

# Key performance indicator guidance for youth justice services

Version 1.7



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# Version control and change log

Version	Date	Section	Details of change
1.1	09/11/2022	Wider services	Changed “Referred to further Early Help services” to “Referred to Early Help services”
1.2	25/11/2022	Whole document	Changed language in counting rules so they can be interpreted if submitting KPI data via case level data returns or KPI template
1.2	25/11/2022	All KPIs with type of order	Added ‘Youth Cautions with YJS intervention’ as an order type to be recorded against
1.2	25/11/2022	ETE	Added variables for part time ETE and full time ETE for the KPI template
1.2	25/11/2022	Start and end dates	Added counting rules to capture status at the start to be one day before entering custody and to for ETE to capture status at release to be five days after release to allow children to begin provision.
1.2	25/11/2022	ETE	Added ‘Alternative Provision PRU part time’ and Alternative Provision PRU full time’ as provision types and changed ‘Alternative Provision Part Time’ to ‘Alternative Provision Other’ Part Time’ and changed ‘Alternative Provision Full Time’ to ‘Alternative Provision Other’ Full Time’
1.3	13/01/2023	Mental health	Amended wording of counting rule 4.3.3 around planned or offered interventions following YJS feedback
1.3	13/01/2023	Wider services	Added counting rules to separate out ‘Early Help’ and ‘Care Status’ types following YJS feedback, previously all in 7.3
1.3	13/01/2023	FAQs	Added new question and answers from ‘Will there be flexibility on initial returns?’
1.4	09/02/2023	Introduction	Made clear that prevention cases do not need to be recorded and diversion cases not involving YJS intervention do not need to be recorded.
1.4	09/02/2023	SEND/ALN	Made clear that SEND/ALN status, whether the child had a formal plan or were in suitable ETE should be based on their status at the end of the order
1.4	14/02/2022	FAQs	Added a FAQ around diversionary outcome severity
1.4	15/03/2023	Substance misuse	Changed text in counting rules from “Of the above, the number of children receiving treatment for substance misuse not as a result of screening by the YJS should

			be counted.” to “Of the above, the number of children receiving treatment for substance misuse prior to screening by the YJS should be counted.”
1.4	22/03/2023	Whole document	Changes to language to add clarity and to fit with YJB style guide
1.5	17/05/2023	Revoked orders	Made explicit that orders revoked just refers to those that are successfully appealed or revoked and resentenced. Orders that are revoked early due to good behaviour should be counted.
1.5	31/05/2023	Mental health	Changed counting rules 4.3.3 and 4.3.4 to ask that offered/planned interventions and attended interventions are counted if they occur during the course of their order that ended in the reporting period as opposed to during the reporting period as originally stated.
1.6	07/08/2023	SEND/ALN, Mental Health, Substance Misuse, Wider Services	Removed reference to release date for custodial orders as this data is not being collected for these KPIs – they just apply to Accommodation and ETE
1.6	07/08/2023	Introduction	Made change to data submission date to reflect extension of 31 October for quarter one return
1.6	10/08/2023	FAQs	Additional FAQs added
1.7	20/11/2023	FAQs	Removed FAQs from guidance doc and published them separately

# Introduction

The key performance indicators (KPI) recording guidance sets out the rationale behind each of the new KPIs, the counting rules and additional guidance notes for practitioners.

The youth justice system has developed significantly since the current set of KPIs were introduced, with the multi-agency model now much more firmly embedded. Whilst the number of children entering the system with a statutory disposal has fallen significantly, it is clear youth justice services (YJSs) are working with increasingly complex caseloads.

The Ministry of Justice (MoJ) developed these new KPIs to improve our understanding of how YJS partnerships are responding to this different context and to reflect the areas that are strategically important in delivering effective services for children.

While the KPIs themselves have been finalised, this is a live document and may be changed to provide further guidance or to consider feedback from YJSs and provide further clarity when needed. The document will contain a change log to show when and where changes have been made.

YJSs will be required to record KPI data from 1 April 2023. This date will be counted as the beginning of quarter one. The reporting deadline for the first quarter has been extended to 31 October 2023 to give as many YJSs as possible the opportunity to report KPI data via case level returns rather than on the KPI template.

All KPIs must be submitted to the Youth Justice Board (YJB) quarterly in line with the Terms & Conditions of grant and as part of the standard returns process. Failure to do so can result in delays in awarding or withdrawal of, the YJB grant.

YJSs submitting KPI data via case level returns will be able to do so as part of the routine quarterly returns process with the exception of the management board attendance KPI which will need to be submitted as a summary level return. YJSs submitting KPI returns using the KPI template can do this by uploading the template onto the KPI section of YJAF which will be available to YJSs soon.

## The four current KPIs

- binary reoffending rate
- frequency of reoffending
- first time entrants
- use of custody

The four existing KPIs will continue to be used and follow the counting rules outlined in the YJS Data Summary. These indicators continue to provide a helpful overview of how the system is performing. It is recognised that data on the existing KPIs will not fully align with the new KPIs given the difference in caseload, particularly as the data for the reoffending and first time entrants KPIs are sourced from the Police National Computer (PNC). The

MoJ and YJB are considering how to ensure that the recording of these measures is accurate and sustainable in the future.

## The new KPIs

- suitable accommodation
- education, training and employment (ETE)
- special educational needs and disabilities (SEND) (for England)/additional learning needs (ALN) (for Wales)
- mental health care and emotional wellbeing
- substance misuse
- out-of-court-disposals
- links to wider services
- management board attendance
- serious violence
- victims

The new KPIs are listed above and the guidance on counting rules and considerations for practitioners are contained within this guidance document. With the exception of the 'serious violence' KPI, the data should be submitted via the KPI template until case management systems have been updated to capture and submit this data at case level.

## Caseload

For the new KPIs, YJSs are required to return data on all children who had an intervention closing in the quarter. YJSs are not required to record on any prevention cases and not required to record on diversion cases where the YJS did not carry out an intervention.

An intervention is defined as at least one session post-assessment aimed to help the child desist from further offending behaviour. Interventions should be strengths-based and future-focused and promote positive outcomes for the child.

Please note that the values entered on the KPI template for 'Number of children with an order ending in the period' by outcome type (i.e., 'Non-substantive out-of-court-disposals with YJS intervention', 'Youth Cautions with YJS intervention', 'Youth Conditional Cautions', 'Referral Orders', 'Youth Rehabilitation Orders', 'Custodial sentences', 'Custodial remands of four weeks or more not resulting in custodial sentence') must be the same across KPIs on:

- accommodation,
- ETE,
- SEND/ALN,
- mental health and wellbeing,

- substance misuse and
- wider services.

For the out-of-court-disposals KPI, the sum of 'Community Resolutions with YJS intervention', 'No Further Action Outcome 22 with YJS involvement', 'No Further Action Outcome 22 Deferred Prosecution/ Caution with YJS involvement' and 'No Further Action Outcome 20/21 with YJS involvement' should equal the 'Non-substantive out-of-court-disposals with YJS intervention' in the above KPIs. 'Youth Cautions' and 'Youth Conditional Cautions' should equal those input in the above KPIs.

## Children on custodial orders

For children being released from custody, data will be recorded on KPIs on accommodation, ETE, SEND/ALN, mental health and wellbeing, and substance misuse. For these children, their status around these measures should be recorded:

1. On the day before entering custody
2. On the day of release, for accommodation, mental health and wellbeing and substance misuse
3. Five working days after their release from custody, for ETE, and
4. At the end of the licence period of children's sentences.

The reason data is being captured on the day before entering custody is so that practitioners record the status prior to going into custody rather than on the child's status while in custody. For example, with accommodation, the type of accommodation they are in prior to custody is what needs to be captured rather than the custodial establishment they are in. Recording data at five days after release from custody for ETE means children will have a chance to start their ETE provision following their release.

KPI data reporting will be aligned to AssetPlus for children being released from custody. The AssetPlus Joint Working Protocol states that completion of the *Leaving Custody* module should be a collaborative effort between YJS and secure establishment staff.

YJSs have a responsibility to ensure that they are in agreement with the data inputted by establishment staff when they approve data for children joining the YJS caseload following release from custody. YJS staff must ensure that subjective data fields, such as deeming accommodation and ETE arrangements as suitable or unsuitable, are reflective of the YJS's assessment.

# 1 - Suitable accommodation

## Rationale

The suitable accommodation KPI requires YJSs to record the type and suitability of accommodation, at the start and end of the order by type of order. Additionally, for those leaving custody, it looks at how far in advance accommodation was secured. YJSs are required to record the number of children in the community and being released from custody into 'suitable' or 'unsuitable' accommodation arrangements (see 'Further recording guidance and notes for practitioners').

We know that access to safe and suitable accommodation reduces the risk of reoffending. This KPI should indicate how many children are in suitable/unsuitable accommodation. This will allow us to understand and evidence the barriers in order to escalate with partners, and to target support when children are in unsuitable accommodation.

## Counting rules

### 1.1 Start, end and release

- 1.1.1 For non-substantive out-of-court-disposals with YJS intervention, 'Youth Cautions with YJS intervention', 'Youth Conditional Cautions', 'Referral Orders' and 'Youth Rehabilitation Orders', the start of the order refers to the start date of the order and the end of the order refers to the end date of the order.
- 1.1.2 For custodial sentences the start of the order refers to the status of the child one day before the start date, release refers to the status of the child on the date of release from custody and the end of the order refers to the end date of the licence period.

### 1.2 Number of children with an order ending in the period

- 1.2.1 The number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive whose residence was 'Local' should be counted separately by type of order.
- 1.2.2 If a child had multiple orders that ended during the quarter, only the most serious order should be counted.
- 1.2.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, only the most recent one should be counted.
- 1.2.4 If an order is revoked due to a successful appeal or because the original order is breached and the child is given a new diversionary outcome, caution



or is resentenced, the revoked order should not be counted. Orders that are revoked for good progress should continue to be counted.

### 1.3 Type of accommodation

- 1.3.1** Of the above, the type of accommodation should be recorded at 1) the start of the order, 2) on release for custodial sentences and custodial remands of four weeks or more not resulting in a custodial sentence and 3) the end of the order by suitability of accommodation should be counted.
- 1.3.2** For each legal outcome type, the sum of those in 'Suitable' and 'Unsuitable' for start, release and end should both equal each other and the number of orders closing by type of order.
- 1.3.3** 'Bed & Breakfast', 'No Fixed Abode' and 'Unknown' cannot be considered suitable accommodation. While practitioners may have the option to record 'Bed & Breakfast' as suitable in the case management system, this will be changed by the YJB to unsuitable for KPI reporting purposes in the data processing stage.

### 1.4 Timeliness of when accommodation secured for children being released from custody for custodial sentences

- 1.4.1** For those submitting via case level data, the date accommodation was secured will be subtracted from the date the child was released to calculate how far in advance of release, accommodation was secured.
- 1.4.2** For those submitting via the KPI template, the number of custodial releases by how far in advance of the release date accommodation was arranged should be counted in the appropriate time band.

## Further recording guidance and notes for practitioners

### Suitability of accommodation

In determining whether accommodation is "suitable" practitioners must consider:

- The need for arrangements to be sustainable over time. Temporary and short-term accommodation arrangements should be avoided;
- The child's specific circumstances and needs, such as their health needs and need for supportive relationships, and their protected characteristics, such as SEND/ALN status and race, ethnicity and cultural needs;
- The child's voice and preferences, such as their want to be closer to their home area (although closeness to home may not be appropriate for every child);
- Providing the child with a nurturing and emotionally supportive environment, and one that supports them in their journey towards desistance;
- Relevant safeguarding concerns and the character and suitability of the landlord or other provider;
- For a child being released from custody, the importance of arrangements that are made, agreed and communicated well in advance of the child's release date.

Practitioners should make a professional judgement on suitability based on the individual needs and circumstances of each child. As stated in the counting rules, in the case of a child being placed in a 'Bed & Breakfast' or categorised as having 'No Fixed Abode' or unknown accommodation arrangements, this will be categorised as unsuitable. For all other placements, assumptions should not be made based on the type of accommodation that has been arranged. For example, returning to one's family home may be suitable for some children and unsuitable for others.

For custodial orders and custodial remands of four weeks or more, the type of accommodation on the day before the start date should be recorded so it reflects the accommodation type prior to the child entering custody.

Arranging accommodation is complex and multifaceted, YJSs must report honestly and reasonably on suitability data – this will equip the MoJ and YJB to better push for change in the children's accommodation sector where needed.

#### Timeliness of when accommodation was secured for children being released from custody for custodial sentences.

For children being released from custody, YJSs are required to record data on how far in advance of release accommodation arrangements have been made.

Timely accommodation arrangements are critical to children's experiences in terms of enabling them to envision, and prepare for, the future. It is also critical to ensuring that other resettlement arrangements can be made in time for release, such as education and mental health support. The inclusion of this metric, therefore, seeks to encourage a behaviour that prioritises timeliness of accommodation arrangements alongside suitability.

The following criteria are applied to the timeliness of arrangements: accommodation arranged 0 to 13 calendar days prior to release is viewed as providing insufficient timeliness; 14 to 27 calendar days as moderate timeliness; and 28+ calendar days as high-performing timeliness. The 'high-performing' banding is based on His Majesty Inspectorate of Prisons' (HMPS) ambition that accommodation should be arranged four-weeks prior to release from custody.

In assessing overall YJS performance in relation to timeliness, a nuanced view will be taken where possible and appropriate, recognising that timeliness of arrangements can depend on factors outside of YJS's control, including availability of voids and high-cost retainer payments to secure a void room, and that arrangement breakdowns can occur.

A differentiation should be drawn between the timeliness of accommodation arrangements and the timeliness of resettlement planning. Whilst accommodation should be arranged several weeks prior to a child's release date, resettlement planning should begin at the start of their custodial order, including an assessment of their accommodation needs.

## 2 – Education, training and employment (ETE)

The ETE KPI counts the number and proportion of children in suitable ETE by ETE provision type and type of order for children of school age and children above school age, and how many hours were offered and attended.

### Rationale

There are established links between low educational engagement and attainment and the risk of childhood offending. This KPI should highlight where children are not in suitable ETE to help YJSs to escalate concerns with ETE providers. At a wider level, this data will allow MoJ and YJB to understand where the wider system acts as a barrier to a child's desistance and raise these with relevant other government departments if necessary.

### Counting rules

#### 2.1 School age and above school age

- 2.1.1 Children are counted as school age if they are aged 16 or under up to and including 31<sup>st</sup> August in the current academic year.
- 2.1.2 Children are counted as above school age if they are aged 17 on or after 1<sup>st</sup> September.

#### 2.2 Start, end and release

- 2.2.1 For non-substantive out-of-court-disposals with YJS intervention, Youth Cautions with YJS intervention, Youth Conditional Cautions, Referral Orders and Youth Rehabilitation Orders, the start of the order refers to the start date of the order and the end of the order refers to the end date of the order.
- 2.2.2 For custodial sentences the start of the order refers to the status of the child one day before the start date, release refers to the status of the child on the date five days after release and the end of the order refers to the end date of the licence period.

#### 2.3 Full time and part time ETE

- 2.3.1 A school aged child is in full time ETE if they complete 25 hours or more of ETE per week.
- 2.3.2 An above school age child is in full time ETE if they complete 16 hours or more of ETE per week.

## 2.4 Number of children with an order ending in the period

- 2.4.1 The number of school aged children at the start of the order and the number of above school age children at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive whose residence was 'Local' should be counted separately by type of order.
- 2.4.2 If a child had multiple orders that ended during the quarter, only the most serious order should be counted.
- 2.4.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, only the most recent one should be counted.
- 2.4.4 If an order is revoked due to a successful appeal or because the original order is breached and the child is given a new diversionary outcome, caution or is resentenced, the revoked order should not be counted. Orders that are revoked for good progress should continue to be counted.

## 2.5 ETE status

- 2.5.1 For users submitting via case level data, the ETE status will be derived from the age of the child and the number of hours attended.
- 2.5.2 For users submitting via the KPI template, of the number of children with an order ending in the period as above, the number of children who:
  - a) are in full time ETE at 1) the start of the order, 2) on release for custodial sentences and 3) the end of the order should be counted;
  - b) are in part time ETE at 1) the start of the order, 2) on release for custodial sentences and 3) the end of the order should be counted;
  - c) are not in ETE at 1) the start of the order, 2) on release for custodial sentences and 3) the end of the order should be counted;
  - d) have an ETE status of unknown at 1) the start of the order, 2) on release for custodial sentences and 3) the end of the order should be counted.
- 2.5.3 The number of i) school aged children and ii) above school age children in **suitable** ETE with an order closing in the period should be counted by type of order at 1) the start of the order, 2) on release for custodial sentences and 3) the end of the order
- 2.5.4 It may be the case that a child is in ETE, but the practitioner does not consider the provision(s) suitable based on the child's needs or believes the hours the child is attending are not sufficient.
- 2.5.5 A child may be in multiple ETE provisions where one provision is suitable while the other is not, therefore practitioners should make a professional judgement on the overall suitability of the child's ETE suitability.

## 2.6 Type of ETE provision

- 2.6.1** The relevant provision types should be counted for i) school aged children and ii) above school age children at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive whose residence was 'Local' should be counted by type of order.
- 2.6.2** A child may have multiple provision types, in which case all provision types should be counted.

## 2.7 Number of hours offered and attended

- 2.7.1** The total number of hours of ETE provision offered should be recorded.
- 2.7.2** The total number of hours of ETE provision attended should be recorded.

## Further recording guidance and notes for practitioners

This KPI requires YJSs to record ETE status, suitability and type of ETE provision for children in the community and being released from custody with a ETE arrangement.

Of the children with an order ending in the quarter, this KPI requires YJSs to record:

1. children who have started and remained engaged in ETE during the quarter;
2. the suitability of the child's ETE arrangement;
3. children who are not in ETE, and;
4. the number of children with an unknown ETE status.

When reporting data on this indicator, practitioners should make a professional judgement on the suitability of ETE arrangements based on the individual needs and circumstances of each child.

For custodial orders, the ETE status, provision on the day before the start date should be recorded so it reflects the ETE provision they were in prior to the child entering custody. Provision on the date five days after release should be recorded so the child has had the time to start their ETE provision after release.

If a child is a primary care giver, for example they are looking after a child or someone with disabilities, this should be classified as not in ETE on the spreadsheet. Given the low number of times this occurs, local intelligence and further data will be gathered to understand this.

In determining whether ETE arrangements are "suitable", practitioners must consider:

- The child's voice, strengths, and ambitions for the future. These should be identified through direct consultation with the child. For children being released from custody, this should additionally be identified through the child's constructive resettlement plan;

- How sustainable the provision is for the child and likely to result in continuity of ETE engagement;
- The [protected characteristics](#) of the child;
- An appropriate objective for the child, which forms a pathway to achieving tangible educational and/or vocational outcomes in the form of credits and qualifications. These objectives could be the pursuit of a long-term career or educational objective, or it could focus on softer outcomes, such as lifting children's self-confidence and motivating them towards further learning;
- How appropriate the provision is for the child's current educational proficiency;
- How the provision will encourage proficiency in English and Maths, and be ambitious about improving this proficiency;
- How the provision will provide appropriate support for a child with SEND or ALN
- The importance of making, agreeing and communicating ETE arrangements for children being released from custody that begins at the point of, or close to, the child's release date;
- If children are released from custody with a planned ETE arrangement and there is a gap between the start date of the ETE placement and release date from custody, constructive activity should be arranged to fill this gap.

Given the above considerations of suitability, practitioners should take a needs-led approach to arranging ETE. For example, some children may be ready to sustain full-time employment or an apprenticeship, whereas others may be better suited to a traineeship or a jobcentre mentoring circle to improve their employability skills.

Children over school leaving age can remain in a range of ETE options (until the end of the academic year in which they are turning 18), such as an apprenticeship or traineeship, spending 20-hours or more a week working or volunteering, while in part-time education or training, or schemes provided by third sector organisations.

Data may fluctuate dependent on school terms. If fluctuations in data occur, this data will be scrutinised to understand this.

If a child has ETE arranged but they are not due to start until after the order has ended, this should not be recorded.

YJSs must report honestly and reasonably on suitability data – this will equip MoJ and YJB to better push for change to ensure ETE supports desistance.

# 3 – Special educational needs and disabilities/additional learning needs

The SEND/ALN KPI requires the YJS to record the number of children with an identified SEND for England or ALN for Wales by type of order, whether they have a formal plan in place and whether they are in suitable ETE.

## Rationale

Identifying SEND/ALN and providing support early is key to a child's educational engagement and attainment. This KPI should highlight where children are not receiving SEND/ALN support, to provide the evidence for YJSs to escalate concerns with ETE providers.

### 3.1 Start, end and release

- 3.1.1 For non-substantive out-of-court-disposals with YJS intervention, Youth Cautions with YJS interventions, Youth Conditional Cautions, Referral Orders and Youth Rehabilitation Orders, the start of the order refers to the start date of the order and the end of the order refers to the end date of the order.
- 3.1.2 For custodial sentences the start of the order refers to the status of the child one day before the start date and the end of the order refers to the end date of the licence period.

### 3.2 Number of children with an order ending in the period

- 3.2.1 The number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive whose residence was 'Local' should be counted separately by type of order.
- 3.2.2 If a child had multiple orders that ended during the quarter, only the most serious order should be counted.
- 3.2.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, only the most recent one should be counted.
- 3.2.4 If an order is revoked due to a successful appeal or because the original order is breached and the child is given a new diversionary outcome, caution or is resentenced, the revoked order should not be counted. Orders that are revoked for good progress should continue to be counted.

### 3.3 SEND/ALN

- 3.3.1 Of the above, the number of children who were identified as having SEND/ALN at the end of the order assessed by a relevant practitioner should be counted.
- 3.3.2 Of the above, the number of children who had a formal plan in place at the end of the order for the current academic year should be counted.
- 3.3.3 Of the number of children identified as having a SEND/ALN, the number of those who were in suitable ETE at the end of the order should be counted.

## Further recording guidance and notes for practitioners

For definitions of SEND and ALN, please refer to the [SEND Code of Practice](#) and [Additional Learning Needs Code for Wales](#).

A formal plan means an Education, Health and Care Plan (EHCP), a SEND support plan, an individual learning/education plan or an individual development plan (Wales), which should include:

- details of the child's SEND/ALN support needs
- what special or additional support is being given
- who will provide the support and how often
- a child's targets
- how and when progress will be checked

The formal plan should be up-to-date for the current academic year and accurately reflect the child's support needs.



# 4 – Mental health and emotional wellbeing

This KPI requires YJSs to record how many children are screened or assessed to understand their mental health and emotional wellbeing needs.

For children who are already in an arrangement to support their mental health and emotional wellbeing, the KPI measures whether support is in place or not.

The focus on need-based interventions means that there is no ‘wrong door’ for children needing mental health and emotional wellbeing support; whether a child has talked to their YJS worker, a GP or mental health worker, they will be provided with support or be signposted to available support options.

Therefore, children may be screened by any professional who seeks to promote mental health awareness and help children with mental health and wellbeing needs or those at risk of mental health difficulties.

## Rationale

Rates of poor mental health are higher for children across all stages of the youth justice system than in the general population. We need to monitor access to mental health interventions so we can escalate concerns (at a local and/or regional and/or national level) where children are not receiving access to support for mental health and emotional wellbeing.

## Counting rules

### 4.1 Start, end and release

- 4.1.1 For non-substantive out-of-court-disposals with YJS intervention, Youth Cautions with YJS intervention, Youth Conditional Cautions, Referral Orders and Youth Rehabilitation Orders, the start of the order refers to the start date of the order and the end of the order refers to the end date of the order.
- 4.1.2 For custodial sentences the start of the order refers to the status of the child one day before the start date and the end of the order refers to the end date of the licence period.

### 4.2 Number of children with an order ending in the period

- 4.2.1 The number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter

inclusive whose residence was 'Local' should be counted separately by type of order.

- 4.2.2 If a child had multiple orders that ended during the quarter, only the most serious order should be counted.
- 4.2.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, only the most recent one should be counted.
- 4.2.4 If an order is revoked due to a successful appeal or because the original order is breached and the child is given a new diversionary outcome, caution or is resentenced, the revoked order should not be counted. Orders that are revoked for good progress should continue to be counted.

### 4.3 Mental health and emotional wellbeing needs and provision

- 4.3.1 Of the above, the number of children who were receiving treatment for a mental health or emotional wellbeing need before coming on to the YJS caseload should be counted.
- 4.3.2 Of the number of children with an order ending in the period as above, the number of children who had a screened or identified need for an intervention to improve mental health or emotional wellbeing should be counted.
- 4.3.3 Of the number of children with an order ending in the period as above, the number of children who have planned or who were offered mental health or emotional wellbeing interventions during the course of their order should be counted by type of intervention. Planned or offered interventions should be counted whether they were attended or not or were scheduled for after the end of the quarter. Please refer to definition of interventions in the further recording guidance section below.
- 4.3.4 Of the number of children with an order ending in the period as above, the number of children who attended mental health or emotional wellbeing interventions during the course of their order should be counted by type of intervention. Please refer to definition of interventions in the further recording guidance section below.

## Further recording guidance and notes for practitioners

The following needs-based interventions should be recorded:

Getting advice: this group of children are in need of advice and signposting. Children in need of this type of intervention are best supported in the community with the possible addition of self-support and are not wanting goals-based specialist input. This group of children may be adjusting to life circumstances with mild or temporary difficulties. However, this group also includes children with chronic, fluctuating or ongoing severe difficulties for which they are choosing to manage their own health and/or are on the road to recovery.

Getting help: this group of children are in need of focused goals-based input. Children in need of this type of advice would benefit from focused, evidence-based help and support, with clear aims, and criteria for assessing whether these aims have been achieved. This type of intervention will be delivered by a professional or by a range of people who can provide targeted, outcomes-focused help to address a specific mental health issue. These interventions are characterised by an explicit shared understanding from the outside of, what success looks like, how likely success is to occur by a specific date, what would happen if success was not achieved. Emphasis is placed on ending the intervention if it is no longer working or if the gains no longer outweigh potential harm.

Getting additional help: children in this group require extensive and specialised goals-based help, with clear aims and criteria for assessing whether these aims have been achieved. Children in this group need extensive resource allocation and may require particular attention and coordination from those providing services locally. Children in this group will often be completely unable to participate age-appropriately in daily activities in at least one context (e.g., school, home, with peers). Children in this group are likely to be unable to function in all domains (e.g., staying at home or in bed all day without taking part in school activities). Children in this group may need constant supervision and due to their level of difficulties they are no longer managing self-care and may experience distress on a daily basis. Children in this grouping may have a range of overlapping needs that mean they require greater input, such as the coexistence of autistic spectrum disorder (ASD), major trauma or broken attachments.

Getting risk support: this group of children have not benefitted from (or are unable to use) help but are of such a risk that they are still in contact with services. Whilst there is likely to be elements of risk management across all interventions, this group refers to a context of high concerns but a lack of therapeutic process and for those children where risk management is the sole focus. Despite extensive input, these children are unable to make use of help and remain a risk to self or others. This group includes children who may routinely go into crisis but are not able to make use of the help offered. These children may self-harm or have emerging personality disorders and have not yet responded to intervention.

If a child attends the arrangement they have been offered, this must be recorded. We recognise that some interventions may be delivered once the child has left the YJS caseload but the YJS will have referred successfully. For these cases, we aim that the YJS will record where attaining information is reasonable.

For more information about a whole system, person-centred approach to supporting children's mental health and wellbeing, please refer to the [Thrive Framework](#) (England) and the [NEST framework](#) (Wales).

# 5 – Substance misuse

This KPI requires YJSs to record the number of children with a screened or identified need for an intervention or treatment to address substance misuse and of that, the number of planned/offered treatment and the number of children attending intervention/treatment.

Some children on the YJS caseload will already be engaged in support at the start of their order. This KPI requires YJSs to record where this is the case. This will inform understanding of the unmet need of children on the caseload.

Some children may be receiving universal support. This is information, advice and support delivered to children or a group of children without assessing their risk. For this KPI, universal support is not captured in the data return.

## Rationale

We know that children in the youth justice system are particularly vulnerable to substance misuse. We need to monitor access to substance misuse interventions/treatment so that we can escalate concerns where children are not receiving access to support for substance misuse.

## Counting rules

### 5.1 Start, end and release

- 5.1.1 For non-substantive out-of-court-disposals with YJS intervention, Youth Cautions with YJS intervention, Youth Conditional Cautions, Referral Orders and Youth Rehabilitation Orders, the start of the order refers to the start date of the order and the end of the order refers to the end date of the order.
- 5.1.2 For custodial sentences the start of the order refers to the status of the child one day before the start date and the end of the order refers to the end date of the licence period.

### 5.2 Number of children with an order ending in the period

- 5.2.1 The number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive whose residence was 'Local' should be counted separately by type of order.
- 5.2.2 If a child had multiple orders that ended during the quarter, only the most serious order should be counted.
- 5.2.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, only the most recent one should be counted.

- 5.2.4 If an order is revoked due to a successful appeal or because the original order is breached and the child is given a new diversionary outcome, caution or is resentenced, the revoked order should not be counted. Orders that are revoked for good progress should continue to be counted.

### **5.3 Assessment of need**

- 5.3.1 Of the above, the number of children receiving treatment for substance misuse prior to screening by the YJS should be counted.
- 5.3.2 Of the number of children with an order ending in the period as above, the number of children who had a screened or identified need for an intervention/treatment to address substance misuse should be counted.

### **5.4 Targeted interventions**

- 5.4.1 A targeted intervention is interventions for children who are not necessarily seeking help but are vulnerable to substance misuse.
- 5.4.2 The number of children who were screened or identified as needing an intervention and were offered targeted treatment using the above definition should be counted.
- 5.4.3 The number of children who were screened or identified as needing an intervention and attended targeted treatment using the above definition should be counted.

### **5.5 Specialist substance misuse treatment interventions**

- 5.5.1 A specialist substance misuse treatment intervention refers to interventions which are individual packages of care-planned support, that build children's resilience and reduce the harm caused by substance misuse.
- 5.5.2 The number of children who were screened or identified as needing an intervention and were offered a specialist substance misuse treatment intervention, using the above definition, should be counted.
- 5.5.3 The number of children who were screened or identified as needing an intervention and attended a specialist substance misuse treatment intervention, using the above definition, should be counted.

### **5.6 Complex care**

- 5.6.1 Complex care is multi-agency care packages these packages include substance misuse treatment and detoxification, along with support for housing (potentially via short-term fostering arrangements), residential treatment, such as NHS inpatient units or voluntary sector rehabs.
- 5.6.2 The number of children who were screened or identified as needing an intervention and were offered complex care, using the above definition, should be counted.

- 5.6.3** The number of children who were screened or identified as needing an intervention and attended complex care, using the above definition, should be counted.

## Further recording guidance and notes for practitioners

YJSs should use [National Institute for Health and Care Excellence \(NICE\) guidelines](#) to understand how need is categorised. Under the NICE guidelines, children's needs should be assessed to identify if there is problematic substance misuse. Problematic substance misuse refers to all drugs and alcohol.

Need is addressed by an intervention or treatment to address problematic use. For each group offered an intervention, their specific vulnerabilities and any concerns about their behaviour should be identified so that interventions are tailored to their needs.

Some children will benefit from universal support – this is support that is delivered to a group of children without assessing their risk. Often this is in the form of education that addresses a large group of children or information and advice services provided by non-drug specialists. Universal work undertaken by YJSs to educate children on the effects of substance misuse is central to preventing further substance misuse problems. However, this work is not considered an intervention and should not be recorded under this KPI.

Interventions can be classified under three categories:

- targeted
- specialist substance misuse treatment interventions
- complex care.

Targeted interventions: this refers to interventions for children who are not necessarily seeking help but who have risk factors that make them vulnerable to substance misuse. They can be delivered by other professionals such as children's social care, YJSs, mental health services. Examples of interventions at this level include brief psychosocial interventions, brief advice harm reduction and aftercare and referral to structured drug and alcohol treatment.

Specialist substance misuse treatment interventions: this refers to interventions which are individual packages of care-planned support, that build children's resilience and reduce the harm caused by substance misuse. This can include medical, psychosocial or specialist harm-reduction interventions. Examples of interventions at this level include community-based substance mis/use assessment and structured treatment/specialist treatment interventions.

Complex care: this refers to multi-agency care packages which include substance misuse treatment and detoxification, along with support for housing (potentially via short-term fostering arrangements), residential treatment, such as NHS inpatient units or voluntary sector rehabs.

YJSs should ensure that the intervention offered is appropriate for the age and maturity of the child and aim to minimise the risk of any unintended adverse consequences and stigma.

The timeliness of access to treatment is important in ensuring that the needs of children are met to increase their resilience to reduce further problematic substance use. YJSs should recognise that treatment should be timely and appropriate.

# 6 - Out-of-court disposals

This KPI requires YJSs to record the number of children with interventions ending in the period, the number of children who completed the intervention programmes in the quarter and the number of children who did not complete intervention programmes in the quarter.

## Rationale

An increasing number of cases supervised by YJSs are now out-of-court-disposals. We need to ensure that interventions attached to these are completed and that children achieve a positive outcome.

## Counting rules

### 6.1 Start, end and release

- 6.1.1 For all out-of-court-disposals, the start of the order refers to the start date of the order and the end of the order refers to the end date of the order.

### 6.2 Number of children with an order ending in the period

- 6.2.1 The number of children aged under 18 at the start of the order whose intervention ended between the first date of the quarter and last date of the quarter inclusive whose residence was 'Local' should be counted separately by type of order.
- 6.2.2 If a child had multiple interventions that ended during the quarter, only the most serious order should be counted.
- 6.2.3 If a child had multiple interventions that ended during the quarter of the same seriousness, regardless of date, only the most recent one should be counted.
- 6.2.4 If an order is revoked due to a successful appeal or because the original order is breached and the child is given a new diversionary outcome, caution or is resentenced, the revoked order should not be counted. Orders that are revoked for good progress should continue to be counted.

### 6.3 Number of intervention programmes completed in the quarter

- 6.3.1 Of the above, the number of children who successfully completed intervention programmes in the period should be counted.
- 6.3.2 Of the number of children with an intervention programme ending in the period as above, the number of children who did not complete intervention programmes in the period should be counted.



## Further recording guidance and notes for practitioners

An out-of-court-disposal is defined as a case where the YJS has been asked to undertake an assessment and/or deliver interventions, including services delivered directly by the YJS, under other local authority or partnership arrangements or on a commissioned basis by another provider.

Out-of-court-disposals will include:

- Community Resolution with YJS Intervention
- No Further Action Outcome 22 with YJS Intervention
- No Further Action Outcome 22 Deferred Prosecution/Caution with YJS Intervention
- No Further Action Outcome 20/21 with YJS Intervention
- Youth Cautions where there is a YJS intervention
- Youth Conditional Cautions

An intervention is at least one session post-assessment aimed to help the child desist from further offending behaviour. Interventions should be strengths-based and future-focused and promote positive outcomes for the child.

To minimise the reporting burden and to ensure that the data provided is appropriate for use as a KPI, out-of-court-disposals that are managed solely by the police should not be counted.

Completing the intervention programme means that the child must have engaged with and completed a sufficient number of sessions/activities, as identified in the plan, to achieve the intended outcomes of the intervention. Practitioners should use their professional judgement to determine if the engagement of the child has achieved the desired outcome of the programme.

Across England and Wales, we acknowledge that prevention work and pre-bureau work is commonly used, these cases should not be classified as out-of-court-disposals.

# 7 - Links to wider services

This KPI requires YJSs to record children who are classified as a currently care experienced child (known in statute as a 'Looked After Child'), a 'Child in Need' (England), a 'Child in Need of care and support' (Wales) or who are on a 'Child Protection Plan', an 'Early Intervention Plan' or who are referred to Early Help services.

Recording this data encourages services to work together in coordinating support given to children within the local authority.

## Rationale

We know that real, effective multi-agency working is essential to reducing offending and reoffending. We need YJSs to engage consistently and proactively with other services to ensure holistic support and early identification of risk. This KPI will help us to understand where YJSs have good information sharing in place with social care and early help services.

## Counting rules

### 7.1 Start, end and release

- 7.1.1 For non-substantive out-of-court-disposals with YJS intervention, Youth Cautions with YJS intervention, Youth Conditional Cautions, Referral Orders and Youth Rehabilitation Orders, the start of the order refers to the start date of the order and the end of the order refers to the end date of the order.
- 7.1.2 For custodial sentences the start of the order refers to the status of the child one day before the start date and the end of the order refers to the end date of the licence period.

### 7.2 Number of children with an order ending in the period

- 7.2.1 The number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive whose residence was 'Local' should be counted separately by type of order.
- 7.2.2 If a child had multiple orders that ended during the quarter, only the most serious order should be counted.
- 7.2.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, only the most recent one should be counted.
- 7.2.4 If an order is revoked due to a successful appeal or because the original order is breached and the child is given a new diversionary outcome, caution

or is resentenced, the revoked order should not be counted. Orders that are revoked for good progress should continue to be counted.

### **7.3 Early Help and Care Status**

- 7.3.1** Of the number of children with an order ending as above, the number of children should be counted who were a currently care experienced child.
- 7.3.2** Of the number of children with an order ending as above, the number of children should be counted who were on a Child Protection Plan at the order end date.
- 7.3.3** Of the number of children with an order ending as above, the number of children should be counted who were a Child in Need/Child in Need of care and support at the order end date.
- 7.3.4** Of the number of children with an order ending as above, the number of children should be counted who were on an Early Intervention Plan at the order end date.
- 7.3.5** Of the number of children with an order ending as above, the number of children should be counted who were already open to Early Help services prior to start of order.
- 7.3.6** Of the number of children with an order ending as above, the number of children should be counted who were referred to Early Help services.

## **Further recording guidance and notes for practitioners**

Early help, also known as early intervention, is support given to children and families by a local authority when a problem first emerges. It can be provided at any stage in a child's life. The Early Help model of assessment includes services for parents or the whole family (rather than singular child-focused assessments) to reduce risk factors and improve protective factors for children. All early help is voluntary – families do not have to participate if they do not want to. There is local variation and in models and recording systems for Early Help so youth justice services should use the existing multi-agency early help framework used by their local authority.

Many of the children who on the YJS caseload are also managed by other services in the community. This KPI will provide data on the needs of children on the caseload and detail the extent to which the work of YJSs overlap with other support structures.

# 8 - Management board attendance

This KPI requires YJSs to record the number of senior statutory partners who attend the quarterly meetings, and if those senior statutory partners present data from their services, which identifies racial and ethnic disproportionality.

In line with the Terms and Conditions of grant, management boards will be required to meet quarterly. Management board attendance will not be integrated into the case management system. ***YJSs are therefore required to manually input attendance into the template.*** MoJ and YJB will monitor this data to ensure that this data is accurate.

## Rationale

It is vital for YJSs to have strong leadership and consistent senior level representation at management boards. This KPI will indicate when there is an issue in this area.

## Counting rules

### 8.1 Management board attendance

- 8.1.1 Input '1' in the relevant cell in the 'Attended' column based on the role and whether the partner was senior or delegated/non-senior.
- 8.1.2 Input '1' in the relevant cell in the 'Did not attend' column based on the role and whether the partner was senior or delegated/non-senior.
- 8.1.3 If it was the partner's first time attending the meeting, input '1' in the relevant cell in the 'Attended' column.

## Further recording guidance and notes for practitioners

It is recognised that in some areas the YJS Management Board may now have been merged with other local strategic boards and/or may be known by a different name, for example Youth Justice Partnership Board. For the purposes of this KPI, the term 'YJS Management Board' can be taken to apply to all such variations

All statutory partners should be represented on the YJS Management Board. These are the local authority (children's social care and education), police, probation, and health. Members of the Management Board should be of the appropriate seniority and have the

authority to make strategic decisions, for example with regard to financial and staffing resources.

The YJS Management Board should have clear and current terms of reference, understand its accountability, and be proactive in driving change.

Non statutory partners may be involved in the YJS Management Board, as relevant and appropriate to the area. These are not captured under the KPI however these will be monitored by MoJ and YJB. A description of the operational partnership at a strategic level including non-statutory at the management board will be assessed through the Youth Justice Plans submitted to the YJB.

### Presenting racial and ethnic disparity data

This KPI will require statutory partners, as board members, to contribute data from their individual services that identifies areas of racial and ethnic disproportionality.

**The data presented and actions which result should feed into the yearly YJ plan.** In doing so, YJSs are expected to scrutinise their local data and present this in a way which explains or challenges over-representation.

Here, 'data' refers to local data as opposed to national data. Although YJSs will need to understand their data in the context of the national picture, the focus should remain on driving local improvement. For example, a statutory probation partner is expected to present the amount by which (if any) certain ethnic and racial groups are overrepresented on the local caseload. The partner would also be expected to contextualise this data and outline actions for reducing the disproportionality. It is expected that data will be scrutinised, and an 'explain or reform' approach adopted, in which disproportionality that cannot be explained should be addressed through innovative and proactive action.

It is expected that the management board make the wider staffing group aware when priorities and actions for reducing disparities arising from these discussions. All YJS staff should be working to address need using a Risk-Need-Responsivity approach to challenge overrepresentation and provide tailored support. It should be recognised that disproportionality is likely to impact on wider educational and health needs, for example, children who experience discrimination are more likely to have problematic substance use.

Reducing racial and ethnic disparities should remain a priority when assessing children who are new to the YJS area.

There is not a standardised way for services to present or identify this data. 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. For guidance on how to capture this data, YJSs should refer to the YJB's reducing disparity tool kit which can be found in the Youth Justice Application Framework (YJAF) data set. For areas where disproportionality is not captured by the YJB such as education needs, YJSs should use the local toolkits referenced in YJB's Terms and Conditions of Grant.

In line with the Public Sector Equality Duty, it should be recognised that racial and ethnic disparities may occur alongside other protected characteristics.

# 9 - Serious violence

This KPI requires YJSs to record children cautioned or convicted of Serious Violence on the YJS caseload.

## Rationale

Serious Violence rates have increased in some areas and given the severity/ consequences of this particular form of crime, this is high priority concern. Data on this will provide a more accurate picture and help to direct local, regional and/or national action to prevent and tackle knife and gang-related crime.

## Counting rules

### 9.1 Definition of serious violence

- 9.1.1 For the purposes of this KPI, Serious Violence is recorded in line with the YJB definition as any drug, robbery or violence against the person offence that has a gravity score of five or more resulting in a caution or court sentence.
- 9.1.2 The KPI will measure the number of proven Serious Violence offences and the proportion of proven Serious Violence offences as a proportion of total offences in the quarter and will look at the demographic breakdowns of children cautioned or convicted for these offences.

## Further recording guidance and notes for practitioners

There is no need to submit this data via the template as Serious Violence data will be captured via the quarterly case level data returns. Should YJSs not be able to submit case level data for whatever reason, a summary level return will be accepted.

# 10 - Victims

This KPI requires YJSs to record the number of victims resulting from offences committed by children on the YJS caseload, the number contacted, and the number engaged with on restorative justice opportunities as well as those who requested, and were given, further information and support.

## Rationale

YJSs have a statutory duty to provide support to victims. YJSs need to ensure compliance with the [Victims' Code](#) to protect the rights of victims.

## Counting rules

### 10.1 Cases

- 10.1.1 The number of children with an order closing who had an offence with an identified victim or victims should be counted.
- 10.1.2 Children should be counted once, regardless of whether or not they had multiple orders closing where there was an offence with an identified victim or victims.
- 10.1.3 The total number of unique victims should be counted. If the offence or offences involved multiple victims, all victims should be counted. If there was a victim of an offence that involved multiple perpetrators, they should only be counted once.

### 10.2 Victim support

- 10.2.1 The number of victims who consent to be contacted by the YJS should be counted. The number of victims who consent to be contacted by the YJS should not be greater than the total number of victims.
- 10.2.2 The number of victims who were engaged with on restorative justice opportunities should be counted. See 'Further recording guidance and notes for practitioners' for the definition of restorative justice as outlined in the Victim's Code.
- 10.2.3 The number of victims who were asked for their view prior to out-of-court-disposal decision making and for those who were asked for their view for planning for statutory court orders should be counted.

- 10.2.4 The number of victims who requested information about the progress of the child's case should be counted.
- 10.2.5 Of the above, the number of victims who were provided with information about the progress of the child's case should be counted.
- 10.2.6 The number of victims who asked for additional support should be counted.
- 10.2.7 Of the above, the number of victims who were provided with information on appropriate victim support services should be counted.

## Further recording guidance and notes for practitioners

YJSs must record the number of children with an intervention closing with an identified victim or victims of youth crime in the quarter. In cases where a child has multiple interventions at the same date, this should be counted as one case only.

YJSs are required to record the total number of victims across all interventions closing in the quarter. In the case that the same individual is a victim of multiple offences this should be counted individually for each child on the caseload.

For data which requires YJSs to record the number of victims as a number of the total number of victims, this should be recorded per child. For example, if three children are sentenced for an offence against the same victim, this should be treated as three cases. In the case that the same victim and same child are recorded on two cases and the victim requests information on the progress of both cases, this should be recorded once.

YJSs should use the definition of 'victim' found in the [Victims Code](#). A victim is defined as: a person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence; or a close relative (or a nominated family spokesperson) of a person whose death was directly caused by a criminal offence.

YJSs must record the number of victims who consent to be contacted by the YJS. YJSs are not required to record if contact has been made. Whilst all YJSs are required to contact victims who are not eligible for the Victim Contact Scheme (this is all cases where a child is sentenced to less than 12 months in custody).

The **Victim Contact Scheme** applies if the child was convicted of a specified violent or sexual offence and sentenced to 12 months or more in custody (or detained in a hospital for treatment under the Mental Health Act 1983 with or without a restriction order<sup>45</sup>). In these cases, a victim or a bereaved family relative has the right to be automatically referred within 10 working days of sentencing to the National Probation Service Victim Contact Scheme and be assigned a Victim Liaison Officer

YJSs are required to record the number of victims engaged with on Restorative Justice opportunities. **Restorative Justice** is defined as a process that brings those harmed by crime, and those responsible for the harm, into communication. It enables everyone affected by a particular incident to play a part in repairing the harm which can be valuable in finding a positive way forward. YJSs must consider whether victims will benefit from information about Restorative Justice at any stage in the criminal justice process.



'Engaged with' refers to an active footprint of engagement with victims on restorative justice opportunities that goes beyond passive signposting of information.

Communicating may include the victims and the child meeting face-to-face; communicating via letter; recorded interviews or videos. Restorative Justice is voluntary for all parties and it must be agreed by all involved, including facilitators, that it is safe and appropriate to proceed. It will only happen if both parties, having acknowledged the basic facts of the case, both want to take part. Victims do not have to take part and can withdraw at any time. Victims can ask to participate in Restorative Justice at a time that is right for them.

YJSs are required to record the number of victims asked their view prior to out-of-court-disposal decision-making and planning for statutory court orders. This includes planning for referral orders, youth rehabilitation orders and custodial sentences.

YJSs should record this information per out-of-court-disposal/statutory court order. For example, if the same individual is recorded as the victim for two out-of-court-disposals, this should be recorded as two victims. An 'out-of-court-disposal' is defined as a case where the YJS has been asked to undertake an assessment and/or deliver interventions, including services delivered directly by the YJS, under other local authority or partnership arrangements or on a commissioned basis by another provider. If the YJS has attempted to contact the victim to ask their view but the victim has not responded/engaged, this should be recorded if there is an active footprint of engagement.

It is recognised that whilst including victim's views as part of the out-of-court-disposal decision-making process is accepted as good practice, out-of-court-disposal decision-making should not be delayed for the child if it is not possible to get a victim's views in a timely manner.