



Derby City Council

## CORPORATE PARENTING COMMITTEE

3 April 2018

# ITEM 11

Report of the Strategic Director of People  
Services

## Children In Care CONCORDAT

### SUMMARY

- 1.1 This report outlines the proposed multi agency approach to support the behavioural needs of those children in care that would otherwise be dealt with via the youth justice system. The establishment of a multi-agency Concordat seeks to drive the shared vision that prevention is better than remedial or rehabilitation action for children in care who are at risk of coming into contact with the youth justice system.
- 1.2 National reviews of Local Authorities have found that:
- Children in care who come to police attention may have a higher risk of being convicted as opposed to being cautioned compared to other children.
  - Children in care who enter custody show greater levels of mental health need (as a group) compared to other children in custody.
  - 94% of Children in care do not get in trouble with the law. However children in care in England are six times more likely to be cautioned or convicted of an offence than other children.
- 1.3 Nationally, it is estimated there are 400 children in care who are in custody at any one time, of which about 100 will be being held on remand. The Youth Justice Board for England and Wales cite 44% of children in care in custody are from a black or minority ethnic background, which is more than one and a half times the proportion in the general population and the looked after population.
- 1.4 **Summary for Children and Young People.**
- There are times when some children in care feel very unhappy and they can show this by doing things such as damaging the place they live in or hurting others, which can lead to them getting arrested by the Police, having to go to Court and then having a worker from the Youth Offending Service who makes sure that they do work with them as part of what we call a Court Order.
- 1.5 We think that too many children in care are arrested and that we can lower this number. We have looked at the crimes that children in care in Derby committed over the last 2 years and these are usually not the most serious crimes and so we think there is a safe and better way of helping these children.
- 1.6 Children who are arrested will then have what is called a criminal record, which can make it harder for them to get onto some college or training courses or get a job in

the future. We think we can do something different for children in care when they behave like this by working closer with the Police and by giving staff extra training to deal with children when they are feeling angry so that staff do not always feel they have to call the Police.

- 1.7 We are going to meet with the Police in April to make a plan of how we are going to do this, as we think this can make things better for children in care and we need to make sure that all the teams that have said they want to do this are going to work together.
- 1.8 So far, the Youth Offending Service (YOS), Residential Children's Services, Police, Mental Health, Safe and Sound, the Police and Crime Commissioner, Children in Care Service and the council's Corporate Parenting Lead have said they will be part of this work. We plan to ask Education, The National Probation Service, Vulnerable Learners Service and the Virtual School if they will also help us with this work. This will help strengthen the offer to children in care by all agencies under their Corporate Parenting responsibilities and we welcome your views on how this is developed together.

## **RECOMMENDATION**

- 2.1 To approve the development of a multi-agency Concordat approach for children in care in Derby.

## **REASONS FOR RECOMMENDATION**

- 3.1 To ensure the right services are provided to children in care at the right time to reduce the likelihood of them having contact with youth justice services.

## **SUPPORTING INFORMATION**

- 4.1 In 2015-16, 13% (16/126) of the young people known to the Youth Offending Service were children in care, compared to 16% (21/130) in 2016-17. Further analysis showed that these children and young people entered care after age 13 and the main reason in both periods for entry to care was Abuse and Neglect or 'families in acute stress' This highlights some of the underpinning reasons young people may present challenging behaviour that places them at risk of coming into contact with the youth justice system. It also highlights the need for a different approach to addressing these behaviours.
- 4.2 The Concordat will form a strategic approach and shared vision by relevant partners comprising; the Office of the Police and Crime Commissioner, Youth Offending Service, Children Social Care, Residential Services, Police, Foster Carers, Mental Health and accommodation providers. The Governance for the Concordat will come from the Youth Justice Partnership Board, Corporate Parenting Committee and Children, Families and Learners Board. The Concordat will develop a performance

framework to measure progress and seek to achieve the following objectives;

- Establish strong leadership at local level to drive strategic, multi-agency approaches to protecting children in care from unnecessary contact with the youth justice system with particular focus on BME and other vulnerable groups.
- Define the role of early support for children in care at risk of contact with the youth justice system.
- Effective diversion and rehabilitation programmes between social care, YOS, CAMHs, police, Crown Prosecution Service, Courts and the secure estate s delivered in a coordinated way.
- Professionals develop the necessary skills and provide the right interventions that protect young people from contact with the youth justice system.

#### OTHER OPTIONS CONSIDERED

- 5.1 Continue with current approach is not an option given rising numbers of children in care year on year.

This report has been approved by the following officers:

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	N/A N/A N/A N/A Suanne Lim, DMT
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Andrew Kaiser 01332 641340 <a href="mailto:andrew.kaiser@derby.gov.uk">andrew.kaiser@derby.gov.uk</a> Appendix 1 – Implications

<b>IMPLICATIONS</b>
---------------------

**Financial and Value for Money**

- 1.1 The only financial implication relates to training (Restorative parenting), which is a key element of adopting a different approach in dealing with young people who are at risk of criminalisation. The costs would come from the Youth Offending Service budget. All other resources needed to develop this work are already in place, it is a matter of coordinating services under the clear direction of a cross agency agreement of how to deal with children in care who present challenging behaviour.

**Legal**

- 2.1 The primary aim of Youth Offending Teams is to prevent offending and re-offending by children and young people as outlined in Section 37 (1) of the Crime and Disorder Act 1998. This programme will ensure the Youth Offending Service in Derby, supported by key partner agencies is working to achieve this aim.
- 2.2 The Children and Social Work Act 2017 says that when a child or young person comes into the care of the local authority, or is under 25 and was looked-after by the authority for at least 13 weeks after their 14th birthday, the authority becomes their corporate parent. This means that they should:
- act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
  - encourage them to express their views, wishes and feelings, and take them into account, while promoting high aspirations and trying to secure the best outcomes for them
  - make sure they have access to services
  - make sure that they are safe, with stable home lives, relationships and education or work
  - prepare them for adulthood and independent living.

**Personnel**

- 3.1 There are no anticipated personnel issues, as all staff needed for this programme are already in place.

**IT**

- 4.1 There are no IT implications.

## **Equalities Impact**

- 5.1 Children in Care and Care Leavers often face multiple deprivations that can lead to life-long needs that are not met and dependency on statutory services and risk of both child and adult criminalisation. This programme aims to ensure such unmet needs are identified and addressed as part of a multi-modal programme of support to young people. We aim to prevent the development of a criminal identity for young people through a diversionary approach, which can potentially prevent the amplification of this behaviour.

## **Health and Safety**

- 6.1 There are no significant health and safety risks.

## **Environmental Sustainability**

- 7.1 None arising from this report

## **Property and Asset Management**

- 8.1 None arising from this report

## **Risk Management**

- 9.1 Cases will need to be dealt with on a case by case basis to ensure that any potential offences that are of a serious nature are dealt following the correct procedures and that any risks a young person presents to others through their behaviour are managed to reduce that risk.

## **Corporate objectives and priorities for change**

- 10.1 Links to the Corporate plan are through:
- Protecting vulnerable children, young people, adults and older people:
  - Making sure that we take action to safeguard vulnerable adults and children that require higher levels of support including; our looked after children and vulnerable adults with learning disabilities. This will involve early intervention and prevention wherever possible.