

North Tyneside Council

Report to Cabinet

9 March 2015

Item 7(m)

Youth Offending Team
Junior Attendance Centre

Portfolio(s): Children, Young People and Learning

Cabinet Member(s): Councillor Ian Grayson

Report from Service Area: Children, Young People and Learning

Responsible Officer: Jean Griffiths, Head of Children, Young People and Learning
Tel. (0191) 643 8782

Wards affected: All

PART 1

1.1 Purpose:

The purpose of the report is to understand the function and purpose of Junior Attendance Centre Orders (JACs) and to assist in the decision making regarding the proposed transfer of the provision and supervision of such orders from the Youth Justice Board (YJB) to the Authority with effect from 1st April 2015 subject to Cabinet's approval.

1.2 Recommendation:

It is recommended that Cabinet:

Agree to the transfer of the provision and supervision of the JAC from the Youth Justice Board to the Authority with effect from 1st April 2015, subject to confirmation of the grant referred to in paragraph 2.1 below being made available to the Authority.

1.3 Forward Plan:

It has not been practicable to give twenty eight days notice of this report. However, it is required to be considered without the twenty eight days notice being given due to the proposed transfer date of 1st April 2015.. Unfortunately, there was a delay in the Authority receiving the necessary paperwork from the Youth Justice Board in relation to this matter and meant that a report could not be brought to Cabinet at an earlier date.

1.4 Council Plan and Policy Framework

The report contributes towards the following priorities of the 2014-18 Our North Tyneside Plan:

Our People will:

Be supported to their full potential, especially our children and young people.

1.5 Information:

- 1.5.1 A JAC is a community sentence option available to the Courts when sentencing a young person between the ages of 10 and 17 years who has been convicted of a criminal offence and requires that young person's attendance at an Attendance Centre in the Borough as part of the Order.
- 1.5.2 JACs aim to prevent reoffending by encouraging the individual to look at the causes of their criminal behaviour and the effect their criminal behaviour has on both the victim and the young person's family.
- 1.5.3 JACs were originally established by legislation in 1948. Under section 60 of the Powers of Criminal Courts (Sentencing) Act 2000, Courts can direct an offender, depending upon their age, to spend between 12 and 36 hours at an Attendance Centre, over a set period of time for offences punishable by imprisonment, for breaches of a range of court orders and for non payment of fines. The Criminal Justice and Immigration Act 2008 reframed the sentencing provision for young people by making the attendance at an Attendance Centre available as a requirement within a Youth Rehabilitation Order. The activities undertaken at the Attendance Centres are intended to help prevent the escalation of more serious offending by providing rehabilitative and reparative programmes, cognitive and life skills courses.
- 1.5.4 JACs deliver both the punishment and rehabilitation aspects of sentencing, including the provision of social education and life skills training and reparative activity where possible to:
 - Increase employability and re-engagement into education
 - Maintain physical and mental health (including being aware of the effects of alcohol and drug misuse)
 - Promote successful relationships
 - Enable participants to deal effectively with high risk situations (including first aid, risks of carrying weapons and gang culture)

A JAC is not designed to replicate but rather add value to Youth Offending Team (YOT) provision.

- 1.5.5 The Attendance Centres in the Borough currently operate each Saturday morning from 10:00a.m to 12 noon. However, this arrangement can be amended and increased based upon local need. This would enable the wider Attendance Centres to provide a service to the Troubled Families (TF) programme where those at risk of offending or anti social behaviour can attend to undertake a standard prevention programme. Given that the JAC arrangements can be altered, a rolling programme could be delivered in different localities. The core statutory programme would operate from the YOT premises in North Shields and this would also meet the needs for those young people that are required to 'sign on' as part of their Bail conditions.
- 1.5.6 In November 2012 the Government decided to review responsibility for the provision and supervision of JACs and a decision was taken move them into the Youth Justice Sector. This position was supported by recommendations made by the Triennial Review of the YJB which was published in November 2013. This called for the provision and supervision of JACs to become the responsibility of Local Authorities

and for the YJB to measure the effectiveness of JACs so that an informed assessment could be made about the long term future of JACs.

A review of the provision and supervision of JACs in the Borough was undertaken and the review identified that the responsibility for the provision and supervision of JACs would be best achieved by the YOT. It also identified the need for the circa. £30,000 of associated funding (ring-fenced for two years) that would be attached to the provision of such services to also be transferred to the Authority. The review also identified that TUPE arrangements for the existing member of staff who is primarily responsible for supervising the JACs would apply.

The current delivery of the JACs also includes six sessional workers who are not part of the proposed transfer arrangements.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

Agree to the transfer of the provision and supervision of the JAC from the Youth Justice Board to the Authority with effect from 1st April 2015, subject to confirmation of the grant referred to in paragraph 2.1 below being made available to the Authority.

Option 2

Decline the transfer of the provision and supervision of the JAC from the Youth Justice Board to the Authority.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

The transfer responsibility enables the YOT to ensure that the provision and supervision of JACs continues and that the Attendance Centres remain able to deliver their statutory function by accommodating the young persons who are required to attend at the Centres. As a JAC can be used in whichever way it is deemed appropriate, this brings great opportunity to expand the remit of the provision to take on a preventative role in conjunction to the statutory one and to contribute to the focus on reducing re-offending.

1.8 Appendices

Annex A	Background to Junior Attendance Centre
Annex B	Staff Transfer Scheme
Annex C	Property Transfer Scheme
Annex E	Manual Outline

1.9 Contact officers:

Jean Griffiths, Head of Children, Young People and Learning, tel. (0191) 643 8782
Jill Baker, Senior Manager, Prevention, Early Intervention and Support Services, tel. (0191) 643 6462
Alison Campbell, Senior Business Partner, tel. (0191) 643 7038

1.10 Background information:

The following background information has been used in the compilation of this report and is available at the office of the author:

Triennial review of Youth Justice Board (2013):

<https://consult.justice.gov.uk/digital-communications/yjb-triennial-review-2012>

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Although the amount of the grant to be provided by the Ministry of Justice has not yet been finalised, it is reported that it will be in line with costs in previous years, i.e. around £0.030m, and will cover staffing costs for the officer in charge who will TUPE across, the sessional workers, some small incidental costs and rent for the space currently used at Jubilee Primary School. There is currently a pool of 6 sessional workers who are paid £25.77 per hour. They do not have rights to holiday pay and sick pay and no TUPE rights or expectations. Whilst it is anticipated that existing contracts for services will transfer over under the Property Transfer Scheme after the 1st April 2015 following the transfer of responsibility for JAC services to Local Authorities, the Local Authority will negotiate future contracts including extension of contracts and therefore the remuneration levels with sessional workers. To ensure business continuity as part of the financial transfer, the authority will retain current levels of payment for a time limited period following the transfer. The Authority has been informed that the grant will be ring-fenced for the first two years.

The costs to provide the service can be met from within a grant award of £0.030m.

The Authority would only take on the additional responsibilities identified in this report once the grant is confirmed.

2.2 Legal

There are no direct legal implications arising from this report save that there will be a requirement for the Transfer of Undertakings (Protection of Employment) Regulations 2006 to be complied with in relation to the proposed transfer of a member of staff..

2.3 Consultation/community engagement

As part of this process there has been consultation with YJB, YOT Management Board, YOT Manager and affected staff member and the relevant Trade Unions have also been informed.

2.4 Human rights

There are no direct issues relating to Human rights arising from this report.

2.5 Equalities and diversity

There are no direct issues relating to Equalities and diversity arising from this report.

2.6 Risk management

There are no direct issues relating to Risk management arising from this report.

2.7 Crime and disorder

The Junior Attendance Centre contributes to the reducing reoffending strategic priority of the Local Authority.

2.8 Environment and sustainability

There are no direct issues relating to environment and sustainability arising from this report.

PART 3 - SIGN OFF

- Deputy Chief Executive X
- Head(s) of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Head of Corporate Strategy X