

NOTICE OF MEETING

CORPORATE PARENTING ADVISORY BRIEFING

Tuesday, 25th January, 2022, 7.00 pm – Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Zena Brabazon, Patrick Berryman, Sakina Chenot, Sarah James, Felicia Opoku, Tammy Palmer and Elin Weston

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE (IF ANY)

3. URGENT BUSINESS

The Chair will consider the admission of late items of urgent business. Late items will be considered under the agenda item they appear. New items will be dealt with at item 8 below.

4. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the

existence and nature of that interest at the commencement of that consideration, or when the consideration becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.

5. MINUTES (PAGES 1 - 4)

To consider the minutes of the meeting held on 5 October 2021.

6. PERFORMANCE MANAGEMENT: CHILDREN AND FAMILIES (PAGES 5 - 10)

This report provides an analysis of the performance data and trends for an agreed set of measures relating to looked after children on behalf of the Corporate Parenting Advisory Committee.

7. HMIP THEMATIC INSPECTION ON "THE EXPERIENCES OF BLACK AND MIXED HERITAGE BOYS IN THE YOUTH JUSTICE SYSTEM" (PAGES 11 - 94)

To consider the the outcome of the HMIP Thematic Inspection into "The experiences of black and mixed heritage boys in the youth justice system"

8. VOICE OF THE CHILD GUIDANCE (PAGES 95 - 116)

The Voice of the Child Guidance for practitioners in CYPS is presented to Members of CPAC for information so they can be assured of the focus of this issue for staff.

9. ANNUAL REPORT OF FOSTERING SERVICE APRIL 2020 TO MARCH 2021 (PAGES 117 - 134)

This is the Annual Report of the Fostering Service from April 2020 to March 2021 which evaluates the service provisions, key objectives and priorities for future developments

10. ANY OTHER BUSINESS

11. DATES OF FUTURE MEETINGS

17 March 2022

Nazyer Choudhury, Principal Committee Co-ordinator
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Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Monday, 17 January 2022

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**MINUTES OF MEETING Corporate Parenting Advisory
Committee HELD ON Tuesday, 5th October, 2021, 7.15 - 9.20 pm**

PRESENT:

Councillors: Zena Brabazon, Tammy Palmer and Elin Weston

11. FILMING AT MEETINGS

The Chair informed all present that the meeting would be streamed on the Council's website.

12. APOLOGIES FOR ABSENCE (IF ANY)

Apologies for absence were received from Councillors Berryman, Chenot, James and Opoku.

13. URGENT BUSINESS

None.

14. DECLARATIONS OF INTEREST

None.

15. MINUTES

RESOLVED that the minutes of the meeting held on 15 July 2021 be approved as a correct record.

16. PERFORMANCE MANAGEMENT : CHILDREN AND FAMILIES

Richard Hutton, Senior Performance Officer, introduced the report as set out.

Officers responded to questions from the Committee:

Care Plans

There had been difficulty in terms of updating care plans due to lockdown and Covid. A recent key challenge was around staffing. There were a number of vacancies within the service. Work was being carried to improve this. It was worth noting that this was not an issue specific to Haringey.

NEETS/EETS

35% was an improvement compared to previous figures, and Haringey were ahead of the England average. There was dedicated support from Haringey Works for the 18-25 population.

The Chair requested that some case studies be included in the next performance report on success within the employment market. **ACTION**

The report was noted.

17. STOP AND SEARCH (VERBAL UPDATE)

Ann Graham, Director of Children's Services, and Beverly Hendricks, Assistant Director for Safeguarding and Social Care, provided a presentation on stop and search.

Officers responded to questions from the Committee:

Police were aware of the trust and confidence issues with some young people, and it was pleasing that the Police felt comfortable to share this information with the Council. There would always be discussions around trust and confidence with the Police, but it was important to focus on positives with children and young people.

This report was shared with HMI probation when the thematic inspection on disproportionality for black and dual heritage boys took place, and they were impressed with the joint work carried out. Councillor Weston suggested that this should be shared with the Mayor of London to bring their attention to the good work carried out.

The Chair suggested that a joint event with the Police could be held with wider colleagues to share this information.

The report was noted.

18. ADOPT LONDON NORTH (ALN) ANNUAL REPORT

Lydia Samuel introduced the report as set out.

Members noted that it was good to see this piece of work starting to show results. It was reassuring to see the Haringey figures and good relationships being built.

Officers responded to questions from the Committee:

People were welcomed when considering adoption, but were not encouraged to rush into the assessment process. It took a minimum of six months to be approved and be ready for a placement. More comparative data would be available over time.

Generally, Haringey had one of the highest levels for adoption. Once more data was available then analysis could be carried out.

Court decisions were around triple the time taken pre-Covid, and now took around 18 months rather than 26 weeks.

There was not a great deal of information in relation to adoption breakdown, because adoptions were not monitored by the Local Authorities once the court decision had been made.

The report was noted.

19. HARINGEY VIRTUAL SCHOOL ANNUAL REPORT FOR ACADEMIC YEAR 2019-20

Nicola Morgan, Headteacher – Virtual Head of Schools, introduced the report as set out.

The Committee commended the work carried out and the good progress made.

The report was noted.

20. ANY OTHER BUSINESS

None.

21. DATES OF FUTURE MEETINGS

25 January 2022
17 March 2022

CHAIR:

Signed by Chair

Date

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Report for: Corporate Parent Advisory Committee: January 2022

Item number:

Title: Performance for Quarter 3 2021/22

Report

Authorised by: Director Children's Services Ann Graham

Lead Officer: Richard Hutton, Performance and Business Intelligence
richard.hutton@haringey.gov.uk

Ward(s) affected: All

Report for Key/

Non Key Decision: Non key

1. Introduction

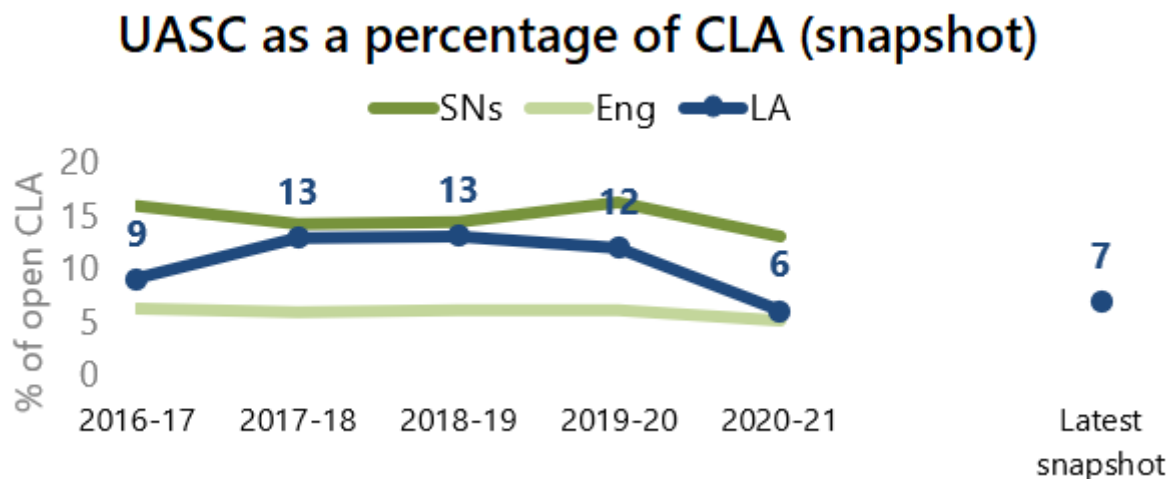
- 1.1. This report provides an analysis of the performance data and trends for an agreed set of measures relating to looked after children on behalf of the Corporate Parenting Advisory Committee.
- 1.2. Section 2 contains performance highlights and key messages identifying areas of improvement and areas for focus. It provides an overall assessment relating to Children in Care so that Members can assess progress in key areas within the context of the Local Authority's role as Corporate Parent.
- 1.3. The report covers the period July to December 2021 with other data and benchmarking where appropriate. This is the regular report following the report to the September committee covering the period to August 2021

2. Overall Assessment of Performance

- 2.1. At the end of December 2021 **391 children were in care** (rate of 66 per 10,000). This is 4 fewer children than was reported at the end August 2021.
- 2.2. The number of unaccompanied asylum seeker children (UASC) has remained low at 27 which is well below the Haringey quota of 42 (0.07% of the under 18 population) following the impact of lockdown and the COVID travel restrictions which saw a similar reduction across London, recent months have shown an increase in the numbers of new cases. Following the recent trend most new UASC have continued to arrive in Kent or Croydon rather than presenting in Haringey. These LA's have sought support from other local authorities. We responded and have agreed to accept a small number of their UASC, over and above our continued participation in the National Transfer Scheme (NTS) the

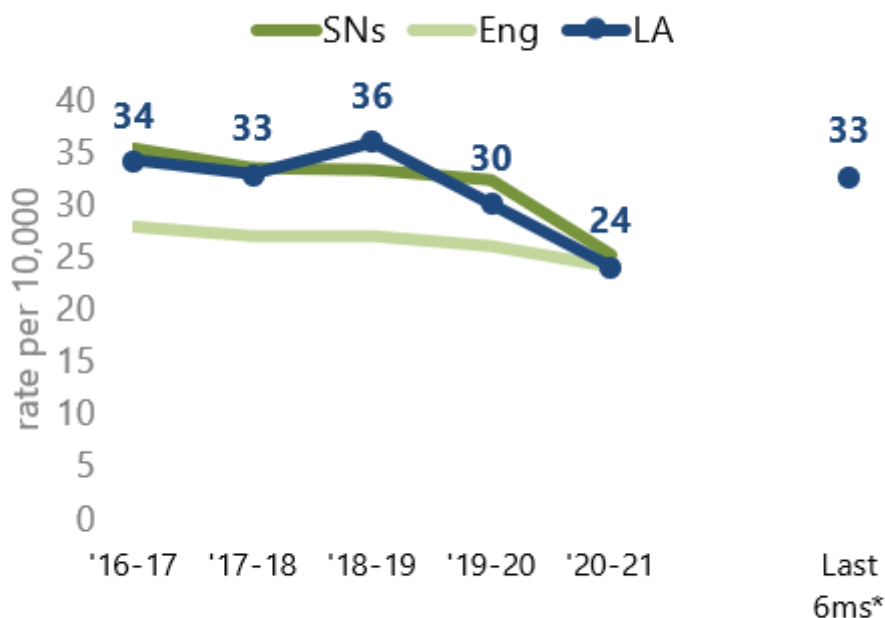
mechanism for ensuring that UASC are placed in regions across the country equitably.

2.3.



- 2.4. In the last 6 months, 97 young people started to be looked after. The same monthly rate as we might have expected before the pandemic. Thirteen of the starters are unaccompanied asylum seeking children (UASC) compared to a total 14 for the whole of the 2020/21.

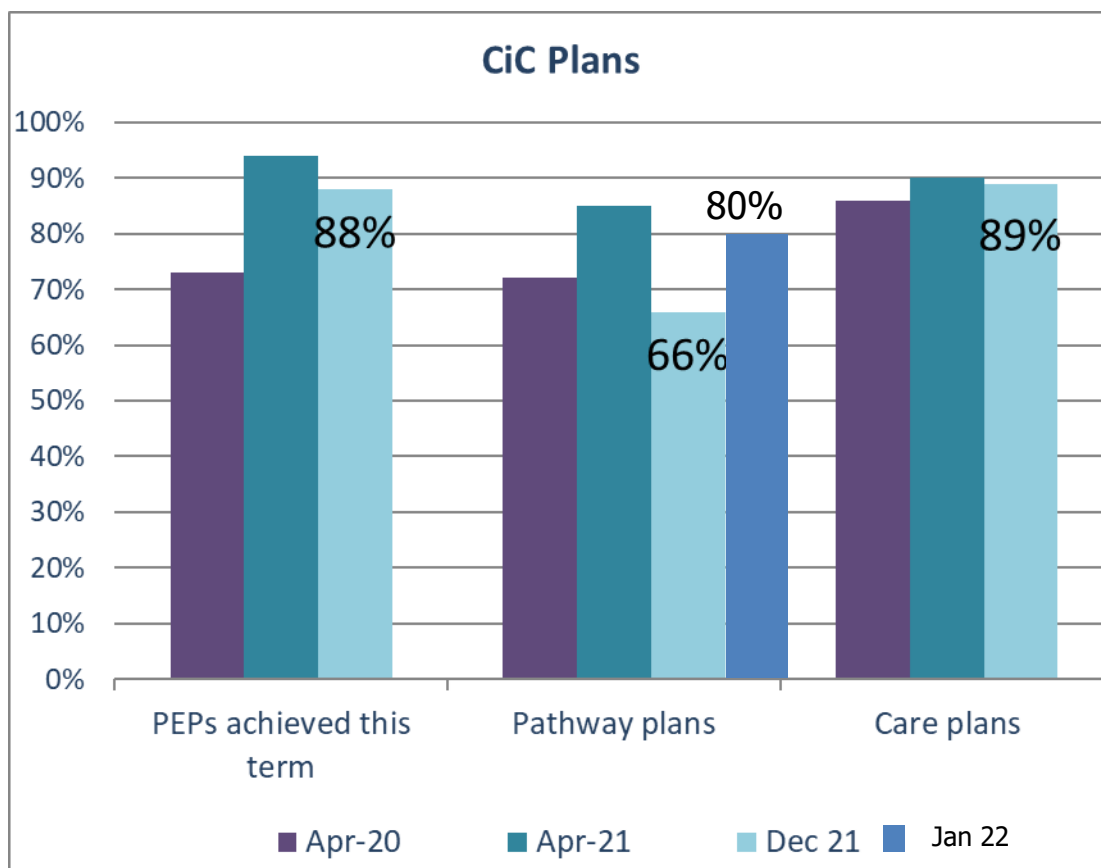
Rate of CLA started per 10,000 children



*Annualised rate for comparison purposes

- 2.5. In the last 6 months, 83 children ceased to be looked after, this is just above the rate during the 12 months to March 2021. Of these children ceasing to be looked after 35 children (41%) returned home to live with their parents or relatives, this was 34% in 2020/21. The second highest destination was 18 who moved into independent living

- 2.6. **Five** children ceased care as they have been adopted in the last 6 months, as a proportion of those leaving care this is 6%, in line with in 20/21 and SN both rounded to 5%.
- 2.7. Up to date plans. As at end of December 2021, **89%** of looked after children aged under 16 had an **up-to-date Care Plan**, (88% in March) 66% of those over 16 had **up to date pathway plans** (this recovered to 80% by early January).

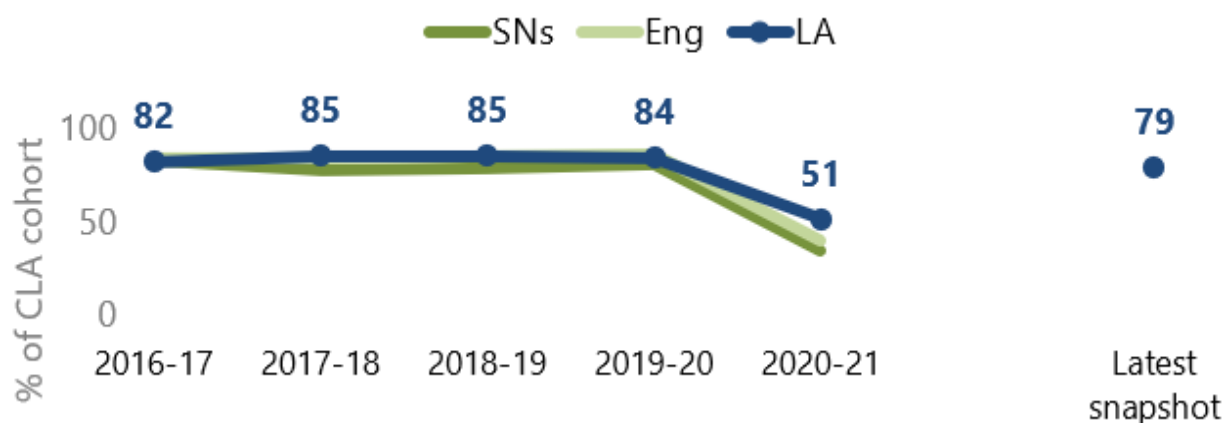


- 2.8.
- 2.9. Personal education plans (PEPs) are good at 88% albeit below the record high level of 97% at the end of the summer term.
- 2.10. 82% of **Children in Care** were recorded as having up to date visits within the relevant timescales as of the end of December. Visits to looked after children continue to be tracked at fortnightly performance meetings, held by the Head of Service for Children in Care, and along with supervision and management directions. Children in care seen in the past four weeks continues to be one of the measures asked for by the DFE in the WAVE survey, and used to assess pressures on social care during the pandemic (along with child protection and CIN visits, referral sources and the number of children becoming looked after).
- 2.11. At the end of December 2021, 9% of children with an open episode of care had **had three or more placement moves in the last 12 months**. This is in line with last year, the London average and statistical neighbour average.

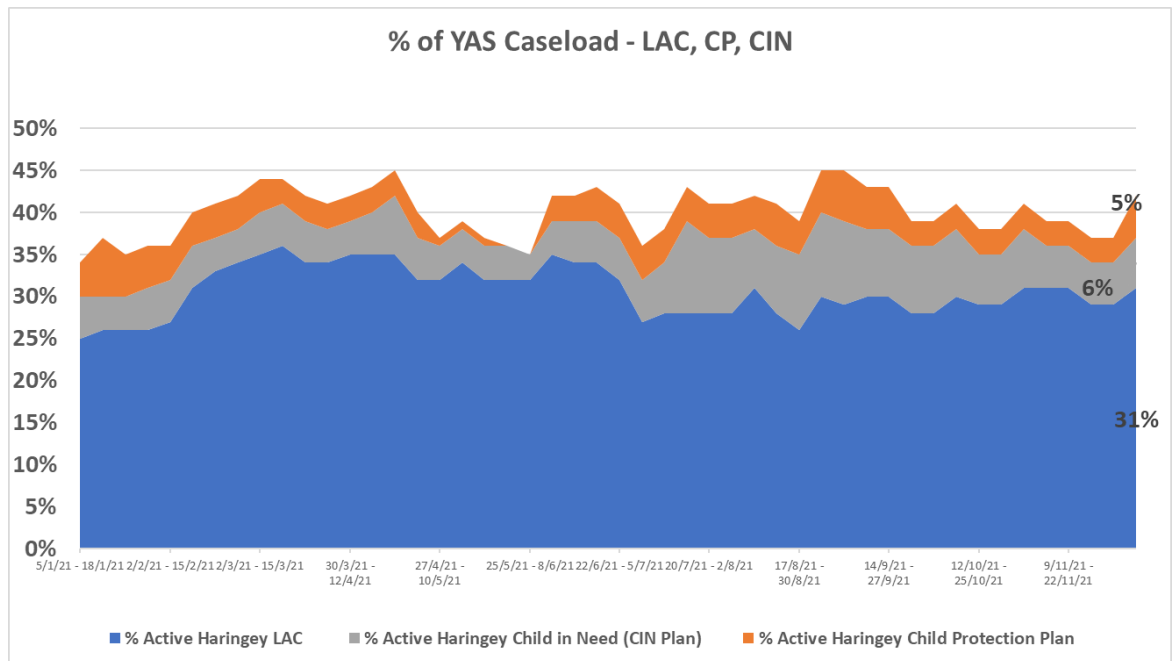
Children **under 16 who had been in care for at least 2.5 years and in the same placement for at least 2 years**, has improved to 72% (68% in August) just above the statistical neighbour average of 70%. These two indicators should be viewed together to gain a view of placement stability for Haringey's children in care which shows a positive balanced picture.

- 2.12. At the end of December, 95% of children who were looked after for at least 12 months had an up-to-date health assessment, maintaining excellent performance above statistical neighbours' levels (92%).
- 2.13. At the beginning of September 2020, only 42% of eligible children had **up to date dental visits**. This increased to 72% by the end of September 2021 and **is now 79%.**

Dental Checks



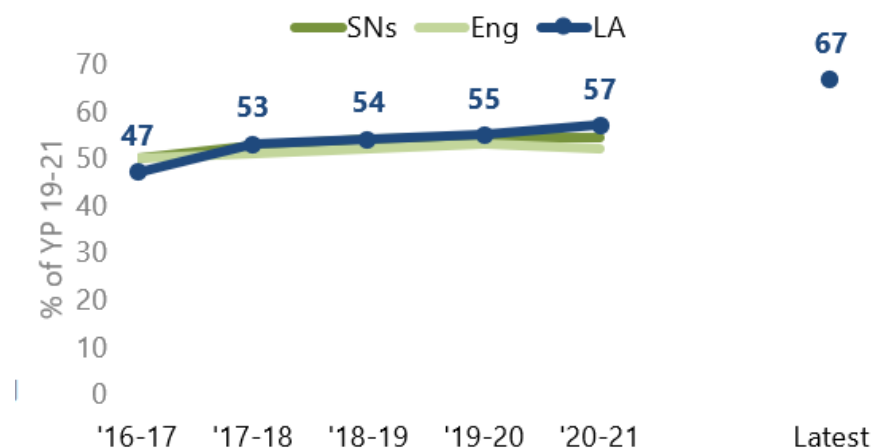
- 2.14. SEND. As of the end of 2021 23% (89) of the children in care had active EHCP plans
- 2.15. Whilst over the past 12 months the proportion of young people open to the **Youth Offending Service** who are looked after has increased from 25% to 31%, this is wholly due to falling caseloads, the actual number of Haringey children in care open to YOS has fallen from 23 to 19



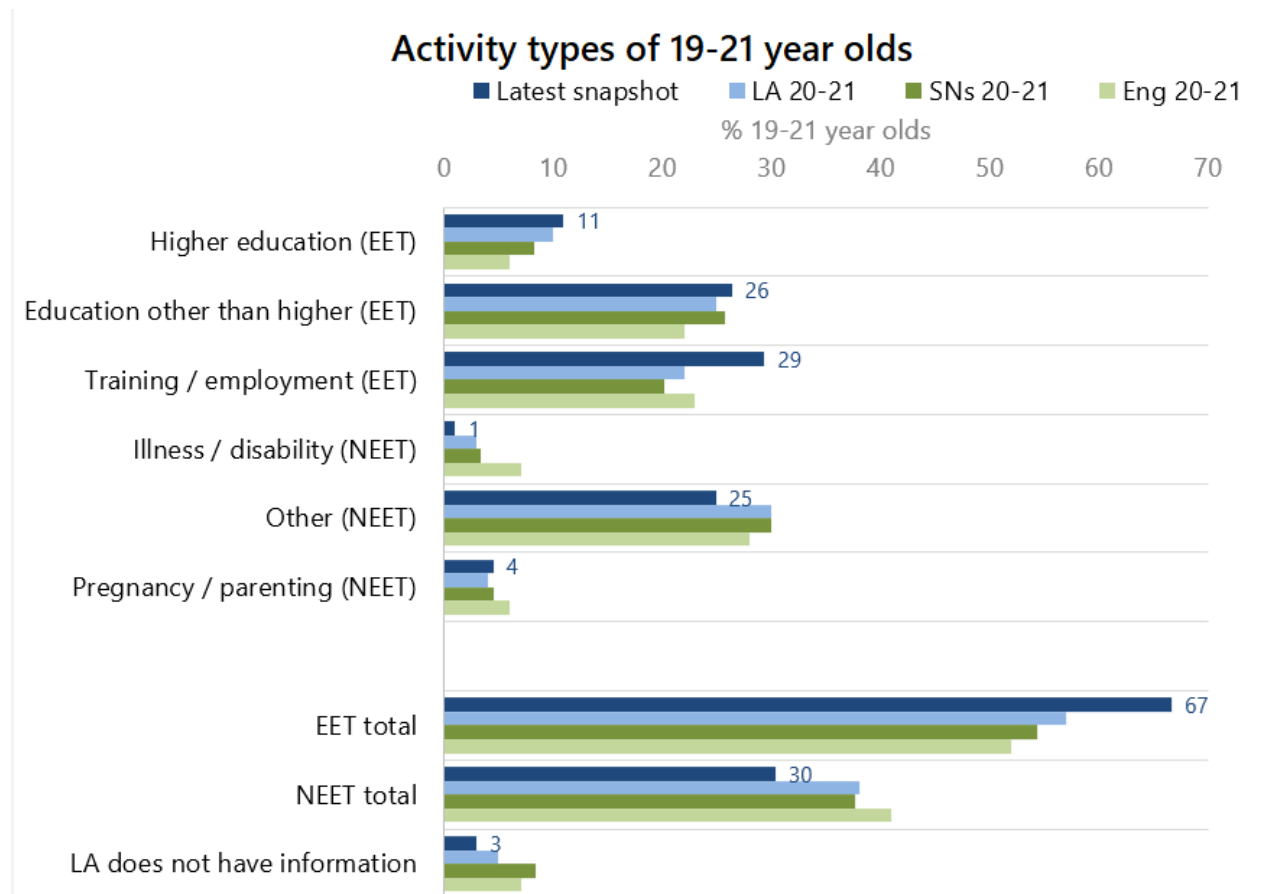
2.16.

2.17. There are now 418 **care leavers** in receipt of leaving care services, a similar number to the last quarter. 98% of those **aged 19-21 (this is all but 4 young people)** were considered as **in touch with the local authority** at the end of December.

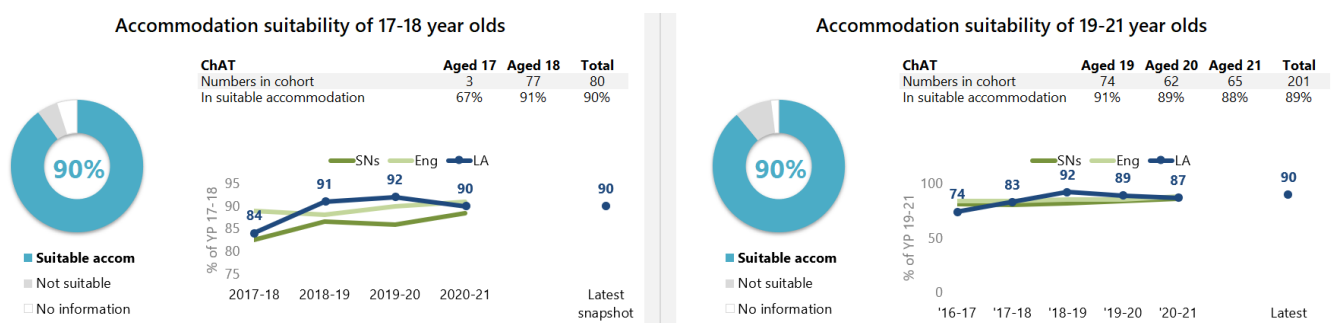
2.18. 135 or 67% of the 19-21 year old care leavers (71% of the 17-18 year olds) were known to be in **Education Employment or Training (EET)**



- 2.19. All EET activity types have increased with training/employment showing the largest increase



- 2.20. 90% of **19-21 year old care leavers** were known to be in **suitable accommodation** (87% in 2020/21,) also 90% of 17-18 year olds (unchanged from 2019/20 & last quarter).



3. Contribution to strategic outcomes

- 3.1. Borough Plan 2019-2022
- 3.2. People Priority: A Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential

Report for: Corporate Parenting Advisory Committee

Item number:

Title: HMIP Thematic Inspection on “The experiences of black and mixed heritage boys in the youth justice system”

Report

authorised by : Ann Graham, Director, Children’s Services

Lead Officer: Emma Cummergen, Head of Service Young Adults, Youth Justice and Haslemere

Ward(s) affected: N/A

1. Describe the issue under consideration

- 1.1 The purpose of the report is to inform Children and Young People’s Scrutiny of the outcome of the HMIP Thematic Inspection into “The experiences of black and mixed heritage boys in the youth justice system” April – June 2021.

2. Recommendations

- 2.1 To note the contents of the report and plan, directing any comments and observations to the Head of Service for Young Adults, Youth Justice and Haslemere.

3. Reasons for decision

Not applicable

4. Background information

- 4.1 Equal treatment within the criminal Justice system is a long-standing issue within the UK, evidence of racial disparity and the drivers for it within youth justice are complex many of which start long before the young person’s first interaction with police. However, it is clear from the large-scale evidence that this is a systemic problem, and the solutions to this relies on larger systems of power facing and challenging uncomfortable truths. The Lammy report highlighted much of this in 2017, and now Her Majesty’s Inspectorate of Probation (HMIP) chose “The experiences of black and mixed heritage boys in the youth justice system” as the subject of their thematic inspection in April – June 2021.
- 4.2 Haringey Youth Justice Service along side 8 other youth offending services from across the country (two others from London) were selected to take part in this inspection. It was the first of its kind and a tentative exploration into the critical issues of racial disparity within the criminal justice system.

- 4.3 Over the course of six weeks, Her Majesty's Inspectorate of Probation (HMIP) reviewed comprehensive evidence in advance from each area and in total examined 173 cases of black and mixed heritage boys (59 out-of-court disposal cases and 114 cases dealt with by the courts). They commissioned the services of 'User Voice' to obtain the views of 38 boys who had been supervised by the different youth justice services. Of the 173 cases inspected 15 cases were from Haringey.
- 4.4 Haringey Youth Justice service was chosen due to the demographics of our caseload having a disproportionate make up of black and mixed heritage boys.

5. Context

- 5.1 The inspection took place over 3 months with the final report published late October 2021. The findings outline a bleak national picture, which illustrates the depth of racial disparity and disproportionality experienced by young black and mixed heritage boys engaged in youth justice services across the country as highlighted by national statistics.
- a) 41% -(the proportion) of children in youth custody in the year ending March 2020 who were black or mixed heritage
 - b) 35% -(the proportion) of children remanded to custody in March 2020 who were black. This has increased 14 percentage points, from 21%, since 2010
 - c) 2,166 black and 1,586 mixed heritage - The number of children who received a caution or were sentenced in the year ending March 2020. These represent 12% and 9%, respectively, of all children who received a caution or were sentenced in the period
 - d) Twice as likely - The likelihood of Black Caribbean, and mixed white and black Caribbean children to have been permanently excluded from school in the 2019/2020 academic year compared to their white peers, (rates of 0.14 and 0.15, respectively, compared with 0.06).

6. Youth Justice Inspections

- 6.1 Youth Justice inspections are split into three domains:
- Domain 1 - Governance and Leadership
 - Domain 2 – Case Assessment
 - Domain 3 – Case Assessment Resettlement.

Nb. Domains 2 and 3 intertwine and all three provide a wider picture of the impact of youth justice practice. (Youth *Inspection Framework*: [Rules and guidance and rating characteristics for: Domain one \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/youth-justice/inspections/framework/))

- 6.2 The thematic inspection took place over the 17 – 21 May 2021, reviewing information from our case recording system, interviews with young people, parents, staff, partners, and volunteers. The inspectors also had an in-depth look at practice, policy, and procedure. Individual interviews with case managers were held and, alongside several focus groups which included our Youth Justice Partnership Board.

7. Overall findings

- 7.1 The final report was published in October 2021 which overall found significant deficits in the experience of young black and mixed heritage boys within the Youth Justice System: (Refer to Appendix One: The experiences of black and mixed heritage boys in the youth justice system October 2021)

“Addressing ‘disproportionality’ has been a longstanding objective in most youth justice plans, but our evidence indicates that little progress has been made in terms of the quality of practice. At a strategic partnership level there is a lack of clarity and curiosity about what is causing the disparity and what needs to be done to bring about an improvement. Partners are not collating data and using it effectively to analyse and address the barriers that contribute to the over-representation of black and mixed heritage boys in the criminal justice system”

- 7.2 A consistent theme of the national inspection findings highlighted high levels of unmet need for black and mixed heritage boys entering the youth justice system. Overall, the inspectors found that the majority of black and mixed heritage boys in the youth justice system had experienced multiple adverse childhood experiences (ACEs) and had high levels of need, such as special educational needs (SEN) and mental health difficulties.

- 7.3 Other themes of the inspection findings included:

- a) Education - high rates of exclusion, poor attainment and evidence of SEN not being fully addressed
- b) Exploitation - almost a third had been victims of child criminal exploitation.
- c) Evidence (recorded and verbal disclosure in interview) that the child had experienced racial discrimination.
- d) Social Care - a third of the boys had been subject to Child in Need or Child Protection plans.
- e) In over a quarter of cases, the child had a disability
- f) Economic depravity - boys had grown up in the poorest areas of their towns and cities and had often been exposed to the violence and family breakdown associated with poverty.

- 7.4 Based on the outcome of the report, HMIP offer 18 recommendations that overarch the Youth Justice Board, The Home Office, DfE, Police Area Forces, Local Authorities, YOT partnership boards and YOS Managers. (Refer to Appendix Two: HMIP Thematic Inspection report recommendations Oct 2021)

8. Inspection feedback relating to Haringey

- 8.1 The published report presents an overall picture and conclusion with recommendations. For the purpose of this report, direct feedback in relation to Haringey Youth Justice Service has been highlighted below. Recommendations from the report have been reflected within our existing service improvement plan which also has a section addressing disproportionality.

8.2 Findings from Domain One: Governance and Leadership

- a) it was recognised that we were able to clearly evidence how leadership has supported with the culture change of the YJS around disproportionality over the past 2 years.
- b) Inspectors found the Stop and Search report which has a clear safeguarding lens, positive in terms shining a light on the issue.
- c) Inspectors found the Haringey Social Workers in School's initiative positive as well as the disproportionality project from the YJS - incorporating this with the social workers in school initiative to support with reducing school exclusions which disproportionately impact young black and mixed heritage boys.
- d) In terms of areas for improvement, the inspectors shared they felt that our Partnership Board needed to better understand the use of the data around disproportionality and how outcomes can be measured.

8.3 Findings from Domain Two: Post Court

- a) Inspectors were positive about the new pre-sentence report template which places the child and their narrative above the offence analysis. Inspectors commented that this was good evidence of diversity and identifying structural barriers.
- b) positive comments about the how the safety planning model is used and incorporated across the community and partnership work we undertake with our young people at risk of remand and how this has often achieved a safe bail support plan. This was seen as a positive approach to address the over representation of young black and mixed heritage boys being remanded. As a service, we will always offer bail support where appropriate. It is the responsibility of the Youth Justice Service (YJS) to use our privileged position and our trauma informed approach to ensure we are addressing the disproportional use of remand and detention for our black and mixed heritage boys.
- c) there was praise for the work the YJS does with the Library Services in using the libraries to mobilise the work we do and joint work with reparation and AQA certifications
- d) Inspectors were positive about the interventions we have in place to improve the experience and outcomes for the black and heritage boys, specifically virtual cooking club, the podcast, Met football tournament and the Ether programme.
- e) Inspectors recognised the motivation and understanding staff have of disproportionality, they further referred to our volunteers who were able to demonstrate how well they understand the cohort. It was also positively commented on that representation of panel members is reflective of the community we serve, which is something that youth offending teams have been known to struggle with.

8.4 Haringey was also identified as a good practice example:

"In Haringey we saw some good examples of partnership work and creative projects being delivered to black and mixed heritage boys."

There was access to projects such as 'Red Snapper', an intervention which aims to tackle stigma around mental health in the black and minority ethnic community. The YOS had developed a music offer, to support children to express themselves constructively, especially those from minority ethnic groups. They were working in partnership with Sony Music to provide opportunities for children to take part in an internship. They can also be provided with a mentor to support them with achievable goals if they want to go into the music industry. Wipers had been commissioned to deliver the Ether programme, which is an eight-session programme aimed at black, Asian and minority ethnic boys involved with the youth justice system. Sessions also include discussions about stereotypes, breaking barriers, and perceptions of masculinity. Two further programmes for 2021 have also been commissioned. During lockdown the YOS has been delivering a virtual cooking club, an initiative aimed at improving life skills. Children are encouraged to cook food that represents their own individual culture and heritage. The YOS has produced a disproportionality podcast, which focuses on the lived experiences of ethnic minority children who have grown up in Haringey and gone through the justice system. The podcast was produced by an organisation called 'Bird Podcast'. The YOS manager and a local councillor were also interviewed to give a wider perspective on disproportionality. The podcast has been shared with partners. The podcast gave children the opportunity to discuss their experiences and it has been shared with others and made available to the public to raise awareness."

8.5 Improvement is required in the following areas:

- a) increased management oversight and quality assurance processes addressing diversity and structural barriers, ensuring that plans/interventions and assessments consider the needs of our diverse cohort fully.
- b) more mental health and speech and language provision and support for children and young people across both domain one and two.
- c) increased focus in capturing the voice of the fathers and specifically absent fathers in assessments and reviews to inform robust planning.
- d) Improve consideration of lived experiences of discrimination, impact of stop and search and excessive force to inform appropriate planning and interventions to achieve positive outcomes.

8.6 Findings from Domain Three: Out of Court Disposal

- a) Notably, improvements were raised around planning, specifically around safety and well-being and including interventions wider than just specific offending behaviour programmes.

9. Analysis

- 9.1 The initial reflections on the process and direct feedback were affirming. It was positive that the service was able to showcase the good work they are already doing to address disproportionality.

- 9.2 In terms of improvements highlighted, it is pleasing to know that our self-assessment is accurate with recommendations from the report already identified as actions within our disproportionality action plan.
- 9.3 The issue of not recording young people's experience of discrimination was an area that felt the most complex. Although it is recognised that we need to make a bigger focus on recording culture and diversity and ensure that it threads throughout our assessments and informs plans to continue address disproportionality, seeking a young person's experiences of racial discrimination is complex, demanding significant sensitivity to avoid retraumatising. To progress this, we are in discussions with our partners in practice London Borough of Islington and neighbouring borough Hackney to debate this area of concern and ensure a measured and proportionate approach in our practice.
- 9.4 The Haringey YJS Improvement Plan had already been produced and agreed by the partnership board in February 2021, however as a response to the thematic inspection recommendations, it has been subsequently updated it to include the areas for improvement raised by HMIP. (Refer to Appendix Three: Haringey Youth Justice Service Improvement Plan 2021-2022)

10. Progress to date

- 10.1 Progress to date within our action plan to address disproportionality includes:
- a) We are working on an in-depth partnership plan which will expect our partners to use their own data to help inform our work and better understand how we can make individual improvements to address disproportionality.
 - b) A new quality assurance tool has been developed; therefore, managers are actively analysing this when auditing a case and can support staff to highlight and triangulate information to provide more robust assessments with a diversity lens.
 - c) A temperature check was conducted with all staff to explore how many case managers were in touch with and or actively seeking out the voice of the fathers. This exercise highlighted to staff the need for more curious practice. This was followed by a practice development workshop on working with fathers and absent fathers.
 - d) Where young people have been stopped and searched by the Police, this is now being added to the assessment as a "significant life event". Open discussion with young people about their experience with police/in custody or their arrest/ of court are now fully expected as part of early engagement, to ensure we are capturing these lived experiences

- e) To improve the offer for young people who receive an out of court disposal, the service has developed bespoke informal education sessions on identity, culture, lived experience and stop and search.

11. Conclusion

- 11.1 Haringey YJS has a great deal to be proud of, when we look at the national picture, we know that we have already made significant changes to our practice to ensure that we are addressing racial disparity and disproportionality. We are using an identity lens in the interventions that we offer and there is a strong focus on service and practice development.
- 11.2 We use our privilege to champion the needs of our young people and openly challenge disparity. We will use the feedback to continue to improve and place a new focus on youth and family participation to ensure the voices of both the young people and their families continue to inform the delivery of our service.

12. Contribution to strategic outcomes

- 12.1 The objectives of the youth service are aligned with the priorities within the 'Borough Plan – Priority 2 (People) ' specifically:
 - a) Happy childhood: all children across the borough will be happy and healthy as they grow up, feeling safe and secure in their family, networks and communities.
 - b) Every young person, whatever their background, has a pathway to success for the future.
 - c) Strong communities where people look out for and care for one another.
- 12.2 This work contributes to the Mayor of London's Policing and Crime Strategy, Haringey's Borough Plan Priority 3 (Place), the Haringey Community Safety and Early Help Strategy. It will also help to deliver on Haringey's Borough Plan, Young People at Risk strategy, as well as the North Area Violence Reduction Group (NAVRG).
- 12.3 Officers and partners work strategically across related work areas and boards such as Youth Justice, Safeguarding Children and Adults, Health and Wellbeing, Regeneration, Community Gold, Early Help and the Community Safety Strategy.

13. Statutory Officers comments

Finance and Procurement

- 13.1 The report does not directly present any financial implications to the council. The implications of any planned actions resulting from the outcome of the audit and updates to the Haringey YJS Improvement plan will be reviewed when due.

Legal

- 13.2 There are no legal issues arising from the recommendations of the report. Consideration should be given to how the issues raised in the Thematic Inspection and the Action Plan should be shared across the Council's

services areas and with our strategic partners to ensure a joined up approach and response.

Equalities

- 13.4 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- a) Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - b) Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - c) Foster good relations between people who share those characteristics and people who do not.
- 13.5 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 13.6 HMIP's thematic inspection has highlighted a number of equalities-related issues faced by Black and mixed heritage boys as a result of their disproportionate representation within the youth justice system, many of which are intersectional in their nature and impact. Haringey YJS's inclusion of the areas for improvement raised by HMIP in its Improvement Plan is a positive measure in addressing the inequalities faced by Black and mixed heritage boys within the youth justice system and society at large.
- 13.7 In order to ensure that the Council satisfies the Public Sector Equality Duty, it will be necessary to assess the equalities implications of individual pieces of work set out in the Improvement Plan to progress the Council's youth service on a case-by-case basis, including undertaking an Equality Impact Assessment where necessary. It is anticipated that, in doing so, this will involve a consideration of the equality's issues raised by HMIP as part of its thematic inspection.
- 13.8 Senior Leaders should ensure that it addresses these duties by considering them within its work plan, as well as individual pieces of work. This should include considering and clearly stating;
- a) how policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
 - b) whether the impact on particular groups is fair and proportionate;
 - c) whether there is equality of access to services and fair representation of all groups within Haringey;
 - d) whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

13.9 Senior Leaders should ensure equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service users' views gathered through consultation.

14 Appendices and References

Appendix One: HMIP Thematic Inspection report - The experiences of black and mixed heritage boys in the youth justice system October 2021

Appendix Two: HMIP Thematic Inspection report recommendations Oct 2021

Youth Justice Board and Ministry of Justice. Youth Justice Statistics 2019/20: England and Wales. <https://www.gov.uk/government/statistics/youth-justice-statistics-2019-to-2020>

National Statistics. Permanent exclusions and suspensions in England and Wales. <https://www.gov.uk/government/statistics/permanent-exclusions-and-suspensions-in-england-2019-to-2020>

15 Local Government (Access to Information) Act 1985

N/A

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Her Majesty's
Inspectorate of
Probation

The experiences of black and mixed heritage boys in the youth justice system

A thematic inspection by HM Inspectorate of Probation
October 2021

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Acknowledgements

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Foreword

This fieldwork for this inspection took place between April and June 2021. The trial for the murder of George Floyd ran alongside it and concluded during this time. The impact of this case and the rise and influence of the Black Lives Matter movement were strongly felt in almost every service we visited during this inspection. It was clear that these events have reignited overdue discussion about racial discrimination and its impact.

Over the course of six weeks, we inspected nine different youth offending services (YOSs). We reviewed comprehensive evidence in advance from each area and in total examined 173 cases of black and mixed heritage boys (59 out-of-court disposal cases and 114 cases dealt with by the courts). We commissioned the services of 'User Voice'¹ to obtain the views of 38 boys who had been supervised by the different services. They told us about the support they had received and the challenges they face.

Prior to this thematic inspection, we analysed our own core inspection data from a 12-month period and found that the quality of service delivery to black and mixed heritage boys tended to be poorer than that of work delivered to their peers. This was especially evident in the out-of-court disposal cases. We were concerned in this inspection to find that when we looked at this type of work, with an increased focus on ethnicity and experiences of discrimination, we found an even greater disparity.

The boys whose cases we looked at had complex needs, and opportunities to support them earlier, outside of the youth justice system, had often been missed. It was therefore concerning to find that, when they came to the attention of the criminal justice system, the quality of services they received at this critical moment in their life was insufficient. 60 per cent of the boys subject to court orders had been excluded from education, most of them permanently, and the impact of this on their life chances was significant. Black and mixed heritage boys were consistently over-represented in custodial cohorts. In one service every child in custody was a black or mixed heritage boy and this is deeply worrying.

Addressing 'disproportionality' has been a longstanding objective in most youth justice plans, but our evidence indicates that little progress has been made in terms of the quality of practice. At a strategic partnership level there is a lack of clarity and curiosity about what is causing the disparity and what needs to be done to bring about an improvement. Partners are not collating data and using it effectively to analyse and address the barriers that contribute to the over-representation of black and mixed heritage boys in the criminal justice system.

Most services recognised that things have not been done well enough and stated their commitment to improve. In the last 12 months some YOSs have developed focused strategies and plans to address disproportionality and support anti-racist practice; however, any impact of this is yet to be reflected in the quality of casework. This current impetus must now be used to urgently improve practice, service delivery and outcomes for black and mixed heritage boys.

To be effective, there must be a clear vision, strategy and plan that is embraced by all partner agencies and understood by all those working with this group of boys. Training, support, direction and guidance for staff are critical, as is the ongoing monitoring and reviewing of progress and improvement. We will also introduce a more robust set of standards around this issue for our core youth inspections.



Justin Russell

HM Chief Inspector of Probation
October 2021

¹ User Voice is a charity created and run by people who have been in prison and on probation.

Contextual facts

Of the cases we inspected where black or mixed heritage boys were sentenced to court orders, we found that:

60%	had been excluded from school, the majority permanently
Almost a third	had been a victim of criminal exploitation
Half of the boys (where recorded)	had experienced racial discrimination
A third	were subject to Child Protection or Child in Need processes
A quarter (where recorded)	the number of cases in which the child had a disability

National statistics:

41%	The proportion of children in youth custody in the year ending March 2020 who were black or mixed heritage ²
35%	The proportion of children remanded to custody in March 2020 who were black. This has increased 14 percentage points, from 21%, since 2010 ³
2,166 black and 1,586 mixed heritage	The number of children who received a caution or were sentenced in the year ending March 2020. These represent 12% and 9%, respectively, of all children who received a caution or were sentenced in the period ⁴
Twice as likely	The likelihood of Black Caribbean, and mixed white and black Caribbean children to have been permanently excluded from school in the 2019/2020 academic year compared to their white peers, (rates of 0.14 and 0.15, respectively, compared with 0.06) ⁵

² Youth Justice Board and Ministry of Justice. (2021). *Youth Justice Statistics 2019/20: England and Wales*. <https://www.gov.uk/government/statistics/youth-justice-statistics-2019-to-2020>.

³ Youth Justice Board and Ministry of Justice. (2021). *Youth Justice Statistics 2019/20: England and Wales*.

⁴ Youth Justice Board and Ministry of Justice. (2021). *Youth Justice Statistics 2019/20: England and Wales*.

⁵ National Statistics. (2021). *Permanent exclusions and suspensions in England and Wales*. <https://explore-education-statistics.service.gov.uk/find-statistics/permanent-and-fixed-period-exclusions-in-england>.

Executive summary

Inspection methodology

During the course of this remote inspection in April and May 2021, we examined the quality of work delivered by YOSs in Manchester, Lewisham, Nottingham, Haringey, Hackney, Leeds, Sheffield, Liverpool and Oxfordshire. All YOSs were selected due to the volume of their caseload and an over-representation of black and/or mixed heritage boys in their services, as recorded in the Youth Justice Board (YJB) disproportionality toolkit data. We looked at the work delivered through a lens that considered the child's ethnicity, their diversity and any experiences of discrimination.

We examined 173 cases of black and mixed heritage boys (59 out-of-court cases and 114 post-court cases), which had commenced within the previous 12 months. We interviewed 99 case managers. We also interviewed senior managers from the YOSs, and held focus groups with case managers, middle managers, partnership staff, volunteers and the youth offending service strategic management boards. Our work was also informed by surveys completed by staff, parents, volunteers and magistrates. We undertook a week of meetings with representatives from national organisations, including the Youth Justice Board for England and Wales, the Home Office, the Department for Education, Ofsted, the Magistrates Association, the Chief Executive Officer for the Association of Police Crime Commissioners and the National Police Chiefs' Council. An expert reference group contributed to this report by advising on strategic, technical and operational issues associated with the subject and services under inspection (Annexe 3). It represented the views of key stakeholders in the areas under scrutiny, and commented on emerging findings and final recommendations.

We commissioned the services of 'User Voice', who met with 38 black or mixed heritage boys to gather their perspectives on the services that they had received from the YOSs. The boys also helped us understand some of the challenges they face in their day-to-day lives and what could be done to help. A report from User Voice is published alongside this report. Key findings and quotations have also been incorporated in this report. Inspectors spoke with a small number of parents whose children were, or had been, involved with the YOS and who requested a meeting.

What we learned about the boys

In all services we inspected, staff and managers told us that the large majority of black and mixed heritage boys in the youth justice system had experienced multiple adverse childhood experiences (ACEs) and had high levels of need, such as special educational needs (SEN) and mental health difficulties, which had not always been identified or properly addressed until they came into contact with the YOS. This raises questions and concerns about the support they received from mainstream services before their involvement with the youth justice system. Reports of high levels of unmet need for black and mixed heritage boys entering the youth justice system was a consistent theme of this inspection. There was a general consensus among YOSs that, had problems and difficulties been addressed earlier in the children's lives, there could have been a different outcome for them. In the post-court cases we inspected, 60 per cent of the boys were, or had been, excluded from school, the majority permanently. Almost a third had been victims of child criminal exploitation. In half of the cases inspected there was evidence (where it had been recorded) that the child had experienced racial discrimination. A third of the boys had been subject to Child in Need or Child Protection plans. The majority were not 'heavily convicted' (i.e. they had only one or no previous convictions), and in over a quarter of cases (where information had been recorded) the child had a disability. They were reported to be more likely than other groups of children to have an education, health and care (EHC) plan, and equally as likely again to have special educational needs that had not been identified or addressed. The boys had grown up in the poorest areas of their towns and cities and had often been exposed to the violence and family breakdown associated with poverty.

Racial discrimination was also a feature in the lives of the boys. For the most part, they accepted it as being 'just the way it is'. This acceptance is as significant as the experience itself, when considering their development, their circumstances and their future.

What we learned from the boys

User Voice spoke to 38 boys across the nine inspected areas. The majority talked about the challenges they faced growing up in relation to their environment and peer associations and friendship groups, which for many were determined by living in the same locality and shared experience rather than conscious choice. The boys spoke at length about being subject to police stop and search and racial profiling. This was especially significant for those who lived in London.

When discussing their involvement with their individual YOSs, the boys were not always clear about the role of the YOS or what support it could offer them. For some, their sentence plan or out-of-court intervention was something they just had to get through. They often felt they did not need any support from professionals, or at least they could not articulate what advice and guidance might be helpful. For some there was a sense that interventions worked best when the YOS had limited contact with them, but this also led to them viewing their interventions as having a 'tick box' feel. When interventions were more intensive and challenging, this was recognised as having greater benefit and promoted better engagement. Almost all of the boys described positive relationships with their workers, stating that they felt listened to and understood. Only two of the 38 boys said that the ethnicity of their YOS worker was significant to them. This suggests that the skills, understanding, knowledge and integrity of the worker and the relationships they form with black and mixed heritage boys are the most important factors in supporting and promoting meaningful and effective engagement.

Governance and leadership

Addressing disproportionality has been a longstanding priority for most YOSs and an objective in youth justice plans for a number of years. However, until recently there had not been sufficient impetus to improve and deliver high-quality services that achieve better outcomes for black and mixed heritage boys. To reduce the over-representation of black and mixed heritage boys in the criminal justice system, there must be a clear local understanding of what is driving it in the first place, with a detailed, robust working plan in place to address it. We did not find this to have been the case in most areas. A number of services have more recently put action plans in place but progress is yet to be seen in the casework being delivered.

There was a theme of disconnect. In terms of understanding need, the staff working with the boys had a detailed awareness of the challenges they faced and the risks associated with their safety and wellbeing and risk of harm to other people. However, they did not always understand the bigger picture, strategic priorities and statistics. At partnership board level, there was knowledge of national data regarding disproportionality and local data for different ethnic groups, for example re-offending and custody statistics, but not enough granular detail about the local needs of black and mixed heritage boys to enable board members and strategic leaders to tackle what might be driving their over-representation.

Where board members had knowledge of local disproportionality in their own service areas, such as health or education, this tended to relate to black, Asian and minority ethnic children and families as one group. There was not enough understanding of the situation for separate ethnic groups, whose experiences are different and whose specific over-representation is of concern. In addition, board members are not using data from their own service areas, for example data on police stop and search and school exclusions, to understand how policies, procedures and practice in individual services might be impacting on any over-representation in the YOS cohort. Over the past year there has been more strategic focus on meeting the needs of black and mixed heritage boys, but the degree to which this was happening varied considerably across the services we inspected. Our inspection findings show that much more needs to be done to understand and then meet the needs of this group of children.

Staffing

We found that the majority of staff had manageable caseloads that gave them the opportunity to build positive relationships with the children they worked with, and they did this well. The amount and quality of training that had been delivered varied across services but most staff had received unconscious bias training and race equality training. The majority felt that this had prepared them 'quite well' for working with black and mixed heritage boys. However, our findings on the quality of casework indicate that more training, supervision and support are required.

Some staff appeared to lack confidence in discussing culture and/or experiences of discrimination, which meant that specific challenges faced by black and mixed heritage boys were not fully explored, understood or addressed. Most staff reported that their supervision was sufficiently focused on diversity and the needs of black and mixed heritage boys, but we found that discussions did not routinely ask the right questions.

In most services, there was a lack of black and mixed heritage volunteers, and some have struggled to recruit staff and managers that reflect this group of children. In particular, there is a lack of black and mixed heritage male staff, and not enough mentors, particularly given that the absence of a suitable male role model was often cited as a challenge for this group of children.

The majority of staff felt their organisations promoted a safe space to discuss issues of race and racism and they felt confident that, if they raised concerns, they would be responded to appropriately. However, we found that staff did not always raise concerns when they felt that children had been discriminated against, for example in relation to stop and search activity. An example of this was the case of a boy who was being stopped and searched five times per week and, while the case manager thought this was concerning and that the child was being targeted, it was not raised with colleagues or managers. This lack of attention and escalation could suggest that black and mixed heritage boys in the youth justice system experiencing racism may have become normalised, not only to the boys themselves, but also to those working with them. Staff were conscious that most of the boys would have experienced racial discrimination, but they rarely considered the impact of this in assessments or attended to it in the work delivered, unless the child articulated it as an issue themselves.

Just under half of the case managers we spoke to felt that induction processes did not sufficiently cover issues of race and equality.

Partnerships and services

Despite their over-representation, there are few services commissioned specifically for black and mixed heritage boys. Good-quality specialist commissioned services were the exception rather than the rule. Where voluntary and third-sector organisations were available, they were not known to all staff and volunteers, so were not routinely used. Where they were used, they were often an 'add-on' to other interventions. Staff did not always maximise the benefit of the services through effective communication and joined-up working to support children to reintegrate into the community. In relation to mainstream services, we found that black and mixed heritage boys were less likely to have been referred to Early Help services when they were younger but were more likely to be involved with statutory children's social care. Within YOS interventions, work with statutory partners such as education, children's social care and the police, was not always well coordinated to meet the child's needs. YOSs reported serious challenges in finding suitable education and training provision for boys who had been excluded from school. Other challenges highlighted included access to accommodation for children who were at risk of remand or leaving custody.

Information and facilities

We found limited evidence that feedback and information from black and mixed heritage boys and their parents or carers were being collated and used in a meaningful way to identify any barriers to access or improve services.

Services were all able to extract data from their recording systems to produce management reports. The quality of these varied, however. Information such as whether children had a disability or had been excluded from school was not always recorded clearly on cases files and the recording of children's ethnicity was not always accurate. Information received on the ethnicity of children tended to be input on the system based on what had been recorded by the police or at court. This was not always checked with the child, which meant mistakes were not rectified. The errors and gaps in information recording called into question the reliability of the data reports produced.

Many staff told us that they were not aware of the data and information regarding the over-representation of black and mixed heritage boys in their services. This raised concerns about the connection between strategy and practice and how well staff were being brought along with the services' stated ambitions to address over-representation and promote equality.

There was very little data and analysis in relation to community resolutions and almost no understanding of community resolutions that had been issued by the police outside of the YOS out-of-court disposal processes. Information relating to 'street community resolutions' was not being shared between the police and the YOS so it was not possible to assess which children were receiving them. The lack of access to local data on rates of stop and search for black and mixed heritage boys made it difficult for YOSs and partnerships to assess its impact on over-representation. Equally, because information on education placements was not being reliably recorded on YOS databases, and detailed and consistent information was not being exchanged at operational levels, it was difficult for services to clearly understand any links between over-representation and school exclusion. Overall, information was not being used well enough and this was recognised by a number of services as an area where improvement is required.

Most of the staff we met were taking a flexible approach to their work. In part, this was because of the pandemic, but many had been working this way for some time in order to manage risk, as many children did not feel safe attending the office.

The quality of casework

There were significant deficits in the quality of casework being delivered to black and mixed heritage boys in both statutory and out-of-court disposal work. Overall, we found the quality of assessment and planning to be inadequate in both types of work. The direct work delivered to black and mixed heritage boys requires improvement. Reviewing activity in relation to statutory casework was inadequate for children subject to court orders, as was joint working for out-of-court disposals. In 40 per cent of out-of-court disposal cases and in half of statutory cases, the child had experienced racial discrimination (where information had been recorded) and in the large majority of cases, the impact of this had not been explored or considered. The poor standard of assessment impacted on the quality of planning and the overall delivery of work. More positively, there was evidence that case managers formed meaningful relationships with the children and their parents or carers. However, these were not always used to get 'under the surface' and examine the challenges the boys were facing and how these might be linked to their offending. If YOSs are to be truly child first and trauma-informed in their practice, understanding the lived experiences of children and analysing their impact on them is critical. Discussion about these assessed issues should form the basis of any intervention with a child, and with black and mixed heritage boys this includes exploring the impact of any discrimination or marginalisation they have experienced.

Final reflections

HM Inspectorate of Probation will continue to examine issues of ethnicity and equality as part of our local youth inspection programme. We are committed to improving how we do this as we review our standards and methodology in light of our findings in this inspection.

Effective practice

Areas of practice that enhanced the quality of the work delivered to black and mixed heritage boys:

- A clear anti-racist stance taken by leaders raises staff's confidence to advocate for black and mixed heritage boys in their work.
- Well-coordinated work with third-sector and community organisations enhances the quality of service delivery.
- Providing effective support to parents and carers of black and mixed heritage boys promotes their engagement.
- The effective use of data is reflected in better quality service delivery.

Recommendations

The Youth Justice Board should:

1. publish data to show how well individual youth offending services are addressing disproportionality; this data should refer separately to different ethnic groups
2. revise the guidance on case management to consider diversity, particularly ethnicity and structural barriers at each stage of the youth justice process.

The Home Office should:

3. publish local and national data on:
 - a) stop and search statistics, broken down by gender and age as well as ethnicity
 - b) 'release under investigation' statistics, including outcomes, broken down by gender and age as well as ethnicity.

The Department for Education should:

4. make sure that the special educational needs of black and mixed heritage boys are assessed and responded to at the earliest opportunity and work with Ofsted to include this in their inspection framework
5. improve guidance on exclusion to make sure that schools monitor disproportionality in rates of fixed and permanent exclusions and consider the impact of adverse childhood experiences, racism and personal circumstances in their response to black and mixed heritage boys. Work should begin with Ofsted to capture this in its inspection framework
6. In line with their public service equality duty and the Lammy principle of 'explain or reform', the Department for Education should hold academy trust chains and local authorities to account for monitoring rates of racial disproportionality in the use of permanent exclusions and for taking action to tackle this.

Police area forces should:

7. share with Youth Justice Management Boards local data on:
 - a) stop and search statistics, broken down by gender and age as well as ethnicity
 - b) 'release under investigation' statistics, including outcomes, broken down by gender and age as well as ethnicity.

Local authorities should:

8. provide suitable and timely accommodation placements and support packages for black and mixed heritage boys who are facing remand or being released from custody
9. make sure that, where children and families are moved to a new location as a result of concerns about their safety, the accommodation and placements provided are suitable and sustainable to meet their needs
10. ensure that black and mixed heritage boys are receiving their legal entitlement to education, including alternative provision when this is deemed necessary, and that the placements are suitable to meet their needs.

YOS partnership boards should:

11. have a vision and a strategy for improving outcomes for black and mixed heritage boys, and make sure these are known and understood by YOS staff and partner agencies
12. ensure that all board members contribute data from their individual services that identifies areas of disproportionality and the action being taken to address them, and that this data is used to develop a joint strategic needs assessment
13. have a joint set of partnership targets, for example with schools and children's services, for improving service delivery to black and mixed heritage boys, and make sure mechanisms are in place to track, monitor and evaluate outcomes.

YOS managers should:

14. establish effective processes for gaining feedback from black and mixed heritage boys on the services they receive and use this feedback to assess, review and improve the quality and suitability of service provision
15. make sure that staff understand what is expected of them in their work with black and mixed heritage boys and that they are inducted, trained and supported to work effectively with this group of children
16. improve the quality of management oversight to make sure that it is sufficiently focused on diversity and what this means in practice and that there are clear escalation routes to address any barriers to black and mixed heritage boys accessing the services they need
17. address gaps in specialist provision for black and mixed heritage boys, either by delivering it in-house or by commissioning it from appropriate local community organisations and evaluate referral and uptake rates for the services provided
18. offer suitable and appropriate support and intervention to the parents and/or carers of black and mixed heritage boys and regularly review the uptake and suitability of this provision.

1. Introduction

1.1. Why this thematic?

Our analysis of data from our YOS inspection programme (2019/2020) raised questions about the poorer quality of services being delivered to black and mixed heritage children, especially for out-of-court disposal cases. In addition, our local inspections have frequently found that the proportion of black and mixed heritage children on YOS caseloads is significantly greater than in the wider 10 to 17 population, in the areas we visit.

These concerns about differential supervision and disproportionality mirrored broader concerns about the treatment of black people by criminal justice systems in majority white societies. This has been brought into sharp focus since the murder of George Floyd by police officers in Minnesota, USA.

This work follows our recent inspection of racial equality in the adult probation system (HM Inspectorate of Probation, 2021) and links to related inspections conducted by other criminal justice inspectorates over the past 12 months. The Criminal Justice Joint Inspectorate business plan includes a proposal for a system-wide review of disproportionality on race grounds, which it is recognised can start at the point of arrest. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) is designated as lead for this review, which will assist in developing our understanding further.

This inspection helps shed light on the distinct experiences of black and mixed heritage boys known to YOSs.

1.2. Background

Over-representation

The vast majority (99 per cent) of children of all ethnicities are not involved in the youth justice system and the last decade has seen a significant reduction in the numbers of children entering that system and custody. However, of that small number of children who are involved in the criminal justice system and on YOS caseloads, a disproportionate amount are black or of mixed black and white heritage and this disproportionality (if not the actual numbers) continues to rise.

In 2018, a higher proportion of black children were remanded in custody, had a higher custodial sentence rate and received longer custodial sentences than their white peers. Black boys were also more likely than white boys to serve a greater portion of their original sentence (Youth Justice Board and Ministry of Justice, 2021).⁶

Black, Asian and minority ethnic children, viewed as a single group, are over-represented in the youth justice system: while 18 per cent of 10–17-year-olds come from a minority ethnic background, 27 per cent of children cautioned or convicted in 2019 were of black, Asian and minority ethnic origin. Moreover, this latter figure is almost twice the proportion cautioned or convicted in 2010 (14 per cent).

It is important to note that the picture varies by ethnic background. Relative to the composition of the wider 10–17 population, Asian children have been consistently under-represented among those receiving a substantive youth justice disposal.

⁶ Youth Justice Board and Ministry of Justice. (2021). *Youth Justice Statistics 2019/20: England and Wales*. <https://www.gov.uk/government/statistics/youth-justice-statistics-2019-to-2020>.

By contrast, 2.8 times as many black children come to the attention of the youth justice system as would be expected given the proportion of black children in the general population within the relevant age range; moreover, the extent of over-representation for this group has risen substantially since 2010. The representation of mixed heritage children in the youth justice population was consistent with the composition of the general community in 2010, but in the intervening years has doubled (National Association for Youth Justice, 2020).

Black and mixed heritage girls

Eight percent of 10–17-year-olds identified as black or mixed heritage in the 2011 census. Black and mixed heritage girls made up only two per cent of the children who received a youth caution or sentence in the year ending March 2019. However, they made up 14 per cent of the girls receiving one of these disposals – approximately 1.75 times higher than their representation in the general population (assuming equal proportions of boys and girls). This disproportionality is less than that of black and mixed heritage boys, who made up 20 per cent of the overall cohort of boys cautioned or sentenced by the courts – approximately 2.5 times higher than their representation in the general population.

Despite their low representation in the youth justice system generally, black and mixed heritage girls are over-represented in the youth custodial population. They make up 31 per cent of the custodial cohort, which is a concern. In autumn 2021, HMI Prisons will lead a thematic inspection of girls in custody and their resettlement and will be joined by colleagues from HM Inspectorate of Probation, Ofsted and the Care Quality Commission. This inspection should provide further insight into the experiences of black and mixed heritage girls and the quality of services delivered to them.

Our inspection findings over a two-year period show that black and mixed heritage girls in our samples received a better-quality service from YOSs than their white counterparts. For out-of-court work, there was some disparity in services delivered to black and mixed heritage girls in relation to assessing risk of harm to others, the YOS's recommendations for out-of-court disposals and the joint work with police to implement out-of-court disposals (a five per cent difference). There was a 10 per cent difference between the quality of planning to keep black and mixed heritage girls safe and the quality of planning for their white and mixed heritage counterparts. However, sub-sample sizes are small so none of these differences are statistically significant.

Based on the numbers, if we had included girls in this inspection, we would expect 18 cases in a sample of 150, for example, which would make it difficult to draw any firm conclusions.

We acknowledge that black, Asian and minority ethnic children, and those from a Gypsy, Roma and Traveller background, experience unique challenges that may bring some into contact with the criminal justice system, and that the services they receive will not always sufficiently meet their individual needs. However, in light of the issues highlighted above, a decision was made for this thematic inspection to focus specifically on the experiences of black and mixed heritage boys in the youth justice system.

Equality legislation

On 05 April 2011, the public sector equality duty (the equality duty) came into force. The equality duty was created under the *Equality Act 2010* and replaced the race, disability and gender equality duties. The first of these duties, the race equality duty in 2001, came out of the Macpherson Report. Before the introduction of the race equality duty, the emphasis of equality legislation was on rectifying cases of discrimination and harassment after they occurred, not preventing them happening in the first place. The race equality duty was designed to shift the onus from individuals to organisations. For the first time, public

authorities had an obligation to positively promote equality, not merely to avoid discrimination. The broad purpose of the equality duty is to integrate consideration of equality into the day-to-day business of public authorities. If you do not consider how a function can affect different groups in different ways, it is unlikely to have the intended effect. This can contribute to greater inequality and poor outcomes. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected in the design of policies, including internal policies, and the delivery of services, and for these issues to be kept under review.

The Lammy Review (2017)

In January 2016, the then Prime Minister David Cameron invited David Lammy MP to conduct a review of the treatment of and outcomes for black, Asian and minority ethnic individuals in the criminal justice system in England and Wales. The Lammy Review (2017) covered both the adult and youth justice systems. Lammy stated that his 'biggest concern' was the increasing disproportionality within the youth justice system. The report recognised that many of the causes of over-representation lay outside the criminal justice system, where Lammy said the answers also lie. He linked the issues to the fact that black (and mixed heritage) children in the UK are twice as likely to live in poverty as those from a white background, more than twice as likely to grow up in a lone parent family, and more likely than white boys to be permanently excluded from school and to be arrested as a teenager. Lammy states that these issues start long before a young man or woman ever enters a plea decision, goes before a magistrate or serves a prison sentence. Although these problems must be addressed, this cannot be done by the justice system alone. The review calls on every criminal justice agency to 'explain or reform' racial disparities in its practices. The report made 35 recommendations for the adult and youth justice systems.

In February 2020, the Ministry of Justice published *Tackling racial disparity in the criminal justice system: 2020 update*. This included a review of progress in responding to the Lammy Review, which is summarised below:

Improving data collection and our evidence base:

The Ministry of Justice and YJB have been working to improve methods of collecting data on ethnicity and to expand the evidence base on disproportionality in the youth justice system.

The YJB has expanded the YOS case management system to capture more ethnicity characteristics (18+1, as used by the Office for National Statistics).⁷

The Ministry of Justice issued a call for evidence on disproportionality at local/regional level and links to other factors.

Improving the trustworthiness of the youth justice system:

The YJB has improved and expanded the use of the summary Ethnic Disproportionality toolkit. It is also developing a research project to explore the trustworthiness of the youth justice system.

Improving parental engagement:

Lammy identified that engagement with parents of ethnic minority children is seen as tokenistic. Since then, the Ministry of Justice has undertaken a project to look at parental

⁷ Self-defined ethnicity (SDE) codes are a set of codes used by the Home Office in the United Kingdom to classify an individual's ethnicity according to that person's self-definition. The codes are also called "18 + 1" codes, as there are 18 of them, plus one code (NS) for "not stated".

engagement and ways of better empowering parents to play a role in their child's journey through the youth justice system. The project involved various stakeholders, including charities and practitioners, to gain their insights into good practice for parental engagement. It highlighted a number of important aspects of engagement of parents, including the need to:

- acknowledge the potential for a multi-generational lack of trust in the criminal justice system within ethnic minority families, and to address it by promoting transparency and concentrated engagement
- understand the value of, and develop, closer partnerships with peer and community organisations in supporting parents with a black, Asian and minority ethnic child in the youth justice system
- ensure that parents can access appropriate resources to help them understand and navigate the system, to facilitate and encourage them to support their child and to challenge the decisions and actions of their child, where necessary.

Ethnic disparities prior to entering the youth justice system:

Work is underway to understand and explain the links between race disparity and factors such as socio-economic circumstances, education and disproportionate arrest rates. The Cabinet Office Race Disparity Unit is developing a cross-government youth ethnic disparities study.

Entry into the youth justice system:

The YJB has completed a project on stop and search of children and young people. It is also looking at how it can add value to work being done by the police to ensure a child-centred approach.

YJB Disproportionality Toolkit

In 2014 and 2015, the YJB developed and piloted a Case Level Ethnic Disproportionality Toolkit with 20 youth offending services (YOSs). The toolkit allowed YOSs to undertake a detailed analysis of ethnic disproportionality in their local area. An evaluation of this pilot revealed several issues (YJB, 2018):

- The toolkit was only able to highlight where disproportionality was present. It did not provide direction or support on how to address the issues.
- Although the toolkit did not necessarily change the YOSs' approach to disproportionality, some found that it could be helpful in adding detail and data to what they felt they already knew. As such, the toolkit data enabled them to make more informed commissioning decisions and have better partnership discussions.
- Some YOSs struggled to find the resources to use the toolkit fully without the YJB's support within the pilot. This highlights the potential issue that just having access to disproportionality data does not mean action to use it would be guaranteed.

Furthermore, the toolkit data and findings are not currently publicly available. This limits transparency and public scrutiny, and potentially minimises the accountability of YOSs to address disproportionality issues.

Policing

HMICFRS published its report *Disproportionate use of police powers: A spotlight on stop and search and the use of force* in February 2021. The report recognises that disproportionality persists and no police force can satisfactorily explain why. In 2019/2020 black people were

almost nine times more likely than white people to be stopped and searched. In some forces, the likelihood was much higher. Black people were also 18 times more likely than white people to be searched under section 60 of the *Criminal Justice and Public Order Act 1994* (HMICFRS, 2021). Stop and search figures are not published by age as well as ethnicity so it is not possible to provide figures on disproportionality in its use on children under 18 – a critical gap in our knowledge which needs to be corrected.

1.3. Aims and objectives

The inspection sought to answer the following questions:

- Do the governance and leadership of YOSs support and promote the delivery of high-quality, personalised and responsive services for black and mixed heritage boys?
- Are staff within the YOSs empowered to deliver high-quality, personalised and responsive services that meet the needs of black and mixed heritage boys?
- Is a comprehensive range of high-quality services in place that enables personalised and responsive provision to meet the needs of black and mixed heritage boys?
- Is timely and relevant information available and are appropriate facilities in place to support a high-quality, personalised and responsive approach for black and mixed heritage boys?
- Are the pre-sentence information and advice provided to courts sufficiently analytical, personalised, and free from discrimination and bias, and do they support courts in making fair and objective decisions?
- Does service delivery focus sufficiently on diversity factors and understanding barriers to engagement?

1.4. Scope of the inspection

The scope of this inspection covered the work of YOSs and the coordination of service delivery with partner agencies. We considered both how partners worked together to understand and meet the needs of black and mixed heritage boys and also to what extent they considered the boys in their own separate agencies. We looked at work done with black and mixed heritage boys at all stages of the youth justice system, including diversion. In doing so, we do not dismiss the experiences of other ethnic groups, but rather recognise that separate pieces of work may be needed to explore these.

We scrutinised management information on any disproportionate impact of processes such as enforcement, recall and breach, and we challenged senior and operational managers about the data where appropriate. Our inspection samples were restricted to black and mixed heritage boys, and therefore we cannot ascertain through our cases whether there has been any disproportionate impact in relation to other groups of children in the services we inspected. However, as shown above, we have analysed data from our core inspections to assess any disparities.

1.5. Report outline

Chapter	Content
2. The boys	Our understanding of the needs of black and mixed heritage boys and their feedback on the services they have received and the challenges they face.
3. Governance, leadership and staffing	How national and local strategic leadership supports the delivery of high-quality services and how staff and managers are empowered to deliver a good-quality service to black and mixed heritage boys. The use of data to assess the effectiveness of services delivered.
4. Partnerships, services and facilities	The effectiveness of partnership working. The availability of services and whether they support a tailored and responsive service. The suitability of facilities to deliver services to black and mixed heritage boys.
5. The quality of casework and reports	How the work supports the desistance and safety and wellbeing of black and mixed heritage boys. The quality of assessment, planning, delivery of interventions, reviewing practice and joint working to support the desistance and safety and wellbeing of black and mixed heritage boys.

2. The boys

2.1. Profile and need

Black and mixed heritage boys in the youth justice system often have complex presenting needs, which raises questions and concerns about the support they receive from mainstream services, their journey into the justice system and their level of unmet need. YOS staff, including specialist staff, were consistent in their view that when this group of children first present at the YOS they are more likely than their peers to have a raft of needs that have not been addressed. They will most probably come from the most deprived areas, where there are high levels of violence that impact on their development and world view from a young age. There is a general consensus that they have experienced discrimination and that they are more likely to have been excluded from school. In 60 per cent of post-court cases, the child was, or had been, excluded from school, the majority permanently.

In almost a third of the statutory cases we inspected the child had been affected by criminal exploitation. In half of the cases there was evidence (where information had been recorded) that the child had experienced racial discrimination, but the impact of this was only considered in 10 per cent of assessments. This is a concern given its significance for the child's development and perception of their place in the world. A third of the boys given a statutory court order had been subject to a Child in Need or Child Protection plan and were highly vulnerable. The majority were not 'heavily convicted' (i.e. they had only one or no previous convictions). In over a quarter of cases where information had been recorded, the boy had a disability.

We found that black and mixed heritage boys were less likely than their peers to have been referred to Early Help services in their formative years and the reasons for this were not fully understood. One service told us that a significant number of Early Help referrals are made by general practitioners and that black and mixed heritage boys and their parents were less likely to attend medical appointments and that this could be an explanation, although this had never been explored.

YOS education staff told us that black and mixed heritage boys are more likely than their peers to have an EHC plan, and equally likely to have special educational needs that had not been identified or addressed. Emotional and mental health needs, as well as substance misuse problems, featured highly among this cohort of boys.

The level of unmet need among this group of children is worrying, and it is also concerning that there is limited understanding about the barriers that may be blocking their access to support before they enter the youth justice system. Issues of trust were frequently cited as a possible reason, but there was little evidence that this was the problem. Trust was a theme central to this inspection, and when boys struggled to engage and interventions were slow getting off the ground, an explanation given was that it was because time was being taken to 'build trust'. This was unrealistic given that some interventions were less than three months long, so it was critical that trust-building happened alongside delivery of the intervention.

YOSs must be careful to ensure that concerns about building trust with black and mixed heritage boys do not become a barrier or an explanation for engagement difficulties. In one case where the child had not engaged, the closing comments on the case file from the manager were that the 'family did not engage due to their Jamaican heritage'. There was no consideration that the approach taken was not the right one or that the YOS should consider what might have been done differently.

Case managers had an awareness of the presenting needs of black and mixed heritage boys, but we found that there was a lack of detailed understanding at partnership level. This meant that necessary changes in policy and practice within partnerships, services and agencies to address the needs of black and mixed heritage boys and prevent them becoming involved in offending were not happening. The overall understanding of the level of the children's needs was piecemeal in most services and partnerships.

2.2. What the boys told us

We commissioned the services of User Voice to assist us in getting the perspectives of black and mixed heritage boys in the youth justice system. The User Voice peer researchers who joined our team identified as black or mixed heritage and they had lived experience themselves of going through the criminal justice system. Prior to fieldwork we asked each YOS to gain consent from the boys whose cases we were inspecting, and any other black or mixed heritage boys who were involved with the YOS at the time of the inspection to speak with User Voice. We are grateful for the insights of the 38 boys whose feedback we have used to inform our findings.

Growing up

A striking feature across eight of the nine YOSs was that children grounded their offending in their environment and the influence of their peer group, which was an ongoing challenge and cause of stress for them. They spoke about how easy it was to get caught up in behaviours that they would never have considered by themselves. Due to their young age, they were not always equipped with the experience and skills to resist this.

Information provided by the YOSs showed that the majority of black and mixed heritage boys that they work with come from the poorest areas of their towns and cities, where people are living in close proximity. The boys often live on large estates or in densely populated areas, where they have less control over who they come into contact with. In this setting, they do not have the same opportunities to opt in or out of relationships that other children might have. It is in these circumstances that they can become vulnerable to grooming and child criminal exploitation, something that we saw in a significant number of the cases that we looked at. One boy described his local area in London as a 'war zone', stating that making the wrong decisions can lead to being killed or sent to prison. Another child described the stress that he had felt living in London and the positive changes to his life brought about by moving to a new environment where he felt safe and supported.

He told us:

"I'm going to college on a part-time course and I play for a semi-professional football club ... I'm in a different programme right now. I'm staying with family and they are keeping my head straight and making sure I don't slip up. I feel that I am in a better place up here so everything is working great".

It is well documented that, when children are exposed to a traumatic event, including violent crime, their response may vary. Some children become fearful. They may prefer to stay at home, and they may have trouble sleeping and concentrating in school. Some children exposed to violence start to resolve their own conflicts in a violent manner, especially if they don't have access to the support and guidance that they need to help them. Others can become desensitised to violence and the pain and distress of other people. Some retreat into a shell, avoiding people and the world around them. Children with long-term exposure to violence are at an increased risk of: behavioural, psychological and physical problems; academic failure; alcohol and substance use; adolescent anti-social behaviour; and adult criminality. When children repeat the violence, they have experienced

themselves without suitable and effective support and interventions, they can perpetuate a cycle of violence that continues through future generations. This reflects what we saw in the cases we looked at, where boys often had older siblings and other family members who had been involved in crime, and which had affected them in their formative years.

Experiences of discrimination

The children were asked specifically about their experiences growing up as black or mixed heritage in society. One boy stated that his appearance led to him being negatively stereotyped by others. *“I think on paper I’m not that bad but once people see me all the assumptions follow: big, black and bearded.”* The concept of ‘adulthoodification’ was raised across a number of the services inspected. Staff felt that other professionals and services often perceived black and mixed heritage boys to be older than they were, and we saw evidence of this in the work we inspected. If practitioners attribute inappropriate maturity to a child, then their difficulties with or anxieties about engaging with services, which are not unusual given their young age, are more likely to be interpreted as ‘choosing not to engage’ or not wanting help. What we learned from the boys who spoke with us is that they often don’t know they need help, or, if they do, they don’t know what it looks like until they receive it.

A number of boys highlighted that they felt stereotyped by the criminal justice system based on their ethnicity, and that this led to them being treated unfairly. One individual cited an example where he was charged with an offence alongside a white friend, but, while he was sentenced, his friend was released with no further action. The child felt this difference in treatment was solely due to the colour of their skin. He told us:

“When I was first arrested, I was with my friend that is a couple years older than me and white. Despite us both being charged and arrested that day, he was not on the order with me as the charges were dropped against him. He got NFA [no further action] and I was left to suffer the consequences alone. There’s no doubt in my mind that if he was black, we both would have been in trouble. It didn’t even matter about the age difference, the system just stereotyped me as guilty because of the colour of my skin. Black is guilty in their eyes”.

Experiences of discrimination were not limited to the criminal justice system. One boy spoke of racism he had experienced at college, which forced him to drop out of his course as he feared for his safety.

“I recently had to leave my college, which was a good one, but I was the only black kid attending. It was not in my area and it was not a place I could continue to study as I could feel tension building, as other students kept asking where I came from. I think I’m done with college now, not really interested in attending a new one. What I really want to do is a railway course so I can go work on the train tracks. I think that’s something I would enjoy – away from a lot of people.”

Relationships with the police

The boys demonstrated a degree of fatalistic acceptance that they are treated differently based on their ethnicity. Police stop and search was discussed in this context and, while it was evident that this was a stressful experience, it had also become normalised and an accepted part of everyday life. There were, however, regional differences when the boys spoke about their experiences with the police. Boys who lived in London cited this as a greater challenge than those living in other areas. Indeed, some boys who had moved from London to other regions spoke with clarity about the difference this had made in terms of their contact with police and their improved sense of wellbeing as a result of not being stopped and searched on a regular basis.

Comments from boys when discussing their experiences of being repeatedly stopped and searched included the following:

"I'm ready for it. I'm a young black boy so it's normal. It's not a good thing because I'm targeted but I'm used to it".

"Sometimes I feel like it's targeted because if I was the only black person sitting in a park and you're profiled as a drug dealer or you're looking like you're going to commit some type of offence. When, realistically, you're just in the park, trying to have your own space and just get out of the house. ... When they see a white friend, who is wearing the same clothes as me the policemen wouldn't look their way at all. Like if I was to wear an expensive coat I would get stopped and searched by the police because I'm wearing an expensive coat but if a white person was to wear an expensive coat nothing would happen."

"Because I got stopped four times in a week, then I got fed up and I had to record them because for my own safety and like because I don't know what [the police] can do... I kind of feel like they target mixed race people."

Programmes and interventions

Only a quarter of the boys we spoke to felt offending programmes and interventions fully met their needs, while half told us that they sometimes met their needs. Some children reported that interventions helped them most with their decision-making and understanding the consequences of their actions for victims and other people affected by their offending. Others discussed how they benefited positively from specific programmes such as those focusing on music and sport.

Just over a quarter of the boys we spoke with reported that programmes and interventions rarely or never met their needs. There was a sense that they didn't understand the purpose of the interventions and that they got little out of them. They did not always find them to be relevant. Many felt they were already aware of the consequences of their actions and therefore that element of the programmes was of limited value. There was a view that the programmes did not address their underlying problems and difficulties or the factors that were driving their offending or the challenges they faced in extricating themselves from situations and the manipulation of others. The boys we spoke with said that they were not always aware of the intervention plan that had been put in place for them, so it is possible that they did not understand the purpose of their interventions and the overall aims of the work.

Relationships with YOS staff

The boys were broadly positive when asked if they had been treated fairly as a black or mixed heritage boy by youth offending services. Fourteen per cent reported that they were treated fairly all of the time, while just over two-thirds stated that they were treated fairly sometimes. None of the children we spoke to felt that they had been discriminated against based on the colour of their skin by any staff member at a YOS.

Honesty and transparency were considered to be important elements of the support received from YOS workers. However, the boys did not feel that this always happened. They felt that attending the YOS was a better option than going to custody, but that they did not always feel challenged or stretched by the interventions they received. This reflected what we saw in much of the casework we inspected. There was often an absence of the difficult conversations that are necessary to support children to consider their life experiences and the impact these have had on them, their identity, their thinking and their behaviour. Some

boys said that, at times, the work felt superficial.

One boy told us how his intervention helped him to explore his thoughts and feelings:

"Yeah, yeah literally that's what came to my mind. It's more like therapy to be fair... we were talking about things that affect me... so that was beneficial to me. It made me understand more things that I didn't really like to think about, different aspects. I actually realised some things were kind of important that I kind of brush off but it was good to talk about it because it's kind of made me see things that were beneficial".

The ethnicity of staff and diversity awareness

Almost all the boys we met with described positive relationships with their YOS workers. When discussing how well their YOS worker understood their needs and experiences as black and mixed heritage, the vast majority (36) of boys did not consider the ethnicity of their worker as being a significant factor. The skills and knowledge of the worker and the relationships they formed with the boys were more important in supporting and promoting meaningful and effective engagement.

Two boys did say they felt their black YOS worker could better relate to their experiences, such as being stopped and searched by the police. This understanding helped foster a positive relationship between these boys and their YOS workers. One boy told us:

"I have a really good relationship with my worker... he looks after me and keeps me in line. He is black so I feel that he knows what I'm going through. He makes sure that I keep making good decisions when I'm out".

Another child stated that his white YOS worker had spoken to him about an employment opportunity specifically for black teenagers, which aligned with his interests. The boy felt this demonstrated that the YOS worker had considered his ethnicity, and when the subject arose the worker spoke comfortably and did not create an awkward atmosphere. He told us:

"I can tell that he kind of took that (ethnicity) into account as well because he talked to me about Lewis Hamilton because I was talking to him about how I want to get into engineering and vehicle maintenance and stuff when I'm older. So, he was talking about how Lewis Hamilton has created a programme for young black teenagers to get involved in stuff like that. So he's understood things from that perspective but it's not like he talked to me awkwardly about it, he talked to me in a nice manner, so in everything he said, there's not one thing he said that made me feel uncomfortable to be honest".

2.3. Conclusions and implications

Black and mixed heritage boys in the youth justice system are likely to have grown up in the most deprived areas. Their families are affected by the issues linked to social disadvantage and the limitations this can have on their lives. Inter-generational racism is part of their lived experience and the impact of this cannot be ignored by workers trying to form relationships with children and families. Any hesitancy in relation to engagement should be considered in this context in the first instance.

From the cases we inspected it was evident that almost all of the boys had experienced loss and significant trauma in their formative years, and experiences of racial discrimination had been a feature of their lives. The impact of this on their development and identity cannot be ignored or underestimated. Where children have committed serious offences, we cannot minimise or negate the risk of harm that they can pose to other people and the protection of victims is of paramount importance. Additionally, failing to identify and address risk of harm

issues with children can add to their stress and anxiety, especially if they themselves recognise how damaging their behaviour has become. Equally, their circumstances and life experiences have to be fully considered in analysing their behaviour and their vulnerability. Effective interventions with children who have complex lives, have experienced trauma and pose a risk to others require a balance of support. The children also need challenge in the interventions they receive. This was recognised by the boys we spoke with; some described their YOS interventions as 'tick box' or a 'check-in', but where workers invested in getting to know them and in carefully challenging them, the boys were more likely to engage and benefit. There was a sense that the boys did not know what it was that they needed until they received it.

When children offend, it is a pivotal moment in their lives; they are in crisis. To help them to change their behaviour, we must understand what underlies their offending and any barriers that may hamper their progress. The role of case managers in advocating for the child is critical. For children who have often been let down by adults who have not noticed when they needed help and support, it is important that they experience a positive relationship with a professional. They may not want to discuss what has happened to them or what is continuing to happen in their lives. This can be painful and shameful for them, and their perceived reluctance to engage must be responded to appropriately. Practitioners require a high level of skill, support and reflection to ensure that they are attending to the underlying issues linked to the child's offending if they are to get to the root causes of the behaviour. To support engagement and progress, it is important that children are fully involved in planning their intervention, that they know what is happening and why, and that their strengths are focused on, with long-term goals identified and supported. Organisations need to have high aspirations for this group of children, as it can be difficult for them to do this themselves.

3. Governance, leadership and staffing

3.1. National leadership

During this inspection we met with national leaders across the justice sector who told us that there has been an increased focus on addressing disproportionality in the last 12 to 18 months. There was agreement that there needs to be a better understanding about what is driving and contributing to racial disparity, and positive action taken to address it. There was a general consensus across all agencies that there is a need to focus more on looking at the front end of the system to understand what is causing the increasing over-representation of black and mixed heritage boys.

The Youth Justice Board for England and Wales

The YJB has stated its ongoing commitment to tackling over-representation and this is reflected in its strategic priorities with reference to over-represented children, and in commitments made in its strategic and business plans.

To date, the YJB has struggled to measure progress in relation to the over-representation of black and mixed heritage boys in the youth justice system. The data that is available does, however, show that the recognised recent improvements in the numbers of first-time entrants, re-offending rates and numbers in custody are disproportionately benefiting white children. At a national level, discussions across government have been hampered because the approaches taken by different organisations to addressing and prioritising disproportionality have not always been well aligned.

The YJB's disproportionality toolkit is available for YOSs to help them identify whether certain ethnic groups are over-represented within their service. There are no expectations that YOSs will use the data to support improvement, and currently there is no published data showing how YOS partnerships are performing in this area. The YJB uses the toolkit data at its Performance Oversight Board to see where there are problems in order to target scrutiny.

The YJB's resources, however, are constrained by decreasing budgets, and its ability to directly support improvement with local YOS management boards has significantly reduced in recent years. The YJB has shared its disproportionality toolkit with the Association of Police and Crime Commissioners to help it set priorities. It has also produced 'Understanding Racial Disparity: infographic' (see Annexe 4), which highlights disparities between different ethnic groups of children to identify factors linked to over-representation.

As part of the YJB's ambition to reduce ethnic disproportionality, it has worked with the Alliance of Sport to secure grant funding from the London Marathon Charitable Trust for 'Levelling the Playing Field', a sports and physical activity project to benefit children from black, Asian and minority ethnic backgrounds who are at risk of entering, or are already within, the youth justice system.

The YJB's *Case management guidance* (2018) covers issues of race and disproportionality. The YJB recognises that it requires strengthening to set out expectations and offer clearer direction. It has delivered training for heads of youth offending services on their responsibilities under the *Equality Act 2010* in order to promote improvements in practice and is also in the process of producing a checklist for YOS management boards on disproportionality.

In order to increase the representation of minority ethnic staff in senior leadership positions in YOSs, the YJB is leading on the Elevate programme to support the development of Black,

Asian and minority ethnic managers and their recruitment into strategic leadership roles. The programme is supported by the Association of Youth Offending Team Managers, which provides mentors for aspiring black managers.

The YJB promotes a 'child-first' approach to practice. This focuses on 'treating children as children', making sure that interventions are developmentally led and, wherever possible, minimising children's contact with the youth justice system through diversion work.

Policing

Over the past 10 years the number of children in the youth justice system has reduced, as significantly fewer are subjected to statutory court orders. Out-of-court disposals are increasingly used and now make up a large percentage of the cases being managed by YOSs. However, details about the use of informal out-of-court disposals that don't lead to a criminal record are limited, as no national ethnicity data has been collected since this type of out-of-court disposal was introduced in 2013. This means that it is not possible to say with any degree of certainty that they are being applied equally to children across different ethnic groups.

An attempt to reduce ethnic disproportionality in the use of out-of-court disposals is the focus of a current police pathfinder programme being carried the National Police Chiefs' Council (NPCC). This is being led by a commander from the London Metropolitan Police force. The aim is to generate effective practice in relation to community resolutions. The YJB is linking with the College of Policing to consider guidance in relation to out-of-court disposals. The YJB is also determining whether data collection can be improved so that it can be used to assess the impact of out-of-court disposals on reoffending rates. This will support the analysis of any correlation between the administering of diversion interventions and the over-representation of black and mixed heritage boys in the statutory youth justice system.

In relation to safeguarding and stop and searches, police officers are not expected to notify children's social care that they have carried out a stop and search, as the volume of notifications would be overwhelming and it is assessed that it could make it more difficult for social workers to identify risk. The expectation is that if police officers identify any concerns, they should make a referral if they deem it necessary. It is also expected that if a child is arrested then children's social care and the YOS should be informed. However, during fieldwork we found that this does not always happen. The NPCC is considering whether police officers should be informing parents/carers when a child is stopped and searched. A pilot is currently taking place in Sussex to test this. This issue of stop and search and safeguarding is also on the agenda in Haringey, where work is taking place to improve information-sharing between the police, social care and Early Help when children are stopped and searched. The aim is to offer timely support and intervention to children and their families at the earliest opportunity.

The NPCC recognises that more needs to be done to make sure that 'proactive policing' policy is not affecting some ethnic groups more than others and that local crime strategies don't inadvertently contribute to disproportionality. It is acknowledged that there needs to be more focus on rewards and recognition for officers who are good at, for example, community engagement. Improved communication with communities about stop and search and the rationale for its use is also needed. In recognition of the need for change, police training has been revised to include training to improve officers' understanding of the traumatic impact of stop and search on children.

The NPCC, following the rise of the Black Lives Matter movement, has set up a programme of work to tackle race disparity. It is establishing an advisory panel with an independent

chair to look at issues such as how the police work with the community, and how they recruit and train officers.

The NPCC acknowledges that the lack of granular data on stop and search, and the fact that it is not possible to see from current published data how many black and mixed heritage boys are stopped and searched each year, is a significant shortfall. It has plans in place to publish more detailed data next year.

The courts

The Magistrates Association has delivered some training on disproportionality and is working with the YJB to develop a protocol to reduce the criminalisation of children from ethnic minority groups. This will include sentencing, the journey of the child into the justice system and out-of-court disposals. The aim is to get key stakeholders and partners to sign up to the protocol and consider it in their delivery of services.

The Magistrates Association told us that courts have seen longstanding and serious issues concerning the availability of suitable accommodation for children on bail, and failures can and do result in custodial remand. Given the increasing disproportionality of black and mixed heritage boys being remanded in custody, this is a serious concern. It was also reported that children are sometimes released from custody after serving a sentence and do not know where they will live, because they can't go home and are waiting for accommodation. Again, this is more likely to affect black and mixed heritage boys due to the number of them in custody in England and Wales. It was also reported that, when boys attend court, they often do not have an adult who can take responsibility and are left without support or suitable advocacy.

There is a gap in training for magistrates in the area of youth justice and it was suggested that magistrates could benefit from taking part in joint YOS training. We saw a good example of this in Lewisham, where the youth bench had participated in trauma-informed practice training to help them understand and have confidence in the approach the YOS was taking. Similar activity had taken place in Manchester.

The Magistrates Association recognises that there is a lack of diversity among magistrates and it has developed a recruitment strategy to address this. It has reached out to communities to explain the magistrate's role in a bid to promote recruitment. Work to improve diversity among magistrates is ongoing, but there has been some progress, with 29 per cent of magistrates in London now coming from ethnic minority communities and 12 per cent nationally. The Magistrates Association has also worked closely with the Judicial College to improve the quality of diversity training.

The Magistrates Association is concerned about the quality of legal advice that children are receiving at police stations at the point of arrest. This was echoed by the Centre for Justice Innovation, which told us that many solicitors are unclear about what out-of-court disposal schemes are available and do not always offer the right advice. The Centre for Justice and Innovation recommends more use of 'Outcome 22' to address concerns that black and mixed heritage boys are more likely to give a 'no comment' interview at the police station and therefore miss the opportunity to be dealt with via an out-of-court disposal. Outcome 22 refers to a police outcome code which can be used when the police decide to defer prosecution until the accused has been given the opportunity to engage with an intervention activity which is aimed at keeping them out of the criminal justice system. Using this approach means that, if a child does not admit guilt when arrested but agrees to comply with a contract of intervention, they are decriminalised, receiving no further action for the offence, and the case is closed by the police.

Leeds Youth Justice Service were part of the Ministry of Justice Chance to Change pilot for deferred decision making on out-of-court disposals, which allows for interventions without an admission of guilt. If a child successfully completes a contract of intervention, they receive an Outcome 22. Chance to Change has now been rolled out across West Yorkshire. In Oxfordshire, children are not automatically precluded from receiving an out-of-court disposal if they initially give a no comment interview to the police. The case can still be discussed at the out-of-court disposal panel, and if it is deemed appropriate, the child can be offered the opportunity to engage with an out-of-court disposal assessment. Should the child make admissions as part of this assessment then they can be considered for diversion intervention. Inspectors noted both of these examples as good practice.

3.2. Local YOS partnership governance and leadership

Vision and strategy

Addressing disproportionality has been a priority in most youth justice plans for a number of years. During our discussions with YOS managers and board members, most agreed that there had been a lack of clarity about how over-representation would be reduced and not enough action had been taken. Until recently, most services did not have a specific strategy or action plan driving the delivery of high-quality services to black and mixed heritage boys, and this was evident in our casework findings. Some services have still to put appropriate plans in place.

In the majority of YOSs, dedicated YOS managers have been strong and consistent advocates for black and mixed heritage boys, but there are limitations to the impact that they can have alone, given the longstanding and complex needs of this group of children. There was a consensus at a senior leadership level that many of the problems, such as school exclusions, unmet SEN needs and policing approaches, are contributing to the over-representation of black and mixed heritage boys within the YOS cohort. However, we saw little evidence that partners were signed up or committed to a shared vision that was sufficiently focused on improving outcomes for these boys. There were good strategic links between the YOS and other boards, such as community safety, and we saw examples of the benefits of the violence reduction unit in some areas. In some regions, funding from the Office of the Police and Crime Commissioner was supporting prevention projects, but not all services were receiving this equally.

Boards did not have mechanisms in place to continuously measure and monitor progress against a set of shared targets and objectives. There was an ambition for improvement but it was not always clearly defined. Not all services were using the YJB disproportionality toolkit or other data to develop an understanding of which children they needed to focus on to reduce over-representation. For example, in one service it had not been noted until it was raised by inspectors that mixed heritage boys were five times more likely than white boys to be known to the YOS. Moreover, black and mixed heritage boys were viewed as a single group, despite one of these groups (mixed heritage boys) being significantly over-represented compared with the other.

We found that successes, such as reductions in the numbers of school exclusions and numbers of children in care, did not apply equally to black and mixed heritage boys, especially those in the youth justice system. The reasons for these disparities were not sufficiently understood. Barriers were not being addressed, such as the lack of suitable accommodation for children facing custodial remand, an issue raised with us by the Magistrates Association and others. We saw this dealt with well in Sheffield, where processes had been put in place to make sure there were no delays in providing placements when needed. In other areas, this remained a significant barrier.

Most staff knew that addressing disproportionality was a priority but many were not aware of a stated vision or specific approach that they should be considering in their day-to-day practice. It was clear from our casework findings and meetings that communicating effectively with staff on this issue is imperative if services and partnerships are serious about improving.

Poor practice example

In one inspected YOS, staff were unaware of any strategy or plan to address disproportionality and felt that they had little or no control over what happens to black and mixed heritage boys in the criminal justice system. They recognised that black and mixed heritage boys are over-represented nationally. However, they were unaware of issues of disproportionality within their service, as no information, statistics or data analysis were shared with them. Not all staff felt that there was a safe environment to discuss issues of race and equality and diversity.

The role of YOS board members in highlighting issues of disproportionality and advocating for the YOS

Board members did not always have a thorough understanding of how practices and processes in their own agencies were impacting on the longer-term outcomes for black and mixed heritage boys. For example, we found that this group of children were less likely to have been referred for Early Help services. The reasons for this had not been analysed and no action had been taken to address it. The limited detail about this over-represented group of children meant that partners could not hold each other to account effectively or be confident that the right resources were in place. In one service, an enhanced case management process had been put in place and this had been chosen in part because it was considered to meet the needs of children from ethnic minority groups. But we found that no black or mixed heritage boys had benefited from the support and that this had not been identified prior to this inspection.

From our meetings with staff and managers, it was clear that their concerns about school exclusions, unmet SEN and police stop and search were consistent and ongoing. There have been some improvements in the last 12 months. For example, Greater Manchester Police have commissioned a police academic to examine the force's application of stop and search processes and use of force. The findings will be used to review and change current processes. However, overall, partnership boards are not doing enough to address some of these key issues and this requires significant improvement. We noted that changes in board members, gaps in attendance and a lack of seniority of those in attendance may be impeding progress. We also noted in some areas that boards lacked diversity in terms of the ethnicity of members. It is important that the diversity of board members reflects all children and families the YOS works with, so that issues such as disproportionality are considered from all perspectives.

The disproportionate rate of school exclusion for black and mixed heritage boys was one of the most significant and consistent themes of this inspection, and national data supports the concerns raised (Annexe 5). Equally, the level of SEN for this group of boys was repeatedly raised as a concern. Some YOSs had representatives attending school exclusion panels and other similar multi-agency meetings focused on education, but almost two-thirds of the children subject to statutory court orders had been excluded from school, and for many this had happened before they had come into contact with the YOS. Addressing this requires urgent action from board members and senior leaders.

Earlier this year, the Secretary of State for Education announced that there will be a consultation on revisions to the guidance on both behaviour and exclusions later this year. This process is now underway and will hopefully address some of the issues highlighted in this inspection, particularly in relation to behaviour management strategies, school exclusions and managed moves.

Health partners need to consider why black and mixed heritage boys who have been referred to child and adolescent mental health services (CAMHS) at a young age have not always received the support they need by the time they come into contact with the criminal justice system. Social care representatives need to give thought to why this group of children are not benefiting from Early Help services and why they are over-represented in statutory social care services. Policies, procedures and processes should be examined to see if the current approaches are going far enough to meet the needs of this group of children and their families at the earliest stages.

We found that local police stop and search data and information on children released under investigation is not shared at partnership board level, which means that any disproportionality in the application of police processes cannot be examined. In Leeds, the Youth Justice Service, along with other West Yorkshire services, are paying West Yorkshire Police for this data to help it make sense of the children's experiences. This degree of scrutiny is necessary, as is a high level of challenge across agencies if change is to be achieved.

We noted that, despite issues being discussed at management board level, problems such as those relating to education provision are not being dealt with. We were therefore pleased to see that in Sheffield the local authority was taking a holistic approach to identifying and addressing issues of discrimination. This system-wide approach, the level of scrutiny and the commitment of the local authority and political leaders provide an important opportunity to improve the life chances of children known to youth justice services.

Good practice example

In Sheffield, cabinet members and the council's Chief Executive Officer have arranged for the Race Equality Commission to undertake an independent strategic assessment of the nature, extent, causes and impact of racism and race inequality within the city. The Commission will make recommendations for tackling these issues. The assessment will focus on a number of areas, including business, crime and justice (including youth justice), education, health, sport and culture. The Commission will hold a series of hearings with key stakeholders and people from the local community to discuss their evidence and their experiences of racism and racial inequality in their everyday lives. By gathering evidence from a range of individuals, the Commission will be able to get a stronger idea of the nature, extent, causes and impact of racism and what the commensurate inequalities have been for the people of Sheffield. Once they gain a better understanding of any issues of structural racism and racial disparities, the intention is to take action to disrupt them and to identify those with responsibilities to make the necessary changes. This affirmative action and whole-system approach being taken by senior leaders demonstrates a real commitment to change.

The role of YOS leaders in supporting effective service delivery and addressing disproportionality

Most YOS managers had a good understanding of the issues affecting black and mixed heritage boys. However, our findings from this inspection indicate that managers have not

had sufficient oversight of the quality of practice within their services to assess if the work being delivered to black and mixed heritage boys is good enough.

Equality and diversity policies and guidance

The majority of services referenced wider local authority equality and diversity policies in relation to their practice and expectations. A minority of services had created specific guidance, for example when assessing factors relating to the child's self-identity and their personal and social situation. Lewisham YOS had created a YOS-specific equal opportunities policy, along with a disproportionality policy, and it was in the process of developing an anti-racist strategy. The equal opportunities policy set out how the YOS would 'continually strive to challenge direct and indirect discrimination in its organisation, personnel practices, and provision of services'. It also set out expectations in relation to assessment and planning and referred to structural racism and social graces as factors to be considered. Sheffield YOS, as part of its work to develop anti-racist approach to practice, had produced guidance for staff working with black and minority ethnic children and their families. This document set out questions, prompts and things to think about when analysing a child's circumstances and lived experiences. The guidance is a working document that is being continuously reviewed and updated to incorporate learning and feedback.

Use of management information

All services were able to extract data from their system to produce reports. The quality of these varied, however, and were dependent on the information contained in the case file. Information, for example, about a child's disability or whether they had been excluded from school were not always clearly recorded in cases files. The ethnicity of the child had been incorrectly recorded in a number of cases, and staff could not always provide this information during discussions. The reports that services produce to understand the needs and the profile of the children are therefore not always reliable. Information on offence type and risk level (for post-court work) was more reliable.

Gaps in recording meant that services may be under-assessing children's needs, making it difficult to establish an accurate evidence base for this group of children. There are added complexities for community resolution cases where AssetPlus has not been used. This made it more difficult to extract the data necessary to understand the level of need for this substantial group of children. This raised questions about the quality of the data being provided to the YOS partnership board to inform its understanding of need at strategic level. Details about the presenting needs of the children are critical to ensuring that sufficient resources are in place and to guide commissioning. It is also necessary to have sufficient detail to measure impact and progress. We noted a correlation between the effective use of data and a better quality of service delivery.

In order for services to assess whether their pre-sentence report recommendations are followed by sentencers (the so-called concordance rates), the case management system report screens need to be completed. In some services, this was not happening, or was not happening consistently. With the high level of concern about black and mixed heritage boys being sentenced more harshly than their peers and being more likely to be sentenced to custody, we would expect YOSs to have consistent reliable processes in place to measure the concordance rates across ethnic groups. This was done well in some services but not across the board.

We found that staff were interested in the data when we presented it to them. It provided a backdrop that helped them to understand and make sense of what needed to be done better and where they needed to focus. It is possible that this information has not been shared with staff as it is not fully understood within the system. One senior manager told us

that it was only during this inspection that they had realised that they had not been using data well enough. They had not appreciated the importance of doing so or the value of scrutinising information reports to identify inequalities in service delivery and outcomes:

“We were really interested that this inspection separates out black and mixed heritage and it made us think – we don’t consider them as two separate groups even though the outcomes for mixed heritage children are so much worse”. Team managers

“We can hypothesise about over-representation but we recognise we don’t know the story and we realise this needs to improve”. Service manager

We saw good examples of managers using court user group meetings to discuss disproportionality in sentencing and in more than one service we saw that managers had changed the format of pre-sentence reports to put the personal circumstances of the child before their offending. These changes had been made with black and mixed heritage boys in mind and recognised the need to place their offending in context given the evidence that they are likely to receive harsher sentences than their peers. Haringey and Hackney YOSs had analysed data for breach rates and outcomes for black and mixed heritage boys. This led to a review of policy around engagement and enforcement, which are beginning to show an improvement.

YOS staff views on organisational culture

In most services, staff were aware that there were concerns about disproportionality but they did not always have a detailed enough understanding of the service’s response or any plans for improvement. Where there was a clear vision and strategy in place, and where addressing inequality was firmly on the agenda, staff felt empowered and confident to advocate for black and mixed heritage boys. For example, they did this in court, when liaising with education providers or, on occasions in challenging discriminatory or stereotyping language they heard being used by other professionals.

In almost every service, there had been some discussion about the Black Lives Matter movement, but some staff told us that this was as far as the conversation had gone. Some were concerned that the recent focus in issues of racism and discrimination were reactive and would not be sustained. In some, but not all, areas, there had been little follow-up or discussion with staff about what they might need to help them improve their awareness, skills and confidence. Most staff we met with felt that they would benefit from more support and guidance. Inspectors shared that view, given how difficult discussions about this topic can be, especially for those having the conversation with the children directly affected by the issues.

Most staff felt that there was a safe culture in the YOS where they could discuss diversity, ethnicity and race. It was therefore surprising to see that less than two-thirds of staff responding to our survey said that they had raised concerns about children being discriminated against, even though the majority of respondents had observed it. Managers need to make sure that staff are aware of how to raise concerns and that they feel confident action will be taken when issues are raised.

Inspectors received a range of views on the quality of YOS leadership:

“Leaders have to be ambitious, confident and committed and the emotional impact of the work needs to be understood, as it can be the biggest challenge. You need a resilient workforce, a clear focus and a sheer determination”. YOS manager

“When I stand up in court and address these issues [of discrimination] I know I have the backing of the management team”. Court worker

“It would be disingenuous to say the managers are all operating in the same way and paying equal attention to this issue – the training has helped with this and opened the door to more meaningful discussions in supervision but there is work to do”. YOS manager

“I don’t feel some of the management team take these issues seriously. When concerns are raised regarding the racism children are experiencing, no action is taken. There was a view amongst managers that this inspection was not needed, which was worrying”. YOS worker

“An effective team of black managers and wider workforce who are culturally competent contributes to a high-quality service to meet the needs of black and mixed heritage boys”. YOS volunteer

3.3. Staffing

Staff skills and profile

The majority of staff we met felt that they had manageable caseloads that gave them sufficient time and opportunity to form meaningful relationships with children and families, and we found this was an area of strength in practice. The ethnicity of staff and managers reflected that of the children in the majority of areas, but some services were experiencing challenges in recruiting a diverse workforce, particularly volunteers and mentors. Some staff responding to our survey felt there was not sufficient representation in their staff and management teams and they identified this as an area that requires improvement.

Most staff responding to our survey felt that their service promoted a culture that supported safe discussion about ethnicity, racism and the particular challenges that black and mixed heritage boys might experience. Almost all staff we met with felt that this had improved since the rise of the Black Lives Matter movement. People described discussions happening more freely and openly across services and between all staff members. This is a positive development and should not be underestimated. Creating a significant cultural shift is an important step in the process of change. However, YOSs need to make sure that these discussions are extending beyond staff groups and are also taking place with the children the service works with.

We identified that staff did not always raise concerns when they considered that children had been discriminated against. This suggests there is a risk that black and mixed heritage boys experiencing racism in the youth justice system may be going unchallenged. We saw a correlation between concerns about racism being escalated and services having a clear vision that was well communicated. We noted that concerns were more likely to be raised in relation to children on statutory court orders. This may be reflective of the more intensive work being delivered as well as the trust that develops between the worker and the child over a longer period of intervention. The majority of staff who did raise concerns were satisfied with their managers’ response.

In some areas, staff and volunteers felt that ‘all children should be treated the same’ and this, together with our casework findings, indicates there is some way to go in terms of training and understanding.

We noted a proactive response by Leeds Youth Justice Service, who have experienced some challenges in diversifying their staff team. To address this, they have worked with PATH

Yorkshire which is a not-for-profit organisation that assists employers and organisations in tackling the under-representation of black and minority ethnic groups in their workforce.

Good practice example

Leeds Youth Justice Service has worked in partnership with PATH Yorkshire for the last 20 years and have generally had at least one PATH trainee in their service throughout that time. The PATH programme provides trainees with the experience and skills they need to successfully apply for a job within youth justice or a related field. The service currently has five employees who have started their youth justice career as a PATH trainee, including one who has since qualified as a youth justice officer through the Youth Justice Foundation Degree and one operational manager. Other trainees have found employment in youth work, family support or prevention projects. The partnership with PATH is a valuable means by which the Youth Justice Service in Leeds can address the structural disadvantages many people from black, Asian and minority ethnic communities face in the jobs market and ensure that the service has a diverse workforce which meets the needs of children and families from all communities.

Management oversight

Management oversight was not routinely evident in case records, and managers did not use a wide enough range of methods to scrutinise and review the quality of work. Quality assurance processes did not focus enough on issues relating to diversity, which made it difficult for services to have clear sight of trends and emerging issues. This also meant that the impact of training was not being assessed and reviewed and any additional support needs of staff were not being identified. We could not see evidence that managers were picking up on issues that affected the quality of service delivery in order to escalate or address them. We also found that work that was below standard was being countersigned. Overall, we found that management oversight was not driving the required improvements to service delivery. Management oversight in relation to supporting desistance and managing the safety and wellbeing of black and mixed heritage boys was sufficient in less than half of post-court cases and in just over a third of out-of-court cases. There was significant variation between the best and worst performing services. When we looked at oversight with a specific focus on diversity, we were concerned to find that, overall, it was effective in only 18 per cent of statutory cases and in just 13 per cent of out-of-court disposal cases.

Staff support, supervision, learning and development

Most staff had received unconscious bias training.⁸ They had found it useful but were aware of its limitations. It provided staff with awareness and insight but did not give them the skills or confidence to engage with issues of race and ethnicity in their direct work with children and families. In Lewisham, training in cultural competence and anti-racist practice has been delivered, not just to YOS staff, but also to YOS police and partnership staff. The inspection team noted this as good practice in creating a shared understanding and approach across agencies. Training worked best when it was delivered across teams and services, as this promoted discussion, which is an important element of learning. However, many staff had

⁸ Unconscious bias refers to the deep-seated prejudices we all absorb due to living in deeply unequal societies. A report produced by the Government Equalities Office in 2020 stated that there had been 'no evidence' that the training improved workplace equality.

completed online unconscious bias training by themselves. Staff also told us that training was often optional and not ongoing, and this undermined its value.

Strong foundations for learning need to be set from the beginning, when staff join services. It was therefore disappointing to find out from case managers we interviewed that only half of them felt that their induction had given them sufficient knowledge to support their work with black and mixed heritage boys. Many were not aware, for example, of the specialist or community services available for this group of children, and this was a missed opportunity at the outset.

Overall, most staff considered that the training they had received had equipped them 'quite well' to work effectively with black and mixed heritage boys. However, the assessment and analysis of diversity needs were inadequate in the large majority of inspected cases, which clearly indicates that more training and support are required. Many staff appear to lack confidence in discussing culture and/or experiences of discrimination, which means that specific challenges faced by black and mixed heritage boys are not fully understood or addressed. If staff don't feel knowledgeable or confident in discussing diversity issues with children, there is a risk that these will be avoided and overlooked.

We saw examples of clinical support offered to staff, for example through case formulation meetings where the cases were discussed and guidance was offered. However, we saw few examples of staff being able to access specialist clinical support to discuss any concerns or anxieties that they may have about their own practice and how their own life experience or world view may influence their understanding or approach to their work with black and mixed heritage boys.

Supervision did not provide sufficient direction and there was little evidence that issues relating to race, ethnicity and diversity had been discussed. In a number of the areas we visited, volunteers had not received any training and they were not aware of any specific approaches being taken to consider the diversity of black and mixed heritage boys.

We received a range of views from staff and volunteers about diversity in practice and organisational culture:

"We have started referencing Lammy report and highlighting discrimination issues in PSRs [pre-sentence reports]. Recent unconscious bias training was really helpful. Quality assurance that specifically highlights race/cultural factors has made me realise how colour-blind my assessments have been and how this is doing a disservice to my ethnic minority children". Case manager discussing their learning

"We treat everybody the same – it is a child first approach". Case manager discussing their approach to working with black and mixed heritage boys

"Both management and staff promote a safe environment where matters relating to race can be discussed openly without the fear of being judged. In my view this is really important as staff are able to express their own ignorance on certain topics while also being able to share with colleagues' discussions, they have had with black young people which they have found to be effective. Such an environment enables staff to develop their confidence and not be wary of bringing up matters of race when working with black and mixed heritage children". Case manager discussing the importance of organisational culture

“I know they need an interpreter when their eyes glaze over”. Case manager discussing work with parents and carers whose first language is not English

“Although I do not believe black and mixed youths are discriminated in the YOS, if I did come across an incident of this, I would not know how to advise the youth or to get them specialist help. This is probably because it’s never been an issue”. Case manager discussing the escalation of concerns about discrimination

“Supervision could be better, rather than focusing on who has been referred where, I would benefit from thorough reflective case discussions which focus on diversity and the cultural needs of the children”. Case manager talking about the support and supervision they receive

3.4. Conclusions and implications

There is clear evidence that black and mixed heritage boys and their families have experienced marginalisation and have not received the same level of support from services as their peers before coming into contact with the youth justice system. The reasons for this are still not clearly understood, but what is evident is that this has impacted on the boys’ perception of services and the support they offer and this may also affect their motivation to engage. ‘Turning this around’ is a challenge youth justice practitioners face. For many of the black and mixed heritage boys involved with the YOS, this is the last chance they may have as children to get the support they need.

The revised YJB disproportionality toolkit, which was rolled out in 2018, is available to all YOSs to use on a voluntary basis. We found, however, that it is not being consistently utilised. In part, this is because it tells services much of what they think they already know. Our inspection findings suggest that they would benefit from more direction on how they could address the issues the toolkit identifies. The YJB has put some positive initiatives in place such as ‘Levelling the Playing Field’, but more oversight and accountability for YOS performance on disproportionality is needed to drive improvements in practice. Guidance that sets out expectations and assists youth offending team practitioners and managers on effective practice with black and mixed heritage boys would support improvements.

This report has highlighted significant concerns regarding policing practices in some forces in relation to black and mixed heritage boys. This has been a consistent theme, from the boys themselves, among practitioners, managers and strategic leaders. One of the main concerns relates to the use of stop and search and also the limited data available for examination and scrutiny. In addition, data on differential use of community resolutions by ethnicity needs to be collated for analysis, so that any disparity can be identified.

Improving outcomes for black and mixed heritage boys is not achievable by YOSs alone. Partnership boards should ensure that reducing over-representation in the justice system is a standing item at meetings. All partners should be expected to submit data from their own services to show what action they are taking to improve outcomes for black and mixed heritage boys in, or at risk of entering, the youth justice system.

Currently, YOS management boards are not using data and information effectively to understand and address the needs of black and mixed heritage boys. They cannot therefore be confident that they have sufficient resources in place or that organisational processes are not disadvantaging this group of children.

Senior leaders and board members do not have processes in place for gathering the views of black and mixed heritage boys and their families. Without this information, it is not

possible to assess whether what is being delivered is meeting needs or having an impact. Mechanisms need to be established to give a voice to the children and their families, and their feedback should be used to consider, assess and improve the effectiveness of service delivery.

Not all staff are aware of their YOS's vision or what is expected of them in practice. Management oversight and supervision lack focus in terms of diversity and are not driving improvements, resulting in a gap between strategic ambition and current service delivery. Staff consistently told us that they were not aware of the data and information regarding the over-representation of black and mixed heritage boys in their services. They had received training on these issues but they had no context within which to place it, as they did not fully understand what they were being asked to address. Staff need to know what is expected of them and they need to be given clear guidance and direction so they can be confident that they know 'what good looks like'.

As we learned from the boys we spoke to, black and mixed heritage boys don't always recognise the impact that experiences of discrimination are having on them and don't recognise that they may need help. They are more inclined to 'get on with it' and this can involve dysfunctional coping mechanisms that are damaging to themselves and to other people. Managers need to be aware of how challenging this work to address this can be and make sure service-wide learning opportunities are harnessed. Specialist, clinical support should be provided where needed to enable staff to consider the emotional impact of the work and help them to process their own anxieties, thoughts and feelings.

4. Partnerships, services and facilities

4.1. Partnerships and services

Commissioning quality services to meet the needs of black and mixed heritage boys

In many services, the substantial cuts to funding of youth and community services were cited as a challenge. The impact on black and mixed heritage boys was thought to be highly significant, as the loss of local services in their communities meant that they could no longer access opportunities and activities that had once been available to them. The loss of these services, and the informal support provided by trusted adults within the community, was repeatedly referenced as a contributory factor to the increasing numbers of black and mixed heritage boys coming into contact with the criminal justice system.

Cuts to YOS and partnership budgets and the lack of funding for out-of-court disposal work were raised as challenges to service delivery. YOSs and partnerships increasingly depend on bidding for funding to support projects. The short-term nature of the funding means that initiatives often don't have time to become established before the financial support ends. This provides little opportunity for evaluation to support applications for further investment. In some regions, Police and Crime Commissioners are providing funding for youth projects via some violence reduction units. However, any contributions are discretionary and not guaranteed.

In some areas, we saw good examples of third-sector organisations being used to support children. However, staff were not always aware of them, and there was limited sharing of knowledge about culturally appropriate services that were available. Some staff and volunteers were aware of community provision but often this was a result of their own personal experiences and familiarity with the local communities.

We saw a good example of work being done to strengthen links with community providers in Nottingham. A YOS manager had coordinated safeguarding training for some local organisations to ensure that they understood their safeguarding responsibilities and processes. In Sheffield, a team manager had been recruited to lead on developing and promoting relationships between statutory and community services to support service delivery to children at risk of criminal exploitation. Due to the disproportionality of the children affected by this issue they are aiming to focus on the communities where there is significant representation of minoritised children and families.

One boy who had committed an offence against a school told us about his valuable experience of working with a community organisation. His case manager had made arrangements for him to complete a reparation project that not only improved his self-esteem but also encouraged him to think about future goals for himself:

"She also got me to work with an organisation called Bicester Green, who specialise in carpentry I think, either way they allowed me to make a table and paint it – something I really enjoyed. I was even allowed to present my creation back to the school. I was so grateful for help and support from her... I'm hoping I will be able to continue to learn new skills with Bicester Green, maybe an apprenticeship or something. To be fair, I'm not picky, building and construction are also areas I would like to work in".

Two areas were directly commissioning specific services to meet the needs of black and mixed heritage boys. Hackney and Haringey YOSs had contracted the organisation Wipers⁹ to deliver their 'Ether' eight-session programme aimed at black, Asian and minority ethnic young men involved with the youth justice system. This programme directly addresses issues around race, identity and perceptions of self, as well as self-esteem and confidence, attitude and behaviour and independent thinking.

Of the 164 staff who responded to our survey, less than a quarter told us that they always have access to the right specialist and mainstream services to meet the desistance and safety and wellbeing needs of black and mixed heritage boys. Half said that they usually had access and the remainder said that services were rarely or never available. We saw limited evidence of specialist services being delivered in the cases we inspected.

In our meeting with third-sector organisations who are members of 'Clinks',¹⁰ there was a sense of frustration from small organisations that work specifically with minority groups, as they feel excluded from bidding for funding due to bureaucratic and complex processes. There was concern that youth organisations have ceased to exist because of the challenging funding environment. The need for specialist services was strongly felt, and it was not just about ethnic representation but authenticity. As one person told us:

"It isn't just about children seeing people who look like them. It is about having someone who can understand their experience, be relatable and who has the right level of skill to help".

One provider who had secured funding to deliver therapeutic support to YOS children from minority backgrounds said that levels of referrals from YOSs were low, even though the support being offered was grant-funded and available for free. They were of the view that YOSs weren't making referrals as they have decided the children don't need those services, despite there being clear evidence to suggest they do. The general view was that specialist organisations need to be woven into the support from the beginning and that this does not happen often enough. This view was supported by our casework findings.

We found limited evidence that feedback from black and mixed heritage boys and their parents or carers was being collated and used in a meaningful way to improve services or to inform commissioning decisions. In some services, information was drawn from the AssetPlus self-assessment (where these had been completed), but this did not provide feedback on how the services had been experienced by those receiving them. The self-assessment documents work best when they are completed with the child and/or their parents and carers and used as a tool to prompt discussion and to gain understanding. We found that they often lacked detail and their content was of limited value.

In discussion with staff, we found that they were not always consulted about the services the YOS had commissioned or had put service level agreements in place with. They did not feel that the quality of what was being provided was sufficient or that feedback from external providers was given despite agreements being in place. This meant that interventions were fragmented and not holistic, making it difficult for case managers to assess and review the impact the interventions were having on the children.

We were pleased to see this example of the delivery of creative interventions and well-targeted commissioning:

⁹ Wipers is a youth justice social enterprise that specialises in working with vulnerable and disadvantaged young people.

¹⁰ Clinks supports, promotes and represents voluntary sector organisations that work with people in the criminal justice system and their families.

Good practice example

In Haringey we saw some good examples of partnership work and creative projects being delivered to black and mixed heritage boys. There was access to projects such as 'Red Snapper', an intervention which aims to tackle stigma around mental health in the black and minority ethnic community. The YOS had developed a music offer, to support children to express themselves constructively, especially those from minority ethnic groups. They were working in partnership with Sony Music to provide opportunities for children to take part in an internship. They can also be provided with a mentor to support them with achievable goals if they want to go into the music industry.

Wipers had been commissioned to deliver the Ether programme, which is an eight-session programme aimed at black, Asian and minority ethnic boys involved with the youth justice system. Sessions also include discussions about stereotypes, breaking barriers and perceptions of masculinity. Two further programmes for 2021 have also been commissioned. During lockdown the YOS has been delivering a virtual cooking club, an initiative aimed at improving life skills. Children are encouraged to cook food that represents their own individual culture and heritage. The YOS has produced a disproportionality podcast, which focuses on the lived experiences of ethnic minority children who have grown up in Haringey and gone through the justice system. The podcast was produced by an organisation called 'Bird Podcast'. The YOS manager and a local councillor were also interviewed to give a wider perspective on disproportionality. The podcast has been shared with partners. The podcast gave children the opportunity to discuss their experiences and it has been shared with others and made available to the public to raise awareness.

Work with statutory partners, providers and other agencies

Education

Education was raised as a challenge in every service we inspected, and school exclusion and part-time timetables were a real concern. In Sheffield, for example, we were told that 52 per cent of children in pupil referral units were from black and minority ethnic backgrounds, and of these only five per cent successfully reintegrated into mainstream education. There was a similar picture in Nottingham, where black and mixed heritage boys were twice as likely as their peers to be permanently excluded from school. All schools in the city are academies and the exclusions were linked to a small number of schools: 60 exclusions this year were from three individual schools. The council has an inclusion policy in place but there is no government policy that requires all schools to participate, which can prove challenging for local authorities.

In one service an inspector noted a case where a boy had been excluded from school permanently following some fixed-term exclusions and was transferred to a pupil referral unit. The pupil referral unit assessed that, with more support and advocacy from the YOS, Early Help services and family therapy, the boy could have remained in mainstream education. The school had requested a psychological assessment but this had never been undertaken, so they could not know whether they were meeting his needs and providing the correct response. In this case, the partnership response was lacking and this had a detrimental impact on the child's life chances.

Besides the obvious disadvantage exclusions cause in terms of education, they also meant that, in at least one area we inspected, children who were at risk of custody were excluded

from being considered for Intensive Supervision and Surveillance. This was due to the service not being able to provide the required 25 hours of support, part of which is usually made up by attendance at an educational institution.

We were concerned to be told about the numbers of boys who were entering the justice system with identified SEN. In addition, we were told by health workers and other YOS staff in some services that there was also a significant number of boys who they assessed as having previously unidentified SEN when they came into contact with the YOS. This was because the issues had not been identified at school, or because the boys had not been assessed due to being excluded from school, possibly due to behavioural issues linked to their SEN. Where EHC plans were in place, some were out of date and therefore meaningless. We saw a small number of plans that had not been reviewed for several years. Where plans were in place, they were not always used to inform the work being done with the child. In one area, we were especially concerned to see these examples of negative and judgemental language used in EHC plans to describe a child and his behaviour:

"School staff report that Paul struggles to make appropriate friendships. He shows little empathy, is manipulative and has obsessive behaviours. He can be paranoid and likes to show his own strength".

"The educational psychologist reports that Paul has significant needs in this area, which appear to be related to his life experiences. Paul is reported to be obsessed with his hair and does not like it out of place. He often leaves the classroom to check on it".

Because information on education placements and hours was not always recorded correctly on YOS databases, and detailed and consistent information was not being exchanged at operational levels, it was not clear how the YOSs were able to understand any links between over-representation and school exclusion. In Oxfordshire it was noted that a good range of data was available in relation to education and school exclusions. The service is using their analysis of this data to work with individual schools and trusts where disproportionality is evidenced. The data also informs Oxfordshire's black and mixed heritage disproportionate exclusions multi-agency task and finish group.

Children's social care

Work with children's social care to provide suitable accommodation to support bail applications was highlighted as a challenge across a number of services. Inspectors noted in eight of the 25 remand cases inspected that accessing suitable and timely accommodation placements had been an issue. Where children had bail initially declined, we saw some good examples of work between the YOS and children's social care to revisit support packages, which then resulted in bail being granted. For many children the offences they had been charged with were considered too serious for bail to be a feasible option but in one area we saw a case where a child had been charged with a grave crime, but the partnership had worked effectively to put risk management plans in place and secure bail. It is concerning that children who have not been convicted of an offence should spend even one night in custody if this is not absolutely necessary, particularly considering that 66 per cent of children remanded in custody do not go on to receive a custodial sentence.¹¹ The experience of being in custody is traumatising for children, and agencies need to be more coordinated to prevent this happening. In Sheffield, we noted that there were no barriers to children accessing accommodation when it was needed, as effective processes had been established

¹¹ Youth Justice Board and Ministry of Justice. (2021). *Youth Justice Statistics 2019/20: England and Wales*. <https://www.gov.uk/government/statistics/youth-justice-statistics-2019-to-2020>.

at a strategic level and escalation pathways were in place if barriers were encountered. Staff told us this worked well in practice.

Feedback from services suggested that there have been some improvements in the work with children's social care. We saw some excellent examples of partnership work between the YOS and children's social care. The focus on contextual safeguarding has contributed to improvements but this was not consistent across the inspected services.

Policing

In almost every service, staff and managers highlighted stop and search as a serious concern, and this was more significant in the London areas. Staff spoke at length about stop and search, and the boys we met gave extensive accounts of the challenges they faced in relation to stop and search and the impact it has on them. Some of the boys who had moved from London to other parts of the country spoke of the relief they felt at being able to go about their daily activities without being stopped and searched. When they reflected on this, they recognised the impact it had on their sense of wellbeing. We were concerned to hear about some of the policing approaches being used, including the use of tasers and forceful restraint on children. In one service, a YOS worker told us that they had been having a meeting with a boy on his front doorstep (due to lockdown restrictions) when a police car pulled up and officers 'stopped and searched' him. The YOS worker challenged this and highlighted it with their manager. The lack of access to local data on rates of stop and search segmented by both age and ethnicity makes it difficult for YOSs and partnerships to assess its impact on over-representation.

There was very little data and analysis in relation to ethnicity and the use of community resolutions as a diversion from the criminal justice system and almost no understanding of community resolutions that had been used by the police outside of the YOS out-of-court disposal processes. Information relating to 'street community resolutions' was not being shared between the police and the YOS. During the inspection, we learned that in Staffordshire no community resolutions are issued without the child being referred to the YOS for their input on the most suitable disposal. This system was established following a serious incident involving two children who were thought not to have been known to services. It emerged that the children had received a number of street community resolutions without the YOS being aware of it, and without support being offered and an assessment completed. We considered Staffordshire's approach to be good practice but recognise that challenges with the funding and resourcing of out-of-court disposals might make it difficult for a system like this to be put in place in some areas.

The example below shows the effective use of data to assess the quality and impact of service delivery:

Good practice example

Hackney YOS has developed a good evidence base to enable it to understand disparity and over-representation, not just in terms of ethnicity within the YOS cohort but also so that it can cross-reference the numbers of black and mixed heritage children outside the YOS who are in care or subject to child protection processes. This highlights the multiple levels of disadvantage experienced by this group of children and assists the partnership in considering its approach. It used learning from a 2019 peer review to support its learning and development in this area. The Safer Young Hackney Board (YOS management board) requested a briefing and update from its police representative on stop and search practice across the borough. A dip sample of 35 out of 74 young black males who were

stopped in May 2020 with an outcome of 'no further action' found that 23 did not show sufficient grounds for a stop and search. The information recorded was lacking in detail and the process appeared not to be a proportionate response. Training for police officers was identified to address this. The Chief Inspector of the Central East Basic Command Unit contacted the supervisors of those officers in order to remind them of the expected procedures.

The Lammy Review (2017) indicated that black and minority ethnic children were significantly underrepresented in YOS out-of-court cohorts. Hackney YOS recognised that, while some disproportionality was occurring, it was lower than the Lammy Review suggested. More children in Hackney appeared to be given, and then taking, the opportunity to take responsibility for their action at this early stage at a greater rate than found elsewhere. A research project was set up with Middlesex University to test and assure the figures. The second phase of the research is to investigate and analyse the work to see if improvements could be made and/or to identify the successful elements of the approach. Research is planned and due to begin in the coming months.

Support for parents and carers

We found there was little support in place for the parents of black and mixed heritage boys. The Lammy Review highlighted the need for services to promote the involvement of parents when their children come into contact with the criminal justice system, and the impact of trust on the engagement of those from minority ethnic groups. However, we did not see many examples of culturally competent parenting programmes and support in the YOSs inspected. We did note some good practice examples, however. For example, we were impressed with the therapeutic approach being taken in Lewisham:

Good practice example

The Lewisham YOS family therapy team (LYFT) provides broad therapeutic support to children and families. The Lewisham Adolescent Resources and Therapy Service is part of Lewisham CAMHS, which provides assessment, treatment and care for children in, or at risk of entering, the criminal justice system. Alongside this, the service has a small team of black African/Caribbean therapists, representative of the Lewisham population, who deliver family functional therapy interventions. The LYFT delivers therapy to children and young people aged 11 to 18 years old and their families, where there is offending or identified risk of offending. The interventions involve a whole-family, strengths-based, systemic approach. The team of therapists work in collaboration with the YOS speech and language and liaison and diversion worker. The YOS restorative justice practitioner is also part of the team.

Every child involved with the YOS attends an induction with their parent at the beginning of their intervention. At their initial appointment the practitioner facilitates a restorative meeting with the child and their parent or carer. Children and families have access to family mediation and there is access to interventions for those who have been affected by domestic violence. The LYFT has created one pathway for referrals for YOS children and their families, meaning that their needs are more easily assessed and met. There are recognised benefits in having an ethnically diverse team of therapists, as this reflects the community and is important in terms of engagement. But staff and managers are clear that understanding barriers and not being afraid to try new ways to engage are of equal

importance. Interventions are home-based and delivered at times when the families are available. It is a gradual approach that recognises the challenges of gaining trust. Staff are tenacious, flexible and realistic about gaining engagement.

At the time of the inspection in May 2021, Haringey YOS was working in collaboration with the Tavistock and Portman Clinic to create a space where parents can come together with trained therapists who will work with them to create their own support system.

Forty-three parents or carers responded to our survey asking them about their experiences of the YOS. The feedback was largely positive. The majority of respondents considered the YOS staff to be skilled and committed, with a good understanding of the diversity needs of their children. Most felt they had been included in the assessment and intervention planning for their child.

Here are two examples of feedback that outline different experiences of the services received:

“The YOS have been very committed to being trauma-informed in their approaches when working with this child. YOS have shown a good understanding of the reasons for the challenges he faced and found creative solutions to overcoming barriers. They have worked very closely alongside me to strive for the best outcomes for the child”.

“The staff turnover made it difficult for my son to engage with YOS. Communication channels and other forms of contact deteriorated over time. I was not fully aware of all offences, consequences, repercussions and the toll it would take on the family. More tailored support in this area would have enabled us as a family to adequately support my son. Overall I feel let down as a parent by the service delivery. To date I have not been signposted to other parents experiencing such difficulties by way of a support group or any other active platform for change, intervention and learning how to cope from the lived experiences of other families”.

Other key services

In the majority of YOSs, children had access to mental health services and speech and language provision. We noted, however, that referrals were not always made or followed up sufficiently to check if the boys had engaged with the services. This meant that any barriers or concerns that the boys had about attending appointments were not fully explored. We noted that in post-court work only half of the boys who had mental health, speech and language or substance misuse concerns identified in their initial assessment went on to receive the intervention. If referrals had been made to the relevant agencies, it would appear there had been little follow-up to ensure that the work was delivered. In relation to speech and language, we noted that an assessment was often completed but no direct work was delivered to the child by the speech and language therapists.

Inspectors received a range of comments from YOS staff and managers in relation to partnership working and service delivery:

“When accessing specialist services, a referral is needed but often the threshold to access the service is too high or there are significant time delays between referral and take-up of service”. Case manager explaining barriers to accessing services

“Like most YOSs, we are still struggling with the exclusion of black and mixed heritage boys from education and then struggling to help them get back into mainstream school”.

Manager speaking about challenges accessing education provision

“There needs to be improvements with child and adolescent mental health services (CAMHS). A significant number of black children have never been engaged by CAMHS, resulting in escalating mental health concerns and crisis. It would benefit the YOS if CAMHS and other key partner agencies were acknowledging similar concerns to us regarding the need for specific support for black and mixed heritage boys. For example, when undertaking assessments, it is not acceptable to offer three appointments by letter then close the case because the child ‘did not engage or answer phone calls’. Mental health services need to be far more proactive and creative in their engagement of black and mixed heritage boys”.

Feedback from a case manager

“Many professionals consider the injustices black and mixed heritage boys experience, but still tend to minimise this, rather than providing holistic support”. Case manager when discussing what could be done better in their service

4.2. Facilities

Use of YOS and other community premises

Case managers have been finding creative ways of working with children during the pandemic, meeting them outdoors and delivering sessions online. As this inspection was carried out remotely, it was not possible for us to visit the YOS sites, so we cannot comment on the YOS facilities themselves.

Staff were using libraries and schools to support engagement, and children were often seen at home. This provided good opportunities for the case worker to connect with the family, develop relationships with parents and carers and observe the environment the child was living in.

In some areas, prior to the pandemic, referral order panels generally took place in the YOS building rather than more community-based and informal venues such as family centres, youth clubs and schools as set out in the referral order guidance.¹² In terms of building trust, holding meetings in familiar settings where children and families feel comfortable and which are accessible is seen as a positive approach and one that should be promoted. As one referral order panel member reflected:

“There used to be venues that could be used for panels in the community but this has stopped now and it is limited. This can make it harder for some children. One panel member noted that some panels should be held in XXX, as this is where most black and mixed heritage boys live and feel safe but this no longer happens”. Referral order panel member

In one area, the YOS had changed the format of its referral order panel reports to reflect its child-first approach. However, this had resulted in the information contained in the reports being stripped back to focus almost entirely on the child’s perspective on their offending and circumstances. This meant no background information was provided and the reports didn’t

¹² Ministry of Justice. (2018). *Referral order guidance*.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/746365/referral-order-guidance-9-october-2018.pdf

address diversity or any issues of discrimination. This made it difficult for panel members to put bespoke plans in place that reflected the child's individual circumstances. In other services panel members told us that they had not been provided with details of community provisions or YOS resources that are specific to black and mixed heritage boys, and that they consider this to be a gap.

4.3. Conclusions and implications

Gaps in the understanding of the needs of black and mixed heritage boys make it difficult for YOSs and partnerships to be confident that they have sufficient resources, or the right resources, in place. Challenges and barriers, such as access to education, have not been dealt with at board level and this is a source of frustration for the staff working directly with black and mixed heritage boys, given the significance of education in supporting desistance. The correlation between youth crime and school exclusions is well documented and addressing it must be a priority for local authorities and policy makers. Similarly, YOSs, particularly in London, say that stop and search practices are directly linked to the disproportionality they see in their services. The fact that there is no published local or national data available to assist YOSs in their analysis means that there are gaps in understanding and challenges to effective partnership working with the police.

We saw some good examples of partnership work, both within statutory services and with the voluntary sector, but this was not consistent. Staff and volunteers told us that they did not always have access to the services they needed to meet the needs of black and mixed heritage boys and inspectors noted significant gaps in service provision in the inspected cases. One gap consistently mentioned by staff and volunteers was suitable mentors who could maintain contact with the boys beyond the end of their interventions. This is a gap that services should work to address. YOS managers should make sure that all staff and volunteers know what specialist services can be accessed in the local communities and promote their inclusion in the delivery of interventions.

There is not enough focus on working with parents or carers of black and mixed heritage boys and this limits the impact of the work delivered to the boys themselves. Parents need to be able to access support that meets their needs and helps them deal with the challenges they are facing in trying to support their children, challenge and manage their behaviour and keep them safe. We learned in this inspection that trust can be a barrier; but with commitment and patience, relationships can be formed that support the delivery of effective work.

Where partner agencies and other services are involved, the delivery of interventions to black and mixed heritage boys need to be better coordinated. They should work together to form a single holistic intervention with a clear focus, and this needs to be continuously reviewed to assess its effectiveness. This should be done with the input of all involved professionals. We found that too often, a lack of feedback and poor communication between agencies undermined the work that was being delivered. This needs to be addressed through robust management oversight arrangements and focussed supervision.

5. The quality of casework and reports

5.1 Pre-sentence reports and post-court casework

We inspected 45 pre-sentence reports (PSRs) and 114 post-court orders. Our key findings are summarised below. A detailed breakdown is included in Annexe 6.

Strengths

- Children and their parents or carers are supported and encouraged to contribute to PSRs and assessments.
- PSRs and sentencing recommendations are appropriate and proportionate.
- Workers form meaningful relationships with children and their parents or carers.
- Children are encouraged to comply with the conditions of their court order.

But

- Experiences of discrimination are rarely explored with children and their families.
- The impact of structural barriers on the lives of black and mixed heritage boys are not given sufficient consideration.
- Children and their parents or carers are rarely given the opportunity to read and discuss PSRs prior to attending court.
- Assessments are not sufficiently analytical, for example with regard to keeping the child safe.
- Data held by other agencies is not used well enough to inform the work delivered to black and mixed heritage boys.
- The services and work delivered do not always reflect or meet the assessed level of need.
- Bail support packages provided to the courts do not provide a robust alternative to custodial remand.
- Planning does not take into account the diversity of black and mixed heritage boys and does not involve them and their parents in the planning process.
- Reviewing does not respond to barriers to engagement or fully assess the child's progress against their plan of work.

Pre-sentence reports

The majority of the PSRs inspected had been prepared for sentencing in youth court. Just over half were sufficiently analytical and personalised to the child, supporting the court's decision-making. Overall, reports did not consider the impact of structural barriers on the lives of black and mixed heritage boys or explore their experiences of discrimination.

While there was evidence of liaison with other agencies in the preparation of PSRs, the boys and their parents or carers rarely had the opportunity to read and comment on the report before sentencing. This was a missed opportunity to support the child, attend to any anxieties and fully engage the parents or carers from the start.

Below are two boys' responses when asked how they would like to be more involved in their PSR:

“Maybe I would like the process explained to me and the opportunity to read it before the judge”.

“I would like to know what it says about me and the chance to say something in my defence”.

Many of the boys did pose a risk of harm to others and in some cases the risk of harm to others was significant and the offences were serious. While risk of harm and safety and wellbeing were mostly categorised appropriately, PSRs did not always include enough analysis of why this was the case and how the risk could be managed and reduced. We tested to see if risk of harm was over-estimated in assessment as well as in PSRs and found that this was not the case. Overall, the risk of reoffending, risk of harm to others, and safety and wellbeing assessments were detailed and balanced.

Appropriate language was used in the reports but the information included had not always been verified as rigorously as we would expect. For example, one report referred to the child having been violent and aggressive at school, and when the inspector asked for more detail and context the case manager struggled to provide it. This was because the information had been directly copied from records on another system. As a result, a report used for sentencing a child included information that was not properly understood by the person who wrote it. Issues regarding gaps in information provided for sentencing were highlighted by the magistrates who responded to our survey. Specifically, they mentioned the lack of detail in information provided from other agencies such as schools and children’s social care.

Two YOSs had changed the layout of PSRs to prioritise the child’s background and history and then place their offending in context. We considered this to be good practice.

5.2 Post-court casework

The key characteristics of our sample of 114 cases are shown below:

Characteristics	Inspector judgement
Excluded from school	60% overall and of these: 58% were permanently excluded and 42% temporarily
Affected by criminal exploitation	30%
Experienced racial discrimination	50% (not clear from available information in 33% of cases)
Subject to Child in Need or Child Protection plans	32%
Children who had a disability	26% (not clear from available information in 20% of cases)
One or no previous convictions	54%

Assessment

The overall quality of assessments was undermined by a lack of attention to the child’s diversity. In half of the cases, staff had not accessed important information held by other agencies, which meant that the child’s background and life experiences were not properly understood. Linked to this, we saw sufficient assessment of structural barriers in less than a third of cases. This is a concerning finding, given that the barriers to accessing support at the right time were cited as a key issue for this group of children.

Almost all staff we met during this inspection believed that the majority of black and mixed heritage boys will have experienced some degree of discrimination, but the impact of this was explored and considered in only a small minority of cases.

We would expect to see a holistic assessment that focuses on the child's development, their circumstances and an analysis of the underlying problems linked to offending, while balancing this with strengths and positive factors to work on. The child's strengths and protective factors had been considered in most cases. However, we found that the analysis of offending behaviour lacked depth and was weak overall. This limited understanding of what was driving or contributing to the child's offending meant that planning and other elements of practice were compromised.

In three-quarters of cases, the child and their parents or carers participated in the assessment process, and their views were taken into account. In most cases it was the mother or a female carer who was involved. There was little consideration given to including fathers in the assessment process, and this followed through to the rest of the intervention. There was a lack of consideration of the significance of fathers in their sons' lives. If the father was not living in the family home, he was not contacted and there was a view that they probably would not be interested in being involved in supporting their child, without this being properly explored.

Almost half of the boys were classified as having a 'high' or 'very high' level of concern about their safety and wellbeing. Inspectors agreed with the assessment in almost every case. Despite the correct classification being made, however, assessments fell short when analysing how to keep the child safe and considering what interventions and controls were required to promote their safety and wellbeing.

We did not specifically inspect work delivered to manage risk of harm to others in this inspection, but we did consider the accuracy of the risk of harm classification at the initial assessment stage. Inspectors agreed with the case manager's classification in most cases. In the 10 (of 114) cases where we did not agree, the risk had been under-assessed.

The case below demonstrates the case manager's understanding of the long-term effects of racism and discrimination and the impact on the child, his thinking and his behaviour.

Good practice example

Myron is a 17-year-old black British boy who received a 10-month referral order when he was found in possession of a knife. The referral order assessment and report explored the impact that growing up in an area with ongoing racial tensions had had upon Myron. He and his family had experienced verbal and physical racial abuse in his local area, and Myron also suffered discrimination in school. The assessment and report did not negate any risk issues but it did consider how these experiences had contributed to Myron's decision to carry a knife and the impact they had had on his sense of belonging, self-esteem and overall wellbeing. The assessment analysed how Myron's race and culture informed his lifestyle choices and the areas of the city in which felt safe and the restrictions this placed on him and his opportunities. Overall, the assessment provided a clear insight into the pervasive and destructive effects of racism on the child's life.

In the following case we were concerned to find that, despite the child discussing life events, including racism and loss, the impact of these experiences on his safety and wellbeing were not considered.

Poor practice example

Michael identifies as black British of Caribbean and African heritage. He has never met his Jamaican father, who was deported before he was born. This is referenced in the assessment but the impact on him is not analysed. The case manager highlighted the impact of historical sexual abuse on Michael and how, after counselling, he still struggled to come to terms with the trauma. When an inspector met with his case manager, they referred to conversations with Michael regarding his experiences of racism and how angry it made him. Michael had raised a concern that, when police officers attended his home address to speak with him in connection with a crime, they broke the door down and 'dragged' him out of his house in handcuffs. He said that, when they visited his white male friend's house in relation to the same crime, they knocked on the door and asked to speak with him. Despite Michael disclosing this experience and its impact on him, the practitioner made no reference to it in the assessment. Michael remained on a Child in Need plan post-sentence because of his vulnerability linked to the historical sexual abuse. Despite Michael talking to his case managers about his experiences of racism and loss, the emotional impact of this was not considered in the assessment of his safety and wellbeing.

Planning

The planning process should prioritise the most critical issues and presenting needs first. Work on a reparation project, for example, may need to happen further down the line if the child has unmet mental health problems or there are concerns about their safety and wellbeing that require attention. Overall, the sequence in which interventions would be delivered was not clearly set out.

There was a focus on developing and supporting strengths and protective factors in only two-thirds of cases. This was disappointing, as we would expect to see some strengths, no matter how small, for development in every case. A sense of achievement and recognition is important in building motivation, and the YOS must hold high ambitions and aspirations for children who might struggle to do this for themselves. Equally, given what we know about the structural barriers that can affect the progress of black and mixed heritage boys, we would expect planning to take into account anything that might impact on their ability to engage, but this was considered sufficiently in less than half of cases. Where the child had an EHC plan, it was not always clear what needed to be done to make sure the delivery of interventions was suitable.

We consider it good practice for children to have a copy of a plan that they can refer to and that they understand and have contributed to. From our contact with User Voice, we found that some of the boys did not fully understand the plan of work that had been set for them. Not knowing what you are expected to do may create anxiety for children and could impact on their motivation to engage. The child and their parents or carers participated in planning in only two-thirds of cases. This was a missed opportunity to meaningfully involve them in the process, and to promote and support their engagement.

There was sufficient alignment with other agencies' plans (e.g. child protection or care plans) in less than two-thirds of cases. This was a particular concern when considering the high level of need of the boys and the requirement for a multi-agency approach in the majority of cases.

Planning effectively promoted the safety and wellbeing of the child in less than half of the cases inspected. It was not always clear what professionals should be doing to help keep children safe. Only a third of cases included effective contingency arrangements to manage identified risks. Given that their circumstances can often change quickly, with concerns escalating, not enough thought had been given to what would be done to keep the child safe.

Implementation and delivery

The table below shows the YOSSs' initial assessment of the needs of the children in our sample of 114 cases and the number of cases that then received services to meet that need. The level of service delivered had not met assessed needs in any of the cases, with some stark shortfalls, including for mental health, substance misuse, self-identity and discrimination.

Identified need (out of 114 inspected cases)	Assessed need	Service delivered
Substance misuse	66	35
Physical health	5	2
Learning and education, training and employment	77	61
Living arrangements	51	34
Speech, language and communication	27	15
Lifestyle	82	52
Mental health	50	24
Resilience	32	15
Self-identity	58	17
Discrimination	32	13

When we met with staff, they were able to discuss the work they had done with children in more detail than had been recorded on the case files. We took what they told us into account in our overall assessment of the quality of work delivered. In a number of cases, workers told us that they had discussed culture, heritage and background with the boys and that they had, where appropriate, discussed experiences of discrimination with them. Workers could not identify any reasons for not recording this information, but it did raise questions about management direction and expectation as well as the confidence of staff.

It was positive that in most cases staff worked hard to develop and maintain an effective relationship with the child and their parents or carers. However, it was not always clear how this relationship was then used to support the delivery of effective interventions that were balanced equally between support and challenge. As noted in the feedback we received from boys themselves, some felt that they had good relationships with their workers but sometimes contact felt more like a catch-up than a structured piece of work. One boy described how the challenging but supportive role of his case worker had helped to shift his thinking:

"My YOS worker listens to what I have to say, which I respect because it makes our conversations meaningful. X [YOS worker] always seems to give me good advice and although I do not always see eye to eye with it, I respect the honesty and the effort he puts in to work with me... I'm sure, but I must admit X [YOS worker] is the one that helped me to see

college was an option for me. I already had a job but over time X [YOS worker] slowly pushed me to pursue my interests and look into college courses”.

Interventions were not always tailored to meet boys’ individual needs and their diversity was reflected in only a third of cases. There was little long-term planning and consideration for ongoing support beyond the end of the YOS intervention. We were concerned about the level of involvement of other agencies in the work delivered to support safety and wellbeing. It was well coordinated and effective in less than two-thirds of cases.

The majority of boys received continuous encouragement to comply with their order and complete it successfully. Where enforcement was required, this was addressed appropriately. There were a small number of cases where inspectors felt action was not taken when it was necessary to impose a boundary.

This following case example demonstrates the need for interventions to be bespoke and tailored to the needs of the child rather than their offending behaviour alone. It also highlights the serious vulnerabilities and welfare concerns we saw in many of the cases we inspected:

Poor practice example

Vincent is a 17-year-old boy of mixed heritage (white British and Black African – recorded on the database as mixed white and black Caribbean). He was subject to a 12-month youth rehabilitation order. There were clear concerns about his substance misuse. He had ADHD, suffered from anxiety and had potential undiagnosed health conditions. He was out of school for two years before he had an EHC plan. The inspector noted that the plan contained ‘worrying, stereotypical language’. The plan was not reviewed for five years and this was only done when the YOS officer pursued it. Vincent attended a special educational needs school. He had assaulted his mother, and he had been the victim of a serious assault by 20 males, resulting in a broken eye socket. Children’s social care offered voluntary support to his mother but this was not taken up. Rather than anger management, weapons awareness and substance misuse awareness, the YOS interventions should have focused on Vincent’s mental health, speech, language and communication, family support and experience of services, in which he has clearly experienced some discrimination. The YOS intervention was offence-focused but did not support desistance or safety and wellbeing as it failed to address the key issues. Vincent had told his worker he had experienced discrimination by the police but this was not explored further. The assessment did not analyse the impact of Vincent’s life experiences or fully take into account his personal circumstances. As a result, the intervention did not target the right areas of need.

Reviewing

It is important that cases are reviewed regularly and in response to changes in circumstances. Consideration should be given to the child’s safety and wellbeing and desistance from offending. Fewer than half of the inspected cases had been reviewed sufficiently well.

The absence of other agencies where it would have been appropriate to involve them meant that there was no shared understanding of the child’s current circumstances among all of the professionals working with them.

There had been changes to the risk of harm posed by the child in 62 of the 114 cases we inspected. YOS case managers responded to these changes in only half of these cases. We agreed with the reviewed risk classification in most cases. In the small number where we did not agree, this was because the risk level had been underestimated. Information that was no longer relevant was not always removed or re-assessed at the review stage, so it was difficult to know what was a current concern and what was no longer a worry. There are implications to this, because the information contained in assessments is often shared and read by others who will see the child in the context of what is written. Therefore, it must be regularly refreshed to avoid an inaccurate cumulative picture being presented.

Consideration of diversity needs was poor and we saw evidence of attention being paid to this in only a quarter of reviewed cases. Where reviewing considered changes in the child's circumstances, it did not always examine the impact of the changes well enough. Staff did not sufficiently review the plan of work to consider what had been delivered, and what had gone well and what hadn't. There was not enough attention paid to whether the plan of work was having the desired impact and whether the child was responding well. We saw little evidence of the reviewing process being a meaningful experience for the child with them being offered feedback on their progress. It was also a missed opportunity to get feedback from them on how they felt the intervention was going and whether it was having a positive impact and meeting their needs.

Good practice example

Regular reviewing is evidenced throughout the case and there is a coordinated approach with other agencies. The case manager regularly updates partners and requests updated information to inform reviewing. This results in changes to ongoing work to promote safety and wellbeing. The child was subject to a Child in Need plan, but through partnership working and the timely sharing of information, child protection processes were applied due to concerns about neglect. Services worked well together to devise a plan that was communicated to the parents, who were involved in meetings. The boy was also aware of the plan to support his safety and wellbeing. These plans were regularly reviewed through child protection reviews and regular communication with partners. The boy was engaged with a local culturally specific counselling service. There was evidence of a trauma-informed intervention focusing on adverse childhood experiences, and attention was paid to making sure the interventions took his identity as a black boy into account.

Poor practice example

The review of the formal assessment, and any other reviewing documents, does not provide any further information following a social care assessment of the family and subsequent closure of the case. No police input is provided. The non-compliance report does not explore the reasons why the boy has not engaged and barriers that might be impacting on his engagement, however. It uses negative and charged language about the boy being lazy and defiant. Strategies to avoid exclusion are not included in the review.

Evaluation of progress made

Workers developed meaningful, trusting relationships with children during the course of the court order in three-quarters of cases. In two-thirds of cases this also extended to relationships with parents or carers. We saw that, by the end of the intervention, or up to

the point at which we inspected the cases, there had been improvement in strengths and protective factors for just under two-thirds of boys. There had been progress in terms of desistance and safety and wellbeing in just under half of cases. Overall, not enough attention had been paid to identifying, analysing and addressing structural barriers that may impact on the child's progress.

Work with children on remand

YOSs work with a small number of children who are facing a remand to secure accommodation. We reviewed 25 such cases as part of the inspection. We found the bail and remand information provided to the courts to be sufficient in only eight cases. Where bail had been declined and the child remanded, their bail applications were not always re-visited to offer more robust alternatives.

We found that relevant agencies worked together to support and promote a coordinated bail support package as an alternative to remand in just under half of cases. YOS staff and managers told us that work with children's social care to secure suitable addresses for children facing remand was a longstanding challenge which had, in a number of cases, been escalated to the management board but there had been little to no improvement.

In all but three cases there was clear evidence that processes for looked after children had been applied appropriately. However, we were concerned to find that regular remand planning meetings took place with input from the child and their parent or carer in only half of cases.

5.3 Out-of-court disposals

We inspected 59 out-of-court disposals. The key characteristics and findings from our sample are shown below. A more detailed breakdown is included in Annexe 6.

Characteristics	Inspector judgement
Excluded from school	24 overall and of these: 11 were permanently excluded and 13 temporarily
Affected by criminal exploitation	9
Experienced racial discrimination	23 (not clear from available information in 24 cases)
Subject to Child in Need or Child Protection plans	6
Children who had a disability	17 (not clear from available information in 18 cases)
Age of the majority of children	12 to 14 years

Strengths

- The classifications of risk of harm and safety and wellbeing are accurate in the majority of cases.
- There is sufficient focus on developing and maintaining a relationship with children and their parent or carer in most cases.
- Risk assessments are accurate and well-balanced in the majority of cases.
- Children are encouraged to engage with their out-of-court disposals.

But

- Assessments and the delivery of interventions do not pay enough attention to diversity factors.
- The impact of structural barriers on the lives of black and mixed heritage boys are not considered, nor are experiences of discrimination.
- Information held by other agencies is not used well enough to understand the experiences of the child and the social context of their lives.
- Planning does not support the delivery of the services most likely to prevent further offending.
- Planning does not focus sufficiently on community integration or ongoing support for the child beyond the YOS interventions.
- Not enough attention is paid to the child's understanding, or their parents' or carers' understanding, of the implications of receiving an out-of-court disposal.

Assessment

We expect to see the assessment completed using a suitable tool that includes an assessment and classification of safety and wellbeing, risk of reoffending and risk of harm to others. In seven cases there was no assessment of the safety and wellbeing of the child or of any risk of harm they posed to other people.

In some YOSs, assessments were completed before making a decision on the most suitable disposal. In others the information used to inform decision-making was often taken from what was recorded on various databases, such as police and education systems. In some cases, children and their parents and carers were informed of the out-of-court decision once it had been made and without them having had an opportunity to contribute to any assessment. The theme of mistrust of black and mixed heritage boys and their families was consistent in this inspection, and not including the child and their parent or carer in the assessment process from the outset, with a chance to contribute by providing valuable context, was a missed opportunity to promote transparency, engagement and trust.

In over half of the cases the analysis of the factors underlying the child's behaviour and their attitude towards it was insufficient. To fully understand what is driving a child's behaviour, it is important to consider their individual personal circumstances and the context of their lives. Understanding the challenges that children face that might be impacting on their behaviour is imperative if interventions are to be well targeted. Taking diversity into account is an important element of this. It was therefore disappointing to find that diversity had been suitably considered in only a quarter of cases.

The cohort of boys whose cases we inspected were vulnerable. They had experienced high levels of trauma and the impact of that was ongoing. They were navigating challenging situations linked to their environment and their identity, and trying to manage these without the maturity to make good decisions. Often, their choices and options were limited and some were exposed to circumstances out of their control, for example due to exploitation from others.

Information from other agencies was not always included and considered in assessments when it should have been. This missing detail meant that the circumstances of the child were not fully considered in a holistic way. Where information had been gathered, it had not been pulled together to understand what might be happening in the child's life. This analysis is important given that children cannot always explain what they are experiencing, as it is often too difficult for them. Sometimes experiences, no matter how difficult, can become

normalised and sometimes children simply don't have the language to express their thoughts and feelings. Having a detailed understanding of the background of the child and their life experiences, and taking an inquisitive approach, means that difficult subjects can be approached sensitively with children in a way that makes it easier for them to talk about their experiences and their impact upon them and on their behaviour.

While we agreed with the risk classification of safety and wellbeing in the majority of the cases, we noted that a detailed understanding of what lay behind the classification level was absent in too many cases. The gaps in analysis undermined the overall quality of practice, as the assessment drives planning and all other elements of service delivery.

In seven cases there was no assessment or classification of risk of harm to others. For the remainder, we agreed with the classification level in all but six cases. In these six cases, we viewed the risk level to have been underestimated.

Good practice example

The assessment is comprehensive and strengths-based. It evidences the involvement and engagement of the child and his family in its development. There are examples of the case manager triangulating information and then summarising with his own evaluation. The analysis of the child's self-identity and heritage is particularly strong. For example, the child self-identifies as black but comes from a mixed heritage background and the case manager acknowledges and explores the impact this might have for the family in terms of their mutual understanding of needs. The pre-panel assessment template naturally guides the practitioner down a route where themes of racism and discrimination can be explored and, in this instance, there is a sophisticated understanding of impact and need. The case manager is able to identify and help the child to articulate his own understanding of his heritage and explore broader themes of discrimination, such as his experience of police stop and search.

Planning

Deficits in assessment meant that planning was not always personalised to the needs of the child and did not analyse the underlying factors linked to offending. In a significant number of cases, the out-of-court disposals that were delivered were generic and not relevant to the child or did not address the child's wider needs. For example, in one case, the plan was governed by the fact that the service had decided there would be a maximum of six sessions for a youth caution. These were broken down into two sessions of weapons awareness, two sessions of dealing with peer pressure and two sessions focusing on the consequences of offending. The plan was not personalised and did not take into account the child's EHC plan and developmental needs.

In almost half of cases the plan of work hadn't been prioritised appropriately. In one case, the child did not receive a much-needed harmful sexual behaviour intervention, as the youth conditional caution did not allow sufficient time. The offence that was committed within a family setting raised concerns about the welfare of the child and his risk to younger children. An AIM3 assessment was completed that indicated high levels of risk, but no intervention was delivered as there was not enough time before the disposal ended. Better planning would have allowed the assessment to have been completed before the caution was issued, providing time for the much-needed work to be delivered. Poor planning in this case meant that a child assessed as high risk of harm and highly vulnerable did not get the intervention he needed.

Planning took sufficient account of the diversity of the child in only one-fifth of cases and considered the child's familial and social context in less than half of cases. There was not enough focus on the child's strengths and protective factors. This does not fit with desistance theory, which aims to help the child develop a sense of hope and optimism and encourages them to develop areas of their life that will help them to move away from crime.

Overall, we found that planning effectively supported desistance in less than half of the inspected cases. Evidence tells us that black and mixed heritage boys are more likely to be impacted by structural barriers than their peers, so we were concerned to find that this was considered in just a third of cases. Further, planning did not take into account long-term objectives, which meant that opportunities for community integration were missed.

The quality of planning to promote the child's safety and wellbeing was poor. Risks were sufficiently addressed in just half of cases where concerns were identified. Planning did not always involve other agencies where it would have been appropriate. There was sufficient alignment with other plans (e.g. child protection or care plans) concerning the child in half of the cases we inspected. We were concerned to find that contingency arrangements for the child's safety and wellbeing had been set out in only a quarter of cases. Given the levels of vulnerability of the boys and their classification of risk, this was inadequate. The complexity of the boys' circumstances meant that risks and threats to their safety and wellbeing could shift and increase quickly, and effective responses would need to be swift. We could not see what action would be taken and by whom should there be an increase in concern.

Implementation and delivery

The below table shows the YOS assessed needs of our sample and the number of 59 out of court cases that then received services to meet that need. The gap between the level of service delivered and assessed needs was a little less stark than in the post-court sample but nonetheless concerning once again for mental health, substance misuse, self-identity and discrimination.

Identified need (out of 59 inspected cases)	Assessed need	Intervention delivered
Substance misuse	25	17
Physical health	1	0
Learning and education, training and employment	32	19
Living arrangements	23	12
Speech, language and communication	13	8
Lifestyle	39	29
Mental health	15	5
Resilience	17	12
Self-identity	25	9
Discrimination	15	6

In two-thirds of cases, the services delivered were those most likely to support desistance, and staff paid sufficient attention to sequencing the work. Given the short length of the

majority of out-of-court disposals, we would expect the work delivered to support community integration into services, including mainstream services, to offer ongoing support to children as they exit the YOS. We were therefore disappointed to see this done well enough in less than two-thirds of cases.

Of the factors that were assessed as having an impact on desistance, the one addressed most was 'lifestyle'. This was largely met by the delivery of offence-focused work, which we saw provided in three-quarters of relevant cases. Alongside this, we would expect to see work delivered to address the wider needs linked to offending. This includes education, training and employment and mental and emotional health, which were addressed less well. Overall, we found that the interventions delivered were tailored to the specific needs, circumstances and background of the child in only 22 of the 59 cases we inspected.

Developing and maintaining an effective working relationship with the child and their parents or carers was an area of strength, and we saw evidence of this in the large majority of cases. Again, however, we saw little involvement of the boys' fathers.

We saw effective multi-agency work in half of the cases inspected and this meant that service delivery was not well-coordinated and did not go far enough to support the child's safety and wellbeing.

Joint working

In some services, the assessment was not completed until after the disposal had been decided. In these services, decision-making was informed by a short screening, and without input from the child and their parents or carers. This undermined the decision-making process and meant that the YOS could not advocate for the children as well as they could if they had met with them to discuss the offence.

The recommendations made by YOSs for out-of-court disposal outcomes, conditions and interventions were appropriate and proportionate in less than two-thirds of cases. Where we didn't agree with the disposal decision, this was mainly because we felt that the matter could have been dealt with through a less onerous and more holistic intervention. For example, one child received a youth conditional caution for a low gravity offence that could have been dealt with by a community resolution and supported by other services that could better meet his needs. The child had identified learning needs and had been on a Child Protection plan for neglect and low school attendance. The decision to impose a youth conditional caution had been made without meeting the child. Should the child offend again, he will likely receive a statutory court order as a result of receiving a youth conditional caution on this occasion. Recommendations did not routinely consider the degree of the child's understanding of the offence and their acknowledgement of responsibility. We found the YOSs' recommendations to be sufficiently well informed, analytical and personalised to the child in only half of the cases we inspected.

The following examples demonstrate how the processes and approaches to out-of-court decision-making can have lasting implications for children.

Good practice example

The case manager recommended a youth caution based on the child's poor compliance with two previous community resolutions. The out-of-court-disposal panel recognised that he and his family needed additional support rather than a criminal justice intervention. They took into account that children's social care was undertaking a Section 47 assessment. In light of this, and taking into account the child's wider circumstances, the panel agreed that a community resolution was a suitable disposal. The panel also

recommended additional interventions to address the child's emotional wellbeing and support his learning needs

Poor practice example

The child was 12 years old when a knife was found in the bottom of his bag at school. He has SEN and this was first identified but not acted on when he was four years old. He was referred to CAMHS at the age of nine. No interventions were delivered at that time. He has low mood and feels isolated. He has been bullied and is being physically abused at home. None of this was considered when the policy to impose a youth conditional caution for possession of a knife was imposed. Given his circumstances and the context of the offence, a lower tariff intervention with welfare support would have been a more appropriate disposal, but not all the information was known at the decision-making panel, as nobody had met with him and his family. The concern is that, if this child comes to notice again, he will get a statutory court order next time. An assessment should have been completed before any disposal decision was made

Evaluation of progress

During the course of the out-of-court disposal, workers developed meaningful, trusting relationships with children. In two-thirds of cases, this also extended to relationships with parents or carers. We saw that, by the end of the intervention, or up to the point we inspected the case, there had been an improvement in strengths and protective factors for just under half of the boys. There had been progress in terms of desistance in 60 per cent of cases and progress had been made in terms of safety and wellbeing in just 37 per cent of cases. Not enough attention had been paid to identifying, analysing and addressing structural barriers that may impact on the child's progress. There was improvement in the child's engagement with the YOS and other services in just over half of the cases.

5.4. Conclusions and implications

The statistics for black and mixed heritage boys remanded in custody is a national concern which is well documented. We were therefore concerned to find that the information provided to the court to support bail applications fell short in so many of the cases we inspected. We assessed it to be inadequate in six of the nine services. YOSs need to ensure that they work in partnership with other agencies to provide robust and credible alternatives to custodial remand in every case where this is an option.

The quality of PSRs varied considerably and in some YOSs they were outstanding. We were, however, concerned to find poor standards in other areas. The PSR has serious implications for children and they are counting on YOS staff to make sure the reports are balanced and represent them fairly and fully. There must, of course, focus on the risk of reoffending and risk of harm to others, and it has to be acknowledged that risk is often high. However, the child's offending must be placed in context and their lived experience and the challenges they have faced and continue to face must also be detailed. Reports should be analytical and set out in detail how any presenting risk will be managed and reduced through an individualised package of intervention that goes beyond offence-focused work. Children and parents or carers should have the opportunity to read the report prior to court to make sure they understand what has been written and to have an opportunity to ask questions and make comments.

When staff are undertaking assessments, they should be curious about the child's self-identify and for black and mixed heritage boys this includes their ethnicity. From the cases we inspected, we could see that discrimination was a feature in many of the boys' lives. This was affirmed by the boys who spoke with User Voice and by the staff we spoke with. This needs to be given more consideration in all aspects of practice, as it may not only be contributory factor to the child's involvement in the youth justice system, it may also be a barrier to them moving on in their lives.

Interventions need to be tailored to the needs of the child. We found that they worked best when the worker took a thoughtful and creative approach to engaging the boys whose cases we looked at. There needs to be a balance between support and challenge, as this gives the intervention meaning and purpose and promotes engagement. We found that most workers formed good relationships with the boys they worked with, but they need to make sure that they use these relationships to do the skilled work that is required to assist and support change.

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Annexe 1: Glossary

Adultification	Adultification bias is a form of racial prejudice where children of minority groups are treated as being more mature than they actually are by a reasonable social standard of development.
AIM3	AIM3 is a 25-item framework for assessing harmful sexual behaviour in children and adolescents. It is designed to help practitioners consider relevant targets for intervention, in addition to quantifying risk and levels of supervision.
Child and Adolescent Mental Health Services CAMHS	Services that support children and young people with their mental health.
Child protection	Work to make sure that all reasonable action has been taken to keep to a minimum the risk of a child coming to harm.
Education, health and care plan EHCP	The purpose of an EHCP is to make provision to meet the special educational needs of a child or young person. This aims to secure the best possible outcomes for them across education, health and social care, and to prepare them for adulthood, as they grow older.
Education, training and employment ETE	Work to improve an individual's learning, and to increase their employment prospects.
Intensive Supervision and Surveillance ISSP	The Intensive Supervision and Surveillance programme is the most rigorous non-custodial intervention available for children in the youth justice – it is a direct alternative to a custodial sentence.
Out-of-court disposal panel	A multi-agency panel that assesses the most appropriate out-of-court disposal for children who are being considered for diversion from the youth justice system.
Positionality	Positionality is the social and political context that creates your identity in terms of race, class, gender, sexuality, and ability status. Positionality also describes how your identity influences, and potentially biases, your understanding of and outlook on the world.
Pre-sentence report PSR	When somebody pleads guilty to an offence, or is found guilty after trial, the court may request a pre-sentence report to assist them in sentencing.
Referral order panel	When a child is sentenced to a referral order, they are required to attend a youth offender panel. The panel, the child, their parents/carers and the victim (where appropriate) agree a contract aimed at repairing the harm that has been caused and addressing the causes of the offending behaviours.

Section 47	A Section 47 enquiry means that children's social care must carry out an investigation if they have 'reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm'. The aim is to decide whether any action should be taken to safeguard the child.
Self-identity	Self-identity is a combination of personality traits, abilities, physical attributes, interests, hobbies, and/or social roles that form personal identity.
Social graces	The social graces are a framework for understanding aspects of identity and how they shape practice. It asks practitioners to be aware of how their identity influences their thinking.
Structural barriers	Structural barriers are obstacles that collectively affect a group disproportionately and perpetuate or maintain stark disparities in outcomes. Structural barriers can be policies, practices and other norms that favour an advantaged group, while systematically disadvantaging a marginalised group, in obtaining needed resources.
Trauma and toxic stress	Trauma is the emotional, psychological, and physiological residue left over from heightened levels of toxic stress that accompanies experiences of danger, violence, significant loss, and life-threatening events.

Annexe 2: Methodology

During the course of this remote inspection, we inspected the work of youth offending services (YOSs) in Manchester, Lewisham, Nottingham, Haringey, Hackney, Leeds, Sheffield, Liverpool and Oxfordshire. All YOSs were selected because black and/or mixed heritage boys were over-represented in their services. We looked at the work delivered through a lens that considered the child's ethnicity, their diversity and any experiences of discrimination. For the purposes of this inspection, we looked at assessment, planning, delivery and reviewing of work to support desistance and safety and wellbeing in post-court cases and we assessed the quality of joint decision-making in out-of-court disposal cases. We paid attention to the classification level of risk of harm at initial assessment and reviewing stages but did not inspect work delivered to manage and reduce any risk of harm.

We reviewed comprehensive evidence in advance from each YOS and examined 173 cases of black and mixed heritage boys (59 out-of-court cases and 114 statutory), which had commenced within the previous 12 months. We interviewed 99 case managers. Senior managers from the YOSs were interviewed and focus groups were held with case managers, middle managers, partnership staff, volunteers and the Youth Justice Partnership Board. We undertook a week of meetings with representatives from national agencies: The Youth Justice Board for England and Wales, the Home Office, Department of Education, Ofsted, the Magistrates Association, the Chief Executive Officer for the Association of Police and Crime Commissioners and the National Police Chiefs' Council.

We commissioned the services of 'User Voice', who met with 38 black or mixed heritage boys to gather their perspectives on the services that they had received from the YOSs. They also helped us understand some of the challenges they face in their day-to-day lives and what could be done to help. Inspectors spoke with a small number of parents whose children were, or had been, involved with the YOS and who requested a meeting.

In each YOS we inspected, we conducted electronic surveys with case-managing staff (164 returns) and volunteers (76 returns). We gathered the views of parents (43 responses) by conducting a survey that was distributed on our behalf by the YOSs. A survey was circulated nationally via the Magistrates Association and we received six responses.

To support the inspection team, which was drawn from black, white and mixed-heritage backgrounds, we commissioned the services of Inside Out Wellbeing to provide clinical supervision and support. A team of black therapists devised and delivered culturally sensitive individual and group sessions to the inspection team. There was a slightly different structure to the meetings depending on the positionality of the team members in terms of ethnicity. The support of the therapists allowed inspectors to reflect on the impact of the work they were doing. For some people, it provided a reflective space; for others it was a valuable learning opportunity and a space to consider cultural competency and humility. The support and input provided proved to be of great value in both the planning for, and delivery of, this inspection.

The ethnicity of children whose cases we inspected is shown below:¹³

Pre-court sample breakdown of ethnicity of children	
Black African	24%
Black Caribbean	17%
Any other black/African/Caribbean background	7%
Mixed white and black African	9%
Mixed white and black Caribbean	29%
Mixed white and Asian	3%
Any other mixed/multiple ethnic background	5%
Not recorded	5%

Post-court sample breakdown of ethnicity of children	
Black African	24%
Black Caribbean	24%
Any other black/African/Caribbean background	12%
Mixed white and black African	2%
Mixed white and black Caribbean	24%
Mixed white and Asian	4%
Any other mixed/multiple ethnic background	11%
Not recorded	1%

¹³ In some circumstances, figures may not total or may exceed 100. This is due to the rounding up/down of figures.

Annexe 3: Expert reference group

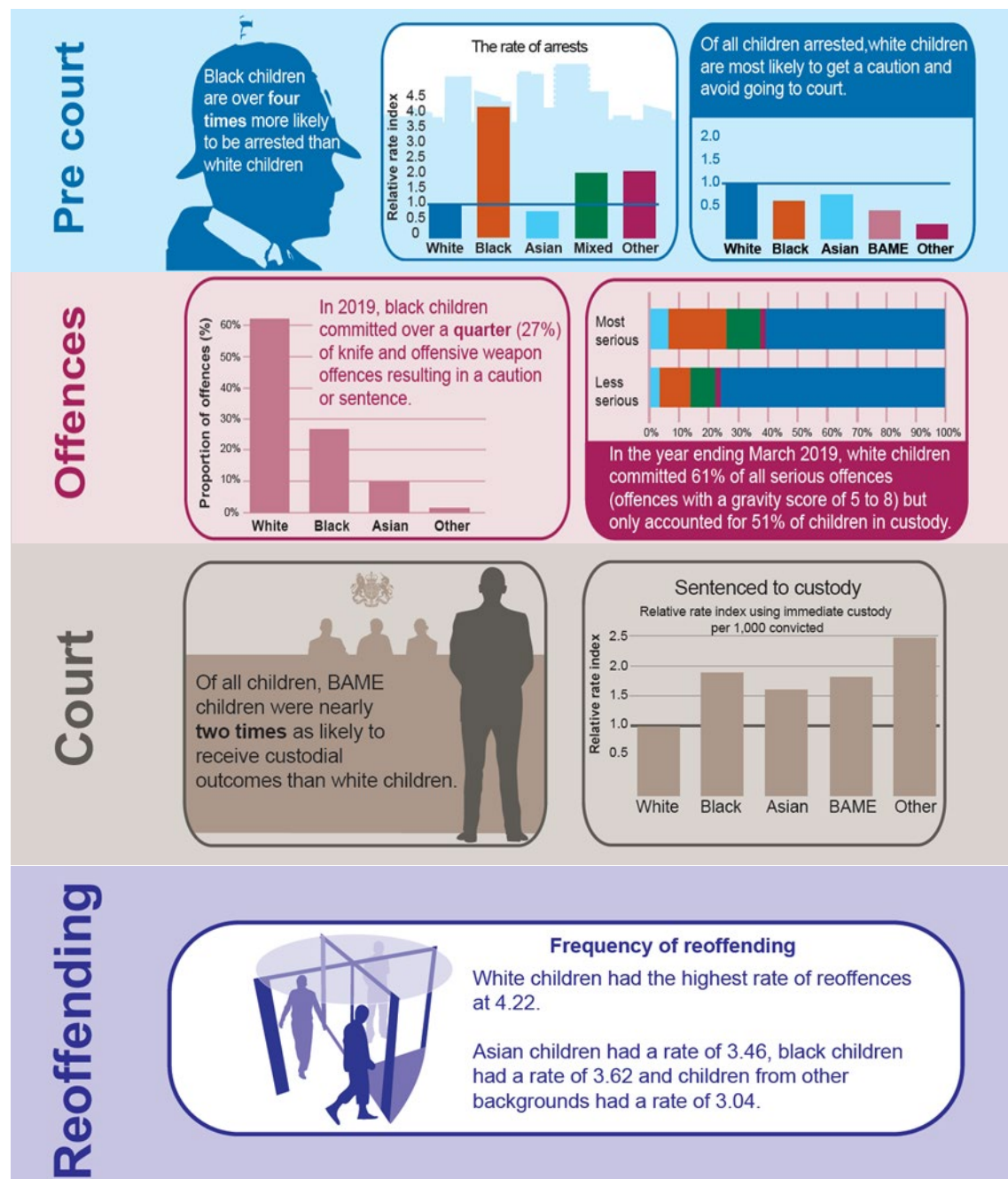
An expert reference group contributed to this report by advising on strategic, technical and operational issues associated with the subject and service under inspection. The group represented the views of key stakeholders in the areas under scrutiny, and commented on emerging findings and final recommendations.

Group membership included:

- Keith Fraser – Chair of the Youth Justice Board for England and Wales.
- Pippa Goodfellow – Director of the Alliance for Youth Justice (AYJ) and Trustee for the National Association for Youth Justice (NAYJ).
- Dr Patrick Williams – Senior Lecturer in Criminology at Manchester Metropolitan University.
- Michelle Edwards – Head of Newham Youth Offending Service.
- Lloyd Robinson – Director and Contracts Manager at Get-to CIC.
- Dr Tim Bateman – Reader in Youth Justice at the University of Bedfordshire.
- Aika Stephenson – Co-founder of Just for Kids Law.
- Dr John Wainwright – Co-Director of Global Race Centre for Equality (GRACE) and the youth justice strand lead for the University of Central Lancashire.
- Sammy Odoi – Founder and Managing Director of Wipers.
- Jenny Oklikah – Chief Executive Officer for Fight for Peace.

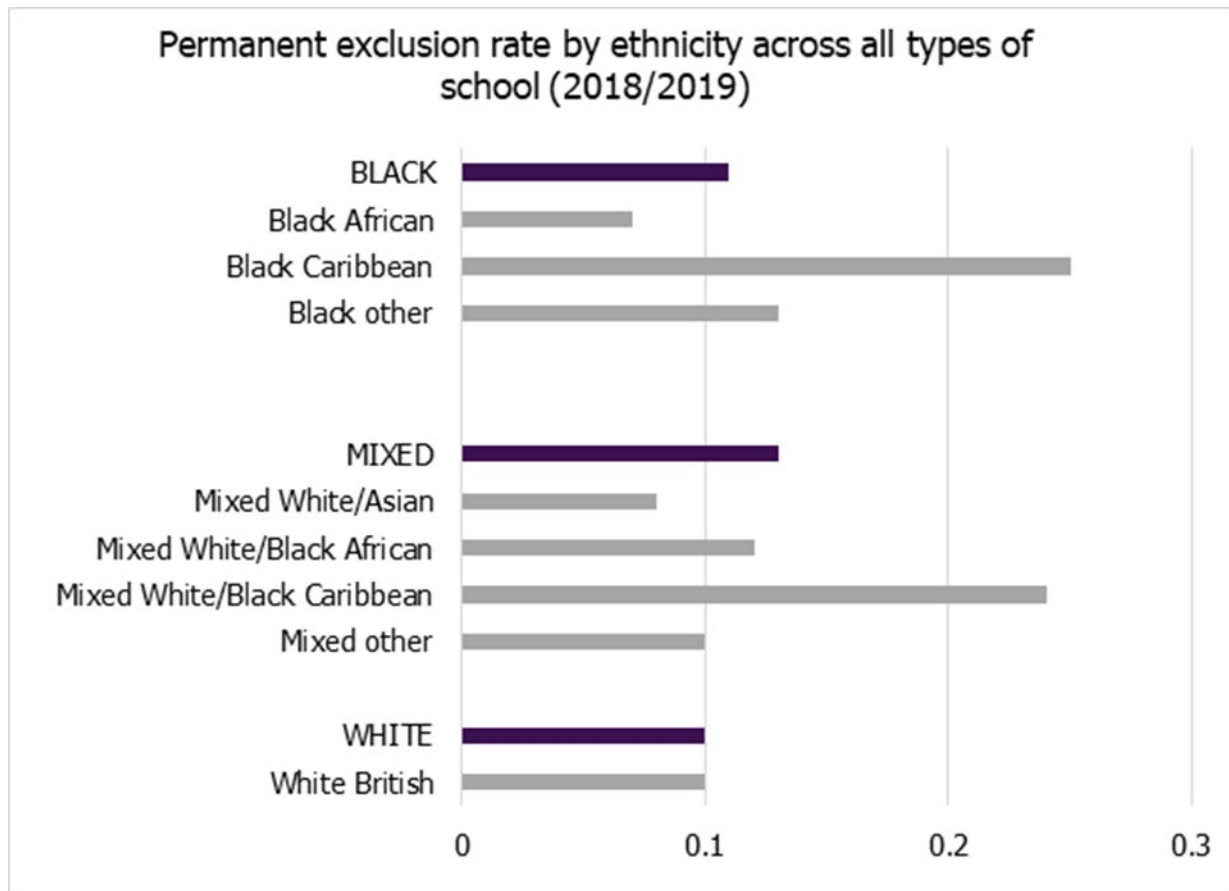
Annexe 4: Racial disparity

The following racial disparity infographic has been produced by the YJB and highlights disparities between different ethnic groups of children to identify factors linked to over-representation.



Annexe 5: School exclusion data

National data on school exclusion broken down by ethnicity.



Annexe 6: Case assessment data

Post-court work

Is the pre-sentence report provided to the court sufficiently analytical and personalised to the child, supporting the courts decision-making?	Number of cases	%
Yes	23	51%
No	22	49%
Does the bail support information provided to the court offer a robust alternative to remand?	Number of cases	%
Yes	8	32%
No	12	48%
Other	5	20%
Have relevant agencies worked together to support and promote a coordinated bail support package as an alternative to remand?	Number of cases	%
Yes	12	48%
No	13	52%
Does assessment clearly identify and analyse any risks to the safety and wellbeing of the child?	Number of cases	%
Yes	66	58%
No	47	42%
Does the assessment explore the impact of experiencing discrimination on the child's desistance?	Number of cases	%
Yes	10	10%
No, and should have	87	90%
Not applicable	16	-
Does assessment sufficiently analyse how to support the child's desistance?	Number of cases	%
Yes	43	38%
No	70	62%
Does planning set out the services most likely to support desistance, paying sufficient attention to the available timescales and the need for sequencing?	Number of cases	%
Yes	66	59%
No	46	41%
Does planning take sufficient account of the diversity of the child?	Number of cases	%
Yes	27	24%
No	86	76%

Does planning consider the impact of any structural barriers which may affect engagement?	Number of cases	%
Yes	41	41%
No	59	59%
There were no structural barriers	12	-
Does service delivery reflect the diversity of the child?	Number of cases	%
Yes	39	34%
No	75	66%
Does the implementation and delivery of services effectively support the child's desistance?	Number of cases	%
Yes	68	58%
No	48	42%
Does reviewing take sufficient account of the diversity of the child?	Number of cases	%
Yes	22	25%
No	65	75%
Does reviewing lead to the necessary adjustments in the ongoing plan of work to support desistance?	Number of cases	%
Yes	43	50%
No	43	50%
Does reviewing consider and respond to any barriers affecting engagement	Number of cases	%
Yes	26	39%
No	41	61%
Not required	21	-
Does reviewing focus sufficiently on supporting the child's desistance?	Number of cases	%
Yes	42	48%
No	46	52%

Pre-court work

Does assessment clearly identify and analyse any risks to the safety and wellbeing of the child?	Number of cases	%
Yes	27	46%
No	32	54%
Does the assessment explore the impact of experiencing discrimination on the child's desistance?	Number of cases	%
Yes	3	6%
No, and should have	45	94%
Not applicable	10	-

Does assessment sufficiently analyse how to support the child's desistance?	Number of cases	%
Yes	25	42%
No	34	58%
Does planning set out the services most likely to support desistance, paying sufficient attention to the available timescales and the need for sequencing?	Number of cases	%
Yes	32	54%
No	27	46%
Does planning take sufficient account of the diversity of the child?	Number of cases	%
Yes	12	20%
No	47	80%
Does planning consider the impact of any structural barriers which may affect engagement?	Number of cases	%
Yes	17	33%
No	34	67%
There were no structural barriers	8	-
Does service delivery reflect the diversity of the child?	Number of cases	%
Yes	22	38%
No	36	62%
Does the implementation and delivery of services effectively support the child's desistance?	Number of cases	%
Yes	36	61%
No	23	39%
Are the recommendations by the YOT for out-of-court disposal outcomes, conditions and interventions appropriate and proportionate?	Number of cases	%
Yes	32	59%
No	22	41%
No recommendation made	5	-
Are the YOT's recommendations sufficiently well-informed, analytical and personalised to the child, supporting joint decision making?	Number of cases	%
Yes	29	49%
No	30	51%

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Appendix Two: HMIP Thematic Inspection report recommendations Oct 2021

The Youth Justice Board should:

1. publish data to show how well individual youth offending services are addressing disproportionality: this data should refer separately to different ethnic groups
2. revise the guidance on case management to consider diversity, particularly ethnicity and structural barriers at each stage of the youth justice process.

The Home Office should:

3. publish local and national data on:
 - a) stop and search statistics, broken down by gender and age as well as ethnicity
 - b) 'release under investigation' statistics, including outcomes, broken down by gender and age as well as ethnicity.

The Department for Education should:

4. make sure that the special educational needs of black and mixed heritage boys are assessed and responded to at the earliest opportunity and work with Ofsted to include this in their inspection framework
5. improve guidance on exclusion to make sure that schools monitor disproportionality in rates of fixed and permanent exclusions and consider the impact of adverse childhood experiences, racism and personal circumstances in their response to black and mixed heritage boys. Work should begin with Ofsted to capture this in its inspection framework
6. In line with their public service equality duty and the Lammy principle of 'explain or reform', the Department for Education should hold academy trust chains and local authorities to account for monitoring rates of racial disproportionality in the use of permanent exclusions and for taking action to tackle this.

Police area forces should:

7. share with Youth Justice Management Boards local data on:
 - a) stop and search statistics, broken down by gender and age as well as ethnicity
 - b) 'release under investigation' statistics, including outcomes, broken down by gender and age as well as ethnicity.

Local authorities should:

8. provide suitable and timely accommodation placements and support packages for black and mixed heritage boys who are facing remand or being released from custody
9. make sure that, where children and families are moved to a new location as a result of concerns about their safety, the accommodation and placements provided are suitable and sustainable to meet their needs
10. ensure that black and mixed heritage boys are receiving their legal entitlement to education, including alternative provision when this is deemed necessary, and that the placements are suitable to meet their needs.

YOS partnership boards should:

11. have a vision and a strategy for improving outcomes for black and mixed heritage boys, and make sure these are known and understood by YOS staff and partner agencies
12. ensure that all board members contribute data from their individual services that identifies areas of disproportionality and the action being taken to address them, and that this data is used to develop a joint strategic needs assessment
13. have a joint set of partnership targets, for example with schools and children's services, for improving service delivery to black and mixed heritage boys, and make sure mechanisms are in place to track, monitor and evaluate outcomes.

YOS managers should:

14. establish effective processes for gaining feedback from black and mixed heritage boys on the services they receive and use this feedback to assess, review and improve the quality and suitability of service provision
15. make sure that staff understand what is expected of them in their work with black and mixed heritage boys and that they are inducted, trained and supported to work effectively with this group of children
16. improve the quality of management oversight to make sure that it is sufficiently focused on diversity and what this means in practice and that there are clear escalation routes to address any barriers to black and mixed heritage boys accessing the services they need
17. address gaps in specialist provision for black and mixed heritage boys, either by delivering it in-house or by commissioning it from appropriate local community organisations and evaluate referral and uptake rates for the services provided
18. offer suitable and appropriate support and intervention to the parents and/or carers of black and mixed heritage boys and regularly review the uptake and suitability of this provision

Report for: Corporate Parenting Advisory Committee

Item number:

Title: **Voice of the Child Guidance**

Report

authorised by : Ann Graham, Director, Children's Services

Lead Officer: Sarah Pike, Principal Social Worker,
sarah.pike@haringey.gov.uk

Ward(s) affected: NA

1. Describe the issue under consideration

The Voice of the Child Guidance for practitioners in CYPS is presented to Members of CPAC for information so they can be assured of the focus of this issue for staff.

2. Background information

- 2.1 Children's Social Care has a legal duty to listen to the wishes and feelings of all children, including children in care. This is outlined in the landmark Children Act of 1989, which established this requirement as a 'paramount principle'. All subsequent legislation and practice guidance has sought to reinforce this message as a key aspect of social care provision.
- 2.2 Children and young people have a right to be heard. This is reinforced in the UN Convention on the Rights of a Child (1989) which states that it is a child's right to be heard and to have their views considered regarding decisions that affects them.
- 2.3 Children's views are integral to evidence-informed social work and practitioner's practice. Respecting a child's experiences is also fundamental to the values of effective social work. The Voice of the Child is a general term used to express how we go about creating meaningful engagement with our children and young people, ensuring that they are at the heart of everything we do.
- 2.4 Day to day direct work should focus on listening to and responding to what children and young people say is important to them, take their views into account and consider their wishes.
- 2.5 This Practice Guidance has been written to assist practitioners in capturing the child's voice by ensuring that it is placed at the heart of any planning, decision-making, and service delivery.

- 2.6 It also aims to improve the quality of decisions being made by professionals in their day-to-day work, resulting in improved outcomes along with the better use of resources and greater consistency across the service.
- 2.7 Children and Young People's Services must demonstrate that they listen to children and young people, both in relation to their own individual circumstances, as detailed in this guidance, and in terms of influencing the design and delivery of services. A separate paper will be shared on the Council's plan to promote the Rights and Participation of children and young people in Haringey.

3 Contribution to strategic outcomes

- Borough Plan 2019-2022
- People Priority: A Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential

4 Use of Appendices

Voice of the Child Guidance

5 Local Government (Access to Information) Act 1985

Children Act 1989

Engagement, Safeguarding & Quality Assurance

Voice of the child Practice Guidance

Control Version [2] 13.01.2022 Review 13.01.23

Sarah Pike
13.01.2022

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1. Foreword

Welcome to the Voices of Children, Young People and Families Practice Guidance. This guidance has been produced as the voices and improved outcomes for the children and young people that we work with is paramount in Haringey.

Listening and responding to the voices of children, young people and families is the responsibility of all staff in Children and Young People's Services. Whether you work daily with children, young people and families or not, incorporating voices is a vital part of your work. It allows our services to be responsive to the needs of those we work with, making them more efficient, as well as providing a good basis for children, young people and families to engage with us and achieve better outcomes.

Haringey Children and Young People Services are accountable and committed to encourage engagement and feedback, enabling us to continually improve our practice.

At the end of this guidance, you will find Capturing the Voice of the Child Guide, Practice Promises and The Language that Cares, as this guidance is implemented you may see some changes to help us all to do this, these will help us to ensure that evidencing the impact of voices becomes as routine for us as collecting them.

Lastly, I would like to extend my thanks to all of our Practitioners who work so very hard to improve the outcomes for our Children and Young People of Haringey and who dedicated to ensuring that the Voice of our Children and Young People is at the heart of our practice.

Beverly Hendricks
Assistant Director of Safeguarding and Social Care

2 Introduction

Children's views are integral to evidence-informed practice with our families. Respecting a child's experiences is also fundamental to the values of effective intervention within Children's Services. The Voice of the Child is a general term used to express how we go about creating meaningful engagement with our children and young people, ensuring that they are at the heart of everything we do.

Day to day direct work should focus on listening to and responding to what children and young people say is important to them, take their views into account and consider their wishes.

This Practice Guidance has been written to assist Social Workers/ Practitioners within children's services in capturing the child's voice by ensuring that it is placed at the heart of any planning, decision-making, and service delivery.

It supports how Social Workers/Practitioners within children's services should interact with children and young people to ensure that their views and opinions are always considered when it comes to responding to, supporting and delivering services that affect them and their families.

It also aims to improve the quality of decisions being made by professionals in their day-to-day work, resulting in improved outcomes along with the better use of resources and greater consistency across the service.

Children's Services must demonstrate that they listen to children and young people, both in relation to their own individual circumstances, as detailed in this guidance, and in terms of influencing the design and delivery of services. A separate paper will be shared on the Council's plan to promote the Rights and Participation of children and young people in Haringey.

3. The Legal Context

Children's Services has a legal duty to listen to the wishes and feelings of all children, including children in care. This is outlined in the landmark Children Act of 1989, which established this requirement as a 'paramount principle'. All subsequent legislation and practice guidance has sought to reinforce this message as a key aspect of social care provision.

Children and young people have a right to be heard. This is reinforced in the UN Convention on the Rights of a Child (1989) which states that it is a child's right to be heard and to have their views considered regarding decisions that affects them.

Such is the importance of the Voice of the Child that Ofsted now considers, as part of its inspection framework the extent to which this can be demonstrated in all aspects of work that we undertake in children services.

4. Promises to our Children and Young People

- Listen to and value the thoughts, feelings and opinions of all children, young people and families who use our services. We ensure that we consider these views when making decisions and explain why decisions are made.



- Involve children, young people and families in the planning, development, improvement and delivery of our services.
- Use simple and creative ways for all people to be involved.
- Be open-minded and ambitious about what can be achieved. We will be clear from the start and throughout about what we can do allowing time, resources, and the law. We will be clear why things are happening.
- Communicating clearly in a way that is suitable for the people we are working with.
- Learning from compliments, complaints, and comments to improve our services and providing feedback.

5. Adopting the Right Approach

Every professional working with children and young people should ensure that the child's voice is heard, considered, and taken into account on matters that affects them and those that impacts on their families.

Meaningful engagement, negotiation and interaction leads to more successful outcomes. This approach should therefore be from the perspective of relating to children and young people as individuals with whom Social Workers/Practitioners in children's services can work alongside as active supportive social agents whose views are welcomed.

Increased consideration of a child's views in decisions that affects them will result in a greater understanding of their circumstances. Decisions will be more closely aligned to what the child needs leading to improved service delivery, more effective use of resources and result in better outcomes. Getting things right early will ensure fewer disruptions in their care planning and demonstrate a responsive listening provision to our children and young people.

Indicators of effective engagement include children:

- Building strong relationships with their Social Worker/Practitioner where there is a feeling of trust and where they are encouraged to express their views.
- Are able to take part in decisions made about them and are aware of their right to be heard and the process that supports this.



- Have a full understanding of their situation and the options available to them for the future. In the case of children in care, the role of Social Worker/Practitioners play a crucial role here. This function is further supported by IROs who have a Quality Assurance function by ensuring that this is undertaken as part of the Social Work assessment and care planning for the child.
- There is good quality recording and reporting of their circumstances in plans and assessments which includes their views.



The following diagram: The **Hallmarks of Effective Participation: Evidencing the Voice of the Child**¹ highlights what effective participation should look like when evidencing the Voice of the Child. It also sets the criteria set by Ofsted when conducting inspections for children's services and should be evidenced in all assessments in children's services.



6. Use of Language

The views of all children, including young children, can be effectively captured if they are approached at the right level and in a way that is reflective of their ability to understand their situation. This approach should be based and focused on them as individuals and Social Workers/Practitioners/Practitioners should consider the developmental stage of the child as well as the chronological age.

Engagement should focus on capturing meaningful information that serves to inform the Social Worker/Practitioner about the child so that decisions can always be made in the child's best interests, based on what is known about them, their experiences, views and wishes.

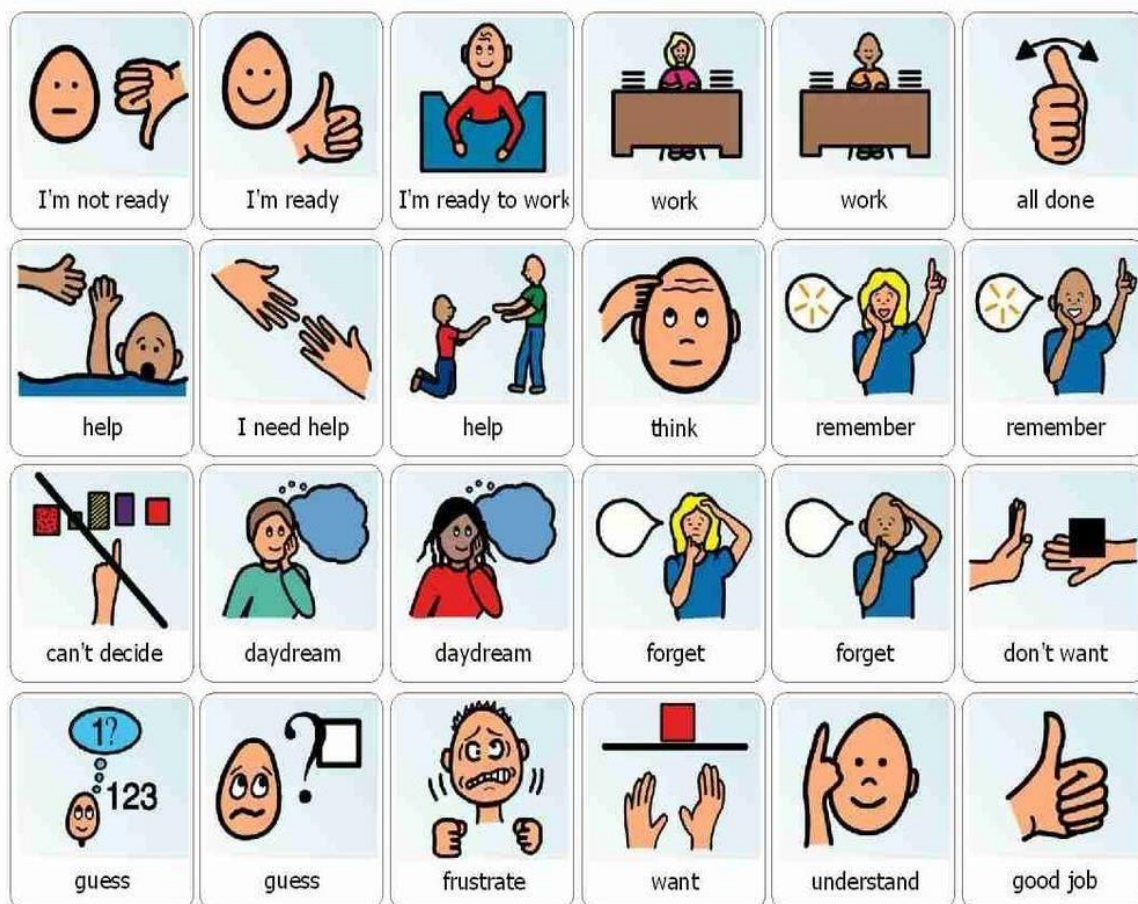
¹ Research in Practice - Voice of the Child: Meaningful Engagement with Children and Young People

Changing the Narrative



Social Workers/Practitioners/Practitioners should consider the language being used and how this can be adapted in a way in which the child understands, especially when considering any special needs e.g. language, hearing impairment, mental health issues. The use of communications should be clear and focused and where needed supported by tools to assist the process.

Communication Symbols



Social Workers/Practitioners/Practitioners should build on our social work practice model, Signs of Safety and aim to develop their relationship-based practice in their conversations with all children by negotiating issues such as the language to be used right at the start of any meetings. This will set a clear purpose of understanding from the outset.

Social Workers/Practitioners should not lose sight of the need for respect, privacy, and discretion. They should never assume that the child knows everything about their situation and should be careful in their approach around asking questions on matters if the child is unaware of the full facts. They should always be open and honest with children and young people as well as mindful about information that could impact negatively if it was disclosed to them. Efforts should be made to ensure that the child feels safe and confident with the social work process. Social Workers/Practitioners should be knowledgeable about what information can be shared before discussing matters of a personal or confidential nature where others are present.

A commitment to building relationships is integral throughout the process and should consist of a two-way dialogue between the child and their allocated Worker.

Social Workers/Practitioners should make it clear how and when they can be contacted and ensure that they respond in good time to missed phone calls, texts etc. This approach will help to build good lasting relationships that will aid the Voice of the Child process.

7. Use of Tools

All children have a right to provision which enables them to develop their personalities, talents, and abilities irrespective of ethnicity, culture, religion, home language, family background, learning difficulties, disabilities or gender. These rights are laid out in the United Nations Convention on the Rights of the Child.

Because each child is unique the methods used to engage with them should be creative and based around their individuality. The tools used should focus on the stage of social work involvement i.e. EH, DCT, Youth Services, CIN, CIP, CIC, so they can specifically focus around the child's individual circumstances.



Not all children respond well to verbal communications so other established methods should be used when assessing their emotional responses to their situation, parents/carers, siblings etc. There are many tools that can be used to find the Voice of the Child in a way which is easy for them to engage with Social Workers/Practitioners.



Social Workers/Practitioners can access a variety of resources online. It is their responsibility and part of their ongoing personal development to keep themselves up to date in this area. Each Social Worker/Practitioner should also have access to a bag of tools. Here is the link to the <https://www.ccinform.co.uk/> for some tips on direct work.

Resources can also be created very easily via the use of photographs, clip art and images from magazines. The Social Worker should be as creative as possible in order to create an environment where the child is able to connect with them in a meaningful way and enables that child to feel safe and emotionally able to express themselves freely.

8. Observations

Observing how a child interacts with their parent(s) and how their parent(s) responds to them and their emotional needs is an important way in which the child's voice can be captured. Social Workers/Practitioners should record what they have seen. This information should be fact based and can be just as important as what the child tells them.

Observing Children

- Know individual children better. Observations help learn about a child's abilities, interests, and level of development.
- Identify special needs.
- Address specific problems.
- Guide curriculum development
- Document progress and assess skill development .
- Evaluate, or determine the value of, the program.
- Learn about child development.



When asking questions, Social Workers/Practitioners should listen carefully to responses and consider the tone, facial expressions and body language of the child. This information will be useful in helping to inform views and helps to assess situations more accurately so that the right level of support can be provided.

In particular, assessments are an important way of demonstrating how obtaining the right levels of understanding from the onset can lead to better support plans being implemented in a timelier manner.

Direct observations such as pictures, photographs, playing, role play and/or use of puppets can result in some good information about the child. Questions should be open ended and age appropriate. The Social Worker/Practitioner should use descriptive commentary whilst the child is playing as this is a useful way to encourage the child to openly comment. This type of play is also more effective at the child's level and eye contact should be sought as much as possible, along with a genuine interest in what the child is saying.

Assessments should clearly show what an observation is, what the child has said in actual words and how this information was collated. The language should be kept pure and Social Workers/Practitioners should not correct what they say and how they say it, including any grammatical errors, as changing this can often take away the true and emotional meaning of what the child is trying to convey.

Observing Children- Anecdotal Records

Anecdotal records tell a story as they describe behavior, complete with verbal responses in a narrative style.



9. Capturing the Child's Voice

7.1 Assessments

Throughout the child's journey, there are several opportunities for their voice to be heard and recorded.

Every time there is engagement with the child this should be used to capture information about them, their feelings, views etc. In particular, each and every stage of the assessment and review process plays an important role for this to happen as they create new opportunities to have meaningful engagement with the child.

Working Together to Safeguard Children (2018) states that:

'Children should be seen and listened to and included throughout the assessment process. Their ways of communicating should be understood in the context of their family and community as well as their behaviour and developmental stage.'

'Children should be actively involved in all parts of the process based upon their age, developmental stage and identity. Direct work with the child and family should include observations of the interactions between the child and the parents/caregivers.'

The key objective of any assessment is to improve the outcomes and life chances of every child in contact with our services. It is therefore important that the child's voice is captured in every assessment undertaken. Each provides an opportunity for the Social Worker to understand the impact of the issues affecting the child by capturing and reviewing their understanding of their situation, views, feelings, and emotions. This is achieved by Social Workers/Practitioners focusing on improved child focused practice and in doing so should use every and all opportunities they have with the child to evidence their assessment and planning. This approach should be reflected in and tested in the usual quality assurance process which enables us to review and measure

how objectives in plans are being met in response to the child's needs and what they tell us.

The key responsibility for enriching the assessment by fully understanding and incorporating the Voice of the Child is the responsibility of the Social Worker/Practitioner who must demonstrate and evidence that it has been informed by the child's views.

Throughout the child's journey, there are several opportunities to record and review the child's voice and it is the Social Worker/Practitioners responsibility to bring all this information together in order to achieve a meaningful analysis of the child/young person's views and feelings. These include:

- The initial LAC review meeting (during the first 28 days)
- 2nd LAC review at 3 months
- 3rd LAC review at 6 months
- The initial referral stage (if the child is the referrer)
- Initial assessment
- Section 47 Child Protection (CP) Meeting
- CP conference
- Before every CIN meeting (at 6 weeks)
- CP, CIN and LAC meetings (minimum 6 weekly)
- CP and LAC planning meetings
- Direct work
- Social Worker and Practitioner visits
- Family Group Conferences
- Telephone calls
- Social Media contacts
- MOMO
- General feedback
- Wellbeing Assessments
- Team Around the Family meetings
- Education, Health and Care Plans
- Annual Reviews

The information in the assessment should be complemented by the parents/carers views and also the views of any other professionals working with the child/family. The child's, parents/carers and professionals' views should be regarded as of equal importance to each other, and one set of views should not be substituted with another.

The views of different professionals can also help to inform the planning process as each will have a unique and different relationship with the child e.g., teacher, health worker, youth worker, childrens centre worker, family support worker. Collectively the right

support plan will avoid matters escalating in the future resulting in more successful outcomes.

Return home interviews also play a vital opportunity to listen and record the child's voice. It helps to identify the reason why they went missing, records their experiences while they were missing and identifies what needs to be undertaken to resolve any issues identified to avoid further missing episodes happening.

9.2 Maintaining Records

Social Workers/Practitioners should get to know the child by finding out what makes them happy, sad etc. as their work with them forms the core of activity for the child.

However, the role of other professionals involved in the child's life can also contribute to the child's voice. For example, the views of a child's foster carer, teacher, nurse, health worker, youth worker etc. should always be sought. Teachers, often have an important and unique relationship with the child based on trust and familiarity. Something that a child can tell their teacher may not always be something they feel confident repeating to a Social Worker/Practitioner, particularly when they are not known to them. In order to avoid such important information being lost, a statement from their teacher in this situation would be just as important as the child's actual voice and should be routinely sought. Teachers, as well as other professionals, are trusted, credible witnesses who are able to add considerable weight to a child's voice.

When recording information in the assessment, assumptions should never be made about a child. All information should be fact based. Evidence and statements should be invited from all relevant professional sources who have had contact with the child e.g. IRO, teacher etc.

There are often professionals involved in making decisions about children who have never met or seen them in person. It is therefore important that the detail in the assessment enables anyone reading the child's file to have a full and detailed understanding about them and their response to the situation they are in. The child's views should leap off the page in all contacts and specifically the Social Work report to the CiC review, as this should provide a detailed lived experience of the child. **This should be the same for every child and not just complex cases.** It is vital that the Social Work Evidence Template is completed in a detailed way so that when a case goes to court, the judge is able to understand fully the views of the child. This level of understanding will help to inform their decision, whilst always acting in the best interests of the child.

It is good practice to ensure that when a transfer status in life for the child takes place this information is completed *before* the transfer actually takes place and that this is clearly reflected in the child's chronology.

It is important to keep records professional, fact based and respectful at all times, even where professional disagreements may exist. Records form an important part of a child's and they should therefore be sensitively written in a way which is easy for the child to read and understand. The focus on events to be celebrated as well as any challenges, to be captured. The child's files are official records which may be used in court at any time and can also be accessed by the child from their 18th birthday.

10. The Importance of the Venue

The venue chosen for interacting with the child affects the tone and flow of information. In order to get the best out of assessments, Social Workers/Practitioners should consider environments where the child is more likely to feel relaxed and comfortable.

Getting the environment right will have a huge impact on the quality of the assessment. It should not be assumed that the child feels comfortable in the traditional school, care home or other familiar environment. Social Workers/Practitioners should ask the child where they would like to meet in circumstances where this can be accommodated, and if they choose to meet in a less formal environment e.g. library, church, coffee shop, this should be accommodated wherever possible.

The time of the meeting and who is in attendance also have influencing factors on the child. Social Workers/Practitioners should consider how much a parent can influence the voice of a child, even when they are not in the same room.

11. Capturing the Voice of the Child throughout the Legal Process

11.1 Pre-Court and Court Work within children's social care

It is inevitable that some cases will escalate to court. It is an emotional time for the child and assumptions about their feelings and wishes should not be made, particularly as this may change during the process. Regularly reviewing the child's response is therefore good practice.

The outcome of the final review assessment should be recorded on the Social Work Evidence Template (SWET). IROs should always be invited to contribute to the SWET, as this is an important opportunity for the Voice of the Child to be heard and considered at this crucial stage.

The Children and Family Court Advisory and Support Service, referred to as Cafcass, represents children in family court cases.

Their role is to ensure that every child's voice is heard and that decisions are being taken in their best interests. They ensure that assessment and care plans are robust in demonstrating that this is happening as part of their ongoing work with children and their families. Social Workers/Practitioners therefore need to ensure that all such information provided to Cafcass contain evidence that this is taking place. More about Cafcass is available [here](#).

11.2 The Role of the Rights and Participation Advocacy Service

The purpose of the Participation Service is to optimise and empower children and young people's involvement in strategic, local and day to day decisions that affect their lives. They challenge and champion children and young people's rights to ensure that when decisions are made children and young people are involved, consulted, and listened to.

They offer issue-based advocacy for children in care, care leavers and support to children and young people within the child protection process.

An advocate's remit allows them to independently focus solely on the needs of the child and not be distracted from other factors or wider influences.

Advocates provide a safe space to look at concerns and consider all the options available to a child or young person, whilst acknowledging issues and disagreements to move forward whilst building skills to self-reflect, communicate and challenge where needed. The team can be contacted at;

Freephone 0800 085 8287 Telephone 0208 768 5058 Email advocacy2@barnardos.org.uk.

11.3 Asylum Seeking Minors

Capturing the views of asylum-seeking unaccompanied children and adolescence in the court system may be particularly challenging. However, effort should be made by Social Workers/Practitioners to develop an understanding of each child/young person's strengths and vulnerabilities' and the protective and destructive factors in their lives that have led them to where they are. All will have a back story to tell; some will have experienced child and adolescent human rights abuses during their childhood or adolescent years and may suffer from significant mental health and emotional difficulties as a consequence. Many will have experienced violence and or the loss of parents/carers, or other key attachment figures in their lives, torture and more.

These children are protected under the UN Convention on the Rights of the Child. In particular, articles 2, 22 and 39 are concerned respectively with Best Interests, the Right of Refugees and Rehabilitation.

This group of vulnerable young people tend to need a long time to explore their difficulties and build new resiliencies or to reconnect with old resiliencies.

Specialist community-based organisations and charities will often be able to assist in the production of specialist reports for appeal hearings and their contribution will support the general understanding of the child. The asylum- seeking process can be a lengthy process and community organisations like these can serve as valuable agents to support the child in finding their voice as well as other ongoing support to the individual.

Social Workers/Practitioners should bear in mind that there are often gaps between their chronological age and the levels of maturity for children from such traumatic backgrounds.

Interpreters should always be used in order to overcome communication difficulties caused by language barriers.

12. Overcoming Barriers to Effective Communication

The norms of social interaction vary greatly in different cultures, as do the way in which emotions are expressed. For example, the concept of personal space varies between cultures and between different social settings. Children from cultures where eye contact and speaking about their feelings with adults can often find it very challenging sharing information about themselves with Social Workers/Practitioners. Social Workers/Practitioners should therefore be mindful of any barriers which could impact on a child's ability to communicate effectively with them. In particular, Social Workers/Practitioners should be honest about their own professional ability to receive and analyse information from the child in an impartial way.

The following examples are barriers to effective communications which will have a negative effect on the quality of information being obtained about the child in any interview setting.

- Not listening carefully to what is being said.
- Not understanding the impact for children with disability such as ASC, poor eye contact, poor theory of mind, rigidity of thought
- Noting only words rather than other non-verbal communication.
- Being unable to suspend judgement or pre-conceived views.

- Using unsuitable or unfamiliar language.
- Being unable to be impartial on topics regarded as 'off-limits' or taboo e.g. politics, religion, disabilities (mental and physical), sexuality and sex, racism.
- Lacking attention, interest, being distracted or rushed.
- Differences in perceptions and viewpoint.
- Physical disabilities e.g. hearing problems, speech difficulties.
- Being unable to identify non-verbal cues, gestures, posture and general body language which can make verbal communication alone less effective.
- Language differences and difficulties understanding unfamiliar accents.
- Expectations and prejudices which may lead to false assumptions or stereotyping.

Social Workers/Practitioners should continually review a child's understanding by offering clarification throughout interviews.

Phone calls, text messages and other communication methods that rely on technology are often less effective than face-to-face communication, however they can be a useful supplement to the voice of the child.

Appendix 1: Capturing the Voice of the Child Guide

Area	What to look for/Ask the child	Considerations
Direct Contact	What are the child/young person's views, opinions and wishes?	<p>Is the level of engagement age appropriate and reflective of the child's understanding?</p> <p>How well do they understand the situation they are in and their circumstances?</p> <p>What do they want to happen?</p>
Communication	<p>Is the child able to communicate effectively?</p> <p>Do they need support to communicate effectively e.g. language barrier, ability, disability, trauma, culture?</p>	<p>Is an interpreter or advocate needed?</p> <p>The use of photographs/images or other communication tools may assist.</p> <p>Are there known past events about the child that could affect their ability to talk freely?</p>
Observations	<p>What is the child's behaviour like? Consider whether they are happy, sad, lively, tired/lethargic. Give examples.</p> <p>Are there any health issues that impacts on the child's ability to engage/ interact? If so what?</p> <p>What makes the child happy and sad and what makes them feel better when they are sad?</p> <p>What is the child's relationship like with their parents/carers? Does their behaviour change in their presence?</p> <p>How does the child react to other family members, adults?</p> <p>Does the child demonstrate strong attachments?</p>	<p>Use of role play activities, puppets, clip art, pictures, photographs, feelings box/images can be of assistance.</p> <p>Consider the facial expressions and body language of the child, parents/ carers etc. Does this match verbal responses?</p> <p>Does the child display any behaviour which is of concern? If so further investigation should be sought.</p> <p>Consider interviewing the child with and without their parents/carers.</p>
Venue	<p>Is the meeting informal or formal?</p> <p>Is it taking place in a location that is in the best interests of the child or in</p>	<p>The venue and location of meetings will have an important influence on the outcome. If informal, consider how</p>

	<p>response to where they say they would like it to take place?</p> <p>Is the time convenient for the child?</p> <p>Who else is in attendance?</p>	<p>this can be accommodated.</p> <p>Look at alternative meeting locations to aid the purpose and objectives of the meeting.</p> <p>Do not make assumptions about where meetings should take place. When requests from the child can be accommodated, this should be considered.</p> <p>Think carefully about who needs to be there and how this will add value to the meeting.</p>
Recording	<p>Does the meeting and subsequent plan acknowledge the views of the child?</p>	<p>Has the voice of the child been recorded in a clear and concise way?</p> <p>Where the views or wishes cannot be accommodated this should be stated and the reason why so that there is a clear understanding for all parties concerned.</p>
Other factors	<p>Are there any social relationships that can be used to support the child?</p> <p>Are there any other professional relationships whose views can assist with the voice of the child?</p>	<p>Consider informal relationships e.g. community based.</p> <p>Consider input from other professionals e.g. teacher.</p>

Appendix 2: Language that Cares.



Language that
Cares.docx

Appendix 3: Practice Promises.



top 12 practices.pptx

Report for: Corporate Parenting Advisory Committee

Item number:

Title: Annual Report of Fostering Service April 2020 to March 2021

Report

authorised by : Ann Graham, Director, Children's Services

Lead Officer: Faiz Ahmed, Head of Service Children in Care
faiz.ahmed@haringey.gov.uk

Ward(s) affected: NA

1. Describe the issue under consideration

This is the Annual Report of the Fostering Service from April 2020 to March 2021 which evaluates the service provisions, key objectives and priorities for future developments

2. Recommendations

Members are asked to receive the report which is for information.

3. Background information

3.1 The Annual Report gives details of the support given to foster carers, both in-house and through external placement, for Haringey's children.

3.2 The report indicates the challenges to our key priorities both in terms of a maturing foster career cohort (although this is also a positive in terms of their experience) and the impact of Covid on issues of recruitment and Special Guardianship Assessments.

3.3 The report outlines the support given to ensure that the voice of the child is heard, as well as support to ensure placement stability.

3.4 The report further outlines the priorities for 2022/23

3.5 The report focuses on the outcome of the work undertaken by the service and its impact on children.

2 Contribution to strategic outcomes

- Borough Plan 2019-2022
- People Priority: A Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential

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Annual report of Fostering Service April 2020 – March 2021



Outline

1. Context of the Fostering Service
2. Progress against key priorities
3. Priorities for 2022/23

DRAFT

1. Context of the Fostering Service

A key priority for Haringey Council is to ensure that children can be brought up safely and happily with their birth parents or within their wider extended family network. Where it is identified that children cannot remain within their family and that they need foster care, the fostering service contributes to improving outcomes for the most vulnerable children and young people who are looked after in Haringey.

The Fostering Service is a regulated service and subject to inspection by Ofsted as part of the ILACS inspection framework. Haringey Council's Fostering Service provides a range of short term and permanent foster carers who have a diverse range of skills and experience. Foster carers provide family-based services ranging from weekend respite/short breaks to supporting birth parents and carers, preparing a child for adoption, or providing a permanent home for a child through to independence. There continues to be a high number of family members and friends who come forward for assessments, while legal proceedings are underway, requesting to care for a child.

Haringey's fostering Service comprises of 3 teams in total. There are 2 teams that provide the day to support to our in house foster carers, each comprising of a Team Manager and 6 Supervising Social Workers. In addition to the Fostering Support Teams, we have a team dedicated to Foster Carer Recruitment, Special Guardianship assessment and post order support. The teams' structure is illustrated in Table below and is managed by the Head of Service for Children in Care, Fostering and Permanence.

HEAD OF SERVICE – CIC AND CORPORATE PARENTING FAIZ AHMED		
SERVICE MANAGER – FOSTERING AND PERMANENCY SANDY BANSIL		
TEAM MANAGER -FOSTERING SUPPORT TEAM 1 6 Supervising Social Workers	TEAM MANAGER – FOSTERING SUPPORT TEAM 2 6 Supervising Social Workers	TEAM MANAGER – FOSTERING RECRUITMENT AND ASSESSMENT TEAM 6 Social Workers 1 Consultant social worker

The Recruitment and Assessment Team has recently been re-aligned to ensure that there are specified workers carrying out foster carers assessments (Form F assessments) and Special Guardianship Assessments. This team comprised of a Team Manager, 4 Social Workers completing Form F assessments, and 1 consultant social worker managing 2 social workers undertaking Special Guardianship Assessments who are also dedicated to post order support for Special Guardians.

In 2021, the service experienced a change in management with the start of 2 newly appointed Team Managers, 1 for the Fostering Support Team and 1 for the Recruitment and Assessment Team. There has also been a new Service Manager appointed. All managers are permanent members of the service.

2. Key Looked After Children data

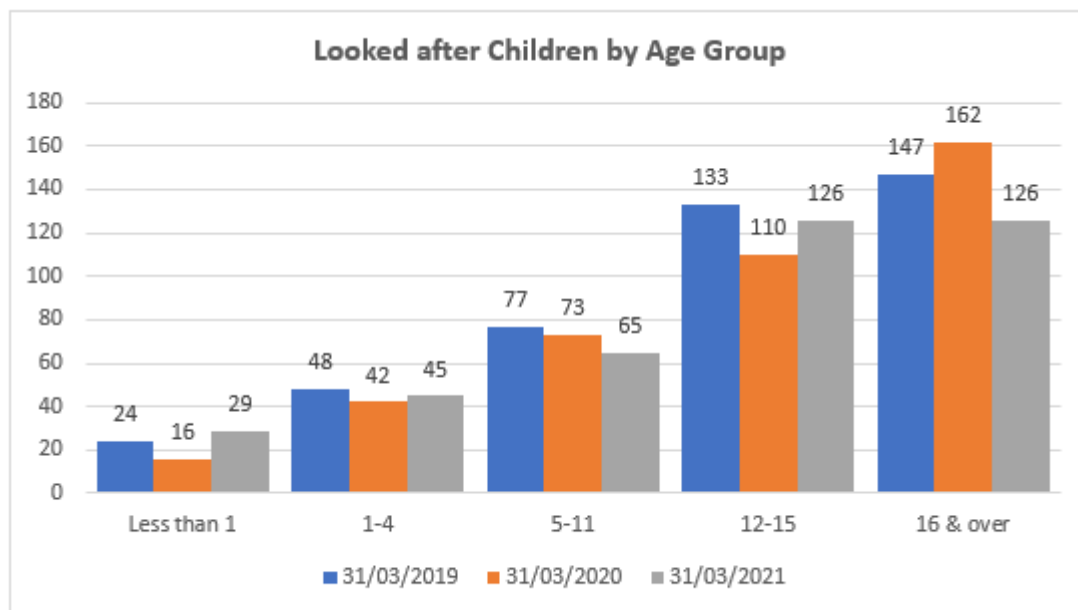
By end of March 2021, there were a total of 391 looked after children in Haringey. The chart below shows Haringey's position in terms of looked after children's numbers in comparison with our statistical neighbours and the England average over the past three year period. Compared to other London boroughs, Haringey sits somewhere in the middle in terms of numbers. Although the number of looked after children is slightly lower compared to past two years (2019 and 2020), the complexity of needs has increased as is evident in the following charts.

Looked After Children Numbers

	2019	2020	2021
Hammersmith	246	256	246
Waltham For	285	304	317
Islington	313	365	342
Lambeth	349	361	371
Enfield	374	372	377
Haringey	429	403	391
Greenwich	479	461	418
Hackney	405	431	431
Southwark	460	458	449
Lewisham	484	472	471
Croydon	818	791	683
Statistical N	421	427	411
Inner Lond	4220	4280	4120
England	78140	80000	80850

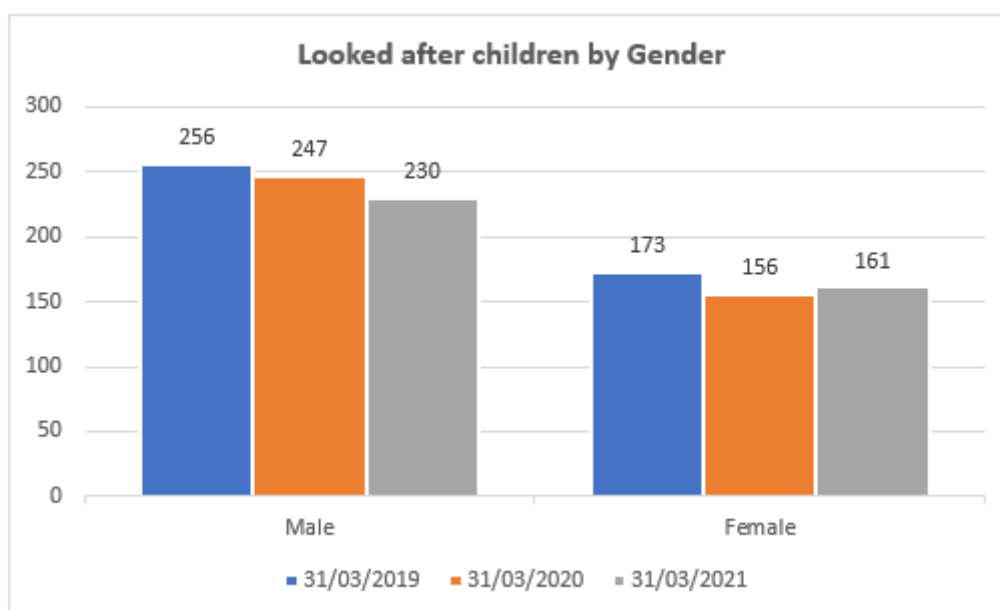
Age group of looked after children

The data shows that there is a gradual shift in the age group of children coming into local authority care. The number of older children – 12 and upwards – needing local authority care continues to grow. In 2021 they made up 64% of the looked after children in Haringey. Many of the children have complex emotional and mental health needs, suffered trauma and are vulnerable to exploitation and extra familial harm, which meant identifying suitable placement for them was a challenge.



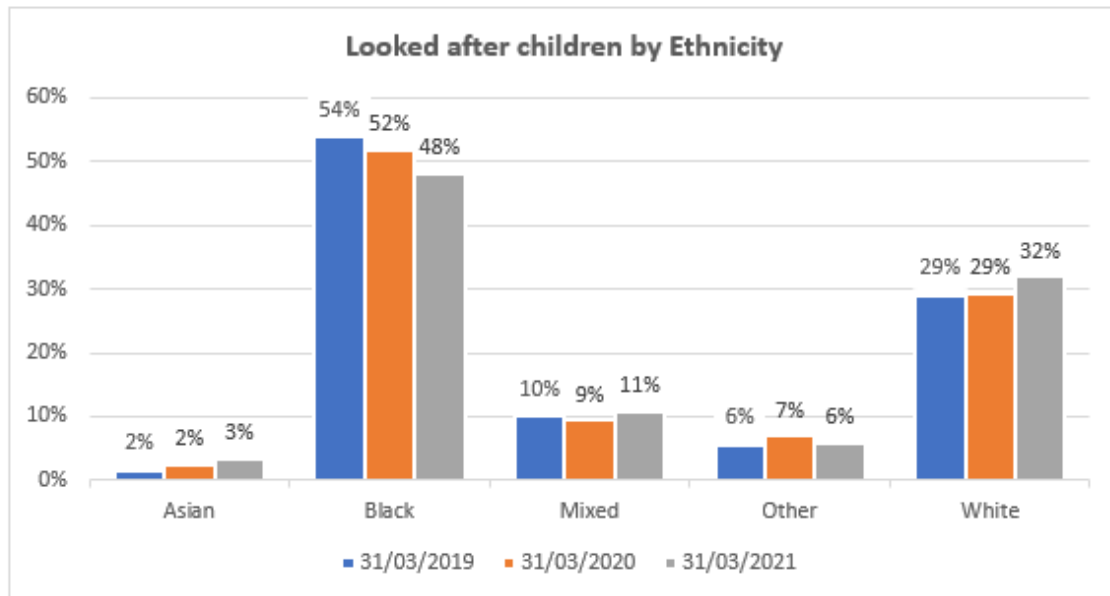
Looked After Children by Gender

While historically there were more male looked after children than female, in 2021 the gap has narrowed as evident in the chart below, with 59% male and 41% female.



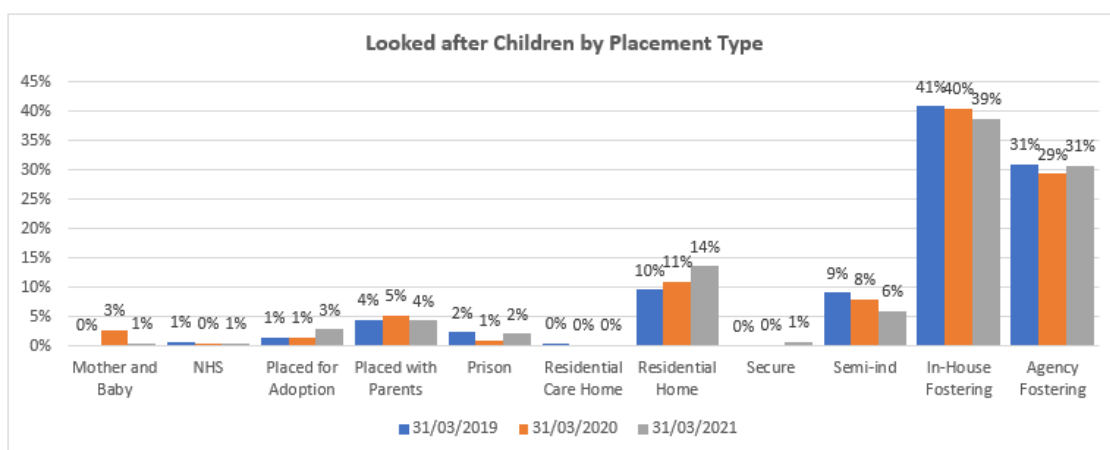
Ethnicity of the looked after children

The data shows that children from black and minority ethnic communities are overrepresented in the looked after children population, which indicates their vulnerability.



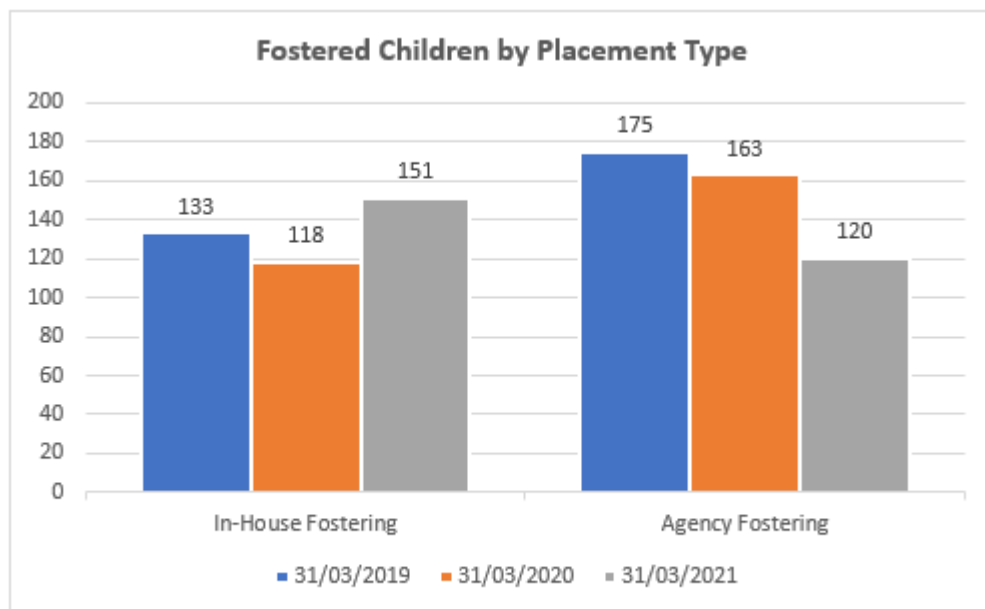
Placement type

Last three years' data consistently shows that the majority of looked after children were placed with our in-house foster carers. In 2021, this was 39% when compared with all placement options.



Fostered children by placement type

When only fostered children are taken into consideration, in 2021, 56% children were placed with in-house foster carers as opposed to 44% with agency carers. This highlights the needs to expand the pool of in-house carers to cater for the complex needs of looked after children. The number of agency placements has reduced each year thus reducing our dependence on agency foster carers.



Care Leavers

The local authority's duties towards looked after children do not end when they turn 18. Care leavers can be supported by the service up to the age of 25 depending on their circumstances. Some looked after children continue to live with their foster carers after they turn 18 under a staying put arrangement. This gives them continuous stability and allows them to become confident and independent adults. In 2021, there were 233 care leavers. Out of them, in the age group of 19-21 year old care leavers 5.3% were staying put. In the age group of 17-18 year olds it was 18.6%.

3. Fostering Data

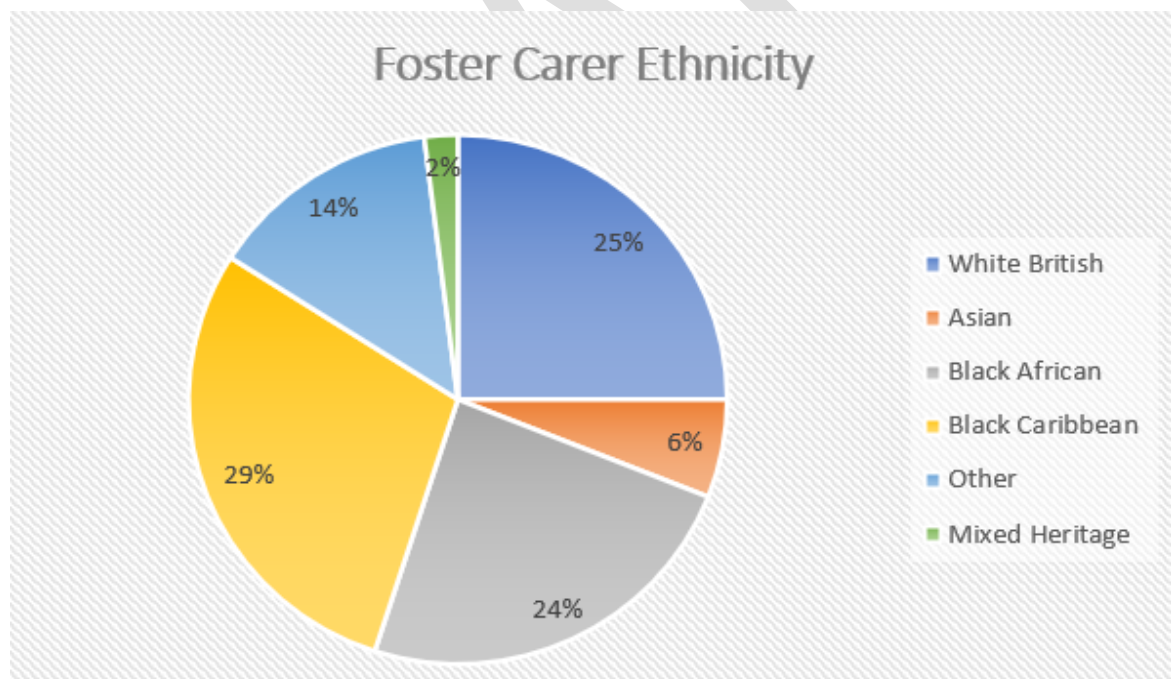
At the close of March 2021, there were 142 foster carers. The average caseload for supervising social workers was 14 cases.

A breakdown of our in-house carers shows:

- 113 Foster Carers
- 26 Friends & Family Carers (connected carers)
- 2 Short breaks placement for looked after children
- 1 Parent & Child Carer.

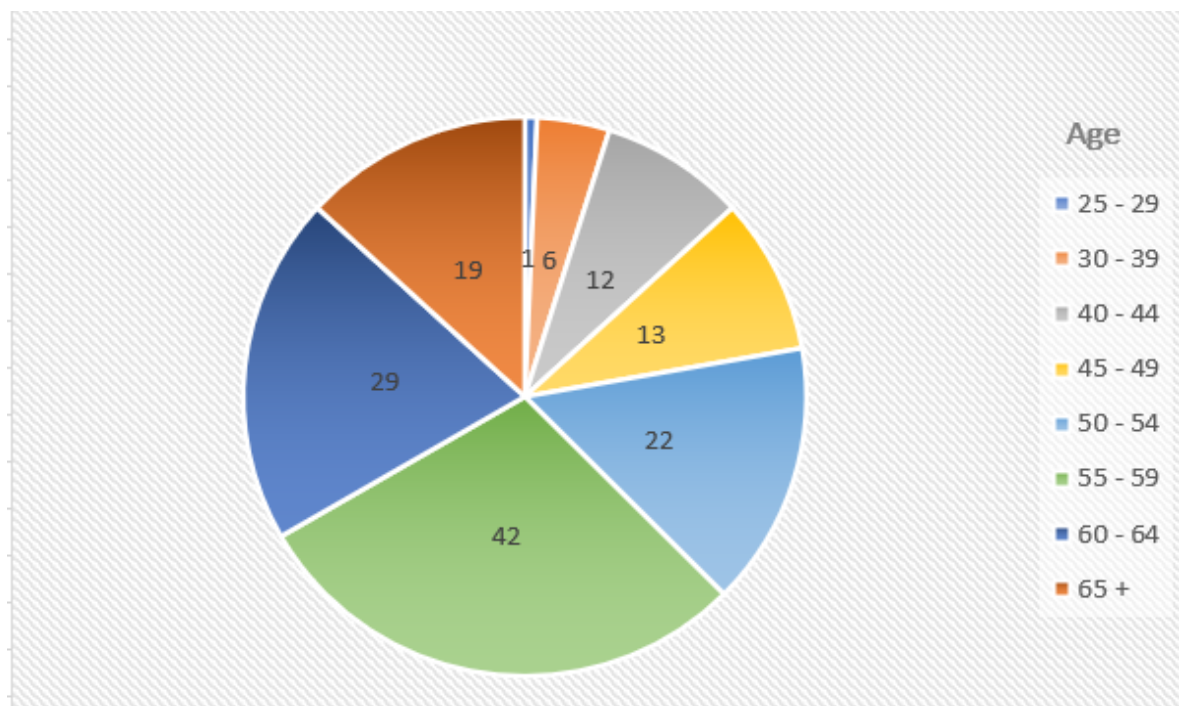
Ethnicity of foster carers

59% of our carers are from either Black African or Black Caribbean heritage. However, this does not mean a guaranteed placement match for children from the similar background. There is a need for more carers from Black, Asian and minority ethnic backgrounds to meet the needs of children from an increasingly diverse population.



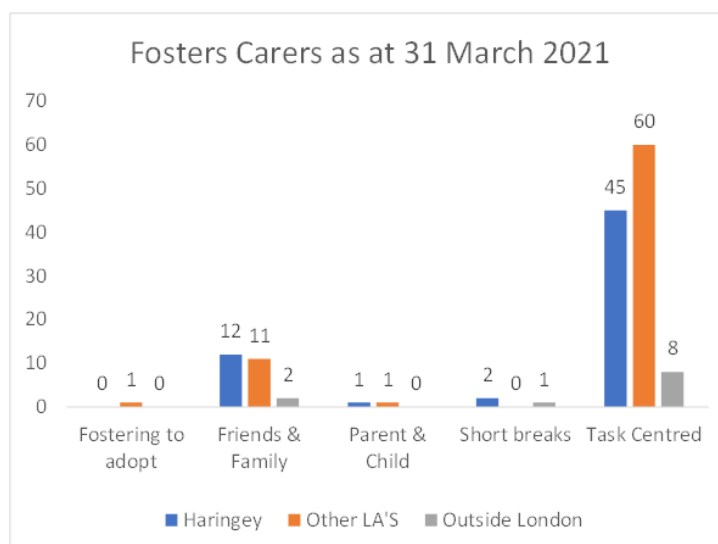
2.1 Service challenges

- a) Haringey also has a high number of foster carers who could potentially choose to retire or reduce their commitment to Haringey as a result of their age. Haringey's statistics on age are shown below.



- b) There are 48 Foster carers between the ages 60 – 65. The age group of this cohort of foster carers equates to a third of all available foster carers for Haringey. This does present Haringey with the benefit of having a mature and experienced field of foster carers and has informed the recruitment and retention strategy to mitigate a potential 33.3% loss of these experienced foster carers. The recruitment of Foster Carers from April 2021 to date indicates that the strategy is working with 5 new carers having been approved, with a further 13 ongoing assessments with an even distribution of age and experience that matches the needs of children in care and likely to come into care. However, between 2020 to March 2021, Haringey had increased their Foster Carer capacity by 5 through newly approved carers.

- b) Haringey's fostering services also have a higher volume of foster carers that live out of borough. However, majority of them live in neighbouring borough and a total of 11 carers live outside of London.



4. Update on Key Priorities from previous year

There were a number of key priorities set out in the last annual report which have been a focus within the service throughout 2020/21.

3.1 Recruitment and Retention – As detailed above, 2020/21 has seen an increase of 5 newly approved foster carers. However, Covid has had an impact on the follow up of initial enquiries, and timely completion of assessments which was significant.

In 2020/21 the average timescale for completion of assessments was 422 days. This again has been partly due to the impact of Covid which, following the first lockdown in March 2020, led to a brief halt with the progression of assessments. There was also the added impact of capacity within the Recruitment and Assessment team leading to Supervising Social Workers being allocated foster carers assessments (Form F Assessment) as well as holding their own caseloads.

Areas that need further development in the service and are a work in progress are around the retention of foster carers. We have been working on the development of a substantial training

package for our carers and are also in the process of reviewing the Haringey Fostering allowances to be more in line with our neighbouring local authorities.

The service also has a number of projects that increase the fostering offer to support foster carer recruitment such as the foster carers room extension project and Mockingbird.

3.4 Covid Support - Foster carers continued to receive a good level of support from their supervising social workers and, despite the pandemic, have continued to have access to regular support groups. During the pandemic, activities and opportunities have been affected with many planned events being cancelled or postponed.

Supervising Social Workers have continued to provide virtual support groups in smaller groups which our foster carers have continued to attend. Moving forward, the support groups have developed a hybrid model of delivery by continuing with small virtual groups and larger face to face groups which can be used as a learning and development platform for our carers.

Visits moved to virtual visits during 2020/21, with the flexibility of a hybrid model where Supervising Social Workers had the ability to undertake face to face as well as virtual visits following careful risk assessment and use of PPE. Supervising Social Workers also provided regular check-ins with their carers.

Training continued to take place with all training offered within our Fostering Training Brochure moving to a virtual platform. Foster Carers have also been able to access various learning and development platforms through KCA (knowledge Change Action), which provide a number of online self-learning courses. We had 50 courses that were accessed on this platform over the course of 2020/21. In addition Foster Carers have also been provided with access to the Community Care Inform platform where they are able to access useful resources and articles to support them with their learning and development.

Work has continued to take place with the Haringey Foster Carer Association through regular attendance at the HFCA meetings where Foster Carers have had the opportunity to raise any issues for senior management follow up.

All of our Looked After Children were provided with laptops to support their home learning and support available to our Foster Carers through the Virtual School.

We have also commissioned family therapists to provide support to our foster carers. The family therapists provided sessions directly to foster families.

3.5 Targeted recruitment for teenage carers and sibling groups – as mentioned above, recruitment of new foster carers has been slow in 2020/21 with only 5 newly approved carers. The recruitment has included a range of foster carers, with 4 of them being able to offer placements for our teenage cohort of looked after children.

3.6 Review capacity of current carers – capacity has been reviewed within our existing cohort of carers and we have 6 carers that meet the criteria and have taken up the offer of the ‘Foster Carers Room Extension Project’. This initiative will provide 6 additional rooms within our existing foster carer cohort and increase capacity for 10 children. This will also provide opportunities for sibling groups of 2 to be placed together.

3.7 Embedding of SOS – Signs of Safety (SOS) is the practice model implemented by Haringey, which is a strengths-based model. Staff have completed the SOS training and are active in structuring meetings, visits etc. using the SOS format of what’s working well, what are we worried about and next steps. As a service we have been working on further developing the practice model by incorporating it into our day to day practice including meetings, supervision, safety planning, case mapping and group supervision. In addition, the Secure Base Model has also been introduced which will further enhance and reinforce the principles the SOS practice model.

3.8 Reducing delays in completing assessments – We have introduced a process better to track and monitor the progress of Special Guardianship Assessments being undertaken by the service through a well-defined process of allocation, midway review and support planning. We have introduced a new Permanency Tracking Panel which will incorporate tracking of all Regulation 24 placements which are signed off by the head of service.

3.9 Continued focus on voice of the child – The child is central to the work we do in the service and the development of the Secure Base Model training has further enhanced the practice around ensuring that we do not lose sight of our children.

Our Children in Care Council (ASPIRE) have also recently circulated a survey to our looked after children and care leavers. Our in-house carers have been actively supporting children to complete the survey so that their feedback can inform service delivery.

The Fostering Service work closely with LEAP who are a conflict management charity that works in a fun, creative and interactive way with young people. They are committed to working with young people to create positive change within organisations and systems. Historically LEAP have worked directly with our foster carers and continue to offer group work and individual sessions around conflict management to our foster carers as well as our supervising social workers.

We also have care experienced young people that sit on the Fostering Panel as panel members to inform and contribute towards decision making for foster carer approval and continued approval.

3.10 Placement stability – There has been renewed effort in ensuring placement stability through joined up working between the looked after children, social work team, fostering service, independent reviewing service, virtual school, CAMHS and other involved professionals. Placement Stability Meetings are used effectively to identify and address issues

promptly that could disrupt a placement. Cases with complex issues are brought to the Unstable Placement Panel, which is multidisciplinary forum chaired by the head of service, where cases are discussed forensically from a systemic perspective using a solution focused method.

The service also has access to 2 therapists who offer Family Therapy for our fostering households. This has been useful for children, young people and adults experiencing a wide range of difficulties such as:

- Family communication problems
- Child and Adolescent behaviour difficulties
- Fostering, adoption, kinship care and the needs of looked after children
- Attachment-based issues
- Loss and bereavement
- the effects of trauma.

Sessions provided to fostering families may include all members of the family or anyone from their support network. Sessions take place as a group and individually. This is an extremely valuable resource to the service which contributes to the stability of placements.

In addition to the above, the service launched the Mockingbird Project in February 2021 which consists of 1 Hub carer, supporting 8 satellite carers. The Mockingbird constellation found the support extremely beneficial where they are able to access support from the other carers that are part of the constellation. We have not had any disrupted placements within the Mockingbird carers' constellation.

The Fostering Service has continued to work closely with the Independent Reviewing Service for looked after children in ensuring that we work as a team around the child. There is an appointed lead from the IRO service who works closely with the fostering service and has acted as a link between the two service areas.

Feedback from the IRO link:

I have been the IRO link for the fostering service for the last 18 months, and I have been privileged to attend both the service-wide meetings as well the smaller team meetings, within which I was able to relay and share key messages to the fostering service and in turn to the IRO service.

I have also observed the challenges the fostering service has faced with staffing changes, but this has been managed in a positive manner by the Head of Service and Service Manager currently in post. There is a clear vision for the fostering service to have a stable, consistent and committed workforce, which is skilled at delivering a good service to the foster carers and in turn to the children and young people Looked After by the Local Authority.

As the link IRO for the service, I have also been able to contribute to the implementation of the Mockingbird Fostering Model. I have also been a departmental member for the fostering panel and I

have seen the panel grow and fulfil its purpose to a high standard. The pool of panel members has grown and it is a lot more diverse.

The introduction of the permanency tracking panel tracks the permanence for children and young people to ensure their plans are not delayed, and the panel also ensures that their placements are regulated. There is a drive to ensure that foster carers reviews are taking place in a timely manner and the appointment of a Fostering Independent Reviewing Officer is assisting with this.

Overall, it has been a positive and progressive year for the fostering service and I hope that this trend continues under the current management, who are open to suggestions and critical feedback.

4. Priorities for 2022/23

There has been a lot of activity in the Fostering Service over the last 6 months which has been geared towards the recruitment of foster carers as well as developing the practise within the service. The main priorities for the upcoming year are as follows:

4.1 Recruitment and Retention

Recruitment of skilled and committed foster carers to meet the complex and changing needs of our looked after children continues to be a key focus of the fostering service in 2022/23. Our marketing strategy for recruitment continues to use online and published media forums, local media outlets and social media platforms to encourage people to apply to become foster carers in Haringey.

In addition to the above marketing strategies, the service is providing live information sessions on Facebook which have been delivered by Supervising Social Workers and Foster Carers jointly. We are also providing daytime coffee mornings for anyone interested to join and have an informal conversation about fostering.

Over the last 6 months, we have seen the development of marketing strategies to raise Haringey's fostering profile within the service and have seen an increase in initial enquiries that the service is receiving. The initial enquiries into the service have increased from an average 1-2 enquiries per month, to 5-7 initial enquiries over the last 3 months. The service has a target to recruit 10 new fostering families in 2022/23. Currently we have 5 newly approved Foster Carers with 13 ongoing assessments in Stage 2 of the recruitment process.

There has been a significant improvement with timescales now averaging between 4-6 months in comparison the previous year (2020/21), where assessment timeframes for completion were averaging at 422 days.

4.2 Annual Reviews

Foster carers' annual reviews are an important part of fostering service functions. Previously there was a backlog of annual reviews due to the service having capacity challenges. The service now has a senior practitioner solely devoted to undertaking annual reviews. In addition, the Fostering Service is being supported by 2 Child Protection Conference Chairs who are able to complete annual reviews for the service, which is helping.

4.3 Practice

4.4 Training and Development of Foster Carers

An extensive range of training for foster carers is outlined in the fostering services training brochure. The carers also have access to KCA (Knowledge, Change, Action) and the Community Care online platform which enables them to complete a wide range of online courses, access reading materials, research, case studies, articles, and quizzes. In addition to mandatory training courses, carers are supported to undertake training in key areas as follows:

- Training around exploitation and contextual safeguarding
- Digital addiction and online safety.
- Children with complex needs and disability.
- Adoption – training is being delivered by Adopt London North (ALN) on transitions and the new adoption model.
- Mental health
- Diversity issues including gender identity, sexuality, cultural topics.

4.5 Training and Development of staff

Staff development through regular training, supervision and appraisal are a key focus in the service. We continue to drive the practice in the service and ensure that our foster carers are being supported and are equipped with the right tools to improve outcomes for our looked after children. Key training areas include Secure Base Model, Attachment and Mentalisation. Staff also receive regular training on report writing, undertaking foster carers assessment (Form F), special guardianship assessment and permanency planning.

In addition, Haringey Fostering Service have also identified training with Adopt London North for delivery on key areas including

- Transitions
- Life story work
- Transracial placements
- Foster to Adopt placements.

4.6 Permanency

Achieving permanency for all looked after children is at the forefront of all Fostering service activities. A Permanency Tracker is now in place which is regularly updated at fortnightly Permanency Tracking Panel. This will prevent any drift in permanency planning and ensure that all permanency options are being tracked. This will also allow children to be matched in the appropriate placements at the earliest opportunity.

There has also been the introduction of regular meetings with Adopt London North to highlight the complex cases and to ensure that family finding is timely and effective.

Both Service Managers for Fostering and Children in Care work closely in delivering Permanency Planning Meetings and regular case discussions for a joined up approach.

4.7 Feedback and Audits

The service has been working with our foster carers in developing a satisfaction survey which will feed into our service delivery. Over the upcoming year it is vital to use feedback from our foster carers alongside auditing to inform ongoing practice developments. This will be achieved through:

- Feedback collated from the foster carers' satisfaction survey.
- We will be working with Partners in Practice (PIP) to arrange a foster carers feedback event 'We want to hear your voice' which will be facilitated by PIP.
- Managers to undertake regular dip sample audits on foster carers case files.

There have been many developments within the Fostering Service over the last 6 months with a continued focus on driving practise and skilling up our workforce to deliver a GOOD service.

Overall, the Fostering Service has high aspirations and identified objectives to move forward and deliver a high quality service to our looked after children in Haringey.