have received training and the recommendations are routinely revisited and presented to the management board for ongoing development and sharing of best practice.
- Developed a robust approach to working with children and young people on EHCP's to ensure staff are skilled and able to adapt plans to meet identified needs. Staff were trained and a panel set up for staff to gain consultation on specific cases via SES and educational psychologists. This is now fully embedded, and staff are contributing to EHCP reviews as well as ensuring information held within the plans are used for working with children open to the service. The service is working with key partners to strengthen the support for children with neurodiversity needs and staff are being trained to recognise and work with said children. This will remain an ongoing priority.
- The Local Authority invested in the evidenced based Signs of Safety approach to support direct work with families and case management. All staff within CYPJS have revisited training over the past year to further enhance the use of SOS in day-to-day practice. The service has identified practice leads to help embed the Signs of Safety approach in the work undertaken to continue to improve outcomes for children, young people, and their families.
- Leicester City Violent Crime joint action group (JAG). Working in partnership the JAG is working to redesign the public service response to violence in Leicester City through greater collaboration and integrated working. The meeting utilises a cohort Management approach, the concept ensures that agencies are working through partnership intelligence

to identify those children and adults most at risk of committing serious violence and recognising those children who may be on the periphery who require support. Support for individuals is agreed and delivered across the partnership, intelligence and intervention updates are reviewed monthly and revised action is agreed.

- The Early Intervention Team has now been operational since November 2019 and has provided intervention to more than 600 children and young people. The relaunch of this team from the Community Resolution and Prevention team has been a success. We are now able to report a full year's cohort reaching the 12- month post closure point and the data demonstrates a significant drop in the number of young people who have re-offended as well as the number of offences committed which is supporting our reduction in FTE's. The intervention was independently evaluated, and the findings were published in July 22. (Appendix 10 Community Resolution and Prevention Team – Quarter 4 2021 – 2022 Progress Report).
- The Attendance Centre has maintained focus on development of sessions to increase confidence, self-efficacy, and motivation to desist from offending behaviour. A review and refresh have enhanced opportunities for children and young people to build knowledge and skills that aid desistance from offending and gain qualifications in preparation for working life. A well-established programme of intervention has been proving effectiveness, emphasising its focus on education and training. Intervention under the AC is also aligned with the Child first, Offender Second principle.
- CYPJS have been working in partnership with community safety representatives to support weeks of action. For example, the service has been working closely with Police Officers in the Beaumont Leys and Braunstone areas of the city, engaging with young people in the evenings around the 'knife arch' and pop-up surgeries as part of County Line Intensification initiatives.
- The Leicester Summer Arts College provides young people with an opportunity to get involved in a range of Art projects to support self-expression whilst learning a variety of new skills. Young people are offered the opportunity to attend several trips which develops young people's confidence and enables them to feel part of a team. All young people have the opportunity in gaining an Art Awards in Discover, Explore and Bronze. They showcase their work at an awards ceremony and receive their accreditation (Appendix 11 summer arts presentation).
- Continual improvements in several performance indicators including the reduction of numbers being remanded and entering custodial establishments.

13.0 Looking forward

13.1 The following outlines development plans over the next twelve months and thereafter focusing upon the services key priority areas.

13.2 First time entrants

13.2.1 Early Interventions Team to focus specifically on the prevention and protection of young people who are criminally exploited and re-offending, learning from the independent evaluation. A realignment/ review will be required to mainstream this part of the service.

13.2.2 To further reduce the frequency and seriousness of re-offending by first time entrants by earlier identification and assessment of first-time entrants, including young people subject to court orders. Utilising REACH project data to monitor impact by reaching children at the earliest point.

13.2.3 To quality assure the out of court disposal panel process and complete an audit of cases that have been disposed of through youth cautions and conditional cautions. This will be completed through the national standards self-Audit.

13.2.4 Community Resolutions Funding is now being sourced to mainstream this work due to the impact it is having. If funding is secured a recommendation to remove Youth Cautions will be considered offering community resolutions interventions in place of Youth Cautions.

13.2.5 Developing early identification and intervention through the Police issued Community Resolutions will continue to be a key priority for the forthcoming year (Refer to page 22 6.5 for full information).

13.3 Re-offending

13.3.1 Ongoing analysis of offending types and trends has been mapped and now closely monitored– by outcome type, age, gender and reported through the Performance dashboard to the Board. This needs to remain a priority to enable an understanding of packages required to respond to offending patterns i.e., bespoke group work packages.

13.3.2 To confidently articulate the impact of reoffending rates over the coming year due to tracking a smaller cohort and the likelihood of bigger swings in the percentage rates of offending. This will then enable the CYPJS and partnership to respond effectively, using local up to date knowledge to inform planning and delivery.

13.3.3 Regular refresher training/briefings for case managers on emerging themes from Quality Assurances' (QA) and live-tracker intelligence. The alignment of the reoffending toolkit meeting and QA approach ensure cases that have reoffended will receive a QA. QA reports are presented at service meetings and full EH and P service meetings.

13.3.4 Deliver a group work offer through 'Which Way' and the Attendance Centre that meets the needs of young people within their communities and is flexible to address different types of offending, delivering where required to a pre court and post court audience. Revisit the types of interventions available and used against the type of offences.

13.3.5 Participation and developing a service that is rights respecting is a key priority, and our key focus will be:

- strengthened co-production informing improved assessments, plans and service delivery which is evident within quality assurance processes.
- Induction processes, evidencing that children and young people know why we are involved and what the trajectory is.

- Victim voice more evident within out of court disposals with a stronger focus on restorative justice.

13.3.6 To continue to promote evidence-based practice to further impact on our reoffending rates.

13.3.7 Maintain scrutiny in relation to children looked after due to their overrepresentation within our service ensuring that packages of intervention meet specific need, and that there is a preventative offer in place for residential homes.

13.3.8 Work in partnership to provide a response to Serious Youth Violence through the Police, Crime, Sentencing and Courts Bill which seeks to place a new statutory duty to local authorities and wider partners to collaborate and plan to prevent and reduce serious violence.

13.3.9 To strengthen our analysis of offending by children and young people with a gravity score of 5 or more and by young people aged 16-18 to ensure we are providing the 'right' intervention.

13.3.10 To increase the focus on substance misuse treatment both through increased and appropriate referrals, and to concentrate on the engagement and retention of young people in treatment and sustaining successes.

13.3.11 Work closely to establish process and protocol with the new probation young person's team.

13.4 **Custody**

13.4.1 Targeting training with the courts and continue to track PSR proposals and outcomes in court to check courts confidence of CYPJS. To date there are no concerns, and the congruence rates are good. This is being assessed in terms of effectiveness as part of the National Standards audit.

13.4.2 Oversee bail packages being proposed as well as the number of ISS recommendations as an ongoing piece of work to negate sentences where community sentences/bail options were a viable alternative. There will be a need to monitor custodial sentences carefully due to an indication that sentencing to custody will increase as a direct impact of covid over the coming years.

13.4.3 Complete a review of the court and resettlement team in CYPJS. This will also include the role of the advocate for ISS cases and custody cases.

13.5.4 To complete and embed the child first remand strategy across LLR.

13.5 Other identified priorities

13.5.1 Ensure the joint inspection recommendations of Education, Employment and Training services in Youth Offending Team in England and Wales are incorporated and prioritised within the partnership and service delivery plan.

13.5.2 Child feedback rate at closure of intervention to achieve service target set at 80%.

13.5.3 To review existing data sets relating to the victim offer uptake and explore existing processes in capturing victim's satisfaction and ensure this is analysed to inform the future VCO work and practice of the victims and satisfaction rates.

13.5.4 To track cases that have been returned to court for revocation due to positive changes and improvements.

13.5.5 Track progress of court/CYPJS panel meetings in 2022 and their impact. This will specifically be in relation to disproportionality.

13.5.6 To continue to implement the recommendations from the task and finish group findings, exploring disproportionality of ethnicity and children looked after.

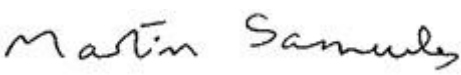
13.5.7 Establish a bespoke programme to support young people through all transitions including health, education, accommodation, children who move services and children who reach the end of their order.

13.5.8 To complete national standards self-audit and continue to ensure areas for improvements are delivered upon.

13.5.9 To ensure ETE remains a key priority and ongoing work on supporting learning needs and neurodiversity is embedded within practice.

13.5.10 To develop and embed an adolescent pathway.

14. Sign off, submission and approval

Chair of YJS Board - name	Martin Samuels
Signature	
Date	29.06.2022

Appendix 1 - LYJMB Membership and Terms of Reference Jan 2022



LYJMB Terms of Reference Jan 2022.i

Appendix 2 - Participation Pledges



Appendix 2 - Participation Pledge

Appendix 3 - Quotes form children and parents at the end of intervention



Appendix 3 - Quotes form childre

Appendix 4 - Service Structure Chart



Appendix 4 - Service Structure Ch



Appendix 4 - Staff Table.xlsx

Appendix 5 - Work Force Development 2022



Appendix 5 - Work Force Development

Appendix 6 - Financial Table 22-23



Appendix 6 - Financial Table 22-2

Appendix 7 - REACH Presentation



Appendix 7 - REACH Presentation

Appendix 8 - Which Way Q4 2021-22 Report



Appendix 8 Which
Way Q4 2021 - 22 re

Appendix 9 - Co produced plans



Appendix 9 - Co
produced Plans.pdf

Appendix 10 - Community Resolution & Prevention Team Q4 21 – 22 Progress Report.



Appendix 10 -
Community Resoluti

Appendix 11 - Summer Arts Presentation



Appendix 11 -
Summer Arts Presen

Appendix 12 - Service Delivery Plan



Appendix 12 -
Service Delivery plan

Common youth justice terms
Please add any locally used terminology

ACE	Adverse childhood experience. Events in the child's life that can have negative, long lasting impact on the child's health, and life choices
AIM 2 and 3	Assessment, intervention and moving on, an assessment tool and framework for children who have instigated harmful sexual behaviour
ASB	Anti social behaviour
AssetPlus	Assessment tool to be used for children who have been involved in offending behaviour
CAMHS	Child and adolescent mental health services
CCE	Child Criminal exploitation, where a child is forced, through threats of violence, or manipulated to take part in criminal activity
Children	We define a child as anyone who has not yet reached their 18th birthday. This is in line with the United Nations Convention on the Rights of the Child and civil legislation in England and Wales. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.
Child First	A system wide approach to working with children in the youth justice system. There are four tenants to this approach, it should be: developmentally informed, strength based, promote participation, and encourage diversion
Child looked-after	Child Looked After, where a child is looked after by the local authority
CME	Child Missing Education
Constructive resettlement	The principle of encouraging and supporting a child's positive identity development from pro-offending to pro-social
Contextual safeguarding	An approach to safeguarding children which considers the wider community and peer influences on a child's safety
Community resolution	Community resolution, an informal disposal, administered by the police, for low level offending where there has been an admission of guilt
EHCP	Education and health care plan, a plan outlining the education, health and social care needs of a child with additional needs
ETE	Education, training or employment

EHE	Electively home educated, children who are formally recorded as being educated at home and do not attend school
EOTAS	Education other than at school, children who receive their education away from a mainstream school setting
FTE	First Time Entrant. A child who receives a statutory criminal justice outcome for the first time (youth caution, youth conditional caution, or court disposal)
HMIP	Her Majesty Inspectorate of Probation. An independent arms-length body who inspect Youth Justice services and probation services
HSB	Harmful sexual behaviour, developmentally inappropriate sexual behaviour by children, which is harmful to another child or adult, or themselves
JAC	Junior Attendance Centre
MAPPA	Multi agency public protection arrangements
MFH	Missing from Home
NRM	National Referral Mechanism. The national framework for identifying and referring potential victims of modern slavery in order to gain help to support and protect them
OOCD	Out-of-court disposal. All recorded disposals where a crime is recorded, an outcome delivered but the matter is not sent to court
Outcome 22/21	An informal disposal, available where the child does not admit the offence, but they undertake intervention to build strengths to minimise the possibility of further offending
Over-represented children	Appearing in higher numbers than the local or national average
RHI	Return home Interviews. These are interviews completed after a child has been reported missing
SLCN	Speech, Language and communication needs
STC	Secure training centre
SCH	Secure children's home
Young adult	We define a young adult as someone who is 18 or over. For example, when a young adult is transferring to the adult probation service.
YJS	Youth Justice Service. This is now the preferred title for services working with children in the youth justice system. This reflects the move to a child first approach
YOI	Young offender institution

**Leicester City Council's
Children's Services
Journey to Excellence: One
year on from the Ofsted
Inspection of Local
Authority Services (ILACS)**

For discussion

Date of meeting: 6 December 2022

Lead director/officer: Martin Samuels

Useful information

- Ward(s) affected: All
- Report author: Helen Sheppard
- Author contact details: Helen.Sheppard@leicester.gov.uk
- Report version number: 1

1. Summary

- 1.1. A full inspection of Leicester City Council's Children's Services by Ofsted in autumn 2021 determined the services to be 'good'.
- 1.2. As part of the Inspection of Local Authority Children's Services (ILACS) framework, the council can now expect further inspection activity in line with the process for good and outstanding authorities.
- 1.3. Under this framework an annual engagement meeting was held with Ofsted in March 2022 covering children's social care and early help as well as SEND and education. Following on from this meeting, as is normal practice, Ofsted sent a formal letter summarising the discussion.
- 1.4. It was anticipated that the next steps for Leicester City Council would be a Joint Targeted Area Inspection (JTAI) or a focused visit. A JTAI was due to begin in September 2022 but was called off at the last minute due to sickness in the inspection team. It is anticipated that a focused visit will now be undertaken in the fairly near future. A further ILACS inspection is not anticipated before late 2024.
- 1.5. Following on from the full inspection under the ILACS framework in autumn 2021, Leicester City Council's Children's Services have begun to drive towards achieving excellence in line with the vision developed in the divisional three year plans.
- 1.6. Key activities to support this journey to excellence include, engagement as part of the Regional Improvement and Innovation Alliance, the development of an independently-chaired Excellence Board and the creation of a 'check and challenge' relationship with North Tyneside Council.

2. Recommended actions/decision

- 2.1. To understand the anticipated next steps under Ofsted's ILACS framework and note the discussion as part of the annual engagement meeting.
- 2.2. To recognise the steps being taken to progress on the journey to excellence.

3. Scrutiny / stakeholder engagement

4. Background

4.1. ILACS inspection process

4.1.1. Leicester City Council's Children's Services were rated as 'good' by Ofsted in autumn 2021 following a full inspection under the ILACS framework. As a 'good' authority, we can now expect the following in the ongoing inspection process:

- Annual engagement meeting
- Shared self-evaluation
- Short inspection (once in a three year period)
- Usually one focused visit in between inspections
- Possible JTAI (would replace a focused visit)

5. Detailed report

5.1. Annual engagement meeting

5.1.1. In spring 2022 an annual engagement meeting was held with representatives from Ofsted to discuss developments in children's services in Leicester.

5.1.2. The annual engagement meeting is an opportunity for senior officers from the local authority and senior colleagues from Ofsted to get a shared sense of the current situation and issues at that local authority. Under the ILACS framework it is expected these annual engagement meetings will help gain an accurate picture of performance and progress, identify any issues early on and plan inspection activity. The meeting is informed by Ofsted's reading of the local authority's self-evaluation which is shared in advance of the conversation.

5.1.3. The main themes from the discussion are summarised in the brief letter which Ofsted shared following the meeting. This is available for review in full in Appendix 1. The letter outlines the discussion relating to the local authority context, self-evaluation, early help, help and protection, children looked after, education and future inspection activity.

5.1.4. During the annual engagement meeting Ofsted were made aware of Leicester's concerns about financial pressures, social work staffing and placement sufficiency. In relation to education, concerns were shared with Ofsted with regards to the impact of COVID on the wellbeing of school staff and on children's learning during lockdowns.

5.1.5. In the conversation there was some discussion of the requirement for a post-inspection action plan. Ahead of the annual conversation a submission had been made to Ofsted to highlight where the SEF had been updated to capture the actions required following the full standard inspection in autumn 2021 and to detail that no separate action plan for monitoring recommendations had been created. Instead, explanation was offered that the actions form part of the service plans that align to the departmental three-year improvement plan. However, during the conversation it was made clear that a specific improvement plan to address the areas for improvement was required. Following the conversation, a plan was shaped and shared with Ofsted.

5.2. Next steps in inspection process

- 5.2.1. In the annual engagement meeting it was noted that normally Ofsted will start considering a focused visit or JTAI twelve months after a full inspection. An outline of what these inspection activities entail is provided below:
- 5.2.2. **JTAIs:** Joint targeted area inspections of local area arrangements and services for children in need of help and protection. These inspections are undertaken by Ofsted, the Care Quality Commission, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS) and Her Majesty's Inspectorate of Probation (HMI Probation). Two weeks' notice will be given for a team of eleven inspectors carrying out a week of fieldwork. From April 2022 the inspectorates have been carrying out two types of JTAI, one evaluating the multi-agency response to identification of initial need and risk (the front door of child protection) and one looking at the multi-agency response to the criminal exploitation of children.
- 5.2.3. On 5 September 2022 notification was given of a JTAI inspection with focus on the multi-agency response to the identification of initial need and risk. Inspectors were due to be on site from 19 to 23 September. In the event, the inspection did not go ahead, due to sickness in the inspection team. Brief views were given by Ofsted, based on the preliminary assessment of cases. The local system partners provided brief rapid feedback on a small number of case issues and flagged several improvement actions that we had identified during preparation for the inspection. Ofsted were clear that, because the JTAI had not been delivered, there was no formal requirement for any further reporting or action planning by the Leicester system.
- 5.2.4. **Focused visits:** five working days' notice will be given for a team of two inspectors carrying out two days of fieldwork. A focused visit will look at one or more aspects of the service, themes or cohorts of children. The topic is usually either something that has been identified as good or outstanding practice, an area where themes, trends and issues are identified, an area that will support the local authority's improvement journey, or something that feeds into part of an overarching thematic overview. Topics may include: the front door, children in need or subject to a protection plan, protection of vulnerable children from extra-familial risk, children in care, planning and achieving permanence, care leavers, children placed in unregulated and unregistered settings.
- 5.2.5. Given that the JTAI could not be taken forward as intended, it is expected that Leicester will instead be subject to a focused visit at some point over the next few months. Active preparations are in hand, both to address areas for improvement that were noted during the preliminary stages of the JTAI and to ensure that we are ready for the full scrutiny of the Ofsted inspectors.

5.3. Activity supporting our journey to excellence

- 5.3.1. While continuing to be mindful of the ongoing inspection process under the ILACS framework and working to ensure that we are inspection ready, Leicester City Council's Children's Services has shifted from centring thinking around Ofsted gradings to more broadly considering how to achieve excellence for children, young

people and their families. This push for excellence aligns with the vision developed in the divisional three-year plans.

- 5.3.2. To support this journey to excellence there have been a number of key activities carried out of the past twelve months, these include:
- Engagement as part of a 'triad' of local authorities (with Nottinghamshire and Lincolnshire) as part of the Regional Improvement and Innovation Alliance
 - The establishment of an independently chaired Excellence Board
 - The development of a 'check and challenge' relationship with North Tyneside Council

5.4. Regional Improvement and Innovation Alliance

- 5.4.1. Like all of the local authorities in the region, Leicester City Council is part of the East Midlands Regional Improvement and Innovation Alliance (RIIA). The RIIA seeks to:
- provide robust support and challenge to diagnose improvement challenges
 - systematically share knowledge about what works across the sector
 - ensure that there is effective brokerage of best practice solutions
- 5.4.2. The RIIA is a long-standing arrangement across the East Midlands but some of the activity had become dormant during the response to the COVID pandemic and some of the regular programme of peer challenge had been put on hold.
- 5.4.3. In 2022 the approach to the peer challenge conversations was refreshed and consultancy support was provided by The Staff College (an organisation that supports the development of leadership and management capacity in local authorities and, through this, contribute to the improvement of locality services for children, young people and families).
- 5.4.4. During the summer Leicester City Council, Lincolnshire County Council and Nottinghamshire County Council were joined in a peer 'triad', supported by consultant Gail Hopper (previously DCS of Rochdale Borough Council).
- 5.4.5. Gail reviewed the self-evaluation and supporting documentation shared by each authority and supported each DCS in agreeing key lines of enquiries to explore as part of a challenge day. Gail then facilitated discussion in the triad before making recommendations about the findings from each challenge and review.
- 5.4.6. During the peer challenge there were strengths identified within Leicester's self-evaluation document (SEF). It was agreed that the SEF was easy to read, clear, confident, relevant and useful. Feedback also noted that the SEF functioned as a powerful demonstration of engagement and reflected a self-awareness based on strong performance data. This represents a particular success for the authority which has historically struggled to find the level of confidence and clarity that is needed to produce a concise document. The SEF was identified as an example of good practice within the region.
- 5.4.7. The peer challenge process also identified strengths in relation to leadership, the participation focus, edge of care, the development of Signs of Safety and the engagement of the statutory Lead Member.

- 5.4.8. The areas for development that were noted for Leicester as part of the peer challenge related to placement sufficiency challenges, audit completion and the ability to demonstrate impact, management oversight and the consistency of practice. Positively, Gail reflected that leaders in Leicester have a strong grip and know their data and that they have a high awareness of the issues identified, with plans already in place to address the concerns.
- 5.4.9. As part of the peer challenge process, Leicester has been able to make suggestions for areas where peer support would be beneficial. The areas identified include:
- Early help response/prevention for adolescents
 - The exploitation offer
 - Pushing to outstanding
- 5.4.10. As we move into the next phase of the work with the RIIA there will be further opportunities to explore these areas where support is required.

5.5. Excellence Board

- 5.5.1. Prior to the full Ofsted inspection in 2021, Children's Services had an Improvement Board led by independent chair Linda Clegg (ex-DCS at Blackburn with Darwen Council and North West LGA lead for Children). This arrangement provided valuable support in the preparation for inspection and assurance that the services provided were of a good standard.
- 5.5.2. Recognising the benefits of this independent chairing arrangement to bring together key stakeholders across the children's services partnership in Leicester, it has been agreed to refresh the approach and shift from 'making improvements' to a focus on 'achieving excellence'.
- 5.5.3. Agreeing that it would be beneficial to have a new chair to support the new focus, the Department for Education/Local Government Association supported the brokering of a relationship with Jenny Coles (previously Hertfordshire's Director of Children's Services, former president of the Association of Directors of Children's Services, trustee for the WWCS) who has now been engaged as the independent chair of the Leicester City Children's Excellence Board.
- 5.5.4. The purpose of the Leicester City Children's Excellence Board is to support partners in Leicester to achieve and maintain excellence in their practice and in the outcomes for children, young people and their families (particularly for those children in need of help and protection, including those with Special Educational Needs and Disabilities [SEND], children who are looked after, care leavers and those seeking permanence).
- 5.5.5. There are two key areas of focus for the Excellence Board:
- Challenging stuck issues to ensure there remains a good foundation of getting the basics done well
 - Driving innovation and supporting thinking about how to do things differently to deliver excellent outcomes
- 5.5.6. The board is due to meet for the first time on 14 November 2022 and will include directors from across Children's Services at Leicester City Council as well as

senior representatives from the NHS Integrated Commissioning Board, Leicestershire Partnership Trust and Leicestershire Police. The full terms of reference for the board are available to view in appendix 2.

5.6. 'Check and Challenge' with North Tyneside

- 5.6.1. To complement the support offered by Jenny Coles through the independent chairing arrangements of the Excellence Board, a relationship for additional independent 'check and challenge' has been brokered via Stewart Bembridge (Children's Services Regional Improvement Support Lead - East Midlands, for the Department for Education).
- 5.6.2. A number of potential local authorities were suggested and after consideration of the demographics, performance data, Ofsted ratings and published priorities, it was determined that North Tyneside Council offered a good match. This decision was also ratified by Jenny Coles, chair of the Excellence Board.
- 5.6.3. It has been agreed with North Tyneside Council that they will support Leicester through a 'check and challenge' relationship, incorporating elements of coaching/mentoring to help provide assurance and further independent oversight.
- 5.6.4. Three key areas have been identified to focus on with North Tyneside: strengthening practice, SEND/early help and complex/stuck cases. A full outline of the brief to North Tyneside is available in appendix 3.
- 5.6.5. This work with North Tyneside is currently being scheduled.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

There are no financial implications arising from this report.
Martin Judson, Head of Finance

6.2 Legal implications

There are no direct legal implications arising from the report.
Pretty Patel, Head of Law, Social Care & Safeguarding Tel: 0116 454 1457

6.3 Equalities implications

Children's Services are responsible for protecting and promoting the welfare of children in need in the city and also for ensuring that everyone is in receipt of education.

The report provides an update on the anticipated next steps under Ofsted's ILACS framework and the steps being taken to progress on the journey to excellence. Leicester has larger proportions of younger people compared to England. According to census information, the city has a much higher level of ethnic diversity amongst its children and young people than most other council areas. The Index of Deprivation 2019 showed that Leicester is ranked as the 32nd most deprived out of 151 local authority areas in England, deprivation has an important impact on children's lives and health.

The framework aims not to be dependent on one major single inspection event but to provide insight to Ofsted on the performance and direction of travel for the authority. Delivering effective children's services that champion the needs and improved outcomes for children and young people, should lead to positive impacts for children and young people from across all protected characteristics.

The Inspection of Local Authority Children's Services (ILACS) framework focuses on the effectiveness of local authority services and arrangements:

- to help and protect children (from across all protected characteristics)
- the experiences and progress of children in care wherever they live, including those children who return home
- the arrangements for permanence for children who are looked after, including adoption
- the experiences and progress of care leavers

They also evaluate:

- the effectiveness of leaders and managers
- the impact they have on the lives of children and young people
- the quality of professional practice

One of the underpinning principles of the inspection is focussing on the things that matter most to children's lives.

Equalities Officer, Surinder Singh Ext 37 4148

6.4 Climate Emergency implications

There are no significant climate emergency implications directly associated with this report.
Aidan Davis, Sustainability Officer, Ext 37 2284

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

7. Background information and other papers: n/a

8. Summary of appendices:

- Appendix 1: Annual Engagement Meeting letter
- Appendix 2: Excellence Board Terms of Reference
- Appendix 3: North Tyneside Check and Challenge briefing

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)? No

10. Is this a "key decision"? If so, why? No

Appendix 1: Annual Engagement Meeting letter

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20 April 2022

Sent by email to: Martin.Samuels@leicester.gov.uk

Martin Samuels
Strategic Director of Social Care and Education
Leicester City Council
City Hall
115 Charles Street
Leicester
LE1 1FZ

Katrina Gueli HMI
Regional Director – East

Dear Martin

Annual Engagement Meeting 9 March 2022

Thank you to you and your team for meeting with Nick McMullen SHMI, Simon Hollingsworth SHMI, and me to consider your self-evaluation and to discuss developments in children's services in Leicester.

Local authority context

You reflected that the ILACS in September 2021 was a positive experience for leaders and staff. You described the process as very helpful and that the outcomes are a validation of several years' hard work. You are clear that this does not mean that work and improvement will stop, but you are entering a new phase. You have stood down your improvement board and are replacing this with an excellence board. You are hopeful that the appointment of a highly experienced chair of this board will soon be confirmed. There have been some changes in your leadership team but, overall, you feel that you have leadership stability. Political support has been consistent, and you reported a strong relationship with the Chief Operating Officer which ensures suitable prioritisation for children's services.

Financial pressures are a concern for you. While children's services are operating within budget, future funding for the whole council is highly challenging. You anticipate that some difficult financial decisions will need to be made, probably after the next council elections in May 2023.

Currently, in common with many authorities, your two biggest challenges are social work staffing and placement sufficiency. You report that it is currently very difficult to source suitable agency workers or recruit experienced social workers. This is leading to some caseloads being higher than you would wish. Delays in processing court proceedings have

also contributed to this, although this should decrease over time as the backlog is worked through. You are experiencing particular difficulties in finding suitable placements for children with more complex needs who require specialist care.

Self-Evaluation

You have updated your self-evaluation following the inspection, and the deliberate shift in tone was noticeable in the document. This reflects your greater confidence in the strengths of your services and development work.

There has been some confusion about the expectations regarding the post-inspection action plan you are required to submit. You accept this, and will arrange for a plan that addresses the areas for improvement to be sent to us.

A strong theme throughout your self-evaluation is your work on participation. You are proud of what you have achieved and confident that children's views and voices are supported by your services. To further develop this, you are working on children's records being written as though direct to the child.

Early Help

You feel you have maintained your investment in early help and see this as essential to having a sustainable service and preventing the need for children to become looked after. You are working on your family hub model to provide a truly integrated 0-19 offer.

Help and Protection

Front door referrals are now roughly back to pre-Covid levels, but you are noticing increased complexity of needs in children being referred. You consider that this reflects, in part, the impact of increased pressures on families during the pandemic.

You described detailed plans to address your areas for improvement, including private fostering, LADO recording and support for homeless 16- and 17-year-olds.

You have not seen any noticeable increase in safeguarding referrals for children missing from school but will remain vigilant in this area, given the emerging national concerns.

Children Looked After

You are planning to expand your in-house residential service as part of your response to placement pressures. At present you have no children under 16 in unregistered provision but do have several older children in such settings. You are confident that your managers have a good understanding of when care is being provided and that all placements are carefully monitored.

You are currently looking after 22 unaccompanied asylum-seeking children with a further 35 receiving care leaver support. You are meeting your quota under the national transfer

scheme but are frustrated that children continue to be placed in hotels by the Home Office when they have been incorrectly age-assessed.

You feel that your approach to supporting care leavers post-21 is now a well-established part of your offer. You report that you will also support care leavers who return and request help, and provide sensitive support to care leavers wanting to access their care records.

Future inspection activity

Normally Ofsted will start considering a focused visit or JTAI 12 months after a full inspection. This means your next visit is unlikely to be before September 2022.

Education

We discussed the impact of the COVID-19 pandemic on schools, children and young people in your local authority. You reported that there are gaps in children's learning due to the lockdowns, and described how significant these are for Leicester. In particular, you have identified gaps in younger children's ability to read and in their knowledge of spelling, punctuation and grammar. You also told us that the lockdowns have restricted children's opportunities to benefit from enrichment opportunities, as well as having a negative effect on children's mental health and well-being. You described how you are supporting schools as they address these issues, including in schools' work to fill knowledge gaps.

You are concerned about the negative impact that COVID-19 has had on teachers' and school leaders' well-being. You told us that there are a number of experienced headteachers and leaders who have chosen to leave their schools or the profession this academic year. While schools have managed to replace these leaders, you are concerned at the loss of this knowledge and experience. You discussed the training and support you are providing new leaders to help them fulfil their responsibilities well.

We discussed your work to support pupils with SEND and children who are in the care of the local authority. You told us that you have focused on promoting an inclusive approach to these children's education. This is to ensure that they receive their education in mainstream schools, when this is appropriate. You reported a rise in the number of children who have additional needs and in the number of applications for education, health and care plans. You outlined your work to identify the range of additional needs these pupils have, and to support schools in tailoring their provision to meet these needs. You recognise that there is further work for you to undertake to increase parents' confidence in how mainstream schools can cater for their children's additional needs. To this end, you are pleased with the relationship you have developed with the parent carer forum. You are pleased with the outcome of the area SEND revisit, which took place in May 2021. You feel that this inspection highlighted your ambition for children and young people with SEND.

We discussed elective home education (EHE). You reported that the number of children who are currently being electively home educated has recently begun to drop. You told us how education welfare service professionals have worked closely with those parents and carers who have opted for EHE for their children.

We discussed attendance and exclusions. You reported that attendance is lower than usual, including in special schools. You are concerned at the continued persistent absence of some children who were regularly absent from school before the pandemic. You recognise that some pupils with SEND continue to be absent due to anxieties about COVID-19. You reported a significant increase in exclusions, including permanent exclusions. You recognise the need to assist school leaders in their work to support pupils who are at risk of exclusion, to help them remain in school.

You told us of the work that you are completing with schools to ensure that they understand their responsibilities for any of their pupils who attend alternative provision. You continue to work with schools to ensure that you understand which of their pupils are at any such settings, how well they attend and what provision they are receiving. You told us that you recognise how such provision can be helpful for some pupils to keep them engaged in education. However, you are also concerned at occasions when pupils may receive all of their education at alternative provision, when this may not be in the child's best interests.

Please pass on our thanks to colleagues for their preparation and contributions to the meeting. I look forward to hearing about further developments in Leicester.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Gueli', written in a cursive style.

Katrina Gueli HMI
Regional Director, East Midlands

Appendix 2: Excellence Board Terms of Reference

<p>Terms of Reference</p> <p>Leicester City Children’s Excellence Board</p>	
Purpose	<p>The purpose of the Leicester City Children’s Excellence Board is to support partners in Leicester to achieve and maintain excellence in their practice and in the outcomes for children, young people and their families (particularly for those children in need of help and protection, including those with Special Educational Needs and Disabilities [SEND], children who are looked after, care leavers and those seeking permanence).</p> <p>There are two key areas of focus for the Board:</p> <ol style="list-style-type: none"> 1. Challenging stuck issues to ensure there remains a good foundation of getting the basics done well 2. Driving innovation and supporting thinking about how to do things differently to deliver excellent outcomes
Governance and Accountability	<p>The Board has close links with the LLR Integrated Care System, and the Leicester SEND Improvement Board, Corporate Parenting Board and Leicester Safeguarding Children Partnership Board.</p>
Objectives	<p>The objectives of the Board are to:</p> <ul style="list-style-type: none"> • Challenge strategic partners to deliver and maintain positive change for children and families in Leicester • Ensure a consistent narrative across the partnership, reflective of shared philosophies and values • Create and maintain momentum to unblock issues, and regularly review progress, value and impact • Ensure the achievement and maintenance of excellence is informed by the views of children, young people and front-line practitioners, based on the principles of the Lundy Model
Meetings	<p>Full Leicester City Children’s Excellence Board meetings led by the chair take place on a quarterly basis over Microsoft Teams.</p> <p>Additionally, in between the chaired sessions there are business focused meetings with all members except the chair to progress actions in readiness for full meetings. These meetings will also take place on Microsoft Teams.</p>
Independent chair	<p>The Board has an independent chair who provides external challenge and facilitates frank discussion between partners.</p>

	Name	Organisation	Job role
Membership	Jenny Coles		Independent chair
	Martin Samuels	Leicester City Council	Strategic Director Social Care and Education (DCS)
	Tracie Rees	Leicester City Council	Director SEND and Early Help
	Caroline Tote	Leicester City Council	Director Children's Social Care
	Sue Welford/Sophie Maltby	Leicester City Council	Principal Education Officer
	Jane Pierce	Leicester City Council	Head of Service Planning, Performance and Transformation
	Helen Sheppard	Leicester City Council	Senior Project Manager
	Matt Ditcher	Leicestershire Police	Detective Superintendent – Serious Crime
	Chris West	LLR NHS Integrated Care Board	Deputy Director for Nursing, Quality & Performance
	Helen Thompson	Leicestershire Partnership NHS Trust	Director of Families, Young People and Children's and LD Services

Appendix 3: North Tyneside Check and Challenge briefing

North Tyneside will support Leicester through a check and challenge relationship, incorporating elements of coaching/mentoring to help provide assurance to Leicester’s Children’s Services Senior Management Team on their journey to excellence. This will complement the independent oversight offered through the Excellence Board by Jenny Coles.

Leicester will identify three areas of focus to explore with North Tyneside, also determining the key stakeholders who will need to be party to the discussions on each topic.

Initial suggestions are as follows:

Area	Focus	Leicester reps
Strengthening Practice	<p>a. Consideration of the Signs of Safety model and the multi-agency perspective of use in North Tyneside – how has a success been made of this, how has the partnership role been embedded.</p> <p>A strength-based approach to practice is evidenced, with all partners effectively using Signs of Safety to support children, young people and families.</p> <p>It is evidenced that services we provide recognise and meet the needs of the communities we work with.</p> <p>Practitioners can confidently integrate the principles of strength based and trauma informed practice.</p> <p>b. Families report respectful responsive practice.</p> <p>c. Discussion around management oversight and the development of a QA/learning cycle that engages the whole workforce and not just the layer of senior management.</p>	<p>Caroline Tote – Director Children’s Social Care and Early Help</p> <p>Rebecca Small – Head of Service Children’s Social Work</p> <p>Kate Wells – Head of Service Safeguarding and Quality Assurance</p> <p>Keral Patel – Principal Social Worker</p>
SEND/Early Help	<p>Reflection on the links between SEND and early help, how is this structured, what can Leicester learn as we look to change the way our own services are structured.</p>	<p>Caroline Tote – Director Children’s Social Care and Early Help</p> <p>Tracie Rees – Director of SEND</p>
Complex/stuck cases	<p>Potential for reflection on innovative approaches to address particular stuck cases and consideration of responses to complexity.</p>	<p>Caroline Tote – Director Children’s Social Care and Early Help</p> <p>Rebecca Small – Head of Service Children’s Social Work</p>

Appendix E

Children, Young People & Education Scrutiny Commission Report

Update – Commissioning approach to
SEND Transport

Lead Members: Cllr Elly Cutkelvin
& Councillor Sarah Russell

Date: 6 December 2022

Lead Strategic Director: Martin Samuels

Useful information

- Ward(s) affected: All
- Report author: Clare Nagle & Andy Humpherson
- Author contact details: Clare.Nagle@Leicester.gov.uk
Andy.Humpherson@leicester.gov.uk
- Report version number: v2

1. Summary

- 1.1. In April 2021 The Council set out its commissioning programme for Transport in light of growing costs, and over reliance on the use of Taxi's to transport SEND children to and from school. The commissioning programme included 2 parallel workstreams 1. reducing reliance on the use of taxis; and 2. the procurement of any remaining required taxi arrangements.
- 1.2. This report provides the Children, Young People & Education Scrutiny Commission with an update on the commissioning programme for Special Education Needs and Disabilities (SEND), including the Taxi re-procurement exercise to ensure new contracts were in place with effect from 1 April 2022 and progress on managing demand and reducing reliance on the use of taxis.
- 1.3. Work has progressed against both workstreams, but currently The Council still predominately uses taxis to meet its legal requirement to ensure children and young people with SEND can attend their identified school. For 2021/22 the Council commissioned 206,089 journeys for 1451 pupils with SEND, at a cost of £11.2m.
- 1.4. The existing contracts were due to expire, a re-procurement exercise took place during 2021 to ensure new contracts were in place with effect from 1 April 2022. Two procurement options were considered, including a Framework Agreement and a Dynamic Purchasing System.
- 1.5. The Framework Agreement was discounted because this would restrict the number of providers the council could work with for the length of the Framework.
- 1.6. Therefore, a Dynamic Purchasing System was tendered as the new model of delivery. This was the favoured option because it was being used in other local authorities successfully and we had access to a system within the Council. Paragraph 3.11 explains how the system works in detail.
- 1.7. The new system has 26 taxi companies registered to deliver journeys (with 3 further providers awaiting approval), compared to 22 for the previous

framework. Although the Dynamic Purchasing System was introduced in April 2022, changes were introduced over a 5-month period to reduce the impact on children and families, and wherever possible, the same taxi company was used if they were included on the new system.

- 1.8. In terms of costs, these have risen from over £11m for 2021/22 to an estimated cost of over £14m for 2022/23, which equates to a 27% increase. This reflects the national situation in terms of increasing fuel costs, inflation, wage increases and the cost of living. Information received from the East Midland Directors for Children's Social Care suggest that many have seen increases of up to 40%. Also, the Council's Licencing Service has agreed a 40% increase to the Hackney Taxi fares, which again emphasizes the increasing cost for this sector.
- 1.9. Due to the additional burden on the General Fund budget, other options for providing travel support continues to be promoted and explored via the Reducing Reliance programme. This has included in 2021-22:
- the review and implementation of the Council's Travel Policy (April 2022), which defines the eligibility criteria and includes a range of alternative travel options for families including Personal Transport Budgets, Bus Passes, Independent Travel Training.
 - Working with one Special School to trial the school transporting its own pupils
 - Researching purchasing/loaning cars to families
- 1.10. As part of the managing demand workstream for the Commissioning of transport, consideration is also being given to increase the use of the Council's 'in house' buses. Further information is detailed in the main body of the report.

2. Recommendations

- 2.1 The Children, Young People & Education Scrutiny Commission is recommended to note the contents of this report and to provide comment/feedback.

3. Background Information

- 3.1 The Council has a legal duty to make, in the case of an eligible child, such travel arrangements as they consider necessary to facilitate a child's attendance at school. Eligible children include those of statutory school age if their nearest school is beyond 2 miles (below the age of 8) or beyond 3 miles, those children who cannot reasonably be expected to walk to school because of their mobility problems or because of health and safety issues relating to their special educational needs or disability and those children

who cannot reasonably be expected to walk to the nearest suitable school because the nature of the route is deemed unsafe to walk.

- 3.2 Most children and young people in the city live within walking distance of their local designated school, but for those with Special Educational Needs and Disabilities (SEND) and have an Education Health & Care Plan (EHCP) the majority will be eligible for travel assistance.
- 3.3 For 2022/23 it is predicted that 836 pupils will be transported by a taxi at an average cost of £12.3k per annum. 550 pupils are placed on an in-house bus at a cost of £6.8k per annum and a further 151 pupils will be in receipt of a Personal Transport Budget at an average cost of £2.4k per annum.
- 3.4 These numbers will increase as the number of children and young people becoming eligible for a EHCP with a forecast increase of 11% in 2023/24 and 9% in 2024/25. This is a national issue, driven by factors associated with covid, although Leicester EHCP numbers are still lower when compared to our statistical comparator group.
- 3.5 Currently 50% of children and young people with an EHCP receive travel assistance, with 50% of these using taxis, 40% accessing the Council's in house bus fleet and 10% taking a Personal Transport Budget.
- 3.6 As part of the managing Demand workstream for Commissioning Transport, actions are currently in place to reduce the use of taxis, which includes a stricter application of the Councils Travel Policy (last updated in April 2022). This includes the use of a Personal Transport Budget as the first option. A Personal Travel Budget includes a yearly payment of £500 and 45p per mile to and from school. The average cost is £2.4k compared to £12k per annum for a taxi. If this is refused then an in-house bus will be offered, unless there are behavioural issues or if the school is not on a bus route. A taxi will only be allocated if no other option is available.
- 3.7 Further work is in progress for a Special School to trial transporting their own pupils following a review of locations and viability of transporting pupils together. Additionally, pupils have been travel trained in a mainstream school, following which there are opportunities for bus passes to be issued. Work was undertaken to research purchasing electric cars for families, as a trial unfortunately due to issues with components this was not a viable option to pursue further.
- 3.8 The council is not obliged to provide travel assistance to those young people aged 16 plus in further education, unless there are exceptional circumstance and following a consultation process it was agreed that a 2-year transition period would be allowed, which ends in 2024. This is likely to save up to £1m from 2024/25. If travel is supported, then they will only be offered a Personal Transport Budget.
- 3.9 The Council is also increasing the use of Designated School Placements (DSP), these are units based in mainstream schools that support children

and young people with SEND, which allows them to interact with their peers in their local school/community, whilst receiving additional educational support.

- 3.10 EHCP's are reviewed each year to ensure they are still relevant to a child's developing needs. This review will now also include an update of any travel arrangements to determine if transport is still needed and if so, it can be changed to remove the use of a taxi. This includes the use of travel training for young people to increase their independence as they move into adulthood.
- 3.11 In terms of the taxi provision, the Council has contracted with a number of local taxi companies for a number of years, but due to the value of the contract, a re-procurement exercise was needed. A re-procurement exercise commenced in June 2020 but was abandoned in January 2021, after the taxi companies that were awarded, contracts refused to accept the new price, despite being fully engaged in the process.
- 3.12 Therefore, a further re-procurement exercise commenced in November 2021, and it was decided to use the Dynamic Purchasing System (DPS). This system was chosen over the traditional Framework Agreement aiming to get as many providers (including individual drivers) to bid for the journeys and create as much competition in the market to reduce journey costs.
- 3.13 The benefits of the system are that it is open to the market and providers/individual drivers can join the DPS at any time during the life of the framework. The journeys are published and open for providers to bid and awarded to the most economically advantageously bid. It is anticipated a greater number of providers on the framework will create increased competition in the market.
- 3.14 However, the concerns are the expectation of number of providers joining DPS and bidding on journey advertised has not met our expectations, therefore the journey costs have not reduced as much as we had anticipated. Additionally, bids are not being received from a diverse range of providers and journeys remain with a select number of providers
- 3.15 Whilst the current taxi contract is stable and is not due to expire until 2027, the costs continue to increase and therefore work is currently in progress to look at increasing the in-house bus provision. This will include the cost of developing new routes to the Designated School Placement sites, and the possibility of using local pickup points to reduce the time pupils sit on buses, as traditionally they would go from house to house. Consideration is also being given to looking at the split shifts to make the driver role more attractive. It is envisaged that this work will be completed towards the end of January with changes being implemented during early 2023.

4. Scrutiny Overview

4.1 A verbal update was provided to the Children, Young People & Education Scrutiny Commission meeting on 14 June 2022.

5. Finance

The rising cost of SEN home to school transport is unsustainable. Unlike special school placements which are funded from the dedicated schools grant, transport has to be paid for from the LA's general fund. The LA spent £11.2m in 2021/22 and is forecasting £12.8m in 2022/23, £1.5m more than the budget.

Numbers of EHC plans have been rising significantly (a problem nationally) which has increased demand for transport. Taxi firms failed to implement the fixed rate per mile framework contract in January 2021. As a result, the LA continues to be exposed to taxi firms tendered prices under the revised procurement process. Rates were increased by 10% after pressure from taxi firms in 2022 following the fuel price increase. Re-procurement of journeys using the dynamic purchasing system has seen rates increase further (on average by 5%) from September 2022.

Personal transport budgets are being promoted heavily as the first option where transport support is required. Increasing the number of bus routes is also being looked at where this makes economic sense compared to using an individual taxi. The proportion of children using taxis for transport support needs to reduce significantly as the budget for home to transport is to become sustainable.

Martin Judson, Head of Finance

6. Legal

The legal obligations in relation to home to school transport are set out in paragraph 3.1 of the report. On the basis that no proposals are set out in the report, there are no further legal implications arising at this time.

Julia Slipper, Principal Lawyer (Education & Employment) Tel: ext 6855

7. Equalities

When making decisions, the Council must comply with the Public Sector Equality Duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share a 'protected characteristic' and those who do not.

In doing so, the council must consider the possible impact on those who are likely to be affected by the recommendation and their protected characteristics.

Protected groups under the Equality Act 2010 are age, disability, gender re-assignment, pregnancy/maternity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.

The report provides an update on the taxi re-procurement and the decision to put in place a dynamic purchasing system as the new model of delivery. The model was introduced in April 2022 and embedded over the next five months in order to reduce the impact on children and families.

An Equality Impact Assessment has been carried out on the Taxi Procurement, however this was based on the Taxi Framework Agreement. The EIA needs to be updated to reflect the chosen service delivery model, the dynamic purchasing system and also needs to reflect changes cited in this report such as the review and implementation of the councils travel policy. Need to ensure equality considerations are taken into account not just in the EIA but also the decision-making process, as they will have a direct impact on children and their families and the provision of travel available to them.

Further advice and guidance can be sought from the Corporate Equalities Team.

Sukhi Biring, Equalities Officer, 454 4175

Children, Young People and Education (CYPE) Scrutiny Commission

WORK PROGRAMME 2022 - 23

Meeting Date	Meeting Items	Actions Arising	Progress
14 June 2022	<ol style="list-style-type: none"> 1) Provision of Taxi Framework for Vulnerable People 2) Review of High Needs Block – SEN Support for Pupils in Mainstream Education White Paper – high level assessment 3) Education White Paper – high level assessment 		
6 September 2022	<ol style="list-style-type: none"> 1) SEND Green Paper – consultation response 2) New SEND inspection framework - update 	THIS MEETING WAS ADJOURNED DUE TO IT BEING INQUORATE	
25 October 2022	<ol style="list-style-type: none"> 1) Virtual School 2) SEND Pupil Place Planning 3) SEND Inspection Framework 4) SEND Accelerated Progress Plan (verbal update) 5) SEND Green Paper Consultation Response (for information) 6) Ashfield Academy Consultation 7) Fostering Annual Report (for information only) 8) Adoption Annual Report (for information only) 9) Verbal update on Covid-19 in schools 		

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Appendix F

Meeting Date	Meeting Items	Actions Arising	Progress
Tuesday 6th December 2022	<ol style="list-style-type: none"> 1) Children not in state-maintained schools 2) Youth Justice Plan 3) Journey to Excellence: One Year on from the Ofsted Inspection of Local Authority Services (ILACS) 4) Update – Commissioning approach to SEND transport 		
Tuesday 24th January 2023	<ol style="list-style-type: none"> 1) Draft General Fund 2023/24 Revenue Budget & Draft Capital Programme 2) Impact on children’s learning of the impact of Covid (Primary schools) 3) Residential children’s homes 4) Family hubs 		
Tuesday 21st March 2023	<ol style="list-style-type: none"> 1) Impact on children’s learning of the impact of Covid (Secondary schools) 2) Ash Field Academy Residential Consultation Report 		

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Draft Forward Plan / Suggested Items for 2022/23

Topic	Details / Progress	Proposed Date
Performance Reporting and data monitoring, including Quarterly and Qualitative Reports	The commission to receive regular 'Quarterly Quality Assurance & Performance' Reports - (<i>'Performance Book' and 'Dashboard' is sent to members as background information</i>). <u>Note:</u> a request for the sharing of LADO reports to resume, was given in the Oct 2021 meeting by outside representatives.	STANDING ITEM – as appropriate
COVID19 Update and Vaccinations in Schools	This was requested as a standing item by Chair following the Oct 2021 meeting.	STANDING ITEM – as appropriate
Safeguarding Partnership Annual report	To receive a report for members consideration.	tbc
School Attendance Annual Report (incorporating update on Children Missing Education and Elective Home Education)	To receive a report on progress for members consideration	tbc
Report on Multisystemic Therapy-Child Abuse and Neglect (MST-CAN) & Functional Family Therapy (FFT) intervention programmes (Annual Report)	To receive a report on progress for members consideration	Oct 2022?
Adventure playgrounds	Item carried over from the previous work programme.	tbc
OFSTED engagement	Commission aware of potential updates that may be given during this municipal year.	TBC
How schools have coped with national exams and pressures	further detail at a future meeting, once data relating to the pattern of grades is collated in February 2022 (requested by Cllr Cole in June's Agenda Meeting)	TBC
School Nursing Provision	Potential joint Item with Health and Well-being Scrutiny Commission	HWB on 1 December.
Update – SEND bandings moderation process. Tracie Rees and Sophie Maltby	Deferred from December 2022 meeting	

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Topic	Details / Progress	Proposed Date
Ash Field Academy Banding Update: Tracie Rees	Deferred from December 2022 meeting	

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