



Report to Policy Committee

Author/Lead Officer of Report:

Mark Storf, Assistant Director / Sam Taylor, Service Manager - Youth Justice Service

Tel: 0114 205 3831

Report of: Joe Horobin, Director of Integrated Commissioning / Mark Storf, Assistant Director

Report to: Education, Children and Families Policy Committee

Date of Decision: 27 September 2023

Subject: Youth Justice Service – Victim Engagement & Support Service Contract

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? 2195				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
<p><i>“The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended).”</i></p>				

Purpose of Report:

To set out the statutory duties, provide an overview and seek approval for the recommissioning of the sub-regional Victim Engagement Service for Sheffield, Rotherham, and Barnsley Youth Justice Services. This service will be managed and monitored by Sheffield Children’s Commissioning Services on behalf of the sub-region.

The service is currently being delivered by a Service Provider since April 2021 which ends 31st March 2024. The current service provider provides the service for Sheffield, Rotherham, and Barnsley Youth Justice Services.

Recommendations:

That the Education, Children and Families Policy Committee approves the commission of an external provider to deliver a Victim Engagement Service as part of a joint commission with Rotherham and Barnsley Youth Justice Services with an estimated cost of £277,200 to Sheffield City Council over a period of 4 years, as set out in this report.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Kayleigh Inman Commercial Services: Glen Swaby
		Legal: <i>Richard Marik, Janusz Siodmiak</i>
		Equalities & Consultation: Bashir Khan
		Climate: Jessica Rick
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	SLB member who approved submission:	<i>Meredith Dixon-Teasdale</i>
3	Committee Chair consulted:	<i>Dawn Dale</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Mark Storf</i>	Job Title: <i>Assistant Director, Children & families</i>
	Date: 7 September 2023	

1. PROPOSAL

The proposal is to commission an external provider to deliver a Victim Engagement Service as part of a joint commission with Rotherham and Barnsley's Youth Justice Services. The estimated cost of the commission is £277,200 to Sheffield City Council over a period of 4 years. The total value of the commission (including contributions from other local authorities) is £537,600.

It is proposed that the Council will act as lead partner of the arrangement and shall manage and monitor the service on behalf of the local authorities.

Introduction and background

- 1.1 The Council runs Youth Justice Services in line with its statutory duty, which comes with a range of requirements to help children break the cycle of offending behaviours. Sheffield's Youth Justice Plan 2022-2025 outlines a range of strategies to redress the multiple disadvantages children who encounter the criminal justice system face in order to reduce the likelihood of re-offending and improve life chances.
- 1.2 Restorative Justice is one of these initiatives and provides opportunities for those directly affected by an offence (victim, offender, and members of the community) to communicate through a restorative process and agree how to deal with the offence and its consequences.
- 1.3 Sheffield Youth Justice Service has dedicated victim workers seconded from the Service Provider who contact victims of crime to offer them the opportunity to participate in a restorative process or even just to keep them informed of the child's progress.
- 1.4 Specialist dedicated victim practitioners ensure that the voice of the victim is heard during assessment, planning and through the work with children who have committed offences. The wishes and feelings of victims are empowered in deciding to what extent they want to be involved in direct or indirect contact.
- 1.5 This service has been provided by the current Service Provider since April 2021. The current Service Provider is one of the lead organisations in the country in delivery of this service to youth justice services and they have their own quality assurance procedures.
- 1.6 Overall, the current provision represents value for money and the Council is satisfied with what is being provided.
- 1.7 During financial year (2022-23) the following data was collected for the Sub-regional Authorities (Rotherham and Barnsley), data for the previous year during the Covid pandemic has not been included as it will not give us a true reflection:

Victim Support delivered 2022-23	Sheffield	Rotherham	Barnsley
Number of victims contacted	253	110	142
% Engagement	87%	84%	81%

- 1.8 The arrangement with the current Service Provider ends on 31st March 2024. It is therefore proposed that the Council commission an external provider to deliver a Victim Engagement Service as part of a joint commission with Rotherham and Barnsley Youth Justice Services with an estimated value of £537,600 over 4 years. The Council's contribution for this commission will be £277,200. This service will be managed and monitored by Sheffield Children's Commissioning Services on behalf of the sub-region.
- 1.9 We currently do not have the capacity or resources to deliver this service in-house, Sheffield's share of this is £277,200 for 4 years, which would not give us sufficient management/staffing capacity but has a combined resource across the region we get economies of scale.
- 1.10 By adopting a sub-regional approach to tackling youth offending issues, learning and best practice can be applied across both Rotherham and Barnsley authorities and solutions can be adopted that ensure positive outcomes for children and victims impacted by the offence.
- 1.11 The category of victim for the purposes of this Contract, falls within two areas, these being recognised as corporate victims (i.e., local businesses, services affected by Youth Crime), and personal victims (i.e., individuals and/or families affected by youth crime).
- 1.12 By this commission, the Council hopes to achieve the following:
- Putting things right and healing relationships, thereby giving high satisfaction to victims, and reducing re-offending.
 - Ensuring that those directly affected by crime are involved in the process and that their wishes are given careful consideration.
 - Achieving positive outcomes for the victim, community, and the child.
 - Victim Engagement and Support Service is an important part of the work Youth Justice Services undertake with a child and plays a leading role in their rehabilitation process.

2. HOW DOES THIS DECISION CONTRIBUTE?

2.1 This service will link into several elements of the corporate plan.

Communities and Neighbourhoods

The expected reduction in offending will go towards ensuring that people feel safer in their own homes and within the neighbourhood. Less vandalism will make local amenities feel safer to visit and encourage services to invest in the area.

Education, health, and care

We want all people in Sheffield to feel safe, happy, healthy, and independent: to love living here. We want them to have access to a wide range of educational opportunities to achieve their full potential.

Children moving through this service will be encouraged to improve and reach their full potential. A number will progress into education and employment.

2.2 Outcome and Sustainability

Anticipated outcomes from the Service that will be funded will be:

- Ensure that all services meet the requirements for working with victims as stated within the Victims Code of Practice.
- Share information and resources to meet the needs of identified Victims of youth offending.
- Ensure that victim orientated systems and services are managed in accordance with the Youth Justice Service's (YJS) performance targets as specified within the National Standards for Youth Justice Services 2019, Sheffield City Council, Rotherham Metropolitan Borough Council and Barnsley Metropolitan Borough Council's Data Management and Information policies and all relevant statues relating to the storage of personal information.
- Provide an advocacy and support service for identified victims of youth crime and ensure that they are offered the opportunity to become involved in interventions where appropriate.
- Work in partnership with Youth Justice Services in Rotherham and Barnsley to ensure the following minimum Youth Justice Service Targets are achieved:
 - Victim's details are kept secure.

- Victims are enabled to make informed choice about whether to participate in restorative justice processes.
 - Victims are informed of progress in respect of the restorative justice interventions undertaken where appropriate.
- This project will assist in helping children to make amends for their actions, directly to the people and the communities their offence has affected.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 The current Service Provider gains feedback from all the victims they work with, and this is part of what is inspected during on-site contract compliance visits. Throughout the course of the contract, they have shared positive feedback, examples of which are given below:

“The incident was quite typical of what we face as police officers. It was beneficial to have the opportunity to speak with the girl and it made me happy that she seems to have taken all the advice/ support on board and made positive changes in her behaviour. Refreshing to receive an honest apology.”

“I hope the offender has learnt from this and we have helped him to make better decisions in the future”.

“This has improved my knowledge of the Criminal Justice System and I would like him to pay something back to the community they have affected”.

3.2 There has been no direct consultation with the market and potential providers as this is a very small specialist market, the delivery is directed by statutory requirements.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

4.1.1 Ethnic minority children are over-represented in all stages of the YJS compared to the general population. The 2017 Lammy Review highlights that some ethnic minority groups have less trust in the police and/or the criminal justice system and emphasises the significant role this has in driving their over-representation later in the system.

4.1.2 HM Inspectorate of Probation’s October 2021 thematic report on the experiences of Black and mixed heritage boys in the YJS, released in October 2021, states that “[YOTs] must be careful to ensure that concerns about building trust with Black and mixed heritage boys do not become a barrier or an explanation for engagement difficulties.”

4.1.3 An Equalities Impact Assessment has been undertaken (EIA ref. 2195 refers) and approved by our Equalities Officer and will be maintained throughout the life of any Contract.

4.2 Financial and Commercial Implications

4.2.1 Financial

Annual funding has been agreed by each Authority in which Sheffield will lead the project:

Sheffield	£69,300
Rotherham	£31,500
Barnsley	£33,600

Total Annual Contract value = **£134,400** = **£537,600** (4 years)

4.2.2 Funding for Sheffield's annual contribution to the contract is included within the current budget. However, in the event of a loss of funding there is a break clause built into the contract at the end of each year.

4.3 Legal Implications

4.3.1 Under section 40 of the Crime and Disorder Act 1998 and Schedule 2 of the Children Act 1989 the Council has a statutory duty to take reasonable steps designed to encourage children and young person's not to commit offences. The provision of a Victim Engagement Support Service will contribute towards meeting that duty.

4.3.2 The Council have the power to cooperate with other local authorities under s27 Children Act 1989.

4.3.3 The contracting arrangements proposed in this report are facilitated by the Local Government (Contract) Act 1997.

Climate Implications

4.4.1 Where a service will be delivered by external partners and providers, we will aim to work with providers who align with our ambition to be a Net Zero city by 2030, through the procurement process. We will encourage providers to think about the climate impacts of delivering the service, such as use of office space, staff and client travel, energy and resource use, and opportunities to increase awareness of positive climate action, and take appropriate steps to reduce their impacts in the delivery of the service.

4.5 TUPE

4.5.1 TUPE implications shall be assessed, and the incumbent provider has been asked to advise on any potentially TUPE affected staff. This dynamic shall be taken into consideration through the procurement process. Any TUPE implications should only affect the incumbent existing and new provider, and because the service is not being brought back in-house there are no TUPE implications upon the Council other than ensuring that the Provider's comply with their obligations.

4.5.2 The current Service Provider has been advised to take their own legal advice on this dynamic and will be required to provide information on the Workers they believe are eligible for TUPE in the event they are unsuccessful in continuing to provide the service. This information will be made available to prospective Tenderers to allow them to accurately price their tender submission.

4.6 Other Implications

4.6.1 There are no other implications known.

5. **ALTERNATIVE OPTIONS CONSIDERED**

5.1 Do nothing – which we cannot as the provision of this Service is a statutory duty; therefore, we must deliver it.

5.2 Deliver the service in-house – we currently do not have the expertise or capacity to deliver the service in-house, for the reasons stated above, it is not economically viable for us to get the same resource level if we deliver the service in-house.

5.3 Do our own tender – which would be a collective collaboratively procured approach on the open market, through an open tender, as this would maximise the interest and competition and thereby return the most economically advantageous tender.

6. **REASONS FOR RECOMMENDATIONS**

6.1 To support the development of a consistent service delivery and key services across the sub-region that supports the statutory requirements of the youth justice teams. By the three regional youth justices services joining together in a single contract (as joint contracting parties each being solely responsible for their respective service areas) for the victim engagement service we are ensuring best value for money and cost effectiveness, and will be better able to achieve a higher standard of service throughout the region which is consistent with each YJS regions delivery plan as well as the South Yorkshire Police and Crime Plan. There is a statutory requirement set out within the national standards for the delivery of youth justice services

which are subject to an inspection and audit regime for the provision of restorative justice and victim services, and these are as set out within the contract.

This page is intentionally left blank