



THE POLICE AND CRIME COMMISSIONER FOR NORTH YORKSHIRE

**Commissioning: North Yorkshire Justice Service and
York Youth Offending Team**

FINAL

Internal audit report 3.18/19

5 July 2018

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Debrief held	14 June 2018	Internal audit team	Daniel Harris, Head of Internal Audit Angela Ward, Senior Manager Philip Church, Client Manager Ellie Acton, Managing Consultant
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		Distribution	Head of Commissioning and Partnership Commissioning and Partnership Manager

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1 EXECUTIVE SUMMARY

1.1 Background

Nationally, youth offending teams were established in 2000 as directed by the Crime and Disorder Act. The Act placed a statutory responsibility on the local authority, police, probation and health service to work together to prevent the offending and re-offending of young people under the age of 18. Additionally, they have a responsibility to ensure that custody for young people is safe and secure and addresses the causes of their offending behaviour.

The Police and Crime Commissioner (PCC) for North Yorkshire, via the Commissioning and Partnerships Team jointly commission two services with its partners to fulfil the statutory obligations to provide youth justice services in North Yorkshire and York, as set out by the Secretary of State for Justice.

The youth justice landscape has seen significant changes, in particular the introduction of out of court disposals intended to provide a criminal justice outcome that is focused on diversion and early intervention, with the aim of reducing the likelihood of re-offending. This has required police forces and youth offending services / teams to consider how to ensure that young people receive appropriate out of court disposals and meaningful interventions to divert them from offending behaviour. North Yorkshire Youth Justice Service (YJS), York Youth Offending Team (YOT), the Force and PCC are working together to deliver the Youth Outcome Panel to support this approach.

This audit has examined evidence-based decision making, effective contract management, evaluation of outcomes and evidence of value for money across the two commissioned services: North Yorkshire YJS and York YOT. The PCC is not the largest funding contributor but forms a key part of the partnership management boards for both services in the North Yorkshire area.

1.2 Conclusion

The Police and Crime Commissioner for North Yorkshire can take assurance that the evidence gathered shows the youth justice contracts are commissioning effectively and the data required to evidence value for money is/or can be provided by North Yorkshire YJS and York YOT.

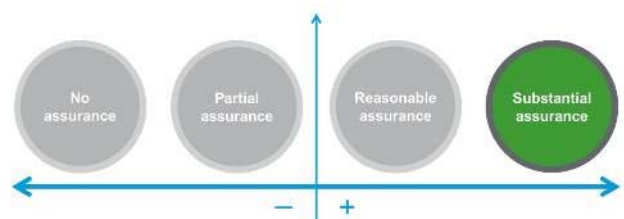
Both the service and team work together, in particular to facilitate the Youth Outcome Panel (YOP), but also sharing best practice. RSM met with the leads from both North Yorkshire and York and they were extremely complimentary about their contract manager, stating the balance between contract management and support has been well met.

There is scope to better understand “what works” particularly in cases where there has been a significant improvement in performance. This information shared across the two services could help improve the outcomes for children and young people and could be used to share best practice nationally.

There are no formal actions identified in this report, however suggestions have been included for the Police and Crime Commissioner to consider further enhancing their well performing contracts.

Internal audit opinion:

Taking account of the issues identified, the Police and Crime Commissioner for North Yorkshire can take **substantial assurance** that the controls upon which the organisation relies to manage this area are suitably designed, consistently applied and operating effectively.



1.3 Key findings

Our testing and observations found that internal processes and controls were satisfactory and were being complied with (see scope in Appendix A for details).

Below are suggestions where the service could be enhanced further, in particular:

- There was no clause in the standard contract regarding the PCC not providing funding for vacant posts.
- Consider peer reviews between services.
- North Yorkshire YJS discussed the difficulties “out of area looked after children” present when moved into North Yorkshire by other local authorities. RSM suggest the PCC works with the YJS team to understand the cost of a young person receiving a YOP intervention. This information may support the Director of Children’s Services in discussions with other local authorities.
- Consider “what works”, where improvements in performance have been identified to help understand the drivers.
- Provide an opportunity for YJS/YOT to support the reviewing of police facilitated CRDs.
- Consider academic reviews of innovate interventions i.e. girls group intervention (York).

1.4 Additional information to support our conclusion

The following table highlights the number and categories of management actions made. The detailed findings section lists the specific actions agreed with management to implement.

Area	Control design not effective*		Non Compliance with controls*		Suggestion	Agreed actions		
	Low	Medium	High	Low		Medium	High	
Commissioning: North Yorkshire Justice Service and York Youth Offending Team	0	(6)	0	(6)	6	0	0	0
Total					6	0	0	0

* Shows the number of controls not adequately designed or not complied with. The number in brackets represents the total number of controls reviewed in this area.

2 DETAILED FINDINGS

Categorisation of internal audit findings

Priority	Definition
Low	There is scope for enhancing control or improving efficiency and quality.
Medium	Timely management attention is necessary. This is an internal control risk management issue that could lead to: Financial losses which could affect the effective function of a department, loss of controls or process being audited or possible regulatory scrutiny/reputational damage, negative publicity in local or regional media.
High	Immediate management attention is necessary. This is a serious internal control or risk management issue that may lead to: Substantial losses, violation of corporate strategies, policies or values, regulatory scrutiny, reputational damage, negative publicity in national or international media or adverse regulatory impact, such as loss of operating licences or material fines.

This report has been prepared by exception. Therefore, we have included in this section, only those areas of weakness in control or examples of lapses in control identified from our testing and not the outcome of all internal audit testing undertaken.

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management
1	Evidence that commissioned services will assist meet the objectives of the PCC.	Yes	Yes	<p>The Commissioning and Partnership Manager closely monitors the services through the management board she attends, informal meetings with the leads of both services and the receipt of performance reports against KPIs from North Yorkshire and York, which are reviewed and discussed in Quarterly contract performance meetings.</p> <p>The management board is attended by youth justice management stakeholders. It reviews and challenges performance and holds the services to account. The North Yorkshire leads, and York Head described it as a supportive environment where performance is challenged and monitored but also help and support is given to the services. This help has been via practical support and through additional funding being given to support specific projects / requirements.</p> <p>One example of this was the “SAVRY” accredited training that is being funded for North Yorkshire YJS and accessible to both YJS and York YOT staff. This training allows the assessment of violent adolescents to aid</p>	Suggestion	<p>We suggest the Police Crime Commissioner considers during any further contract extension discussing with other partners the inclusion of a clause re not funding vacant posts.</p> <p>Responsible Officer: Commissioning and Partnership Manager</p> <p>Implementation Date:</p>

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management
				<p>tailored planning. The service stated that it was unlikely that they would have received any focused additional funding during the police managed budget. We reviewed a number of sets of minutes from this meeting which indicated focussed management and support.</p> <p>The review found that the Police and Crime Commissioner (PCC) and her partners had a transparent and documented process for the allocation of funds across the two service areas. Key performance indicators were clear with both outputs and outcomes detailed. These were reported quarterly, with the Commissioning and Partnership Manager meeting with the services to review the outcomes for young people and the delivery of the service.</p> <p>There were no identified significant performance issues with either provider. There was one area where York was not delivering part of the contract (restorative justice) at the performance level indicated. The service in York had experienced a challenging period however the contract manager and the new permanent service head have worked together to address the concerns. The posts that are required to ensure the voice of the victim is represented in restorative justice interventions are currently advertised.</p> <p>It appeared York had carried the vacant restorative justice posts and the management report for North Yorkshire also suggested a number of vacant posts, one of which was a strategic post. The role was being undertaken in part by a seconded police officer, to fulfil statutory obligations. As a results of service re-structure and other savings identified. A specified VLO post has been created and is now advertised.</p>		April 2019
				In addition to traditional contract management, the Commissioning and Partnership Manager had a keen interest in the changes that both services have experienced over the past 12 months. These changes have been reported as reduced staffing costs (both services) and have (or have the potential to) increase efficiency and performance (both services).	Suggestion	We suggest the PCC considers the exploration of peer reviews between the services, to further strengthen the sharing of best practice and collaborative working.

Ref	Control	Adequate control design (yes/no)	Controls complied with (yes/no)	Audit findings and implications	Priority	Action for management
				<p>The larger of the two youth services, North Yorkshire Youth Justice Service (YJS) has become part of the wider prevention portfolio in the Council. This service realignment has brought cost savings with the removal of a head of service post and the reallocation of those responsibilities to the Head of the Prevention portfolio. This realignment has allowed the YJS to work more closely with the prevention team to support young people who have escalated from prevention services. Additionally, where young people de-escalate from youth offending services into the prevention provision the YJS workers can support the prevention team. The Management Board requested a review of the North Yorkshire transition and remodel was conducted, this initial internal review is being presented at the June 2018 management board.</p> <p>York Youth Offending Team (YOT), who are part of York Council a unitary authority, have also been through a period of uncertainty with a temporary head of the YOT being in post for an extended time period, this however has now been resolved with the confirmed appointment of a new Service Manager, supported by two Practice Managers and staff with more clearly identified roles.</p> <p>Both North Yorkshire and York Youth Justice leads were complimentary about the management and support they have received from the Commissioning and Partnership Manager. The Head of the York team was particularly complementary, she stated that she had a steep learning curve upon her appointment as head and there were some legacy issues to resolve. The contract manager worked intensively with her supporting her to rapidly gain an understanding to allow her to develop and improve her service.</p> <p>The close working relationships and the improvements delivered by the services will assist in meeting the policing priorities of the PCC detailed in her Police and Crime Plan 2017, namely, caring about the vulnerable, ambitious collaboration, reinforcing local policing and enhancing the customer experience.</p>		<p>Responsible Officer:</p> <p>Commissioning and Partnership Manager</p> <p>Implementation Date:</p> <p>December 2018</p>

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2	The PCC has relevant information to establish value for money from each contract.	Yes	Yes	<p>A true value for money assessment consists of cost, quality and performance appraisals. The PCC is one contributor to a partnership funded contract, levels of funding for this contract in most cases are identified through national funding calculations, the PCC therefore has little control over these costs. However, through changes in activities of the two services the PCC has supported examples of cost reallocation e.g. the North Yorkshire Head of Youth Service post being removed from the staffing model which therefore can release funding back into the operational delivery element of the service rather than management costs.</p> <p>The quality element of the assessment is evidenced by the feedback sought from victims of crime committed by the young people who are managed by YJS/YOT. This feedback directly provides evidence to support the achievement of policing priority four, enhance customer experience.</p> <p>The performance element of the contract is closely monitored, with robust KPIs and quarterly performance reporting and reviews. The end of year reports showed particular areas of success for the services.</p>	Suggestion	<p>We suggest the PCC should consider understanding what has influenced these successes i.e. “what works” and whether this could be replicated across both services and best practice shared with other services nationally.</p> <p>Responsible Officer:</p> <p>Commissioning and Partnership Manager</p> <p>Implementation Date:</p> <p>June 2019</p>																								
				There were two areas highlighted which appeared to have particular impact on the quality of the service delivered in North Yorkshire:	Suggestion	The Police and Crime Commissioner should provide an opportunity for YOS/YOT to support the																								

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				<p>Youth Outcome Panels (YOP)</p> <p>North Yorkshire decided to establish a panel which would support North Yorkshire Police, working with young people who have committed an offence appropriate to receive an Out of Court Disposal. The YOP seeks to ensure that disposal outcomes and subsequent interventions are both proportionate and meaningful to support a reduction in (re)-offending of the young person and greater satisfaction from any victim of the young person.</p> <p>The panel has reported success both in numbers of referrals and also evidencing lower re-offending rates on average when compared to a police officer delivered CRDs. The increase in the number of young people referred to the YOP panel has meant that the seconded YJS and YOT police officers are no longer able to deliver all the disposal outcomes as originally intended. This facilitation role is now being extended to local neighbourhood officers. This is seen as a positive step by North Yorkshire YJS as they feel it will further develop the facilitation skills in the main workforce.</p> <p>There was some concern from one of the services that police issued CRDs may not be as robust as YOP delivered CRDs (all YOP issued CRDs are supported with an appropriate intervention); however, there was an acknowledgement that the practice of multiple CRDS issued by the police now was more unusual than prior to YOP implementation. The Commissioning and Partnership Manager is currently organising a CRD scrutiny exercise.</p>		<p>reviewing of police facilitated CRDs.</p> <p>Responsible Officer:</p> <p>Commissioning and Partnership Manager</p> <p>Implementation Date:</p> <p>December 2018</p>
				<p>Out of Area Young People</p> <p>The YOP has seen a rapid increase in referrals with North Yorkshire YJS reporting approximately 50% of referrals are for young people who are from out of area but are being cared for in a small residential care facility in the North Yorkshire area.</p> <p>There is a concern that whilst North Yorkshire Children's Services has made a considered decision not to "outsource" their challenging looked</p>	<p>Suggestion</p> <p>Suggestion</p>	<p>The Police and Crime Commissioner will understand the demand that "out of area" children and young people place on criminal justice.</p> <p>We suggest that the Police and Crime Commissioner</p>

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				<p>after young people to other local authority areas. There is an increasing number of local authorities housing their challenging looked after children in North Yorkshire.</p> <p>There are several areas of concern with this practice:</p> <p>There is currently no consultation from local authorities with North Yorkshire's Director of Children Services when a child/young person is moved into the local area. There are several small care providers which are housing children and young people who are demanding the attention of the local police. There is a concern that these providers are not reviewed by Ofsted as they have less than three beds.</p> <p>The demand these young people, who are often only resident for a short period of time, are placing on North Yorkshire Services without additional funding from their "home" local authority appears to be significant, particularly in the case of the YOP. The greatest concern of the YJS is these young people are being failed by the system.</p> <p>The live tracker tool, developed by the Youth Justice Board is providing the PCC with an additional lens to analyse performance. York YOT uses the live tracker tool and report it has allowed them to focus on the direction of strategy and also gives a more timely appraisal of whether their operational practice is producing better outcomes for young people. North Yorkshire has just begun to use the tracker also which should result in some comparative figures across both services.</p> <p>There are several interventions which appear to have resulted in strong improvements in performance. There is scope to better understand "what works" particularly in cases where there has been a significant improvement in performance. This information shared across the two services could help improve the outcomes for children and young people and could be used to share best practice nationally. York's girls group intervention presents an opportunity to conduct academic research to understand "what works" and "why".</p>		<p>undertakes research into the Girls Panel that York ran specifically for female offenders. They should ensure that the research is academically robust.</p> <p>Responsible Officer:</p> <p>Commissioning and Partnership Manager</p> <p>Implementation Date:</p> <p>June 2019</p>

APPENDIX A: SCOPE

Scope of the review

The scope was planned to provide assurance on the controls and mitigations in place relating to the following area:

Objectives of the area under review

North Yorkshire Youth Justice Service and York Youth Offending Team commissioned services are linked to the Police and Crime Plan objectives and represent Value for Money (VfM).

Areas for consideration:

Commissioning

- Understand whether the commissioning undertaken by the Police and Crime Commissioner and its supporting documentation will enable the Commissioner to meet her objectives.
- Understand whether the commissioning and contractual arrangements are representative across the sector, where this information is available / provided by other PCCs.
- Establish whether there are clear links from the commissioned services to the objectives in the Police and Crime Plan and alignment with commissioning strategy.
- Establish whether the commissioned service performance is measured effectively and performance indicators are representative across the sector.

Value for Money

- Identify whether the Police and Crime Commissioning has the relevant information available to establish value for money from each contract (cost, quality, performance).
- Ensure decision making processes are robust and transparent (due diligence).

Limitations to the scope of the audit assignment:

- This audit will not seek to establish if the opinions of any staff interviewed is consistent with a whole organisation perspective.
- We will not provide assurance on whether the services are providing value for money, or how value for money performance could be improved.
- We will not provide assurance on the effectiveness of the commissioned service or whether any service will deliver its objectives.
- This audit will focus on the information presented to us at the time of the review and will not identify if additional relevant information exists.
- Testing will be undertaken on a sample basis only.

APPENDIX B: FURTHER INFORMATION

Persons interviewed during the audit:

- Commissioning and Partnership Manager
- Service Manager, York Youth Offending Team
- Planning and Development Officer, North Yorkshire Youth Justice Service
- Senior Strategy & Performance Officer, North Yorkshire Youth Justice Service

Documentation reviewed during the audit:

- Electronic filing system for contract information
- Identifying gaps in provision paper, April 2018
- Live tracker analysis, April 2018
- North Yorkshire Youth Outcome Panel Report, 2018
- Police and Crime Commissioner performance meeting notes, April 2018
- Quarter Four Performance Reports 2017/2018
- Youth Management Board scorecard, 2017/2018
- Youth Justice Management report, 2017/2018
- Youth Justice Management Board minutes, December 2017

FOR FURTHER INFORMATION CONTACT

Dan Harris, Head of Internal Audit

Tel: 07792 948767

Daniel.Harris@rsmuk.com

Angela Ward, Senior Manager

Tel: 07966 091471

Angela.Ward@rsmuk.com

Philip Church, Client Manager

Tel: 07528 970082

Philip.Church@rsmuk.com