

# A thematic review of the work of youth offending services during the COVID-19 pandemic

A review by HM Inspectorate of Probation November 2020

#### **Acknowledgements**

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## **Foreword**

This inspection was designed to review and understand how youth offending teams (YOTs) have responded to the challenges of working during the COVID-19 pandemic. As we all come to terms with what has happened and how life has changed, children and staff who are involved with YOTs are also trying to make sense of this unprecedented period. It will take time until the full effects are known. This review aims to report what we know so far.

YOTs provide a critical public service. They supervise children who have been sentenced by a court, or who have come to the attention of the police because of their offending behaviour. This, often unseen, work is complex. It requires different organisations to work in partnership to reduce offending behaviour and manage risk of harm to others. Children who are known to YOTs are often vulnerable, due either to their own risk-taking or to the actions of others. This inspection highlights that, for many children, welfare issues became more acute during the pandemic, and isolation from friends and changes to family and normal support networks often exacerbated difficulties they already had. YOT staff have responded well to this shift. We found examples of some exceptional actions taken to protect children and have been impressed with the way staff at all levels have worked throughout the lockdown, despite their own worries and fears.

The YOTs in our sample made significant adaptations to enable them to continue to provide support and supervision to children in a safe and responsive way. We found examples of good and effective service delivery, which can be continued if necessary. An effective balance has been struck between responding to children's needs and risks, fulfilling public protection responsibilities and keeping staff safe. Each YOT's ability to adapt to local need within its own local authority's framework has been key. Partnership work has been sustained, and the strength of those partnerships has been key to the continuation of effective service delivery.

We have identified some important issues that YOT managers, leaders and the Youth Justice Board will need to consider. The areas that concerned us are not new but have a greater significance during COVID-19 restrictions. These include problems contacting children in custody, both sentenced and remanded, and finding better ways to manage the violence of some children and adolescents towards their parents. The digital divide and a lack of information and communication technology for staff and children also require urgent attention in the face of potential further national, regional and local lockdowns.

Children's responses to the pandemic have broadly fallen into two groups. Some have complied with restrictions and used the time to reflect on their future. However, a majority have struggled to cope with the effects of the restrictions, and this period has exacerbated their often-complex needs. For these children, the pandemic is an additional trauma on top of an already extensive list.

One child described the virus and lockdown as a "blessing and a curse", and this neatly sums up what staff, organisations, children and their families have experienced. This report identifies those blessings, including committed staff putting children first to keep them safe. But the curses, for example isolation from friends, family and colleagues, must also be uncovered and addressed as the pandemic continues. As we go forward, key performance indicators alone will not tell us about the reality of this work under these circumstances. This inspection gives us the opportunity to thank those key workers involved in youth offending for their evident commitment to children and families and for their public service.

**Justin Russell** 

**HM Chief Inspector of Probation** 

# **Contextual facts**

Timeline of COVID-19 and youth offending services		
20 March 2020	Schools closed to all but the most vulnerable and the children of key workers.	
23 March 2020	Prime Minister Boris Johnson announces partial lockdown of the United Kingdom to contain the spread of COVID-19.	
23 March 2020	Youth Justice Board (YJB) requests business continuity plans from each YOT for analysis; fortnightly virtual meetings started between the YJB, YOT managers, Her Majesty's Courts and Tribunal Service (HMCTS) representatives, police leads and Youth Custodial Service managers.	
01 June 2020	Primary schools re-open. Gatherings of people from more than one household are limited to six people outdoors only.	
13 June 2020	Households with one adult may link with another household of any size, (support bubble).	
15 June 2020	Secondary school pupils in England from year 10 to year 12 return to school. Re-opening of limited retail shops.	
30 June 2020	Leicester is the first local area to face additional restrictions after a spike in cases of COVID-19.	
20 July 2020	YJB publishes COVID-19 Recovery Plans: guidance for youth offending teams.	
August 2020	Workforce encouraged to go back to working in offices where workplaces are COVID-secure.	
September 2020	Most schools re-open to pupils.	
22 September 2020	Workforce asked to resume working from home where possible; additional restrictions imposed across the UK.	

# **Contextual information**

156	Number of youth offending services across England and Wales.
55%	increase nationally in the backlog of live cases awaiting youth and crown court between April to June 2019 and April to June 2020. There was considerable variation between court areas, with the North West increasing by 7% and London South increasing by 97%. <sup>1</sup>
563	children were in custody, down from 811 in July 2019, and 38% were on remand (as of July 2020). <sup>2</sup>
70	cases inspected <sup>3</sup> as part of this thematic review.
47%	Proportion of cases in our sample in which children did not have sufficient access to technology for school work and virtual communication; this was reported as an issue in all the YOTs we inspected.
41%	Proportion of children in our sample who were not accessing any form of education, training or employment during the lockdown.

<sup>&</sup>lt;sup>1</sup> Crown Prosecution Service. (2020). *Provisional data on youth court backlogs*.

 $<sup>^{2}</sup>$  Youth Justice Board. (2020). Youth Custody Data: July 2020. [Online] Available at:  $\underline{www.gov.uk/government/statistics/youth-custody-data}.$ 

<sup>&</sup>lt;sup>3</sup> We intentionally selected cases where there was a risk of harm to others that required management by the YOTs and partners. The profile of children who encounter youth offending services often includes children in need of safeguarding.

# **Executive summary**

#### Introduction

The COVID-19 pandemic has presented all parts of society with a range of unprecedented challenges. The level and nature of the impact have varied depending on a wide range of factors, and we have all been required to adjust and change our behaviour and the way we live and work. Public services have had the task of providing critical services while developing and adapting their infrastructure to operate in a safe way. This is true of criminal justice services, many of which were already undergoing significant change programmes. Criminal justice services affect many people and are provided by a complex and interdependent group of organisations. YOTs, by design, comprise multi-agency partnerships, which are increasingly becoming aligned with children's services. Although the numbers of children in contact with YOTs have reduced over the years, their needs have become more complex.

The report that follows is a thematic review of the way in which YOTs have worked during the pandemic within the restrictions imposed by the government to control the spread of the virus. It focuses on the work of seven YOTs: Cumbria, Essex, Isle of Wight, Monmouthshire and Torfaen, Newcastle, Southwark and West Mercia. These represent a range of sizes and rural and urban areas. We also selected services where we thought there may be specific practice that others can learn from.

Our qualitative review draws on the findings from a small sample (70) of pre- and post-lockdown cases, interviews with a range of staff and remote meetings with service users, parents and carers, during June and July 2020. Our work was also supported by a survey of 220 staff from the seven YOTs. This report aims to capture the work at a unique point in time and to share effective practice and learning. More details on our approach can be found in Annexe 1.

#### Leadership

Leaders and managers at a local and partnership level responded quickly to the needs of children and families. Methods of working and the delivery of services were reviewed, prioritising those children in greatest need and the safety of the workforce. Planning was shared with staff teams and was reviewed and adapted as lessons were learned and the pandemic progressed. Children and families remained at the heart of the work; we found examples of innovation, care and commitment to supporting children. Many were already facing significant difficulties, and they were supported to cope with the additional trauma that the coronavirus and lockdown brought. The alignment of YOTs with local authorities and their ability to plan with and alongside partners allowed them to respond flexibly to local need.

Local authorities and YOT partners were inundated with guidance and documents, which they needed to read, understand, cross-reference and implement. This process was hampered by the lack of a standard format, which would have made it easier to extract key information.

Some work, such as referral order panels and out-of-court disposals, was initially halted. However, over time, each YOT made decisions on which activities it could safely reintroduce. Out-of-court disposal panels resumed quickly, and work to support desistance was delivered. As courts closed, the number of new court-ordered cases reduced. This allowed case managers to focus on children who were identified as high priority. In the coming months, the backlog of cases waiting to be heard at court will start to be cleared, and this will have a significant impact on the workload of some YOTs. Management boards need to understand the impact this will have on their services.

#### **Staffing**

Staffing levels were generally maintained, and although planned for, YOTs didn't experience the high levels of staff sickness and redeployment they anticipated. All services moved to remote working at home, and, despite some difficulties, staff have been able to adapt to new methods of

working. Some aspects of work have lent themselves to a remote approach; for example, attendance at multi-agency meetings has improved. However, not all of the work could be adapted easily. The need for supervision and support by frontline managers increased significantly, leaving this group of staff very stretched.

The provision of suitable and compatible IT has been critical during this time. Where it was available and working well, staff quickly learned how to operate remotely. However, this inspection identified a 'digital divide' between individuals who have access to modern information and communication technology and those who do not. This applies to both YOT staff and the children and families they support. Such inequalities need to be addressed urgently.

Staff were very complimentary about the support they have received from senior leaders, managers and colleagues. They have been encouraged to innovate, and to keep in contact with each other to reduce isolation. Some areas have been able to offer clinical supervision to help staff deal with vicarious trauma and the emotional difficulties of managing children's trauma from home, often while caring for their own children. The way staff filter and manage difficult emotions when undertaking this work has changed, and the impact on individuals should not be underestimated.

## **Partnership** work

Partnership working has always been a fundamental aspect of YOT work, and YOTs often offer examples of embedded and mature partnership working. The nature of service delivery by partners has changed during the pandemic but, in the main, the children and families in our sample were able to access critical services. We have seen YOT staff and specialist workers adapting their roles to ensure that those in greatest need can still access services such as mental health support. This is in line with a greater emphasis on keeping children safe during the pandemic.

Our routine inspection programmes show that children known to YOTs often experience difficulties in accessing and maintaining education. This has been accentuated during the pandemic, due in part to a lack of suitable IT. YOT staff have tried to encourage children to take part in education and, where children have been motivated to complete school work, supported them. With schools re-opening, careful consideration will need to be given to how to re-engage these children in education and learning.

Partnership work between YOTs when cases are transferred or caretaken on behalf of another area needs review. For children where contact was already being undertaken remotely by their home YOT, we saw some cases where there was no advantage to the child of being transferred to a new worker.

Partnerships with the police have been strong, especially where there are safeguarding concerns for children. Joint visits to undertake welfare checks and joint work with social workers have been well coordinated. Multi-agency risk management processes, including risk and vulnerability meetings, multi-agency public protection arrangements (MAPPA) and Missing and Child Exploitation (MACE) meetings, have continued. This has enabled YOTs to identify new and emerging risks.

We were, however, concerned about the experience of parents who were victims of child and adolescent violence. This is an area that needs a sharper focus and more detailed planning for the protection of parental victims. The nature of this abuse and age of the perpetrators means that the arrangements for adults that would normally be part of victim safety planning and multi-agency risk assessment conferences (MARAC) don't all apply. Victims were advised to call the police if they were under threat or being attacked, but there are specific difficulties for parents when the perpetrator is their own child. There is also a potential conflict when the YOT worker is trying to reduce the child's challenging behaviour and support the victim at the same time. We believe that a new approach is needed to tackle this issue.

Contact and joint work with custodial establishments has been difficult. It has been significantly affected by the lack of IT systems in custody to enable communication with YOTs in the community and the need to stop visits to control the spread of the virus. This has been detrimental to

resettlement planning. It is positive to see some of the more recent developments to improve contact and communication, but this remains a practical difficulty that needs to be resolved.

## **Service delivery**

The nature of service delivery has necessarily changed. Throughout this period, YOT partnerships have sought to learn lessons and to capture aspects of service delivery that have improved and should be kept. These include the benefits of phone contact with children when they are getting to know staff, programmes being adapted so they can be delivered remotely, and parents becoming more involved in delivering work to address offending-related needs.

However, some aspects of service delivery and work to protect children and victims have become much more difficult, including undertaking assessments without meeting the child, contact with children in custody and the use of breach to support compliance. It took time for some of the risks to others to become apparent, and risks to victims of domestic abuse needed more consideration from the start of lockdown. One YOT had developed a COVID-19-specific risk assessment. This proved to be a useful tool for discussing the issues with children and families and for identifying contact arrangements and individual risks. Other YOTs adapted existing assessment tools to take account of COVID-19. Reviews of children's situations were active and prompt. However, written plans did not fully reflect the work undertaken to help protect and support the child.

The move to remote working was much easier where there was an existing relationship with a child. Some children who received out-of-court disposals had their assessments and interventions delivered entirely remotely. Staff and managers were unsure about this, as it is not their normal practice. Staff were creative in developing helpful online sessions with children, promoting learning and their wellbeing. As government restrictions were eased, direct contact, usually out of doors, became more frequent. Described as 'walk and talk', children and staff liked this method of working and plan to keep it as part of practice. Children liked phone contact, reflecting that this helped them to get to know staff and build relationships initially but that they then wanted to meet with the worker directly.

Parents appreciated the practical support they received from the YOTs, who delivered food parcels, provided activities for children, and gave advice on managing children's behaviour and anxieties. Some senior managers saw this as an opportunity to improve the relationships with families. Parents also welcomed the chance to become more involved in delivering interventions and YOT work. They told us that they understood their child better as a result.

Interventions delivered varied between YOTs, but all were providing something. The delivery of work had changed. Partners and parents were delivering some, and other work was being adapted so it could be competed via Zoom and Microsoft Teams.

Service delivery focused on those children with the greatest needs. Staff concentrated on developing and maintaining relationships. This was time well spent, as relationships are the cornerstone of much YOT work. The work of YOT partnerships during the pandemic is a good example of a critical public service working with dedication and commitment to overcome barriers and is to be commended.

# **Recommendations/learning points**

#### Her Majesty's Prison and Probation Service should:

1. develop effective communication systems between custodial settings, courts and YOT partner agencies so that children are not disadvantaged, have timely court hearings and resettlement needs can be met.

#### The Youth Justice Board should:

- 2. support the development of a specific approach to managing child and adolescent to parent violence that protects the victim during periods of lockdown
- 3. support YOTs to assess and respond to the digital divide for children and families, so that children have safe and reliable access to IT to continue with education and keep in contact with the professionals they are involved with
- 4. review caretaking and transfer processes between YOTs in the light of remote and virtual service delivery, putting the child's best interests at the centre of decision-making.

#### **Police and Crime Commissioners should:**

5. work with partners to understand the levels of child on parent violence in their areas and ensure that help is available to support and protect parents who are victims.

#### **YOT management boards should:**

- 6. identify the backlog of cases that are being processed through courts, and ensure that there is sufficient workforce capacity to deal with increased caseloads
- 7. work with partners to include children who are defined as high vulnerability by YOTs within the local definition of vulnerable children, for the purpose of priority access to education or other services
- 8. consider how this group of children are to be reintroduced to school, education and employment and how any attainment gap is to be addressed.

#### YOTs should:

9. routinely assess children's access to IT and remote communication methods as a standard part of assessments.

#### **Learning points**

- Children valued remote contact with YOT workers during the initial part of engagement. They felt this gave them the chance to get to know workers and build trust. As time went on, children wanted and valued direct contact.
- The 'walk and talk' method of meeting children in the community has been a success and should be continued where possible.
- Virtual meetings between professionals by video conference should be continued, given the improved attendance of professionals at meetings and the time saved.
- Children need safe and suitable access to IT to continue education and keep in contact with the professionals they are involved with.
- There are benefits to COVID-19 testing in certain situations, to offer reassurance to children and help carers manage the child's behaviours and anxieties, for example when placed in residential settings out of the home area.
- Local authorities were overwhelmed by the volume and format of guidance, including repeated reissues with updates. Considerable resource has been required to understand, filter and disseminate salient points to frontline workers. A standardised format of guidance would be welcomed by local authorities.

## 1. What we found

## 1.1 Leadership and staffing

Six of the seven YOTs we inspected were governed by the local authority children's services departments. One was based in the office of the Police and Crime Commissioner.

## **Business continuity planning**

At the start of the COVID-19 lockdown in March, the YJB asked all YOTs to produce contingency plans setting out how they were working with children in police stations and in the community, and how they were staying in touch with children in custody. It also removed the requirement for boards to submit annual youth justice plans during the 2020/2021 period. The analysis of contingency plans was used to inform a ministerial submission by the YJB. The results have not been shared with the sector. Practice examples of working during the pandemic have been gathered from the sector and have been shared on the Youth Justice Resource Hub, 'COVID-19: Resources for youth justice section', which is managed by the YJB. Existing links between the YJB Heads of Region and YOT managers helped the YJB gather intelligence and provide support, and have been a method of bringing together key partners to address COVID-specific issues.

Initial business continuity planning was effective in the inspected areas and benefited from being drawn up locally and in coordination with local authority planning and command structures. The ability to plan with partners meant that models prioritised the children who were most vulnerable and posed the greatest risk of harm to others. Risk management panels and processes continued and this helped to prioritise cases for immediate attention. As the situation developed, leaders and managers were quick in responding to changes and new challenges. The ability to respond flexibly will continue to be important in the face of further potential local, regional and national lockdowns.

In Wales, fortnightly meetings between YJB Cymru and YOT Managers Cymru (YMC) enabled real-time discussions about the operation of the system and emerging concerns and provided an opportunity to share views on practice. Existing links between this meeting and the All Wales Criminal Justice Partnership facilitated the sharing of information and intelligence. Similar arrangements were in place in England.

The YOT community throughout Wales drew up their business continuity plans together. They developed a framework and tailored this to local needs. For example, Monmouthshire and Torfaen developed their plan with partners across Gwent. As the situation changed, plans were reviewed and adapted. For example, the guidance on appropriate adult provision filtered down to children's services too slowly and didn't meet their needs. They worked closely with the police to provide appropriate adult provision. They had photographs of the custody suite and walked through the facility using videos from the police to show how children would be protected.

## **Good practice example**

Essex YOT prepared a business continuity plan several weeks before the national lockdown, having tracked the development of the virus in Europe and anticipated the measures that were likely to be imposed in the UK. The business continuity plan was short and to the point, and was shared with the staff team and partner agencies. As it was prepared in advanced of the national lockdown, the service undertook a trial run where all staff worked remotely and the delivery of services to children changed. The learning for this experience was invaluable, including staggering the times when staff logged on to the IT systems to prevent system overload. Staff and managers were able to gain confidence that remote working could work. This trial run also gave them time to work with children and families to prepare for the potential for lockdown and to establish alternative methods of communication and working.

#### **Local leadership**

Despite some variation in services provided, YOTs quickly moved to what they described as 'business as usual' or 'open for business but with services delivered differently'. The needs of children and families became much more acute as time went on. Overall, YOTs responded well to local challenges and have appropriately raised wider issues. They have alerted the YJB that children are at high risk of suffering from an increase in domestic violence, child exploitation and abuse during lockdown. London YOTs have highlighted that children from black, Asian and minority ethnic groups may be suffering disproportionately due to the higher incidence of mortality and higher likelihood of long-term illness. Ethnic minority families can be affected for longer periods of time if a family member is ill as their illness is more severe and it can take longer to recover from the effects of COVID-19. Staff and managers in Southwark are particularly concerned about the impact of this on children's mental health.

There are particular difficulties for YOTs that cover several local authority areas. West Mercia YOT, which covers four local authority areas, has worked hard to try and align service delivery. However, the YOT has had to define one consistent way of working, which fits with some local authorities better than others. Each local authority has offered different services and support during lockdown and this is likely to continue as local restrictions are applied. Staff must then try and adapt to the services available on a case-by-case basis in each of the four areas.

Overall, YOT leaders have managed the balance between responding to the risks and needs of children and families and keeping staff safe. This has taken considerable effort by YOTs and partnership services, and they should be commended for this. Leaders established and maintained good communication with staff. Most areas started daily briefings, using intranet and email systems. Staff appreciated this, especially when things were changing rapidly.

YOT management boards continued to meet both at formal planned meetings and on an ad hoc basis when required. YOT managers report that board members and Chairs have been supportive. In return, Board Chairs praised the ability of managers to keep services going and to innovate.

#### **Guidance and documents**

Senior leaders in local authorities have had to deal with a huge volume of guidance, requiring resources to cope with these. Both Cumbria and Hampshire had allocated two full-time staff just to manage the influx of guidance. Senior leaders told us that the differing formats used across government departments, and the difficulties in quickly identifying updates, had made the task harder. One Assistant Director of Children's Services told us that they had over 200 different guidance documents to read, understand and then disseminate to the workforce. A single, uniform format of guidance, where updates were obvious, would be welcomed by the sector.

#### 1.2 Staffing

Staff at all levels have risen to the challenges presented by the pandemic, working with dedication and commitment to keep some very vulnerable children as safe as possible. For those children who pose the greatest risk to others, socially-distanced in-person contact has, in the main, been maintained and in some cases increased.

While workloads for case managers have been manageable, team managers have been stretched. Although travel time has been reduced, management supervision of staff and cases has taken much more time. This is due in part to the loss of opportunities to discuss cases outside of formal supervision and review processes. Many operational managers told us that it took much more time to undertake remote supervision, to keep contact with partner agencies and to provide practical and emotional support for staff. YOT managers will need to consider the workload of this group of staff.

One group of managers told us:

"There was a massive increase in emails in the first 5-6 weeks. So hard to try to keep on top of this. Now playing catch-up on all the things we should have been doing. Don't feel [we] have had time to reflect, continual treadmill. Need to give ourselves that time".

Another manager said:

"Didn't anticipate this level of business. It's been relentless. My to do list is still there".

Staff teams have worked flexibly to cover for staff who have been shielding and adapted working methods to deliver the services in line with their model. However, there are new challenges ahead as the adverse effects on children and families become more apparent. Senior leaders we spoke to were anticipating the need to support children when they returned to school, with a potential spike in service demand expected in October 2020.

Some staff expressed anxiety at having to return to an office environment. Staff who had spent some time working from office bases reported that social distancing and handwashing facilities had been introduced. People were anxious about having to use public transport again.

Managers in the youth offending services worked well with partners to develop plans to prepare for high levels of staff absence and redeployment. In all services, staff absence was not as severe as expected. In three services, sickness absence levels have reduced. In most YOTs we inspected, specialist partnership workers were retained, including probation officers, health workers and police. They had also moved to remote working, and this had gone well and staff reported that the adapted methods of communication had, in the main, proved to be effective.

## 1.3 Staff survey

We undertook a staff survey, receiving 220 completed responses, held focus group meetings and spoke to staff individually. These showed that most staff have felt supported by managers and their teams. We found that leaders and managers went to great lengths to keep in contact with people, recognising the emotional impact of remote working. One local authority chief executive spoke to staff about "being at home trying to work", rather than working at home. The staff we spoke to in this area found this a helpful distinction.

Being at home and working has required considerable adjustment for many staff. Staff who were shielding valued the chance to remain working and the contact they had with the world outside of their home. While some of the staff we spoke to had the space and time to work from home, for others, being at home was very difficult. They were trying to work while caring for their own children, and some had to make difficult decisions between contact with children they supervised and staying with their own children. YOT managers monitored contact with children to establish that YOT staff were not putting themselves at unnecessary risk.

Caseloads for case managers have remained manageable, in part due to the closure of courts. Court closures resulted in very few new court orders being given or breaches being heard during the lockdown period. However, the complexity of some cases has increased, particularly for children who had poor mental health and those where there were difficulties within the family. Case managers and partnership workers have made persistent and determined efforts to keep contact with these children, often being the only service to have sight of the child.

Staff teams had gone to considerable efforts to support each other, both professionally and personally. We came across numerous examples of initiatives where teams could spend virtual time together. These included both formal and informal contact, including online coffee breaks. Staff in one service produced playlists, which they shared with each other.

## 1.4 Partnership work

The pandemic has amplified the quality and benefits of partnership working. Where this was strong before, partners have been able to respond quickly to the challenges of the pandemic. Many changes to service delivery occurred quickly, and in the initial stages, partners had prepared YOTs for the potential withdrawal of specialist staff. This was a particular issue for health services, which were preparing to move staff to cover frontline emergency responses. In most services, staff were not withdrawn, but services such as mental health and substance misuse focused on those with the greatest needs and moved to a remote delivery model.

Where there were existing strong and effective partnerships, these greatly assisted the process of transition and allowed service delivery to adapt to new ways of working. In particular, where a partnership had a shared understanding of children's needs, this enabled it to recognise that some of the children who were supervised by the YOT needed to be classed as vulnerable, despite not being specified in the criteria issued by the DfE (below):

"Vulnerable children and young people for the purposes of continued attendance during the coronavirus (COVID-19) outbreak are those across all year groups who:

- are assessed as being in need under section 17 of the Children Act 1989, including children and young people who have a child in need plan, a child protection plan or who are a looked after child
- have an education, health and care (EHC) plan and it is determined, following risk assessment, that their needs can be as safely or more safely met in the educational environment
- have been assessed as otherwise vulnerable by educational providers or local authorities (including children's social care services), and who could therefore benefit from continued attendance. This might include children and young people on the edge of receiving support from children's social care services, adopted children, those at risk of becoming NEET ('not in employment, education or training'), those living in temporary accommodation, those who are young carers and others at the provider and local authority's discretion."

Children in contact with the YOTs were not specified in the DfE's definition of a vulnerable child unless they had an education, health and care plan or were on a protection plan. As a result, some children were not automatically offered places in school during the lockdown. Local authorities produced local definitions and not all definitions included children who were assessed as vulnerable by the YOT.

In Essex, a wider definition of vulnerable was used. This included children in contact with the YOT and children from families who had been on the edge of needing support from children's services before lockdown, or where the effects of lockdown had the potential to cause family breakdown. Children's services and the YOT were then able to target and prioritise services to support these children and families on a preventative basis.

As the pandemic progressed, the DfE's definition was used by local and central government to allocate further resources. This included providing laptops via schools and food and toy parcels from the local authorities. We recommend that YOT management boards review the locally agreed definition of vulnerable children, to make sure that all relevant children who are known to the YOT are included.

Many services that are critical to this group of children have not been available. Services such as mentoring and sports not only support desistance by providing some positive activities but also provide a much-needed pressure-releasing safety valve, giving children and parents time out of the home in a safe environment.

Contact with social workers had improved as a result of remote working. A common view from YOT staff was that social workers were easier to contact during lockdown than before the pandemic and that enquiries were responded to. The move to virtual and online meetings had resulted in improved attendance at multi-agency meetings. Where possible, this should be retained for the future. We saw some good examples of close and cooperative work between YOTs and social workers, particularly in crisis situations.

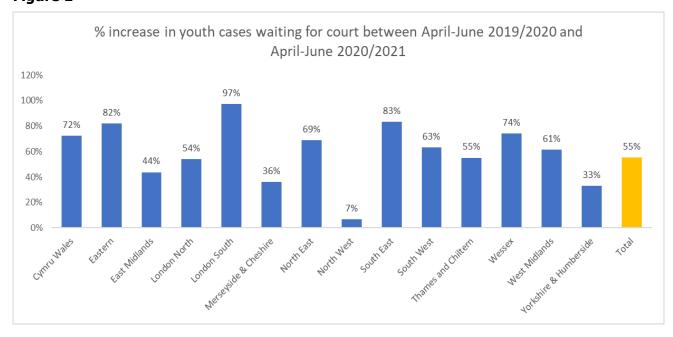
In all areas, partnerships have tried to capture the learning from new methods of working. In Newcastle, the YOT has been part of a children's services consultation to identify 'What can't we do without', 'Things we are doing differently', and what they are 'Not going back to'. The consultation has identified a range of common issues and some areas of good practice. We found various examples of this type of learning, all on a similar theme.

#### **Court work and backlogs**

The temporary closure of courts due to the COVID-19 pandemic has lengthened delays in cases coming to court. By the end of June 2020, the backlog of children awaiting court had increased by 55 per cent compared with the same period in the previous year. There was considerable regional variation between court areas, as shown in Figure 1 below. Yorkshire and Humberside had the smallest increase, at 33 per cent, while South London had the largest increase, at 97 per cent. The North West had an increase of 7 per cent, but this was an outlier due to a decreasing caseload during 2019/2020 a trend not replicated elsewhere. The backlog of children awaiting court increased at a lower rate than the overall court backlog, which increased by 70 per cent. The increase in the number of cases waiting for court may also have been a result of the sudden drop in crime that was reported anecdotally at the start of the lockdown, freeing police time to process ongoing cases. Published police crime data is only available up to March 2020, so we are not able to confirm this. From autumn 2020, we expect a sharp increase in court-related work for YOTs as the backlogs are addressed and children released under investigation are charged. Crown Prosecution Service figures indicate that the youth backlog has increased at a lower rate than the adult backlog.<sup>4</sup>

The increase in youth cases waiting for court shown in Figure 1 is based on information supplied to us by the Crown Prosecution Service.<sup>5</sup>

Figure 1



<sup>&</sup>lt;sup>4</sup> Crown Prosecution Service. (2020). Provisional data on youth court backlogs. Unpublished.

<sup>&</sup>lt;sup>5</sup> Crown Prosecution Service. (2020). *Provisional data on youth court backlogs. Unpublished.* 

Information about the exact increases in backlogs for individual YOTs is difficult to obtain. In Wales, fortnightly meetings between criminal justice agencies have identified this as an issue and the size of the backlog is being monitored. Similar arrangements were in place in England; for example, West Mercia YOT had been tracking the backlog to help plan for future work allocation.

Given the potential effect on YOTs' work, both at court and in case management, we would urge YOT management boards to understand the effect of these backlogs on their service and to take account of this in recovery planning.

#### **Out-of-court disposals**

Out-of-court disposals and referral order panels have continued during the pandemic but have moved to virtual platforms. For the inspected YOTs, they told us they were operating at the same frequency and volume of cases as before lockdown. In the cases we assessed, we found no evidence that cases that should have been charged to court had been dealt with by out-of-court disposals. However, this remains a concern for some YOT managers. After an initial halt, out-of-court decision-making panels reconvened quickly. Information-sharing processes remained effective and we saw use of the full range of options at their disposal, including reparation. Assessments were undertaken remotely, and case managers had to rely on information from partners where possible. This meant that the assessments were limited and missed out on the information that was normally gathered from seeing the child at home in their usual environment. Staff spoke about the difficulties of establishing trust and relationships when they had never met the individual they were working with face to face. Where engagement from the child was good, case managers were able to do some intervention work. This was much easier if the child was already known to them, and there was an existing relationship.

## **Good practice example**

Ria is a 15-year-old girl who received a 3-month referral order for assaulting a police officer. Her order started just before lockdown, so most of her court order had been delivered within COVID-19 restrictions and supervised by West Mercia YOT. She lives with her mother and disabled sister and space at home is limited. Both sisters were subject to child protection plans and children's services were involved with the family. The social worker undertook home visits on a regular basis during lockdown and fed information from these back to other agencies. There had been good multiagency working in this case, with regular liaison between children's social care, child and adolescent mental health services and the YOT. The YOT has continued to provide an intervention – a girls' programme – which has been delivered by email and followed up with telephone discussions. Ria appears to have engaged with this model, with insightful and thoughtful conversations. There have been walk and talk appointments outside the home, and Ria has chosen the route for these walks, which means she can decide the length of the meeting. This gives her some control and ownership of her appointments. Ria successfully completed her referral order, and targeted interventions have improved her resilience and provided a critical outlet for her emotions, supporting the work of children's social care.

#### Appropriate adult arrangements

Appropriate adult arrangements, which vary from area to area, have remained robust. These include ongoing visits to children in police cells, when other forms of support and advice have become remote. Legal advice from solicitors has been delivered remotely. A joint interim interview protocol was introduced quickly by the National Police Chiefs Council, to ensure that legal advice could be provided remotely. It was later updated to include safeguards for children to ensure they received support from appropriate adults in person. This updated guidance took some time to filter through to all custody settings. The National Appropriate Adult Network (NAAN) has provided guidance on when remote legal advice is suitable. Appropriate adult schemes have been able to recruit volunteers during lockdown, as more people were able to offer their services. Moving forward, it will be important for YOT managers to understand the local position on appropriate adult services.

## 1.5 Service delivery

The nature of service delivery has changed. We have seen innovation and benefits to children, families and staff. These include the benefits of phone contact with children when they are getting to know staff; programmes being adapted so that they can be delivered remotely; and parents becoming more involved in delivering work to address offending-related needs. However, some aspects of service delivery and work to protect children and victims have become much more difficult. YOTs now need to consider carefully how services should move forward, what aspects of practice they want to retain, and how, on a local, regional and national level, support can be provided to YOTs to manage the more challenging aspects of work.

Our case reviews focused on the impact of the changes in supervisory arrangements. We reviewed a sample of cases that had commenced before lockdown (pre-lockdown sample) to assess the impact on ongoing supervision and a sample of cases that started once lockdown had been imposed (post-lockdown sample) to see what was being delivered for new cases.

#### Assessment

All seven YOTs had reviewed their caseloads to identify which children should be prioritised and the nature and frequency of contact with them. In the main, these assessments were based on existing information contained in AssetPlus or out-of-court disposal assessments. The criteria applied were sensible and rational, and subject to regular review as the pandemic progressed. The Isle of Wight's plan specified that "Coronavirus constitutes a significant change of circumstances". This was a common approach and the reassessment of children started with high risk/intensive case work. YOT staff and managers responded quickly to new information. Risk and vulnerability panels continued and, in some cases, increased in frequency.

We considered that the classification of the child's level of safety and wellbeing was accurate in 64 of the 70 cases sampled (91 per cent); however, the correct classification of risk of harm was given in fewer cases – 54 of 70 (77 per cent). The content of assessments and reassessments evolved over time and staff became more adept at conducting remote and virtual assessments.

Overall, assessments of risk of harm to others were better than those of safety and wellbeing. Assessments didn't always focus on the new issues that arose specifically because of COVID-19 and subsequent restrictions. It took time for some of the risks to others to become apparent and risks to victims of domestic abuse needed more consideration from the start of lockdown. In one case the inspector noted that:

"Risk of serious harm was assessed as 'low' initially but should have been 'medium' on the basis of information available at the start of this disposal, including his behaviour towards his mum and further concerns that emerged during supervision. The risk level was not changed on review. Neither was thought given to what might be needed as an exit strategy to keep others safe, especially as the child posed a risk to mum and they were going to be confined together".

For cases imposed after lockdown, children and parents were sufficiently engaged in assessment in 16 of the 20 cases. Assessments sufficiently analysed how to keep other people safe, taking into consideration the changes imposed by the COVID-19 restrictions, in 15 out of 18 relevant cases. For assessments of child safety during the pandemic, these were sufficient in 14 out of 20 cases.

#### **Good practice example**

Southwark YOT developed and used a COVID-19-specific risk assessment to identify the impact of the pandemic on the physical, emotional and mental health and offending profile of each child. This enabled the YOT to determine which level of service children would receive, but also identified any increase or decrease in risk as a direct result of COVID-19. These were reviewed to reflect changing circumstances. The risk assessment was particularly effective, as it built on the embedded psychological and trauma-informed service delivery model. It was also used as a discussion point with children, facilitating open and honest discussions about individual risks and fears. Staff we spoke to were able to describe the psychological impact of the pandemic on children, and rightly recognise this period as an adverse childhood experience. This was then reflected in the work they did with children, for example the adapted trauma informed weapons awareness programme. Sessions were delivered remotely on a one-to-one basis and included the development of an individual safety plan outlining how the child could stay safe during and after lockdown.

#### **Planning**

The AssetPlus planning documents did not easily translate to working in the pandemic and staff needed guidance on how to incorporate COVID-related impacts. Planning was often better in reality than it appeared in the case record. For cases imposed after lockdown, planning to keep children and parents engaged was the strongest aspect, sufficient in 17 of the 19 relevant cases. Management of risk of harm to others was sufficient in 15 of the 19; but in only 13 of the 19 was planning to keep the child safe sufficient. However, the planning documents were designed at a time when the delivery model was based on office and face-to-face work. Plans for out-of-court disposals were better, as they had been designed locally and could therefore be adapted.

Planning forums continued, including meetings to discuss risk and vulnerability, and MAPPA meetings were called when needed. All moved successfully to virtual platforms. Social workers were involved in the planning for children who were looked after. One told us:

"I was involved in creating the COVID-19 intervention plan, consulted on my views and how things would proceed. It was very difficult, because the host YOS case manager had only seen [the child] a couple of times before lockdown, but we planned how the case manager would maintain contact with him throughout lockdown".

Planning for children in custody was a primary focus for staff, even though they were not able to attend planning meetings. In one case we noted that:

"Planning was a combination of licence conditions, high-risk planning meetings and the AssetPlus. The high-level planning meetings did respond to the situation in relation to COVID-19, setting out how the child would be seen in response to the restrictions. This was a combination of doorstep 'walk and talk' appointments and telephone calls. Planning also included ensuring he had a month's-worth of his ADHD medication on release and that this was followed up with a review appointment with the community CAMHS".

Due to the complex needs of many children, planning was often carried out with other agencies, including children's social care and missing and exploited teams. Partners had carefully considered how best to keep in contact to safeguard children, while not overloading children and families. YOT staff were often included in these multi-agency plans, and we saw them involved in door-step visits and daily contact arrangements.

An area that needs a sharper focus and more detailed planning is the protection of victims, chiefly of child to parent violence. The nature of this abuse means that the arrangements for adults that would normally be part of victim safety planning and multi-agency risk assessment conferences (MARAC) do not all apply. We saw a few examples of YOT staff taking this on themselves, including

a case manager providing a lockable box for kitchen knives. Regular advice was also given to victims to call the police if they were under threat or being attacked. There is, however, a potential conflict when the YOT worker is trying to reduce the child's challenging behaviour and support the victim at the same time.

#### **Delivery and implementation**

Where children already had a relationship with the YOT, the move to remote working was easier, aided by a spirit of everyone being in this together. In new cases where there wasn't an existing connection, building relationships and trust had to be done remotely. This was more difficult.

Contact with children and families was sufficient in 57 of the 67 relevant cases (85 per cent). We found some good examples of the use of technology using Zoom, WhatsApp, Skype, letters and reparation activities. We did see some office visits for children where the YOT was the place the child felt safest to be seen. YOTs often provided practical help with delivering food and toy packages to families who were struggling. For some families, this was the only support they received. This has helped YOT staff to keep in contact and gain insights into the way families are coping with restrictions.

At the start of the lockdown, home visits were only undertaken to those children and families where the risk was greatest. In Essex, the intensive supervision and surveillance (ISS) team and Children and Young People police officers undertook all the initial visits on behalf of case workers.

As restrictions on exercise eased, staff undertook more visits to children. Socially distanced 'walk and talk' sessions, bike rides and, in Cumbria, visits to the YOT's community allotment have been productive. These activities have provided children and their parents and carers some space and children have been able to talk about their experiences and share any worries or fears.

YOT staff have continued to deliver interventions to children remotely, involving parents where appropriate. Some parents told us that they like doing this type of work with their child, as it gives them a better understanding of what was at the root of their child's offences and behaviour.

#### One parent said:

"To tell the truth I didn't have a lot to do with the YOT but since the pandemic they have been brilliant. Before they would pick him up from the PRU".

Taking into consideration the changes imposed by the COVID-19 restrictions, the implementation and delivery of interventions gave due consideration to both the safety of the child and risk of harm posed to others in the majority of cases (81 per cent).

Some YOTs continued with reparation. In Essex, this was a feature of the YOT's work. ISS staff delivered projects and materials to children at home, which included making bird boxes and 'Stay Safe' posters to place in gardens. One project involved children writing letters to residents in a local care home to keep them connected to the community.

We spoke to several referral order panel members, who had been working remotely, using video meeting platforms. Panel members had received some training and instruction on the use of virtual meetings. However, they felt that, despite the best efforts of the YOT staff, they couldn't really get a sense of the child and too much was lost in not being able to see the non-verbal communication and dynamics between children and their parents and carers. Panel members also regretted the loss of the option of early revocation for good progress, as courts had closed.

Police officers continued to undertake welfare checks and to see children when they returned from periods of being missing from home. Staff in residential settings coped with some extreme behaviours made worse by children's worries about the safety of their families.

#### **Good practice example**

There have been some extraordinary examples of staff protecting children and supporting families in times of crisis. In Essex, a member of staff had personally taken a child to see a psychiatrist in her car, despite her own family's opposition. The child had been sectioned because she had made repeated, credible attempts to take her own life. She had then been released from hospital and was living with her mum. The placement wasn't fully suitable, but on balance it was the best that could be achieved during that period of the pandemic. The child had asked to be sectioned again, knowing that she was becoming more and more desperate. She had a history of assaulting police officers, sometimes causing serious harm. An appointment was arranged with a psychiatrist, but the girl needed to be taken there. Two female police officers had worked tirelessly with this child, trying to build a relationship, and checking in with her every day during her time at home. They offered to transport her to her appointment, but professionals knew that this would cause the girl too much stress, resulting in her not being in the best frame of mind to speak to the psychiatrist. The YOT worker had a very good relationship with the girl, built over time, and had been through good and very bad times with her. Despite the anxieties of her family and her own fears of contracting the virus and passing it on to her family, the YOT worker took the girl to the appointment. This occurred at the height of the pandemic in the UK, when most people didn't want to leave home and feared coming into contact with the virus. As a result of this selfless act, the child was able to speak to the psychiatrist, a key point in protecting her.

#### Custody

Children in custody, either remanded or sentenced, have faced isolation from their families during the pandemic. Contact with the outside world has been difficult and the prison regimes changed, with children spending long periods of time in their cells. YOT workers have found it difficult to contact case workers in custody, and this has affected remand management and pre-release planning. The youth custody service has taken steps to try to improve communication between custody and the community, but there are fundamental issues with IT, which we explain later in this report.

The closure of courts has meant that some children have spent longer on remand than would normally be expected as the number of bail and remand hearings has been reduced. Senior leaders expressed concern about the remand population. The youth custody service told us that the proportion of children held on remand has increased from around a quarter to a third,<sup>6</sup> although the overall number of children in custody has fallen to a record low. By 04 August 2020, 38 per cent of the youth custody population was remand.<sup>7</sup> As we face new local and regional restrictions, the ability to have remand cases heard and bail packages offered to courts will need to be carefully managed to avoid children spending time in custody unnecessarily.

Information gathered through HMI Prisons' short scrutiny visits to youth custody establishments<sup>8</sup> shows that many activities that would normally be available in custody have been curtailed. Despite plans to continue education provision, face-to-face education had stopped in the inspected Young Offender Institutions (YOIs). This resulted not only in a disruption in learning but long periods of time for children in their cells, up to 22 hours a day. More positively, prison staff worked hard to help prepare children for release, and to keep contact with YOTs and social workers. Additional phone credit had also been provided for children.

<sup>&</sup>lt;sup>6</sup> Information supplied by the Youth Custody Service. These numbers are subject to fluctuation.

 $<sup>^{\</sup>rm 7}$  Information supplied by the Head of the Youth Custody Service on 04 August 2020.

<sup>&</sup>lt;sup>8</sup> Evidence supplied to the Justice Select Committee and gathered through short scrutiny visits to YOIs. Short scrutiny visits are a new type of HM Inspectorate of Prisons (HMI Prisons) visit in which three similar establishments are visited. The aim of these visits is not to report on how an establishment meets HMI Prisons' expectations, but to give a snapshot of how it is responding to the COVID-19 pandemic and to share any positive practice found. Available from the HMI Prisons website.

We found that YOTs had been very mindful of the impact of custody on children's emotional and mental health, taking steps to support children and parents. Communication with the custodial estate needs to be more effective than ever, so that children are best prepared for being released into COVID-related restrictions that will vary from area to area.

#### **Good practice example**

In one case, we spoke to a 17-year-old boy, supervised by Southwark YOT, who had just been released from a YOI. He had been met at the prison gate on his day of release by his brother and the YOT worker, in separate cars to keep social distance. The boy was forming a support bubble with his brother, who drove him to his supported living accommodation. We spoke to the boy and his YOT worker, who told us how difficult it was to prepare for release, as visits to the YOI had been stopped. As they had a good relationship, they had agreed to speak to each other every week by phone. This was a considerable commitment from the boy, as time on the phone was limited. He told us:

"I was inside so I rang my YOT worker every week. He was the only person who I spoke to other than my brother. Kept in isolation because of staff and other young people getting the virus. But that was easier as I didn't meet others who I would have fought with".

He went on to say:

"The YOT, even if it is not your worker, they treat you like family, do things with you not at you. This helps me".

However, in a few cases, we found that the pandemic had caused drift and delay, as the following example shows. The inspector noted:

"He was sentenced to 56 months in custody for sexual offences against his siblings, which had stopped some time prior to his coming to the notice of the police. The lockdown has affected his progress: he has been unable to gain the qualifications he would like in maths and English; he has had no psychological assessments (identified as necessary) to identify his cognitive and therapeutic needs, and he has been unable to transfer to the adult estate in a timeframe that allows him to participate in a programme that will help address his harmful sexual behaviour. His YOT case manager has written to him monthly but these are short and bland letters. There had been contact with the social worker, this was the young person's choice. Information was then shared between the social worker and YOT case manager".

The impact of the pandemic and lockdown on children is becoming more apparent, and these impacts will continue over the months and years to come. An adaptable approach will be critical to help YOTs prepare for future service disruption, in what is likely to be a changed world.

#### **Engagement with children and families**

Engagement with children and families was given priority by the YOTs we inspected, initially based on risk assessments and then in response to new and emerging needs and risks. Where there was an existing relationship, engagement tended to move easily to remote methods. Where the child and family were not already known, establishing relationships and engagement was much more difficult for staff.

Children reported to us that they liked phone contact, especially when they were getting to know the worker and establishing the relationship. Children and parents told us it felt less intense and 'scary':

"He felt that having two face-to-face sessions a week was a lot, and he found it much easier having one face-to-face meeting a week and the second contact by telephone, particularly because it has meant he did not have to go out".

"She rings and visits in the garden. We do sessions at my home, which is good because it's better than going in the office. I like phone contacts because meeting in person all the time is hard".

While the majority of the country complied with restrictions and stayed at home, YOT staff were faced with trying to manage children who struggled to comply. A small number of children in our sample had taken the opportunity to think about the direction they were going in. The lockdown restrictions gave them chance to break unhelpful friendships and re-engage with their families and professionals. When this happened, YOT staff explored opportunities to capitalise on it. One 16-year-old had been on the edge of gang activity. He had become a target and an attempt had been made to stab him. During lockdown, he supported his family, as one member had to shield. Working with his YOT worker, he used his time to reflect on his life. He has been supported to use the lockdown time well, and successfully applied for and got an apprenticeship.

For the majority of children, the lockdown was very difficult. Their existing difficulties became more acute, as the pressures of lockdown added to anxiety levels and support services were not as accessible. For some children, this increased the risks they faced from other people. An example of this was the changes in the supply and use of illegal drugs as drug supply chains adapted to restrictions. YOTs used intelligence from drug services, police and other sources to try and understand how the changes affected children, both those being criminally exploited and those living in a household where drug misuse was an issue. In cases we looked at where children were being criminally exploited as part of county lines activity, or at risk of this, they were moved out of the area in order to protect them.

Partnership managers in Newcastle told us how they had approached this issue:

"We had a massive loss of intelligence initially, but criminal exploitation continued and was evolving too. So, we quickly had to adapt to this and move from the traditional approach. So, we are now looking at social media more and how children interact. Had to dig around more into unseen exploitation".

COVID-19 encouraged YOTs to map out the range of communication methods used with and available to children, and this experience made them stronger and better able to respond.

#### **Good practice example**

Laura had worked with the same case manager, from Cumbria YOT, since 2018. She lives in a complex family. Her parents are high-profile drug users and offenders. They can be defensive, in denial and minimise the risks to Laura and her brother. Telephone and door-step visits were maintained throughout the lockdown period, with mum being encouraged to report to police when Laura went missing. Mum was resistant to this because she wanted to minimise contact with the police. The case manager has worked to develop mum's understanding of how reporting her daughter as missing provides evidence that she is working towards keeping Laura safe. The case manager has continued to advise the parents of the requirements of lockdown and the safety measures they need to take, as well as challenging breaches of these.

#### Child and adolescent to parent violence

During this inspection, the cases that gave us most concern were those where the child was violent towards parents and siblings. Household isolation as a result of COVID-19 did not apply if you needed to leave your home to escape domestic abuse, and there was media coverage of rising levels during lockdown. However, the issues for victims can be different if the perpetrator is your child and this has attracted very little media attention. Case managers and other professionals we spoke to were concerned about the potential for an increase in both severity and frequency of this form of abuse.

Our findings echo those identified in the report *Experiences of child and adolescent to parent violence in the COVID-19 pandemic.*<sup>9</sup> This report found that both practitioners and parents were very concerned for this group of families who might experience increased incidences of violence and additional difficulties adjusting as restrictions come and go. Difficulties include increased periods of close proximity, changes in structure and routine and a lack of access to formal and informal support networks.

YOTs were acutely aware of the specific issues for parents and siblings and undertook doorstep or garden visits to check on the safety of actual and potential victims. The most thorough response we saw was on the Isle of Wight. Managers had identified this as an area of increased risk during lockdown. In response, they increased the capacity of the parenting worker, so that they could work with parents to defuse situations and manage aggression. The parenting worker also offered to re-establish contact with parents where contact had recently ended, again with the understanding of the potential implications of being in lockdown.

#### Looked after children placed out of area

For two of the YOTs we visited, the placement of children into their area by other local authorities was a normal part of practice. Areas of Cumbria and West Mercia have a large number of registered children's homes. West Mercia's Shropshire team has 72 children's homes in its area. The team has good links with providers in the area and, where possible, allocated a single YOT worker to a home to help build relationships and joint working. The benefits of this during the lockdown included care home staff undertaking some offending behaviour work and assisting with assessment and planning.

Our assessment of cases where the child was looked after and placed out of area raised a number of COVID-related issues. These issues won't apply to all services nationally but may have a big impact on YOTs that become the 'host' and are asked to manage or caretake children on behalf of the 'home' YOT. The process for transferring cases is outlined in the YJB guidance *National Protocol for Case Responsibility: Practice Guidance for Youth Offending Teams 2018*<sup>10</sup>. Under normal circumstances, the child would be seen face to face, but during restrictions, the contact was virtual. We see little benefit to the child of changing worker when the home and host YOTs are both contacting the child remotely. YOT management teams need to revisit caretaking processes and give careful consideration to whether case responsibility should remain with the 'home' YOT after an out of area placement, if that can be undertaken remotely and is in the best interests of the child.

#### **Testing for COVID-19**

Another issue for this group of children is the use of testing. Government scientific advisers have repeatedly stated that the majority of children are at low risk of becoming seriously ill if they contract the virus. A small number of children with specific conditions are at higher risk. This includes children with impaired immune responses. We came across one such case in our sample.

<sup>&</sup>lt;sup>9</sup> Condry, R., Miles, C., Brunton-Douglas, T., Oladapo, A. (2020). *Experiences of Child and Adolescent to Parent Violence in the Covid-19 Pandemic*.

<sup>&</sup>lt;sup>10</sup> Youth Justice Board. (2018). *National Protocol for Case Responsibility: Practice Guidance for Youth Offending Teams in England and Wales*.

#### Poor practice example

Ali was 17 when he was released from custody, a few weeks after the start of the lockdown. He went into a supported living placement. When he was released, he had a letter notifying him that he was in the shielding category. He had lost his spleen when he had been stabbed a year earlier, and this had affected his immune system. The YOT and social worker didn't know how he had got the letter, although it was likely to have been given to him by the custody healthcare team. For the first two months of lockdown and release, he complied with the shielding guidance. The arrangements for this had been left to the supported accommodation provider. The social worker and YOT didn't know if the daily visits from the accommodation support worker were undertaken face to face or from behind a door or window. If staff were having direct contact, there were no testing arrangements in place for him or staff. Testing for people in care homes was very limited during this time. As soon as the restrictions changed and people were allowed to travel to take exercise, Ali disappeared. Planning for this boy should have considered his specific needs, including how he was getting his medication and food, and whether he needed additional support to maintain contact with his family and the outside world. The YOT knew he had a mobile phone but no one had checked to see if the placement had Wi-Fi or if Ali had to use his mobile data to keep in touch with his family and the support worker.

In another case, a 14-year-old boy was placed from London into a care home in Shropshire. This was the right decision to protect him, as he was at risk of county lines activity. He made continued and concerted attempts to run away, including assaulting staff. When he first arrived, he would urinate on and spit on staff saying that he had coronavirus. To manage the potential risk to staff and other children in the home, he spent weeks isolated with a small number of staff. This was a tricky situation to manage, as his behaviour potentially increased the risk to staff both of contracting the virus and of being assaulted. As there was no arrangement for testing, he had to spend two weeks isolating in case he developed symptoms of COVID-19. He had been removed from home to an area he didn't know and separated from other children, which made it more difficult for the children's home to settle him into the service and increased his sense of isolation.

In both these cases, a caretaking arrangement had been agreed, when all contact from the YOT was virtual. We took the view that the home YOT could have used this time to develop trust and relationships with these children rather than ask another YOT to step in.

The issue of offering testing is complex, but in both of these situations testing may have provided some reassurance. YOT assessments and plans should now be drafted with COVID in mind, including those cases where testing should be considered.

#### 1.6 Use of technology and the digital divide

#### **Staff**

A key finding from this inspection is the critical role of digital and information technology, both for staff and children. While most YOTs had the technical capability to hold meetings online, they rarely did so before the pandemic. As it became evident that the government was moving towards imposing restrictions and the country went into lockdown, we saw a rapid increase in the use of virtual communication systems such as Microsoft Teams, Skype and Zoom. Staff had learned how to use these quickly and developed confidence in their ability to chair and participate in meetings. IT departments worked at pace to provide staff with laptops and other equipment. In some YOTs, staff had been told to take equipment such as risers, screens and chairs from the office to home.

There have been some key benefits of remote working for staff. Attendance of professionals at multi-agency meetings has improved, and the ability to contact children's social workers has become easier. Many staff told us that they would like to retain this aspect of working. For staff in large rural areas, remote working has had significant time-saving benefits. One manager in Cumbria

told us that the travel time from one part of the county to the other could take three hours each way. For these staff, the use of Teams has had a significant positive effect.

However, not all YOTs have sufficient IT infrastructure; West Mercia being an example. The YOT's case management system is held on the police computer platform, which is different to local authority systems due in part to levels of security and access arrangements. These two systems are not always compatible with local authority systems. This has left staff in West Mercia YOT at a disadvantage, as they are not able to access all of the social care systems for the four local authorities they serve (Worcester, Shropshire, Telford and Wrekin and Herefordshire).

The West Mercia YOT staff also have to access Skype and Teams via smartphones, which significantly reduces functionality. One manager described a situation where she was attending a virtual Missing and Child Exploitation (MACE) meeting. The meeting was attended by over 20 people from a wide range of organisations, making it difficult to track who was speaking or contributing. As the other participants were using Teams via laptops, they started to share documents, including assessments. The manager could not see or access these documents, which may have been critical to the YOT's management of the child.

The most common issue for staff was not having access to a printer, as they wanted to send worksheets, letters and information out to children by post. This was especially relevant for children without access to email and for those in custody.

YOT staff have been innovative in contacting children via smartphones and social media. Feedback from children has been that they have liked this type of contact, particularly at the start of their involvement with the YOT, as they see it as a good way to get to know their worker and to build trust. Both children and staff are clear that, as time goes on, they want to meet up and have direct contact. Both stated that virtual contact is a useful addition to case management but should not replace safe in-person contact.

Throughout the lockdown, we found that most assessments were being undertaken through virtual methods; however, these only gave a partial view of the child's situation. The Assistant Director of Children's Services on the Isle of Wight had shared and promoted the use of guidance from the Principal Children and Families Social Worker (PCFSW) Network<sup>11</sup> on virtual home visits. In our view, this contains some helpful advice to staff.

#### **Children and families**

The pandemic has brought the issue of the digital divide into sharp focus. For those who do not have the equipment, signal strength or finances to fund internet access, the pandemic has increased that gap. While some children and families have access to suitable and sufficient computers and mobile phones, many do not. In our sample, just over half (53 per cent) of the children had access to internet-enabled technology. During lockdown, access to the internet became a necessary utility for most people.

Some families did not have computers. We came across examples where the only device in the house was a smartphone, which had to be shared between parents trying to work and children trying to download and research school work or keep in touch with their YOT worker.

Essex quickly recognised the difficulties caused by the lack of IT and bought and distributed internet-enabled tablets to families. In Southwark, a decision was made to provide YOT children with some of the laptops bought with DfE funding for vulnerable children.

Access to equipment was not the only issue. For some families, the cost of broadband packages was prohibitive, particularly where parents had lost their jobs or were furloughed. In some areas,

<sup>&</sup>lt;sup>11</sup> PCFSW. (2020). *The PCFSW Best Practice Guide for Video Call/Contact and Virtual/Online Home Visit.* Last updated: 17 April 2020. <a href="https://www.skillsforcare.org.uk/Documents/Learning-and-development/social-work/psw/PSW-best-practice-quide-for-video-call-and-virtual-home-visit.pdf">https://www.skillsforcare.org.uk/Documents/Learning-and-development/social-work/psw/PSW-best-practice-quide-for-video-call-and-virtual-home-visit.pdf</a>

signal strength for Wi-Fi and internet speed were poor. This resulted in difficulties downloading information, accessing educational resources and attending meetings without signal disruption.

We agree with one Director of Children's Services who told us that in future the assessment of children's and families' access to information and communication technology should be given the same importance as any other utility. The current assessment tool, AssetPlus, was not designed for this purpose, although we found that many staff were asking children and their carers about access. YOTs should consider how their assessment processes identify needs in this area to minimise disadvantage.

Courts are using a range of communication tools, such as video-enabled justice and cloud virtual platforms, to process cases. However, these were slow to be implemented. Children with communication issues struggle to use them, and secure training centres (STCs) and secure children's homes (SCHs) didn't have access to cloud virtual platforms. Where Skype was available in STCs and SCHs, it was used to facilitate contact with families. YOTs had found it difficult to move to virtual communication with these establishments.

There are three specific groups of children affected by the digital divide who need additional consideration. These are children in custody, children who are looked after and placed away from their home area and children with internet-enabled offending. Contact with the first group, children in custody, has been difficult because establishments are not set up with remote technology. Recent developments, such as 'purple visits', 12 are too limited and children continue to lack access to the outside world. This can increase children's sense of isolation and restrict resettlement activity.

Traditional security measures in YOIs and STCs are in place to prevent the use of illegal mobile phones and internet-enabled devices. Children, families and YOT staff were frustrated by the inability to have virtual contact. While children could keep contact by phone, access varied depending on the type of establishment they were in. Children in SCHs and STCs could take calls from authorised family members, friends and professionals. This system worked as intended during the lockdown, but as visits had been stopped to prevent the spread of the virus, other in-person contact became difficult. Children who had speech, language and communication difficulties were especially disadvantaged. Work to prepare children for court, bail and remand hearings was attempted but remained unsatisfactory.

Children in YOIs fared worse. Although case managers received some additional money to spend on phone calls, they had real difficulties in keeping contact with these children and in contacting custodial case work teams. This included cases where the child was due to be released and where resettlement planning should have been the priority.

The second group are children who are looked after by the local authority and placed away from their home area. Very few of the assessments and plans for these children included consideration of their access to technology.

Thirdly, there is a small group of children who have internet-enabled offences, including sexual offending. The management of these children posed real difficulties for YOT risk management panels. In one example, a 15-year-old boy with a conviction for a sexual offence had groomed the victim over the internet. He was also violent towards his mum, who he lived with. Before the lockdown, risk management measures included his attendance at school, where his use of the internet and behaviour were closely monitored. He had a mentor that saw him every day to engage him in appropriate activities away from the internet. Following lockdown, the risk management responsibility was mostly placed with his mum. He spent increasing amounts of time on the internet, and although his mum tried to supervise this, it was almost impossible for her to monitor him all the time. His violence towards her increased, as did elements of coercive behaviour. The mentor and YOT worker undertook daily visits, but due to restrictions could not enter the house. As his violence towards mum increased, she was given advice about how to keep herself safe. His case

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<sup>&</sup>lt;sup>12</sup> Purple visits are video calls provided through secure laptops, trialled in the youth estate at Werrington and Weatherby. Time-limited calls can be made, but these are limited to half an hour per month for each child.

was discussed at all relevant risk management forums, including MAPPA. However, services had a very limited range of options to control his behaviour.

## 1.7 Conclusion and implications

This inspection highlights the often unseen, yet important, work of YOTs. The COVID-19 pandemic has brought about significant changes to the way YOT partnerships deliver services. They have responded well to the immediate challenges and are now considering the long-term implications. Services have worked flexibly with partners to maintain as many support services as they can.

In some cases, the needs of and risks to children have become more acute. Lockdown has also changed the risk of harm to others, in some cases reducing this but in others increasing it, most notably where there was child and adolescent violence to parents. It will take time for all children to come to terms with the effects of COVID-19, and for many children on YOT caseloads this will be an additional adversity to add to an already lengthy list. The skills and care shown by staff will be fundamental to the recovery of these children.

Flexible working has been accelerated because of COVID-19. Being at home and working has had benefits for many, but this does not suit all aspects of YOT work. There have been some key areas of learning that need to be considered quickly. These include the increase in workload due to the backlog of cases starting to come through courts, the very evident issues and harms related to the digital divide, and a national evidence-based response to child and adolescent to parent violence. YOT partnerships are already moving into recovery. It is important that they pause and celebrate their achievements as they pursue and consolidate learning from their work during the pandemic.

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## **Annexe 1: Methodology**

#### Introduction

This inspection was undertaken entirely remotely. We accessed case records of seven youth offending teams: Cumbria, Essex, Isle of Wight, Monmouthshire and Torfaen, Newcastle, Southwark and West Mercia and interviewed staff and stakeholders at each by video link. These represent a range of YOT sizes and rural and urban areas. We also selected services where we thought there might be specific practice that others can learn from.

## **Evidence gathered**

Examination and analysis of the YOT's business continuity plans

Case assessments: We looked at ten cases from each of the seven services, comprising court-ordered and out-of-court disposals. We focused on assessment, planning, delivery of interventions and reviewing of engagement with children, risk of harm and safety and wellbeing. The timeframe identified in the case sample allowed us to look at cases that came to the YOTs before the lockdown on 23 March 2020 and that continued after this date, along with a small sample that started after lockdown.

**Sample:** We targeted cases that were subject to court orders, including custody, and cases dealt with through out-of-court disposals. These are intended to provide early intervention to support desistance and avoid unnecessary criminalisation of children. We intentionally selected cases where there was a risk of harm to others that required management by the YOTs and partners. The profile of children who encounter youth offending services often includes children in need of safeguarding and this was also evident in our sample. The sample was diverse, as we aimed to capture the breadth of the work undertaken during the national lockdown.

- 70 cases inspected: 49 started before the business continuity plan was implemented, and 20 started after; 1 was a remand case
- 34 out-of-court disposals; 35 post-court cases; 10 custody cases (1 remand and 9 sentenced); 50 boys, 20 girls (71 per cent/29 per cent); 50 white, 20 black, Asian and minority ethnic and other (71 per cent /29 per cent)
- 43 per cent of the children had a disability
- Three children posed a very high risk of serious harm to others; 29 high risk; 24 medium risk; 14 low risk
- 74 per cent of the children had safeguarding and/or wellbeing issues that needed a multiagency response
- 53 per cent of the cases were for violent offences.

*Meetings with key staff* using Microsoft Teams or Skype. These included meetings with YOT managers, management teams, partnership staff and managers, management Board Chairs and representatives from the organisation that hosted the YOT. Meetings with operational staff included, but were not limited to, case managers, appropriate adults, referral order volunteers and out-of-court disposal staff.

**Staff survey:** a bespoke set of questions for all staff in the seven services. 220 completed surveys were returned. A summary of key findings is provided in Annexe 3.

**Consultation** by text/messenger and phone with children, parents, carers and some of the children's social workers.

*Meetings and information from the youth offending sector*, including the Youth Justice Board, Youth Justice Board Cymru, National Association of Appropriate Adults, Association of YOT Managers Wales, Youth Custody Service, and Her Majesty's Inspectorate of Prisons.

# **Annexe 2: Glossary**

ACE	Adverse childhood experiences: potentially traumatic events that can have negative, lasting effects on health and wellbeing
AssetPlus	Assessment and planning framework tool developed by the Youth Justice Board for work with children who have offended, or are at risk of offending, that reflects current research and understanding of what works with children
CAMHS	Child and adolescent mental health services: NHS provision for children who are experiencing mental health difficulties
CCE	Child criminal exploitation: when a child or young person is encouraged, forced or manipulated to take part in criminal activity for something in return, for example presents, drugs, alcohol or emotional attention
CIC	Child in care: a child who has been in the care of the local authority for more than 24 hours is known as a child in care, a looked after child (LAC) or child looked after (CLA)
CIN	Child in need: the status given to a child who is deemed to need support by the local authority to promote or safeguard their welfare but who does not meet the criteria for child protection
County lines	The illegal movement of drugs around the UK, often involving the exploitation of children or vulnerable adults to hold and move the drugs
Court disposals	A sentence imposed by the court. Examples of youth court disposals are referral orders, youth rehabilitation orders and detention and training orders
СР	Child protection: children assessed by the local authority as being at risk of serious harm are given support through a structured process, including a multi-agency child protection plan, to manage and reduce the risks to their safety and wellbeing
CR	Community resolution: used in low-level, often first-time, offences. They involve an informal agreement, including the victim's views, about how the offence should be resolved. Community resolution is a generic term; in practice, many different local terms are used to mean the same thing
CSC	Children's social care services: these are found in each local authority/county council area to protect and support the safety and wellbeing of children with heightened individual needs and/or at risk of harm from others or themselves
CSE	Child sexual exploitation: a type of child abuse, occurring when a child or young person is encouraged, forced or manipulated to take part in sexual activity for something in return, for example presents, drugs, alcohol or emotional attention

Desistance	The cessation of offending or other antisocial behaviour
DTO	Detention and training order: a custodial sentence for a child. The length is specified by the court, and the child is placed in either a secure children's home, secure training centre or young offender institution. The detention and training order will have both custodial and community elements, when the child or young person will be released on a Notice of Supervision
ЕН	Early help: targeted support provided through a local authority to help children (and their families) address emerging issues, and help prevent their escalation to 'at risk'
ЕНСР	Education, health and care plan: a plan outlining the education, health and social care needs of a child with special educational needs and/or a disability
ETE	Education, training and employment: the service provided to improve learning, and to increase future employment prospects
First-time entrant	A child who receives a statutory criminal justice outcome (youth caution, youth conditional caution or conviction) for the first time
Front door	The local authority point of contact for those concerned about the welfare of a child (see MASH below). It responds to safeguarding queries and referrals, deciding if and how to investigate and intervene to keep a child safe
FTE	Full-time equivalent
НМІР	Her Majesty's Inspectorate of Probation
HSB	Harmful sexual behaviour: developmentally inappropriate sexual behaviour by children, which is harmful to another child or adult and/or to the children themselves
ISS	Intensive supervision and surveillance: a rigorous alternative to custody for the most active repeat young offenders and children who commit the most serious crimes.
ІТ	Information technology: the use of systems, particularly computers and telecommunications equipment, to store, retrieve and share information
MACE	Multi-agency child exploitation: the framework that describes arrangements for responding to children who are vulnerable to exploitation, including child sexual exploitation, missing from home, criminal exploitation, modern slavery and trafficking

МАРРА	Multi-agency public protection arrangements: where probation, police, prison and other agencies work together locally to manage offenders who pose the highest risk of harm to others. Level 1 is single-agency management, where the risks posed by the offender can be managed by the agency responsible for the supervision or case management of the offender. Levels 2 and 3 require active multi-agency management
MARAC	Multi-agency risk assessment conference: set up in each police area to consider the safety needs of victims of domestic abuse where the risk to them is assessed as serious. Normally a single event, although a victim can be referred for discussion after a new incident
MASH	Multi-agency safeguarding hub: these act as the first point of contact for new safeguarding concerns or enquiries. They usually include representatives from the local authority (adult and children social care services), police, probation, health and other bodies
NEET	Not in education, employment or training
OOCD	Out-of-court disposal: the resolution of a normally low-level offence, where it is not in the public interest to prosecute, through a community resolution, youth caution or youth conditional caution
Personalised	An approach where services are tailored to the needs of individuals, giving people as much choice and control as possible over the support they receive. We use this term to include diversity factors
PRU	Pupil referral unit: this provides education (and heightened support) to children unable to attend mainstream education provision
Referral order	A community sentence imposed by the criminal court, underpinned by the principles of restoration, reparation and reintegration. Given where the child pleads guilty to an imprisonable offence.
RoH	Risk of harm – see RoSH below
RoSH	Risk of Serious Harm: the term used in AssetPlus. All cases are classified as presenting a low, medium, high or very high risk of serious harm to others. HMI Probation uses this term when referring to the classification system but uses the broader term 'risk of harm' when referring to the analysis which should take place to determine the classification level. This helps to clarify the distinction between the probability of an event occurring and the impact/severity of the event. The term 'Risk of Serious Harm' only incorporates 'serious' impact, whereas using 'risk of harm' enables necessary attention to be given to children whose behaviour is likely to have a lower impact and/or is less harmful

Safeguarding	Safeguarding is a wider term than child protection and involves promoting a child's health and development and ensuring that their overall welfare needs are met
Safety and wellbeing	AssetPlus replaced the assessment of vulnerability with a holistic outlook on a child's safety and wellbeing concerns. It is defined as `those outcomes where the young person's safety and well-being may be compromised through their own behaviour, personal circumstances or because of the acts/omissions of others' (AssetPlus Guidance, 2016)
SCH	Secure children's home: a small local authority unit that provides a secure and supportive environment for children aged between 10 and 14 years, detained for welfare reasons or by order of the criminal court
SLCN	Speech, language and communication needs, sometimes broadened to include neuro-disability needs
STC	Secure training centre: this accommodation provides a controlled living environment for children aged between 10 and 18 years who have been detained on remand or who have been sentenced to custody by the criminal court
Trauma-informed practice	An approach to working with children that recognises the impact of trauma and their lived experience (see ACE above) and provides a tailored, specialist response that builds on their strengths and avoids reinforcing the trauma
Vicarious trauma	The term used to explain how staff can be affected when they engage empathetically with survivors of traumatic incidents
YJB	Youth Justice Board: a government body responsible for monitoring and advising ministers on the effectiveness of the youth justice system. The YJB provides grants and guidance to the youth offending teams
YOI	Youth offender institution: custodial setting for individuals aged 15 to 21, detained on remand or sentenced to custody by the criminal court
YOT/YOS	Youth Offending Team is the term used in the Crime and Disorder Act (1998) to describe a multi-agency team that aims to reduce youth offending. YOTs are known locally by many titles, such as youth justice service (YJS), youth offending service (YOS), and other generic titles that may illustrate their wider role in the local area in delivering services for children
YOT/YOS Management Board	The YOT Management Board holds the YOT to account to ensure it achieves the primary aim of preventing offending by children. It is sometimes known locally by a different name, for example Youth Justice Partnership Board (YJPB)

# **Annexe 3: Staff survey**

We conducted a staff survey, comprising a bespoke set of questions for all staff in the seven services we inspected. 220 completed surveys were returned; responses were provided from every YOT as follows: case managers (40 per cent), managers (13 per cent), administration/support workers (10 per cent), seconded staff (8 per cent), victim and restorative justice workers (7 per cent), and other workers (22 per cent). Of those who chose to disclose, 50 people had underlying health conditions, 40 per cent were the primary carer of young children and 5 per cent were the primary carer of an adult. Our findings were as follows:

Are you sufficiently aware of your service's COVID-19 service delivery model?

Fully	Mostly	Partially	Little	Not
aware	aware	aware	awareness	aware
71%	22%	6%	1%	

Have you received sufficient communication about how to deliver youth offending services to children during the lockdown and post-lockdown period?

Excellent communication	Good communication	Adequate communication	Poor communication
53%	35%	9%	3%

Do you have caseload or workload that you are comfortable with?

Yes	No
97%	3%

How do you rate the quality of support you have received from your organisation during the COVID-19 delivery period?

Excellent	Good	Adequate	Inadequate
support	support	support	support
60%	26%	11%	

Were you required to use new technology during the COVID-19 period?

Yes	No
74%	27%

Is accessing resources better or worse than it was before the COVID-19 restrictions?

No change	Better	Worse
52%	17%	31%

In the COVID-19 period, have you had access to sufficient services, interventions and partnership resources that you need to work with the children on your caseload?

Yes	No
87%	13%



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