MODERN YOUTH OFFENDING PARTNERSHIPS

Guidance on effective youth offending team governance in England
Contents

Ministerial foreword 3
Introduction 4
YOT statutory requirements, arrangements and structures 6
Statutory partners and functions 6
Finance and resources 7
The YOT management board 8
  Chairing and membership 9
Youth justice plan 9
The role and composition of the YOT 10
  Statutory minimum staffing requirements 11
  Duty to co-operate 11
YOT managers 11
Examples of practice 13
Context 13
Responding to developments in the strategic landscape 13
  Police and crime commissioners 14
The strategic position of the YOT 14
The responsibilities of the management board 16
  Membership of the management board 18
  Strategic links for the management board 19
The seniority and responsibilities of the YOT manager 21
  Strategic links 22
The role of the YJB in supporting effective governance 24
Appendix 1: Youth justice services 26

© Youth Justice Board for England and Wales, 2013

The material featured in this document is subject to copyright protection under UK Copyright Law unless otherwise indicated. Any person or organisation wishing to use YJB materials or products for commercial purposes must apply in writing to the YJB at ipr@yjb.gov.uk for a specific licence to be granted.
Ministerial foreword

This Government remains committed to a distinct youth justice system, reflecting the particular needs of children and young people. We welcome the current reduction in crime and offending by young people and the lowering of the number of young people entering the criminal justice system. We recognise that it is the people directly delivering services, with a wealth of experience at local level, that can drive innovation and achieve these results. The contribution to this work made by youth offending teams (YOTs) is, therefore, highly valued. We seek to support this work by the provision of up-to-date and relevant guidance to underpin existing legislation.

The local and national youth justice landscape within which youth justice services are delivered has changed significantly since the first multi-agency YOTs were established. We now have increased co-ordination between YOTs and children’s services, new youth sentencing provisions resulting in changes to how YOTs deal with young people who have offended, and more opportunity for YOTs to be innovative at a local level. Nevertheless, the primary duty of local authorities, together with statutory partners in health, police and probation – to oversee and co-ordinate the provision of youth justice services locally and to ensure that the actions outlined in annual youth justice plans are carried out effectively – remains the same.

The time is right, therefore, to refresh and reissue guidance to statutory partners to help them, their YOTs and the young people and victims they work with. It’s a timely reminder that although much has changed, the principal aim of all youth justice services remains the same: that of preventing offending by children and young people. YOTs are at the front line of doing this, and by adapting to change will continue to be able to respond effectively to developments in youth justice and contribute to the prevention of offending and reoffending in England.

I am encouraged to see how local authorities, their statutory partners and YOTs are developing ways of working which best suit the local environment. There is no ‘one size fits all’ model for success, as the examples in this guidance clearly show. But I hope that all agencies delivering youth justice services locally will be inspired to consider how they could adapt the practice examples to meet their needs and to continue to deliver effective youth justice outcomes for our young people.

Jeremy Wright MP
Parliamentary Under-Secretary of State, Minister for Prisons and Rehabilitation
Introduction

This document provides general guidance as well as specific requirements for the delivery of local youth justice services and their management arrangements. It is intended to enable local authorities and statutory partners in health, police and probation to effectively fulfil statutory duties in relation to the delivery and management of youth justice services locally, whether they are new to such work or experienced in this arena. It will also be relevant to non-statutory partners who contribute to the delivery and oversight of local youth justice services, such as senior housing officers, magistrates or voluntary sector representatives.

While many aspects of youth justice and related policy have changed over time, the statutory basis and objectives of YOT partnerships have not altered. In light of recent and ongoing changes to service delivery in health, education, probation and the police, the Youth Justice Board for England and Wales (YJB) is committed to producing annual updates to ensure that this guidance remains relevant.

The youth justice provisions of the Crime and Disorder Act 1998 to establish YOTs were first implemented through guidance in the Inter-departmental Circular on Establishing Youth Offending Teams (Home Office, 1998). In 2004, this guidance was updated by Sustaining the Success (YJB, 2004). This present guidance further updates the previous iterations to cover changes in legislation, policy, practice and, most importantly, progress and learning from fifteen years of experience of delivery in England.

Since the introduction of YOTs, the government has continued to legislate to improve and refine criminal justice policy pertaining to young people. We have seen a widening of the remit of youth justice services to include a drive to reduce anti-social behaviour and promote the use of restorative justice, and an extension of prevention and diversion activities, resulting in significant and sustained reductions in the number of young people entering the youth justice system. At the same time, the numbers of young people being remanded or sentenced to custody have dropped to levels far lower than before the introduction of the Crime and Disorder Act 1998.

During their lifetime, YOTs have seen periods of major service development and expansion, and periods where emphasis has been placed on efficiency and service integration. They have also witnessed major reforms within other criminal justice agencies and across social care and other significant public policy areas.

In response to all of the above, the YJB has been considering the cumulative effects of the changing funding landscape, various policy and service delivery initiatives, changes in legislation, and the impact of these developments on YOTs.
The effect of these developments on delivery of the statutory aim of preventing offending and reoffending by children and young people has been a central consideration in the task of refreshing guidance for the statutory partners in YOTs. This refresh comes at a time when we can demonstrate great success and much learning, but also need to respond to unparalleled financial challenges.

Since YOTs were established, a number of events have made an impact on them:

- criminal justice legislation which introduced new interventions or changed the terms of statutory supervision
- overlapping initiatives to support the safety and well-being of children and young people, such as Children's Trusts, Integrated Youth Support and Troubled Families
- local innovation regarding models of service configuration and delivery, driven by the desire to improve service delivery while achieving maximum efficiency and value for money
- changes in governance including, most recently, the introduction of police and crime commissioners, changes to health structures, the imminent reforms to probation services, and the impact of both re-routing and re-shaping funding available to support the safety and well-being of young people
- a recalibration of inspection and central government oversight of locally delivered services
- a significant strengthening of the responsibilities placed on agencies to safeguard and protect children in the community and in custody under Section 11 of the Children Act 2004.

Despite these events, the legislative requirements placed upon the local authority and named partners to form a YOT remain wholly unaltered, and these should be upheld by YOT partnerships. Indeed a number of parliamentary reviews have confirmed the strength of the YOT model of delivery.

There have been regular calls from the youth justice sector for an update to *Sustaining the Success*. This new guidance takes account of the changes and development in the youth justice sector and provides practice examples from YOTs throughout England. These are not intended to provide an exhaustive list or a preferred model or approach, but they demonstrate how local partnerships have maintained the integrity of the YOT model and responded to opportunities and pressures to improve youth justice services.

The Crime and Disorder Act 1998 lays out the minimum statutory requirements for YOTs. This guidance provides a re-statement of these requirements, with updates determined by subsequent legislation. The guidance also draws upon earlier guidance, which is not statutory, but good practice. Most of the non-statutory content is contained in the practice examples section.
This section of the guidance summarises the mandatory requirements set out by legislation and provides examples of universal practice in England, which have been based on earlier guidance. These universal practices form the recognisable common features of youth offending partnerships, and reflect the spirit of the Crime and Disorder Act 1998.

Where legal definitions of the statutory partners have been amended by legislation since the Crime and Disorder Act 1998, these definitions are included in this section.

The YJB recognises that further adjustments will be necessary as current policy initiatives affecting partners are confirmed. This guidance will be updated at that point.

**Statutory partners and functions**

Section 39 (1) of the Crime and Disorder Act 1998 requires the co-operation of the named statutory partners to form a YOT. Section 38 (1, 2) identifies the statutory partners and places upon them a duty to co-operate in order to secure youth justice services appropriate to their area. These statutory partners are:

- the local authority
- police¹
- the probation service²
- health.³

To support the YOT, additional partners may also be recruited to the joint strategic effort to prevent offending by children and young people.

There may be one or more teams in each area, or a team covering a number of local authorities, for example, where a combination of local authorities is agreed in respect of health, police or probation operating boundaries.

¹ Defined as “Every chief officer of police or local policing body” by the Crime and Disorder Act 1998 Section 38 (2), as amended by the Police Reform and Social Responsibility Act 2011 c.13 Schedule 16(3) para. 235.

² Defined as “Every provider of probation services under Section 3(2) of the Offender Management Act 2007 required to carry out the duty in relation to the local authority; and every local probation board” by the Crime and Disorder Act 1998 Section 38 (2), as amended by subsequent legislation.

³ Defined as a “clinical commissioning group” or “Local Health Board” by the Crime and Disorder Act 1998 Section 38 (2), as amended by the Health and Social Care Act 2012 c.7 Schedule 5 para. 85(a),(b) and (c) and The References to Health Authorities Order 2007 No.961 Schedule 1 para. 29(2).
The Act does not prescribe how services are delivered, but sets out two principal statutory functions assigned to each YOT in Section 39 (7):

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

In addition, by providing the youth justice services outlined at Section 38 (4) of the Act, the local authority also addresses its duty, under paragraph 7(b) of Schedule 2 of the Children Act 1989, to take reasonable steps designed to encourage children and young people within the area not to commit offences.

**Finance and resources**

It is apparent from over ten years of YOT operation that the partnership approach to preventing youth offending has resulted in greater efficiency as a result of the collective effort to address the issue. This has been recognised at all levels and provides a clear business case for continuing investment and innovation by the statutory partners.

The Crime and Disorder Act 1998 not only places a duty upon the statutory partners to co-operate in securing appropriate youth justice services, it also creates a power to enable partners to fund youth justice services at Section 38 (3)(a) and (b):

- by making payments directly, or
- by contributing to a fund, established and maintained by the local authority, out of which payments may be made.

Subsection 4 lists youth justice services and makes provision for the amendment of this by the Secretary of State. The list of services, as amended by subsequent legislation, is provided at Appendix 1.

Previous guidance to youth offending partners on funding and resourcing given in the *Inter-departmental Circular on Establishing Youth Offending Teams* (paragraphs 59–72) remains applicable and continues to demonstrate the flexibility available.

In the youth offending team section below, the minimum staffing requirements are listed. The Crime and Disorder Act 1998 does not direct what payments must be made in support of staffing contributions to the YOT. The percentage of partner contributions is not defined and has varied over time, although the local authority invariably accounts for at least 50% of the statutory funding calculation. Payments by partners are negotiated locally around what is viable to support both the seconded staff and other posts and activities necessary for the functioning of the YOT. This includes payments to support the retention of a designated YOT manager and administrative staff, plus contributions to the accommodation of all co-located staff.

Historically, the pooled budget, which combines the contributions of the partners into a single pot, has proven to be the most popular solution to establishing the budget of a YOT and this should be overseen by the YOT manager on behalf of the partnership. Pooled budgets continue to be used to hold additional funding
from partners to fund any of the services listed at Appendix 1, or as identified locally and agreed by the statutory partners.

A well-balanced budget made up from locally agreed and apportioned contributions, is without doubt the most visible means of demonstrating the commitment of the statutory partners and the confidence brought by long-term investment, and it has proven to be the soundest basis of operation.

YOTs are reminded that the YJB makes grants to local authorities and YOTs for specific purposes as set out in legislation, which are different to those of its statutory partners. Terms and conditions relating to the grants should be adhered to and reported on as and when required.

The YOT management board

A YOT management board should be formed to provide strategic direction with the aim of preventing offending by children and young people.

The Inter-departmental Circular on Establishing Youth Offending Teams referred to a steering group in paragraphs 39–42. The term ‘management board’ was introduced by Sustaining the Success to recognise the growing importance of YOT partnership steering arrangements and the term replaced the earlier references to a ‘steering group’.

As indicated by paragraph 40 of the Inter-departmental Circular, the role of the YOT management board is to:

- determine how the YOT(s) is to be composed and funded, how it is to operate and what functions it is to carry out
- determine how appropriate youth justice services are to be provided and funded
- oversee the formulation each year of a draft youth justice plan
- oversee the appointment or designation of a YOT manager
- as part of the youth justice plan, agree measurable objectives linked to key performance indicators, including the National Standards for Youth Justice.

Members of a YOT management board should be empowered with the capacity to make strategic decisions. As set out in the Inter-departmental Circular:

- the primary duty to ensure a YOT, and appropriate youth justice services are in place rests with the local authority
- where the chief officer of the local authority is not personally a member of the steering group (management board), then:

  [...] it will be essential that those asked to serve on the steering group have the authority and skills to negotiate with the other services on matters concerning the youth offending team (including resource allocation) without having to refer back continually to their chief officer, though they will need to account properly to their own agency for their decisions.

  (Inter-departmental Circular, paragraph 35)
The YOT management board oversees the budget, which is arranged as described in the preceding section of this guidance.  

**Chairing and membership**

The chair of the management board is appointed by the chief executive of the local authority (if the chief executive is not assuming the role of chair), and any of the statutory partners may chair.

All statutory funding partners must be represented on the board, but membership is not limited to these and the board may benefit from including a wider membership. Additional partners who are often represented on YOT management boards include:

- youth court magistrates
- court legal advisers
- community safety managers
- youth support managers
- local secure establishments
- housing providers
- voluntary sector representatives
- elected councillors.

It is important to emphasise that the partnership should reflect the most appropriate local arrangement for maximum effectiveness, and the composition of the management board may change over time.

As stated in the *Inter-departmental Circular*, members should have sufficient decision-making powers to prevent delays in committing resources. While there is no set prescription for what makes an effective management board member, the ‘Examples of practice’ section later in this document describes some key characteristics of how effective management board members operate.

**Youth justice plan**

Section 40 of the Crime and Disorder Act 1998 sets out responsibilities in relation to the production of an annual youth justice plan. It states that it is the duty of each local authority, after consultation with the partner agencies, to formulate and implement an annual youth justice plan setting out:

- how youth justice services in their area are to be provided and funded
- how the YOT will be composed and funded, how it will operate, and what functions it will carry out.

---

4 See Sections 38 and 39 of the Crime and Disorder Act 1998; also paragraphs 61–71 of the *Inter-departmental Circular on the Establishment of Youth Offending Teams.*
The statutory youth justice plan must be submitted to the YJB and published in accordance with the directions of the Secretary of State. The document is the youth offending partnership’s main statement of purpose and sets out its proposals to prevent offending by children and young people. It is important that the plan shows not only what the YOT will deliver as a service, but how strategic links with other supporting initiatives will be developed and maintained. Consequently, the youth justice plan should be linked to multi-agency local children’s plans and community safety plans. The youth justice plan may therefore include detail on how the YOT will link to other policies affecting young people, such as policies concerning anti-social behaviour, looked-after children and teenage pregnancy. YOTs are encouraged to contact the YJB for advice on what to include and how to present this within the annual youth justice plan.

Youth justice plans also require political scrutiny and approval. Local arrangements vary on how this is achieved, but many youth justice plans are considered at full council meetings, underlining the importance of the issues to elected members. Seeking elected member endorsement is an important factor in maintaining informed dialogue on youth offending matters with the community through the political process.

The role and composition of the YOT

The term ‘YOT’ is generic – many are now called youth offending services, a number are referred to as youth justice services, and a few have been re-branded as youth support services, or similar. Whatever a YOT is called, it must be recognisable as such and provide the main supervisory elements of statutory youth justice services:

- assessment of young people who have offended and management of risk and safeguarding issues
- supervision of young people who have been remanded to custody and those requiring support in the community, as directed by the court
- provision of pre-court interventions
- supervision of young people who have been given court orders which are to be managed in the community, including the provision of a lay youth panel to discharge the responsibilities of Referral Orders
- sentence planning for young people in custody and their supervision on release.

YOTs must be made up of nominated and seconded staff from the statutory partners. Providing dedicated staff with knowledge of their host agencies to the YOT helps to support the ethos of a multi-agency team, and this is preferable to a statutory partner providing ‘cash equivalent’ funding where there are local difficulties. Over time, the services provided by YOTs have expanded considerably and additional specialist and support staff roles have often been created.
**Statutory minimum staffing requirements**

Section 39 (5) of the Crime and Disorder Act 1998 states that YOTs must include **at least one of each of the following:**

- an officer of a local probation board or an officer of a provider of probation services
- where the local authority is in England, a person with experience of social work in relation to children, nominated by the director of children’s services (who has, in turn, been appointed by the local authority under Section 18 of the Children Act 2004)
- a police officer
- a person nominated by a clinical commissioning group or a local health board, any part of whose area lies within the local authority's area
- where the local authority is in England, a person with experience in education, nominated by the director of children’s services (who has, in turn, been appointed by the local authority under Section 18 of the Children Act 2004).

However, membership of the YOT is not limited to these representatives and could include substance misuse workers from a commissioned service, accommodation officers and a range of other supporting staff, such as youth workers, community safety support workers and specialist staff in the production of management information.

**Duty to co-operate**

YOTs have a duty to co-operate with a number of other agencies and bodies, for example:

- under Section 325 of the Criminal Justice Act 2003, YOTs are one of the named ‘duty to co-operate’ bodies within Multi-Agency Public Protection Arrangements (MAPPA)
- under Section 10 (4) of the Children Act 2004, YOTs have a duty to co-operate with children’s services in making arrangements to improve the well-being of children in the local authority’s area
- the Local Safeguarding Children Boards Regulations 2006 (SI 2006/90) state that YOTs have a duty to co-operate in the establishment and operation of the local safeguarding children board.

YOTs are also obliged to meet levels of service agreed nationally that bind all criminal justice agencies, for example levels of service set out in the *Code of Practice for Victims of Crime* (2005).
YOT managers

Although not described in the Crime and Disorder Act 1998, YOT managers hold responsibility for the delivery of the duties of a YOT. Over time, the critical functions of a YOT manager have been established as co-ordinating local youth justice services and managing the operation of the YOT according to the youth justice plan (see the Crime and Disorder Act 1998 Section 39 (7)(a) and (b)). This includes, as identified in the Inter-departmental Circular:

- managing staff and resources
- allocating work
- having a say in which staff serve in the YOT
- liaising closely with courts
- driving up performance
- developing and maintaining partner relationships.

While there is no specific requirement concerning the grade of the YOT manager, it is a strategic role and the YOT manager should be sufficiently senior to act effectively, as indicated in both Sustaining the Success and the Inter-departmental Circular:

[...] youth offending team managers should not be “buried” within the management structure of any of the partner agencies; it is essential that they are able to engage, as appropriate, at a senior and strategic level with all the relevant local agencies, including by reporting directly to meetings of the chief officers’ steering group.

(Inter-departmental Circular, paragraph 44)

Additionally, as set out at paragraph 42 of the Inter-departmental Circular, the YOT manager should have “clear access as appropriate to the local authority chief executive, if differences between agencies are impeding the work of the youth offending team”. In practice, this would only arise where the chair of the management board could not take matters forward personally.

Paragraphs 75–79 of the Inter-departmental Circular provide further background on the role of the YOT manager, but the document does not consider the role in any great detail. However, the passage of time has provided considerable learning about this key role, which is considered further in the ‘Examples of practice’ section.
Examples of practice

The YJB recognises that there have been considerable developments around work to ensure the safety and well-being of children and young people since the inception of the YOT model. We also recognise that it is sensible for local partnerships to design structures that allow key players to consider the needs of a relatively small number of children and young people from all aspects, of which offending is one, albeit critical, consideration. It follows that there is no preferred way of delivering youth justice services and co-ordinating local youth justice provision. This section gives further context to youth justice partnerships and the influences upon the direction of their work. It provides examples of practice from YOTs that have recognised opportunities and challenges, and have improved the governance and delivery of youth justice and related services.

Context

As previously explained, the legislative requirements to establish and maintain YOTs, plus subsequent guidance and circulars do not provide prescriptive detail on how a YOT partnership will operate in each local authority area. From the outset, the policy intent was to allow each youth offending partnership flexibility in these important areas:

- responding to developments in the strategic landscape
- the strategic position of the YOT
- the responsibilities of the management board
- the seniority and responsibilities of the YOT manager
- the arrangement of local youth justice services.

A more detailed review of developments in each of these areas since 1998 follows below.

Responding to developments in the strategic landscape

The success of the YOT model relies on the ability to adjust the role and reach of a local youth justice service to suit the context of a broad strategic and service delivery landscape. This landscape spans many aspects of criminal justice and social care, and these will inevitably be subject to change and reform as a result of national or local drivers. Within this context, the YOT partnership will need to have clearly understood lines of accountability back to overarching parent bodies for both community safety and children’s services. These arrangements will need to be kept under regular review.
Police and crime commissioners

The recent introduction of police and crime commissioners has required YOTs to consider how they accommodate significant strategic change. Police and crime commissioners have a duty to co-operate with other organisations “so as to provide an efficient and effective criminal justice system for the police area” (Section 10 of the Police Reform and Social Responsibility Act 2011). YOTs are included in this duty to co-operate.

Practice example 1 below provides an illustration of how YOTs have engaged with police and crime commissioners. In many areas, police and crime commissioners are working closely with youth offending partnerships, not only around shared priorities concerning youth crime, but in developing local policing plans.

Practice example 1: Police and crime commissioner engagement

All of the YJB’s English business areas report great interest shown in YOT work by police and crime commissioners. Many are reporting regular attendance by representatives of the police and crime commissioner’s office.

In the South East, three YOTs have established the regular attendance at their management boards of a police and crime commissioner’s representative who holds a youth crime brief. These YOTs are reporting positive dialogue in terms of working together to achieve common objectives.

In the North East, three YOTs in one police and crime commissioner area engaged with the commissioner at an early stage to understand the commissioner’s perspective in respect of youth crime. They attended an introductory meeting with local partners and this led to the commissioner setting up a youth group, which one of the YOT managers chairs. As well as this leading to a successful negotiation to provide continuity of budgets, the commissioner has enabled a wider engagement mechanism to be created.

Developments such as those given above show how the youth offending partnership can practically engage with and influence police and crime commissioners.

The strategic position of the YOT

When YOTs were first established, YOT steering groups could only look to the equally new community safety partnership structures for comparable multi-agency governance requirements. However, unlike early crime and disorder reduction partnerships, 5 YOT partnerships needed to agree provision for the delivery of significant operational activity carried out in their name. Initially, many YOTs were managed through local community safety arrangements and

5 Crime and disorder reduction partnerships are partnerships between the emergency services, local authorities, and public, private and voluntary sector agencies that work together to reduce crime, disorder and substance misuse. They were formed as a result of the Crime and Disorder Act 1998.
only a very small number were managed through the local authority chief executive’s office. The Children Act 2004 and the findings of the first HM Inspectorate of Probation YOT inspection programme led to the majority of YOTs being transferred into new children’s service management structures. Since 2008, the ‘integrated youth support’ model has often provided an umbrella structure for YOT work.

YOT partnerships can be stand-alone or part of a wider group. For example, some management board meetings may take place alongside community safety partnership meetings, or the management board may be part of a wider strategic group focused on the safety and well-being of young people. Alternatively, the management board itself may expand its range of activity in order to widen the local youth crime and safeguarding agenda.

There are also a number of examples of cross-authority integration, where one or more authorities have combined to form a large multi-area YOT and, in so doing, achieve greater efficiency. Elsewhere, there have been other forms of integration, such as the combining of children’s services into one management unit, such as targeted youth support. The practice examples below describe both arrangements.

### Practice example 2: Local integrated service model

Examples of YOTs becoming part of a wider local initiative focused on the safety and well-being of children and young people abound. Clearly, youth offending partnerships have not developed their understanding and structures in isolation. In many areas, YOTs have joined a new, wider service configuration. In the East and East Midlands business area, one of the larger county YOT partnerships in England has adopted a targeted youth support model to ensure that specialist services are delivered and available over a wide geographic area. Contrasting with this are examples of more compact city localities demonstrating the same ‘one-stop’ approach.

The drivers for this model are both experience-based and financial, but the approach can bring:

- early identification of need and an appropriate level of service
- continuity of service during a young person’s ‘journey’ through the system – informal and justice-based
- provision of services based on identified need, not just upon the imposition of a youth justice disposal.
In some areas, new combinations of local authorities and statutory partners have been formed. In the North West business area, a new YOT has been created from three smaller services, preserving a focused youth justice management model. The drivers for the change were a common desire to improve practice and a response to decreasing resources. The local authorities concerned already had a good record of collaboration.

The statutory and other key partners were involved in a scoping exercise over an extensive period, focusing on governance, finance, partnerships, staffing, workloads and infrastructure. The director of children’s services from one of the local authorities chaired a project board, which was guided by a working agreement. The critical success factors in the delivery of the project to create a new YOT were identified as:

- a project board which was representative of all partners and supported by a working agreement
- the appointment of a project manager to oversee the work
- a common goal to improve youth justice services among the partners
- enthusiasm and involvement from staff and service users.

The responsibilities of the management board

There are many different local arrangements that may achieve appropriate governance and oversight of youth justice services. However, evidence suggests that this is most likely to be achieved where there is a clearly identifiable management board with responsibility for:

- leadership and oversight of youth justice services
- contributing to local multi-agency strategies and work with local and national criminal justice organisations
- safeguarding children and young people who receive youth justice services.

Management boards that effectively discharge these responsibilities are likely to ensure an integrated approach to youth crime prevention, offending and victims of crime.

Important learning from the first fifteen years of youth offending work by YOTs demonstrates that the YOT management board is most effective where it acts as the lead governance body for the local youth justice system, and not simply as the management board for the YOT. In doing so, it has oversight of performance against the following key outcome indicators, regardless of how youth justice services are delivered locally:

- reducing reoffending
- reducing first-time entrants to the youth justice system
• reducing the use of custody
• any locally agreed targets.

An effective management board may be said to have the following characteristics:

• all statutory partners are represented, together with other key delivery agencies and stakeholders
• it meets at least quarterly, with a continuity of board membership and regular attendance
• the board works to agreed terms of reference defining its remit, membership, delegation, attendance and decision-making powers
• individual members are inducted into the role, are able act as local ‘champions’ for youth justice and have lead responsibility for key areas of activity
• the views of service users, victims of crime, sentencers and the wider community are actively sought and considered
• it actively oversees the formulation and implementation of the youth justice plan, as required by statute, and encourages the service to invest in self-assessment and peer review processes as ways of developing practice and improving outcomes
• YOT income, expenditure and commissioning activity are regularly reviewed
• compliance with relevant statutory standards is regularly reviewed
• there is a culture of learning and wider dissemination of lessons from community safeguarding and public protection incidents, thematic inspections and other relevant processes through local safeguarding and public protection structures.

Practice example 4: YJB peer review and self-assessment approaches and HM Inspectorate of Probation governance criteria for YOT management boards

The YJB’s peer review and self-assessment approaches have proven both popular and effective in securing continuous improvement in the delivery of local youth justice services. The standards are agreed with HM Inspectorate of Probation. Benefits include:

• peer review enables a safe and confidential challenge, and sharing of beneficial practices
• self-assessment enables management boards to compare their performance and local arrangements against criteria that are accepted good practice and prepare improvement plans where these are indicated.

HM Inspectorate of Probation has also produced inspection criteria for an optional governance module within its full joint inspection framework, which contains detailed indicators of effective practice.
Membership of the management board

Over time, it has become clear that senior officers who make up the membership of YOT management boards often have similar roles on other boards, for example, community safety partnerships, children’s partnerships, multi-agency public protection and local safeguarding children’s boards. This provides YOT management boards with key strategic links to both specific and overarching initiatives, and a broader scope to the focused work of preventing youth offending.

Experience indicates that, to be effective, the management board needs to be assigned a range of functions and have members of appropriate seniority to allow it to:

- set the strategic direction for key services
- steer delivery
- oversee the performance of the whole youth justice system locally
- provide and commit sufficient resources, including secondments from statutory partners
- champion the provision of effective services for young people at risk of offending or reoffending within their own partner agencies and those agencies they work with
- provide value for money.

Much can now be said about how effective board members operate. Successful chairs of management boards:

- provide consistency over some years of the partnership’s operation
- retain knowledge of how local youth justice services have been shaped to meet identified needs and opportunities
- operate fairly and consistently
- provide confidence for partners and local providers
- maintain a close working relationship with the YOT manager, irrespective of line management arrangements (important for removing obstacles to delivery)
- provide leadership to integrate the efforts of the youth justice partnership with other crime prevention and safeguarding agencies.

Other members of the management board should join with the chair in providing leadership activity for the YOT, for example:

- understanding and promoting the work of the YOT and key youth justice services
- helping to resolve delivery issues within their organisation which affect the performance of the YOT.
Practice example 5: Innovation in developing YOT management boards

Management boards have sought to maintain consistency and respond to changing circumstances in a variety of ways, for example:

- a number of management boards have an independent chair to promote partner confidence and ensure high standards of sector-specific leadership
- a management board received project support from the appropriate YJB business area to review its fitness for purpose and drive forward further improvement. The exercise resulted in the management board agreeing to pursue a wider remit to reflect local changes in the delivery of youth justice services, without compromising fulfilment of the partnership’s statutory responsibilities
- a large city YOT management board identified the need to form a sub-group to oversee monitoring and analysis of community safeguarding and public protection incidents. The benefits include a better overview of trends, which in turn can be presented to the local safeguarding children board
- a new police chair of a management board in a deprived urban area requested peer support from a more experienced colleague. The YJB business area identified the right colleague in another area and facilitated contact
- a city management board identified particular areas for the statutory partners and other members to lead on. The management board provided space on their meeting agendas for reports against these various issues; these reports were led by the appropriate member, with assistance from other officers from within and outside the YOT. A review of this process found that it aided both understanding among the board members and supported continued investment
- another city management board appointed an independent financial adviser to oversee the partnership budget as a means of providing transparent financial accountability and encouraging partners to support continued investment.

Strategic links for the management board

Achieving the best balance in strategic links between the management board and other accountable bodies is a matter for local discretion, but it is clear that in order to be effective, YOTs and their supporting partners must not be isolated. The general influences on this are:

- whether the YOT is stand-alone or part of an integrated or targeted service
- whether the YOT is a multi-local authority YOT
• whether the local authority is a two-tier authority.\(^6\)

Whatever the local circumstances, youth offending partnerships must develop effective links with a range of bodies to support the prevention of offending and reoffending. These may include:

• community safety partnerships
• children and families trusts
• local safeguarding children boards
• police and crime panels
• local criminal justice boards
• health and wellbeing boards
• Multi-Agency Public Protection boards
• local authority scrutiny panels.

---

### Practice example 6: Management boards’ strategic links

The examples below show how different youth offending partnerships have navigated the complexity of their local wider governance landscapes:

• A southern YOT with a compact area of delivery is managed within the local children and families structure, but the management board is embedded within the community safety partnership, where it is part of an executive group. Further oversight and support comes from an independent crime and disorder scrutiny panel, which is made up of and chaired by local councillors.

• A northern YOT in a large county reports directly to an overarching county partnership, which acts as a scrutinising body, but the YOT works through the county children and families and community safety partnerships for strategic direction and accountability.

• An eastern YOT in a two-tier authority adopts a wider interpretation of its management board to ensure that strategic links are maintained, and includes on its ‘partnership board’ representatives from the county-wide community safety partnership, housing services, children’s integrated services and the county’s city, borough and district councils.

---

\(^6\) ‘Two-tier’ refers to two tiers of local government: county councils, and district, borough or city councils.
The seniority and responsibilities of the YOT manager

The scope of the YOT manager role is clearly dependent upon the size of the authority and the resources available to the statutory partners in the YOT area. As with the composition and functions of the YOT itself, there is no single definition of the role of a YOT manager or the level of seniority that the role should have in a local management structure.

As described earlier, both the *Inter-departmental Circular* and *Sustaining the Success* highlight the requirement for the YOT manager to be sufficiently senior among local officers and not to be ‘buried’ in the layers of service management and direction. In a number of cases, the role of the YOT manager has gradually decreased in seniority and moved down the local management tiers, due to the policy and economic drivers mentioned previously. HM Inspectorate of Probation inspections and YJB support and improvement projects have both identified weak YOT management as a significant contributory factor in deteriorating performance or practice deficit. This points to a continuing need for the YOT manager to maintain high-level strategic influence.

In many other cases, the YOT manager has taken on new responsibilities, or the role has been incorporated within a wider setting, most often through an integrated or targeted youth support model. These broader roles have usually been created as a result of structural change in the local authority and result in the post-holder being responsible for a wide suite of services, initiatives and teams, including:

- the generic youth service
- youth advice and guidance services
- other preventive work (for example, prevention or anti-social behaviour teams)
- the YOT
- the Troubled Families initiative
- young people’s substance misuse services
- housing support for young people.

In such cases, the traditional YOT manager’s role may be split into strategic and operational elements.

Regardless of whether the YOT is part of a wider group of services or a stand-alone service, maintaining focus on preventing youth offending is best achieved by ensuring that:

- the manager is clearly identified within the YOT structure
- the selection and appointment criteria used for appointing the YOT manager include testing capabilities relating to youth justice
- he/she is required to co-ordinate local youth justice services
- he/she is able to operate strategically with senior officers, while maintaining operational control of delivery
• the grade of the YOT manager is no more than two tiers below the lead director responsible for youth justice in the local authority

• he/she is line managed by a senior manager/director

• he/she is able to act through personal representation at a strategic level across the local authority and partner agencies.

Strategic links

The preceding section on the responsibilities of YOT management boards identified strategic links that should be maintained with other bodies. Experience has shown that the YOT manager should personally represent the local youth offending partnership with the following bodies:

• community safety partnerships

• children and families trusts

• local safeguarding children boards

• Multi-Agency Public Protection boards.

Practice example 7: YOT managers responding to and managing change

The following examples demonstrate how the role of the YOT manager has developed and how YOT managers have embraced and driven change in their localities, often in the face of significant challenges:

• The local authority within a small city reviewed its services for young people and created a targeted youth support service. The existing YOT manager assumed the head of service role and led a change programme to create the new service, based around one central location. This involved achieving political support, re-designing job specifications and defining new roles, including a more inclusive role for the management board. A programme of service development and familiarisation was designed and delivered, while maintaining sufficient focus on youth offending to maintain standards.

• The YOT manager of a large county service ensured that preventing youth offending remained at the forefront of corporate strategic planning as the county changed from having a two-tier local government system to becoming a unitary authority, and organisational structures were reviewed. The YOT manager achieved this by proactively negotiating a place on the overarching county partnership group and reviewing the YOT’s place within all other structures. The YOT manager also made sure that the YOT was represented by senior operational managers on themed sub-groups of the community safety partnership and the children and families partnership.

• Following reorganisation, a unitary authority YOT manager took on a portfolio of services designed to safeguard and promote the well-being of children and young people. This included managing a central operating base, from where training, employment, substance misuse and mental health services were delivered. The prevention service (originally
developed by the YOT and then moved into an early integrated services model) has been transferred over to this new combined service grouping. The YOT manager has not changed any of the strategic links with other bodies and is now able to effectively report the progress of the broader service to these bodies.
The role of the YJB in supporting effective governance

The YJB, as an executive non-departmental public body, and the Ministry of Justice have a shared aim to secure improvements in the youth justice system. One of the main statutory aims of the YJB, alongside all bodies carrying out functions in relation to the youth justice system, is to prevent offending by children and young people. The YJB plays a national leadership role in support of YOT partnerships through influencing government departments and maintaining strong relationships with key stakeholders in local government, health services, policing, children’s services, the judiciary and others to encourage and promote a strong focus by those services on youth justice at a local level. For example, the YJB supported YOTs in their relationship with the police by developing joint guidance with ACPO on the role of the police officer within the YOT.

The YJB’s interests are in understanding how local partnerships are working effectively to support and improve local performance and practice, rather than questioning whether the YOT is ‘recognisable’ as such, that is, following an original model in terms of structure or service delivery.

The YJB is responsible for monitoring the effectiveness of the youth justice system at a national and local level, and also provides information on individual YOTs to the HM Inspectorate of Probation Information Bank, which in turn informs inspection priorities. The YJB’s work in this area has been achieved largely through a mechanism of reporting against performance indicators and the maintenance of YJB local business area relationships with YOT partnerships. The original suite of indicators used in the early years of the YJB’s focus on youth offending has latterly been replaced by three indicators: reducing first-time entrants to the youth justice system, reducing reoffending and reducing the use of custody. This has been coupled with a move away from detailed monitoring of specific issues, and greater recognition that the performance management of YOTs is primarily a matter for the local partnership. The YJB has led the development and implementation of new systems of self-assessment and peer review for YOT partnerships and will continue to support the improvement of these models.

The YJB is committed to the identification and dissemination of effective practice. It is empowered to make grants to YOTs, with the approval of the Secretary of State, in support of this by Section 41 (5)(g) of the Crime and Disorder Act 1998. In this role, the YJB undertakes national change or improvement programmes. Additionally, the YJB encourages local services to develop ways of evaluating their practice and the efficacy of specific interventions, while also providing opportunities for local services to promote and share innovative/promising practice.
The YJB has a team of local partnership advisers who engage with YOTs individually or collectively to provide a ‘critical friend’ relationship. This includes an active relationship and regular contact with local management boards. These advisers can draw on additional support from within the YJB to support services where specific performance or practice concerns are identified.

In rare situations, a small number of YOTs struggle to improve after support has been provided. In these situations, the relevant issues are raised at an increasingly senior level within the YJB and the local authority. The Minister for Youth Justice has approved a more formal escalation process, which involves the YJB supporting YOTs to engage senior managers across statutory partner agencies. The revised process will include:

- the provision of additional qualitative information from poorly performing YOTs
- engagement at chief executive level
- requests for HM Inspectorate of Probation inspections and re-inspections in order to assess progress
- the decision of the Minister for Youth Justice to issue formal ‘performance notices’ where no progress is made.
Appendix 1: Youth justice services

The list below sets out the youth justice services required by Section 38 (4) of the Crime and Disorder Act 1998, as amended by subsequent legislation up to October 2013; the list is presented by subparagraph:

(a) the provision of persons to act as appropriate adults to safeguard the interests of children and young persons detained or questioned by police officers;

(aa) the provision of assistance to persons determining whether youth cautions should be given under section 66ZA below;

(b) the assessment of children and young persons, and the provision for them of rehabilitation programmes, for the purposes of section 66ZB(2) or (3) below;

(ba) the provision of assistance to persons determining whether youth conditional cautions (within the meaning of Chapter 1 of Part 4) should be given and which conditions to attach to such cautions;

(bb) the supervision and rehabilitation of persons to whom such cautions are given;

(c) the provision of support for children and young persons remanded or committed on bail while awaiting trial or sentence;

(d) the placement in local authority accommodation of children and young persons remanded to such accommodation under section 91(3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012;

(e) the provision of reports or other information required by courts in criminal proceedings against children and young persons;

(ee) the performance by youth offending teams and members of youth offending teams of functions under sections 25 to 27 of the Anti-social Behaviour Act 2003;

(f) the provision of persons to act as responsible officers in relation to individual support orders, parenting orders, child safety orders and reparation orders;

(fa) the provision of persons to act as responsible officers in relation to youth rehabilitation orders (within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008);

(fb) the supervision of children and young persons sentenced to a youth rehabilitation order under that Part which includes a supervision requirement (within the meaning of that Part);

(h) the supervision of children and young persons sentenced to a detention and training order (including an order under section 211 of the Armed Forces Act 2006);
(i) the post-release supervision of children and young persons under section 31 of the Crime (Sentences) Act 1997 (“the 1997 Act”) or by virtue of conditions imposed under section 250 of the Criminal Justice Act 2003;

(j) the performance of functions under subsection (1) of section 102 of the Powers of Criminal Courts (Sentencing) Act 2000 below by such persons as may be authorised by the Secretary of State under that subsection;

(k) the implementation of referral orders within the meaning of the Powers of Criminal Courts (Sentencing) Act 2000.