

Annex 1: summary of responses to the consultation

Proposal to reduce the Youth Justice Board's expenditure in 2015/16

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Introduction

The Youth Justice Board for England and Wales (YJB) undertook a consultation requesting responses to its proposal to meet the requirement for savings from a reduction to the Youth Justice Board's budget allocation. The consultation asked six questions and ran from 26 August 2015 to 16 September 2015.

Summary of respondents

129 responses to the consultation were received from a range of stakeholders. Table 1 below describes the different types of organisations responding.

Table 1. Response to the consultation by types of respondent

Organisation	Number of responses	% of total responses
Youth offending team/service	74	57
Local authority ¹	24	18
National organisations	15	12
Police and Crime Commissioners	11	9
Private individuals	3	2
Third sector organisations	2	2
Total	129	

As table 1 shows the majority of responses were received from youth offending teams (YOT) and services, with the remainder being from:

- local authorities (24 in total or 18%)
- national organisations (15 or 12%)
- Police and Crime Commissioners (11 or 9%)
- private individuals (3 or 2%)
- third sector organisations (2 or 2%).

Following a systematic analysis by the YJB research team of all responses received, it has been possible to identify a number of key themes raised by respondents. These are outlined under each specific question below.

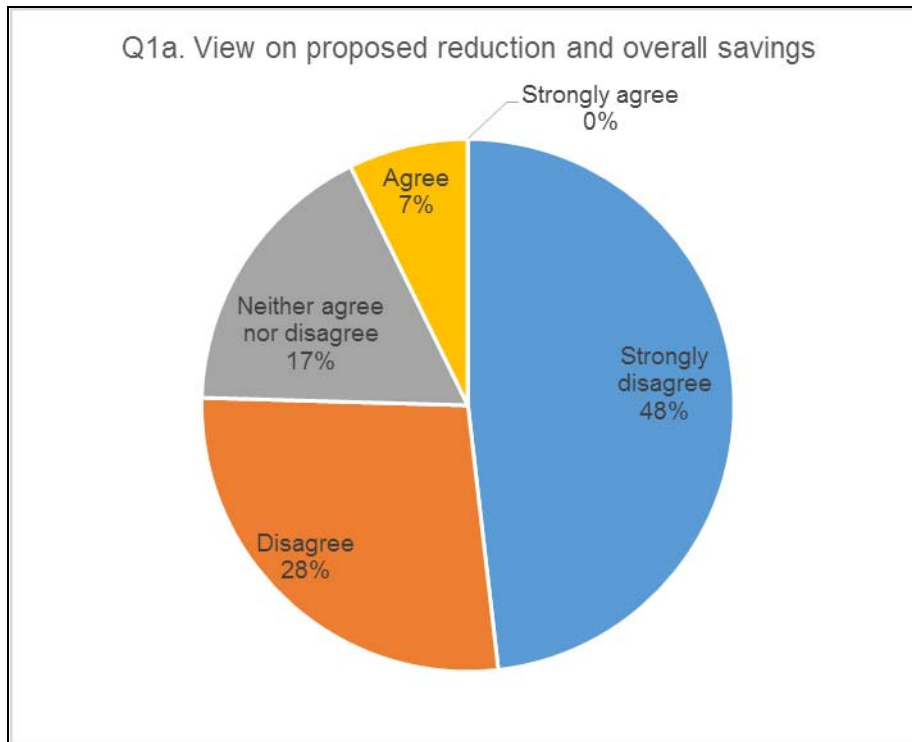
Question 1a. To what extent do you agree with the YJB's proposal to meet the requirement for savings of £13.5m from the 2015/16 YJB budget through a reduction of £9.0m (10.6%) to the Youth Justice Grant and £4.5m savings from other areas of expenditure, as set out in Chapter 3 of the consultation document?

Question one began with a closed question asking respondents how far they agreed with the YJB's proposal to use the Youth Justice Grant to meet the requirement for savings². Figure 1 below shows the responses to this closed question.

¹ Including organisations self-reporting as 'Local Authority Youth Justice Services' and 'Local Authority Youth Engagement Services'.

² Please note that both for this question, and the other closed response questions asked, we cannot be certain how representative or otherwise the responses are of all the organisations covered by the consultation.

Figure 1. Response to closed question 1a. (n=110)



As figure 1 illustrates, over three quarters (76%) of respondents indicated that they either strongly disagreed (48%) or disagreed (28%) with the YJB’s proposal to reduce the Youth Justice Grant. This is compared to seven percent of respondents stating that they agreed with the proposal. Respondents from YOTs were more likely than non-YOTs to say that they disagreed with the proposals, while non-YOT respondents were more likely to say that they neither agreed nor disagreed. The question then went on to ask for respondents’ comments on this proposal - a large number of respondents identified a range of key issues about the YJB’s proposals. These are described below.

Negative impact on service/reduction in frontline services

Those respondents who disagreed with the proposals to reduce the Youth Justice Grant to YOTs described how a reduction in funding would have a highly detrimental impact on front line services provided by YOT staff. Respondents stated that reductions in the grant would lead to diminished resources which they believed would impact on their agreed delivery plans and result in reduced performance against national standards and the three youth justice outcome indicators set by government³. Some respondents from smaller YOTs stated that due to their size there was no available choice for them that did not create a negative impact on service delivery.

Some respondents were critical of the position in the consultation document (para 3.11, p. 12) which stated that reductions in overall funding to YOTs are “proportionally substantially lower than the reductions in the YOT’s caseload”.

³ Reducing first-time entrants to the criminal justice system, reducing reoffending and reducing the use of custody.

They offered the position that while YOT caseloads had reduced the cohort their staff were now working with had more challenging needs. Further to this some YOT respondents also talked about how a prioritisation of services would be a threat to innovative working with these young people. Some YOTs also stated a reduction in the Youth Justice Grant would threaten staff training when it was needed most, as more staff were required to deliver more and diverse work programmes to more challenging clients, with fewer resources.

Issues affecting/relating to YOT partners and stakeholders

A large number of respondents from all sectors stated that reductions in the Youth Justice Grant would have an impact on local partners and stakeholders. Respondents stated that any reductions in services would have a negative impact on budgets and services across the entirety of the local authority area.

Some stated that implementing any reductions would have an impact on YOT capacity to deliver services against the local Youth Justice Plan. Some also stated that proposing funding reductions to YOTs sent the wrong message from central government about youth justice. They thought that a reduction in the Youth Justice Grant would identify youth justice as a reduced priority and could have the effect of encouraging local partner agencies (who they argued were facing budget restrictions of their own), to reduce their own contributions to YOTs. This was felt to be particularly the case by respondents who said that their partners varied their contribution in line with the core grant.

Some local authority respondents stated that their organisations match funded the Youth Justice Grant to a very high level in order to deliver youth justice services including a range of activities such as:

- implementing statutory orders
- undertaking restorative justice and victim reparation
- providing appropriate adult services.

They stated to maintain the current level of service provision they would not only have to match fund their YOT but provide additional funding if they wished to continue to deliver those services with YOTs.

Some YOTs also made the statement that they have faced additional reductions in funding from other sources, including partners and other statutory agencies such as Health Authorities, Police Forces and the Probation Service.

Staffing levels and redundancy

A large number of respondents stated that reductions to the Youth Justice Grant could only be met through reducing front line staff. However respondents claimed that they would not be able to deliver a cost saving by terminating staff contracts or making staff redundant within this financial year. Respondents also questioned the argument presented by the YJB in paragraph 4.22, page 15 of the consultation document, which considers that the redundancy costs of losing YJB staff would exceed the savings that would be made - suggesting that if it were not cost-effective for the YJB to make staff redundant this financial year, then it would be equally not cost-effective for YOTs.

Some respondents stated that with the reductions in funding they had received since the 2010 Spending Review (in some cases stated as 50%) the large

majority of their budget was now spent on employing staff. They said that this would mean that the required reductions would have to be met through internal redundancies, which some YOTs stated that they did not have the available budget for. This in turn would mean that any redundancy costs would have to be met by YOT partners such as the relevant local authority. Some respondents asserted that staffing levels would have to be over-cut to cover the costs of payments to staff which would have to be made redundant. Again, they reiterated that this would have a commensurate impact on service delivery.

Timing of reductions / in-year-savings

A large number of respondents stated that the timing of the proposed reductions made cuts harder for YOTs to deliver - they stated that in-year cuts were the most inefficient way of achieving planned savings. Planned reductions would be more cost effective and less disruptive for service delivery.

Many respondents stated that they had an annual planning cycle and had made provision to deliver a plan for the financial year 2015/16 - encompassing contracts which had been signed on an annual basis. Respondents stated that the nature of proposed in-year reductions had complicated this delivery. They stated that this also had implications for staffing with some staff being employed on fixed-term contracts on a financial year basis. Some respondents stated that if reductions were instead planned as part of the annual planning cycle, youth justice services could hold vacancies rather than filling them, or reduce staffing further prior to the beginning of the financial year.

Some respondents described how it would be more effective to implement reductions if they were held over until the next financial year. Some also stated that there was a need for a revision to the YOT funding formula as a method for making proposed reductions. This latter issue will be covered in more detail in question two.

Other issues identified less frequently in the consultation responses

Youth Justice Board and YJB functions and staff

Some respondents questioned the role of Youth Justice Board staff, particularly asking for more transparency in the structure and staffing of the YJB national and regional work programmes. Some stated that they felt the data in the consultation were not sufficiently detailed enough for them to comment on where they felt reductions could be made in the YJB central functions.

Some other respondents stated that they felt YOT staff were being held to a different standard to YJB central staff. They felt that they were being held accountable to a range of indicators while YJB staff were not similarly responsible. Some questioned how far YJB central staff added value to the three national indicators.

Some respondents considered the administrative burden that YJB staff placed on YOTs to be unnecessary and sometimes counter-productive, while others expressed that a number of the central services provided by the YJB could be reduced as alternative cost saving measures - this will be discussed further in question two.

Secure accommodation/estate and custody

Some respondents identified issues relating to young people's secure accommodation and the secure estate more generally. Some respondents stated that they supported what they thought was the protection of the youth justice secure estate from potential reductions, while others questioned this. Those with the former view identified the recent decommissioning of some under-18 young offender institutions (YOI) as evidence that the secure estate had themselves undergone reductions in the last five years. However, those with the latter view stated that reductions in youth crime had largely been delivered by YOTs and local authorities through diversion, prevention and work with young people in the community. The view of these latter respondents seemed to be that further prioritisation of work done in the community would deliver further reductions in reoffending. Some YOTs also expressed disappointment at the perceived lack of value for money of the renewed contracts with existing providers within the secure estate.

Proportionality/distribution of potential reductions

Some respondents questioned the nature of the proposed reductions, particularly with regards to the proportionality and distribution of any reductions. This will be considered in more detail under question two, when this report describes responses concerned with the method used to apply any proposed reductions.

The implementation of AssetPlus

Some respondents mentioned the challenge they would face to deliver the requirements of the new AssetPlus system with what could be decreased resources, and the pressures this placed on them. Some respondents stated that AssetPlus had cost the YJB a great deal and had placed a burden on YOTs to deliver training, ICT upgrades and staff time.

Question 1b. If you disagree with the YJB's proposal, what would you propose as alternative means for the YJB to meet the requirement for savings from the 2015/16 YJB budget?

The second part of question one asked respondents to suggest alternative means for the YJB to deliver any reductions from their budget from the current financial year. The key themes identified among the consultation responses are shown below.

Youth Justice Board and YJB functions and staff

A number of respondents said that they thought there should be further consideration given to how reductions could be made within the YJB's central functions. Respondents' views ranged from a proposed review and restructure of the YJB generally - resulting in transferring functions from the YJB to a unit within the Ministry of Justice (MoJ) with responsibility for delivering and overseeing the secure estate. Some respondents also suggested the transfer of custody budgets to local authorities and a review of secure transport costs to and from court. While other suggestions for savings considered individual parts of the YJB such as the role of its business area teams and central staff, and the value of the YJB annual conference.

Some respondents mentioned that a comprehensive review of the roles and responsibilities of the YJB would be timely and help to identify areas where savings could be made, and areas of potential duplication such as between the YJB and Her Majesty's Inspectorates of Prisons and Probation (HMIP). This they felt would enable a better understanding of the value for money added by the YJB.

Some respondents also raised the issue of sighting YJB functions in central London. They suggested that there were potential cost savings to be made by structural changes or remodelling within the YJB, or rationalising the YJB estate and using any capital receipts to create additional funds.

Some respondents requested that the YJB give consideration to a reduction in the £7.5m identified in the consultation for projects and contingencies. Further to this some respondents also mentioned that more value for money could be achieved in the way that the YJB managed its contracts, citing previous examples of what they felt to be poor project management.

Further specific suggestions covered the following areas:

- Reducing the funding to resettlement consortia as it was suggested that the effectiveness of resettlement in some areas did not represent value for money. Some respondents suggested that YOT staff should lead on and deliver resettlement.
- Reducing (or reviewing) certain grant funding options to YOTs, such as those for Unpaid Work Grant and the Effective Practice Grant.
- Reducing the level of YJB monitoring activity (e.g. national standards audit response and quarterly visits and reports).
- Reducing the evaluation of new youth justice initiatives and dissemination of effective practice.
- Postponing any IT upgrades, specifically the implementation of AssetPlus which it was felt could be delayed for a year, or the costs spread over a number of years. Some respondents stated that a reduction in YJB central staffing costs could be met when the contracts of the AssetPlus project team ended.

Secure accommodation/estate/custody

A number of respondents talked about how they felt that further cost savings could be made from the secure sector and custody arrangements involving young people. A large number of respondents raised the issue of the relative value of different parts of the secure estate and also how this compared to young people who YOTs worked with in the community. There were a number of respondents who felt that work should be undertaken by the YJB to consider whether the greatest value for money could be achieved by the secure estate or within the community. Some stated that there were more savings which could be made across the secure estate given the comparative size of the budgets involved between the work it undertook and that undertaken in the community.

It was suggested by some that the most cost effective model of youth justice was to have fewer people on custodial sentences and instead have their sentences managed within the community. A number of respondents specifically questioned the benefit of short custodial sentences, and cited

evidence about poorer outcomes for young people in custody compared to those in the community.

To this end, some respondents suggested the abolition of all Detention and Training Orders under 12 months in length. This, they felt, would not only deliver savings to secure estate costs but also in staff time and transport costs. Some respondents also suggested reducing funding to attendance centres and unpaid work grants as these were expensive and were perceived to be underused interventions.

Some local authorities mentioned the practice of charging local authorities for the cost of remand into secure accommodation to include all custodial sentences. The suggestion was that there was a perverse incentive for local authorities to accept children being sentenced to custody because it is cost neutral to them.

Further specific suggestions covered the following areas:

- The National Offender Management Service (NOMS) to be asked to contribute a percentage of savings per establishment budget to deliver over £2m.
- Consideration be given to the extent of functions undertaken by NOMS Young People's Estate central team and partners. It was suggested that, for example, any liaison work undertaken with establishment Governors and Directors should be undertaken by YOTs.
- Ensure that any education costs within YOIs are met as part of the education budget.
- Discontinue the resourcing of assisted visits at secure training centres (STC) and (through reimbursements to local authorities) secure children's homes (SCH) without any form of means testing. There was a suggestion from one respondent to examine how NOMS conducted means testing for assisted visits to prisons and to replicate it. This could also involve a review of the requirement to undertake custodial visits, utilising social workers within the secure estate.
- Consider decommissioning placements within SCHs. It was suggested that any shortfall in provision could be met by STCs.
- Consider increasing the costs charged to local authorities for Youth Detention Accommodation (YDA) placements. It was suggested that this would generate income and potentially incentivise local authorities to develop services aimed at managing young people in the community.
- There was a suggestion that funding for Youth Detention Accommodation grants be ring-fenced rather than being subsumed into the broader local authority budgets.
- Closure or suspension of Junior Attendance Centres, which were cited by some as costly and underused in some areas, and not representing value for money. It was suggested that this could offset some savings from the core Good Practice Grant.
- YOTs exploring opportunities for partnership and regional working, with some respondents highlighting examples of where they had instigated

successful collaborations. Those respondents stated that these arrangements had reduced costs and rationalised some processes such as training. Opportunities suggested for collaborative working to save costs included remand management, and custody suite services.

Future funding/budgets/formula

A number of respondents stated that it would be easier and more cost-effective to deliver reductions at the beginning of a financial year, rather than during the middle of a funding cycle. Respondents felt that planning for reductions in the next financial year would enable them to re-assess commitments and commissioning arrangements - given that YOTs and local authority partners were approaching their planning cycles for the next financial year at present.

As such the suggestion was that any reductions in funding should be held over until the next financial year where issues such as reductions in contracts could be managed more effectively. Connected to this, as mentioned previously, a large number of respondents said that it would be easier to manage issues such as staff redundancy if the requirement for savings were held over until the beginning of the next financial year. They also felt that this would be more cost effective and ultimately cheaper, given the fact that reductions in some staffing levels could be met naturally by not renewing the contracts of staff who were paid on a contract to contract basis.

Some respondents further felt that between now and the beginning of the next financial year it should therefore be possible to review the Youth Justice Grant and how this is allocated. A number of respondents questioned the fairness of the grant allocation and that factors should be considered which ensured that savings could be achieved in a more proportionate way. These included factoring in an understanding of: local deprivation; the different needs of the different client groups nationally; and the effectiveness of different YOTs. This, they felt, would result in a larger proportion for those best able to meet those reductions and smaller reductions for those not in a position to do so. More respondents considered this issue in more detail under question 2 which asked about the method used for any potential reduction.

Issues affecting/relating to partners

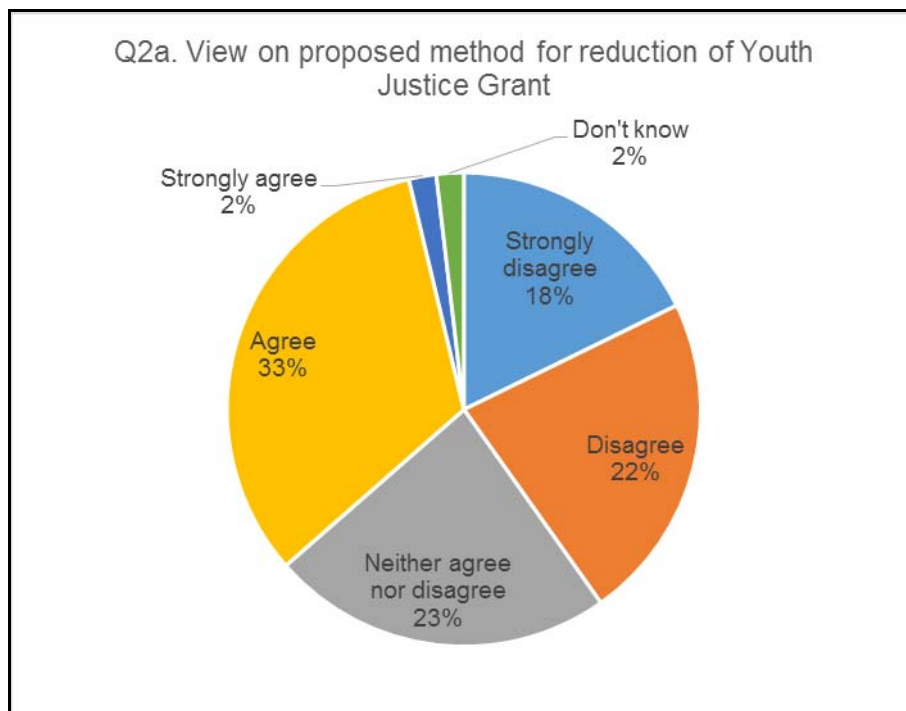
A number of YOTs stated that they, and their partners, constantly reviewed their staffing and operational costs, with the view of making ongoing reductions due to decreasing budgets across all areas of the public sector. They stated that as a result they had already identified potential savings and there were no further significant savings to be achieved. While some respondents highlighted that savings could be achieved by recovering unused grants from Local Authorities and funding streams.

Some respondents felt that more could be done to meet the required savings by other government departments. Some for instance asked whether some costs for new education contracts could be met by the Department of Education. While others talked about improving partnership working between the Departments for Health and Education to identify where savings could be made in budgets on common issues and pooled budgets where common targets were identified.

Question 2a. To what extent do you agree with the YJB’s proposed methodology for the £9.0m reduction in Youth Justice Grant (reducing individual YOTs’ 2015/16 grant by the same proportions as that used this year to calculate their grant)?

Question 2 opened with a closed question asking respondents how far they agreed with the YJB’s proposal that any reduction in the Youth Justice Grant should be apportioned on the same basis as that used this year to calculate their grant. Figure 2 below shows the responses to this closed question.

Figure 2. Response to closed question 2a. (n=107)



As figure 2 illustrates the proportion of respondents who stated that they either strongly disagreed (18%) or disagreed (22%) (40% in total) with the YJB’s proposed method to reduce the Youth Justice Grant was similar to that which stated that they either strongly agreed (2%) or agreed (33%) (35% in total). Once again respondents from YOTs were more likely to say that they disagreed with the proposal, while respondents from non-YOTs were more likely to neither agree nor disagree.

The question then went on to ask for respondents’ comments on the proposed method - a range of themes were identified to reflect this polarity of opinion, but the issue of fairness dominated the responses. These are described below.

Fairness and proportionality of the proposed method

Those respondents stating that they felt the method was fair cited the fact that it was the method which had been developed, consulted on and agreed upon after a systematic and structured process by a large number of YOTs. Many stated that they felt the advantage to using this method to apportion any cuts was that it was logical, rational, easy to calculate and administer, also that it was understood by YOTs.

Those respondents who believed that the method was the fairest way of apportioning reductions stated that taking any other approach could likely be both problematic, and time and resource consuming - with any changes to the allocation of cuts being difficult to justify, leading to too much challenge and debate. They responded that this would create costs and delay decision making. Some stated that a more thorough method of how to apportion any proposed reductions would take too long to be developed and would not allow for in-year savings to be made.

Unfairness and disproportionately of the proposed method

Those respondents stating that they felt the proposed method for apportioning reductions was unfair raised a number of issues to support their response, the main one being their disagreement with the use of the YOT funding formula more generally. Some respondents stated that they felt the current system did not ensure equality of opportunity for areas of rapidly changing demography, differential levels of deprivation and different levels of crime and anti-social behaviour. They also suggested that the YOT grant allocation formula was in need of review and had been for some time.

Respondents disagreeing with the proposed method felt that it did not take enough account of local impact and individual factors within each area. Those respondents stated that the Youth Justice Grant represented very different proportions of the total YOT budgets in some areas compared to others. This was also the case with regards the level of local authority funding they received. This, they stated, would lead to creating a disproportionate impact, for example favouring YOTs of different sizes and in different parts of the country - with some (particularly smaller services) finding it harder to absorb any reductions. With this in mind some respondents stated that they felt consideration should be given to the size and nature of reductions that YOTs might also be facing from other local authority partners.

Finally some respondents raised the issue that the proposed method did not recognise the innovation that some YOTs had achieved. One suggestion was that funding for some particularly innovative approaches that YOTs had developed could somehow be protected.

There were additional respondents which also stated that while they agreed with the method which would be used to undertake the reductions, they felt that the YJB should take its own proportionate share of any proposed reductions.

Question 2b. If you disagree, how would you apportion the £9.0m reduction in Youth Justice Grant?

The second part of question two asked respondents to offer alternative suggestions for how they would apportion any reduction in the Youth Justice Grant. The key themes identified among the consultation responses are shown below.

Appropriate proportion and distribution of reductions

In line with responses to the previous question a number of respondents suggested methods to apportion a proposed £9m reduction in the Youth Justice Grant. The majority of these responses revolved around organisational ability to pay. Approaches suggested were to apportion any potential cuts based on:

- Individual YOTs ability to absorb the greater level of reductions.
- Local needs and challenges - including local demography, local crime levels, local deprivation levels, risk (harm and safeguarding) managed and throughput achieved; and as one respondent suggested the 'average unit cost of budget per court order'.
- Levels of reductions faced previously - including past reductions absorbed and the relative impact this has had on YOT performance, workload, and levels of cuts levied currently and previously by YOT partners⁴.
- Cost-benefit - involving a cost benefit analysis of the work of YOTs and the redistribution of savings across the criminal justice system.
- Performance - involving a proportion of reductions being required across all YOTs with the remaining proportion of reductions apportioned across those YOTs that may need additional resources for a period of time to implement changes or improve performance.
- More proportionate savings across business areas - it was felt by some respondents that secure estates, YOTs and the YJB central functions have been asked to provide disproportionate levels of reductions in the past.
- Reductions on the next financial year and a reconsideration of the Youth Justice Grant funding formula for future years.

A number of responses requested that the YJB reconsidered the method used for distribution of the Youth Justice Grant in future years, with a view to making this allocation a fairer process.

Protecting frontline services

A number of respondents talked about the need to protect services of those least able to afford any reductions. It was suggested that any reductions to what respondents termed front-line activities (particularly those staff undertaking case management and delivery) that directly impacted on the prevention of

⁴ It was cited by one respondent that financial information on the local authority and partner contributions are available to the YJB for every local authority area, as they are submitted each year as a condition of grant.

reoffending should be prioritised, and also weighted, on area need through a localised risk analysis.

Another approach suggested as being fairer would be to re-allocate proposed in-year savings back to YOTs once additional savings had been identified from NOMS on the basis of a simplified business case evidencing innovation or exceptional outcomes.

Finally under this question one respondent stated that the YJB should undertake to make public the Equality Impact Assessment for the consultation, and to see whether full consideration was being given to the scale of the reductions on frontline preventative work across all YOTs.

Question 3. (For YOT respondents) What would be the anticipated impact on your performance if the YJB reduced your grant as proposed?

Question three asked respondents to describe what they felt the anticipated impact would be on performance if the Youth Justice Grant were reduced. Respondents were asked if they could outline the impact on the following:

- a. First-time entrants
- b. Reoffending
- c. Custody
- d. Safeguarding
- e. Public Protection

The key themes identified among the consultation responses which cut across all of these topics are described initially, followed by responses on individual topics.

Key issues identified across all topics

Reduction in staff

As previously identified in question two, a large number of YOTs felt that savings could only be made by reducing the numbers of their staff and/or not filling posts currently vacant. Many felt that any staff reductions would impact on the delivery of services with many now saying that they found themselves in the position of having to prioritise their services and deciding the best way to support young people who rely on their services. The impact of fewer staff would not simply impact on delivery of services as many respondents felt that their capacity to meet statutory functions, national standards/best practice and adhere to HMIP guidance and recommendations would be compromised.

Service delivery

Many respondents expressed concern that a proposed reduction in resource would be likely to lead to a reduction not only in the number of services offered but would also impact on the type and quality of services YOTs would be able to offer. There were suggestions among the respondents that services which were not cut would be streamlined to ensure they provided support to all those young people (and their families) who most needed it.

National standards/HMI Probation inspections

Respondents stated that involvement in HMIP inspections and work around national standards placed a large burden on YOTs. Many stated that a reduction in budget and therefore on staff would place additional pressures on services to meet the reporting requirements. Many respondents expressed concerns over the burden that HMIP/thematic inspections placed on staff. There were suggestions that they would find themselves being placed in a situation where they would only be able to do the minimum required to meet national standards.

Shift in focus

A common theme emerging from responses was the possibility of YOTs moving to a service with a focus on statutory work and away from preventative work. Respondents expressed concern about the impact this would have particularly around first-time entrant (FTE) rates - with many feeling they had reduced as a result of diversion schemes currently in place. However they thought that rates of FTE's could increase if there was a change in the services they delivered. Some respondents suggested that if diversion schemes were to remain, then they would have to reduce the statutory case work which would in turn impact on public protection and safeguarding issues.

Increase in caseload

There was a concern that a reduction in staff and a consequent larger average caseload may comprise services currently being offered to support young people. In particular, respondents were worried what impact a larger average caseload would have on staff's ability to undertake work on safeguarding and public protection. Respondents were concerned that a reduction in the work they were able to do would have to be taken forward by other partner agencies. With many other agencies also being subject to similar budget reductions, respondents expressed concern that the cumulative effect of these reductions would have a negative impact on the outcomes for young people.

First-time entrants

As mentioned above, those respondents who specifically addressed the issue of FTE were concerned that FTE rates would be negatively impacted by any reduction in funds - their assertion was that any reductions would mean that services would have to prioritise focusing on statutory work over prevention work, which they felt could mean that diversion schemes currently in place would no longer be available.

Many respondents said that the impact of service changes would not only lead to increase in FTE and Out of Court Disposals (OOCd) but also would increase the numbers of young people coming into the criminal justice system. Overall, a large proportion of respondents stated that this would result in a rise in reoffending rates (and impact on performance targets).

Reoffending

Many of those who responded to this particular question felt that a budget reduction would limit the capacity of YOTs to support young people at greater risk of reoffending and harm with specific services having to be cut. As previously discussed, respondents expressed that they were having to consider reducing preventative work including work to support alternatives to custody. Many felt that this would result in:

- an increase in the use of custody (increasing the numbers in custody and on remand)
- an increase in reoffending
- a disproportionate impact on disadvantaged groups (i.e. looked-after children).

Respondents said that if more young people started entering the criminal justice, they anticipated that demand for services would only increase - with

many concerned how this would impact on the quality of statutory interventions and delivery.

Custody

Many respondents stated that they were faced with reducing support for alternatives to custody to ensure they met minimum national standards; most believed that there would be an increase in offending behaviour as a result of this, which would in turn impact on the number of young people in custody and on remand. Respondents stated that this would increase costs to other parts of the system, including the criminal justice system (police, courts, other agencies) and educational systems. Some respondents suggested a rising custodial population could increase the need for more custodial places to be made available within the secure estate.

Some respondents felt they would find it harder to support young people when they were in custody, not only due to resourcing issues but also in light of the distance between YOTs and custodial establishments.

Safeguarding and public protection

As discussed above, a large proportion of respondents felt a move away from preventative services towards statutory work would mean a reduction in the type and quality of services they were able to offer. Some respondents thought that there would be a commensurate impact on the management of safeguarding and public protection issues, while others raised concerns how this would be viewed by their communities - with some expressing concern that changes to safeguarding and public protection practice levels may negatively impact on user satisfaction and public confidence.

Where respondents specifically discussed the impact on safeguarding and public protection issues, a number thought they would have less capacity to support safeguarding plans, especially at the early help stages. They believed that this could raise the possibility of safeguarding and vulnerability issues not being identified early enough. They felt that support would only be available much later on, by which time, the young person's needs may be greater, requiring the support of other local agencies.

Question 4. If the YJB were to reduce the allocation of Youth Justice Grant, how can it help YOTs implement those savings and minimise any possible disruption to their work?

Question four asked respondents, if the Youth Justice Grant were reduced what the YJB might do to help YOTs minimise any possible disruption they would experience as a result. The key themes identified among the consultation responses are shown below.

A large majority of respondents who answered this question discussed the issues raised under questions one and two:

- Late announcement - concerns were expressed over the announcement of proposed cuts to Youth Justice Grant, highlighting the short timescales services would need to work within to ensure in-year savings were made.
- In-year savings - respondents expressed the difficulties with making in-year savings with budgets having already been set on previous Youth Justice Grant figures.
- Staffing levels - some respondents felt the only way to achieve the savings outlined was to make changes to services through staff redundancies. However, many felt that this would need to be planned over several months which would not be compatible with timings set out in the consultation.
- Reductions from partners - some respondents expressed concern that other funding partners would look to review and cut their support (i.e. funding and general assistance). A large number of respondents were concerned that reductions proposed by the YJB would send a signal to other funding partners that additional cuts could be made.

Other key issues identified from the consultation responses for question four are outlined below.

What support can the YJB provide?

Some respondents suggested that the YJB could support YOTs and their partners by providing the following:

- Facilitation - facilitate discussions with partner agencies (particularly those who also fund YOT services) and stakeholders.
- Identification/prioritisation of services - work with YOTs to identify/prioritise services.
- Information - provision of generic support to assist with planning.
- Cease/review existing YJB initiatives - review the demands currently placed on YOTs/YOS with regards reporting and monitoring requirements (particularly in light of potential staff reductions). Some respondents expressed concern that they would be expected to deliver the same level of services/undertake the same level of monitoring and assessment tasks requested by other agencies but with reduced level of resources.

Facilitation/advocacy

Some respondents said that they would like the YJB to maintain their advocacy role on behalf of YOTs with other agencies and stakeholders and engaging with service organisations (i.e. Health, Probation, PCCs) and local authorities.

Identification and/or prioritisation of areas

Responses to this question suggested a strong feeling amongst organisations that the YJB should assist YOTs in planning for the changes which needed to be made to services in light of the cuts they were being asked to make. Some respondents suggested the YJB should issue guidance to YOTs around which functions should be protected and those that can be reduced.

A large proportion of respondents were concerned that a number of their funding streams would be cut and therefore felt that YJB could advocate for a three to five year grant funding cycle. This would allow YOTs to plan more effectively in the medium term as opposed to working on a year-on-year basis.

Additional support and information

Some respondents identified individual areas of support that the YJB could offer, these included:

- Identification of alternative funding bodies.
- Identification of agencies with whom budgets could be pooled and/or work streams aligned so work undertaken by YOTs could still be carried out.
- Work with Universities to further support effective practice.
- Oversee measurements of impact nationally.
- Ensuring statutory agencies contribute to YOT partnerships and support them at a local level when negotiating with key partners.
- Assist in national and local dialogue in relation to revised funding formula.
- Working with MoJ to review national standards to reflect reductions in service.
- Manage expectations of HMIP and/or work with HMIP to streamline YOT Inspection programme.
- Reduce monitoring and reporting demands placed on YOTs.

Scope of YJB support

Given the nature of the proposed reductions, many respondents felt YJB could only provide limited support. Many felt that YOTs themselves were the only ones who would be able to make service changes and manage what some organisations stated were “inevitable redundancies”. Overall, many respondents found it difficult to suggest how YJB could assist YOTs to implement savings and minimise disruption with some noting that responsibility for any changes would fall to the YOT manager under the guidance of their management board.

Some respondents' felt that while the YJB might not be able to help directly they could help minimise future impact for example by:

- Ensuring future reduction to the Youth Justice Grant were kept to a minimum.
- Providing an indicative 3-5 year Youth Justice Grant allocation to help business planning, which would enable more effective planning for services.
- Revising the Youth Justice grant funding formula.
- Sharing the burden of any future cuts to grants and/or budgets.

Burden of reporting requirements

Some respondents felt that reporting demands placed on YOTs should be reassessed particularly in light of cuts to funding. Many felt that they were already providing a great deal of information to the YJB alongside submitting self- assessments, undertaking thematic inspections and reports, and questioned whether they were essential. Some suggested that information requirements needed to be prioritised in some way to reduce the administrative burden on YOTs.

A number of YOTs expressed dissatisfaction with the demands placed on them by the HMIP inspection process. Some respondents highlighted the number of inspections they had been involved in or had contributed to. A large proportion questioned the viability of continuing to undertake assessments, quarterly reports, and other monitoring requirements in light of the proposed reductions.

AssetPlus

A number of respondents expressed concern that the implementation of AssetPlus would continue despite the demands many YOTs felt it placed on them. Some suggested that costs were becoming prohibitive and given proposed reductions to funding this money could be used to cover other parts of the service.

Question 5. If the YJB were to reduce the Youth Justice Grant allocation by £9.0m (10.6%), what would the likely impact be on those with protected characteristics under the Equality Act 2010?

Question five asked respondents what impact any reduction in the Youth Justice Grant would have on people with protected characteristics under the Equality Act 2010:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

Most responses indicated that there would be a disproportionate and negative impact on groups with protected characteristics, compared to a small number who responded that there would be no additional or disproportionate impact. A number of responses were in general terms and those responses are discussed initially, with responses that discussed the individual protected characteristics described after this.

Tailored / specialist services

One of the main themes was that respondents felt a reduction in funding would threaten the provision of support and services tailored to specific needs. This was because they felt that a reduction in funding would require a reduction in staff, or the de-commissioning of specific services. Respondents said that depending on the extent of the reductions, any or all of the groups with protected characteristics could be disadvantaged. Their belief was that any proposed reductions would lead to a more standardised approach, which may be less effective for some groups. This was also a main theme when specific characteristics, such as gender, race and disability, were discussed.

Vulnerable or disadvantaged

When responses did not address the protected characteristics directly, they generally referred more broadly to the vulnerability and disadvantage of the YOT service users. The concerns raised were similar to those for specific characteristics - that any proposed reductions would lead to less tailored support, and that as a group they would be more negatively affected than others. Respondents indicated that vulnerable and disadvantaged young people were over represented as service users of YOTs. Protected characteristics such as disability, age and race were seen as related to, and in some cases exacerbating, the vulnerability of the YOT cohorts.

Impact assessment

A number of respondents commented that it was difficult, based on the information in the consultation, to be precise about the expected impact and that a full impact assessment was required. It was suggested that this should focus on the demographic information already collected by the YJB about YOT caseloads.

Key issues raised specific to individual protected characteristics

Age

Age was mentioned in more responses than any other protected characteristic, with many pointing out that as YOTs work with under 18's any loss of services would disproportionately affect children and young people. In particular, it was felt that the cut in funding would hit more vulnerable young people hardest, given that children experiencing various types of social and economic disadvantage were overrepresented on YOT caseloads. Others mentioned that they felt reductions were unfair towards young people because the equivalent adult services were not facing the in-year funding reduction.

The comments mentioned a variety of ways in which they felt young people under 18 would be affected by the proposed reductions: loss of services, reduction in quality of services, less time in contact with staff. The risks included: that more young people would enter the criminal justice system, that more would reoffend, and that safeguarding would suffer. A few respondents made the point that they felt these services are unlikely to be provided by others if YOTs are unable to sustain them.

Younger children

Responses also discussed different impacts within the under 18 age group. Many responses indicated that they expected early intervention or preventative work to be most at risk if the funding were cut, something expected to have a more severe negative impact on younger children. Responses spoke of younger children "on the cusp of offending" and FTE's likely to receive less support, with resources redirected to sustain statutory work and to "older complex offenders". One service gave the example that the reduction would mean they were unable to continue to accept referrals for children under 10 (the age of criminal responsibility) which could lead to young children becoming further engaged within the criminal justice system.

Older children

A few responses raised concerns about the impact on older children, that the reduction in funding could mean older children would receive a lesser service. Specific risks identified were that more of those near their 18th birthday would be transferred to adult services. Currently these young people stay with youth services if they are deemed to lack maturity, have special needs, or there are safeguarding concerns. The other concern was that a reduced service would mean less resettlement support for 17 and 18 year olds, particularly those leaving custody.

Looked-after children

Although 'looked-after' status is not a protected characteristic in itself, it relates to age and was frequently raised in the responses. Three main points were made:

- Looked-after children (LAC) were disproportionately represented in the criminal justice system and so would be disproportionately affected by a reduction in youth offending services.
- A reduction in funding puts specialised, specific provision for LAC at risk.
- A lack of resources for preventative or restorative approaches could lead to even greater numbers of LAC, in particular, being criminalised.

Two YOTs said that they had specific leads for LAC, but that these would likely be lost with further reductions in funding. Another YOT said they had put in place new practices to ensure continuing support for LAC who received court orders (particularly those placed out of area), but that loss of funding would lead to a cut in front line staff, affecting these new practices.

Disability

Learning difficulties and disabilities

While some responses spoke about the impact on disabled people generally, most focused on young people with learning disabilities. One YOT estimated that 80% of their current caseload involved children with Special Educational Needs or learning difficulties. Many others mentioned more generally that children with learning disabilities were overrepresented in the youth justice system - including specific mention of those with Special Educational Needs, speech and language (communication) difficulties, people on the autistic spectrum, and those with attention deficit hyperactivity disorder (ADHD). It was expected therefore that reduced funding would disproportionately impact this group if services had to be reduced.

A reduction in funding was felt to put the extra support and specialised interventions needed for this group at risk. Mostly the comments gave a general sense that the additional resource to support young people with learning disabilities would be difficult to provide. One specific response gave the example that a YOT had recently commissioned a new Speech and Language Service that cuts to funding would put "in peril".

Mental health issues

A small number of respondents also reported that they felt there would be an impact on those with mental health issues. Mental health conditions are a protected characteristic when they are long term and make normal day to day activities more difficult (when the condition is present). The responses pointed to the association between poor mental health and offending behaviour, saying that less resource would put these young people at a disadvantage. One response stated there needed to be a "comprehensive assessment of impact in this area". Another gave an example of practice, where they had a dedicated worker from child and adolescent mental health services (CAMHS) to work with young people at the YOT which they said would be "at risk of being diluted with the withdrawal of further resources".

Gender reassignment

There were no specific comments about gender reassignment.

Pregnancy and maternity

No comments were received on this characteristic.

Race

The responses about race almost all focused on the over representation of black or BAME children in the youth justice system. The proposed reduction in the grant was believed to have a number of possible negative effects for this group:

- Reduced capacity to respond to local circumstances and attempts to reduce the over representation of BAME children among their clients. One response specifically mentioned services aimed at diverting gang-involved young people from offending, another mentioned mentoring and outreach support for black boys.
- Reduced scope for providing appropriate, tailored services to BAME children.
- General negative impacts from a loss of YOT services due to BAME children being more likely to have been users of those services.
- For some the over representation of BAME children in the criminal justice system already points to a disadvantage and they stated that a loss of funds was unlikely to improve this situation.

Religion or beliefs

A small number of respondents spoke of the work done by YOTs to prevent and protect young people from radicalisation. This was seen as one of a number of new areas of work that one respondent felt had “not been supported by adequate resourcing” and they believed would be limited or lost with a reduced budget. One response highlighted that “Muslims may be most at risk in the cuts” due to their disproportionate representation in the criminal justice system - citing The Young Review as evidence of the importance of this issue.

Sex

The majority of comments about sex and gender focused on girls and young women’s involvement in the criminal justice system.

Girls

As with the protected characteristics discussed already, there was a fear expressed among the respondents that with fewer resources YOTs would be unable to offer tailored, gender-specific support. The responses stated that girls are already more “negatively affected” by their treatment in the criminal justice system, and that the programmes and materials designed for boys are not always relevant for meeting their needs. One respondent raised the problem that, if there were staff redundancies within their service, it may not be possible to ensure there were female staff available.

There were also felt to be a number of factors that were already placing girls at greater risk, and likely to be exacerbated by a reduction in resources:

- An increase in young women entering the system, and specifically an increase in girls committing violent offences.
- Several responses highlighted that work around Child Sexual Exploitation had been a growing area of responsibility, and that this was part of the increasingly complex risks “in the field of human exploitation” that YOTs were facing.

Boys

Fewer responses considered a negative impact on boys and almost exclusively this was connected to issues of race. Those respondents highlighting an over representation of BAME boys in youth justice were presented above. However a couple of respondents spoke of the over representation of boys among their client groups more generally.

Sexual orientation

Only a couple of respondents made specific reference to sexual orientation. Young people with this protected characteristic were highlighted along with girls, LAC, BAME and Travellers, as a group that required the development of specific effective approaches, which may not be possible with reduced resources. Another response was that reduction in preventative work could result in higher levels of bullying and hate-crime, including against sexual minorities.

Question 6: Other information. Please provide any other information that you believe the YJB should consider.

Slightly over half of respondents chose to supply additional information. Often this was a more general overview of their position on the consultation. However by its nature this question produced varied and individual responses. The themes discussed below are some of the most common themes raised.

The risks of a reduction to the Youth Justice Grant

Many respondents took the opportunity to state or re-state what they saw as the main risks of reducing the Youth Justice Grant. Responses from YOTs in particular stressed that any cut was likely to be met through cutting staff costs, resulting in a reduced quantity or quality of service. Responses across organisations were concerned that the proposals could result in a loss of services, an increased number of young people entering the youth justice system, and increased level of reoffending, and as a result, more victims. A number stated that, the loss of prevention services in particular, could result in far higher long term costs.

A further concern, particularly of YOT and Local Authority respondents, was that YOTs may be unable to make the proposed savings in-year, as breaking contracts or making staff redundant both takes time and costs money. Several also noted that this was in effect a further cut because, due to the terms and conditions, redundancy payments cannot be paid from the Youth Justice Grant.

Future work and structures of YOTs

The future funding and structures of YOTs was a common theme in the additional information supplied. Respondents offered the criticism of the consultation that the proposed reduction was presented in isolation from the “wider picture”. Many stated that they needed information about proposals for the Youth Justice Grant for 2016/17 to fully respond to the consultation. That the nationally negotiated National Probation Service contribution to services is still unresolved was also raised as a problem by one or two respondents.

It was felt that the “year on year” nature of the cuts, and particularly the proposal to reduce funding mid-year, added instability and limited the ability to make savings because there was so little scope for forward-planning. As highlighted previously, it was suggested that the grant should be forecasted or given in blocks of two to three years. One respondent also mentioned that, given the reductions, the grant conditions should be changed to allow a contribution to redundancy costs in proportion to the percentage of the overall YOT budget supplied by the grant.

A small number of the responses discussed the possibility of bringing in new sources of funding for YOTs, for example for their contribution to the Troubled Families programme. Others suggested that the formula for distributing the grant needed reviewing; suggestions included rewarding improved outcomes, reviewing and making the formula public, taking into account the size of the geographical area, and taking into account levels of deprivation.

It was felt that, if the budgets continue to be reduced into 2016/17 and beyond, the current model and remit of YOTs could become unachievable. Mostly the responses suggested that the remit and range of services expected of YOTs

would need to be reviewed, and scaled down to reflect what is achievable with available resources. A few were more specific: that the statutory nature of services should be reassessed; that there should be a reduction in the mandatory data YOTs are expected to produce; or that a national reorganisation is required for example by 'adult' criminal justice services managing young people from age 16. Comments suggest a leadership role for YJB to support and guide this re-shaping.

Impact on partnership working

The effect of the proposals on partnership working was a concern shared by many respondents. As described previously respondents stated that the proposals were seen to risk sending a message to other YOT partners that it was acceptable to withdraw funding. This was seen as a significant risk because, almost across the board, YOT partners were facing reductions in overall budget. One local authority described YOT funding as being "squeezed from all sides". It was also felt that the proposals risked a situation where YOTs could lose their focus and expertise in crime and disorder, particularly if they were forced to merge with the wider children's services teams.

The review of youth justice

A small number of responses referred to the recently announced review of youth justice, noting that any reductions would happen before the review provided a strategic guide for the future. One respondent stated that the review had been prompted by reoffending rates and that the review needed to go further into the data to look at "the impact [YOTs] have on reducing the seriousness and/or frequency of reoffending for some young people".

Another area felt to need further scrutiny and evidence was the overall cost-benefit of YOT work. There were three areas suggested for analysis:

- YOT impact on reducing young people in court, in custody and transitioning to adult offender services.
- YOT impact on wider national and local agendas over and above criminal justice. For example troubled families, social care and welfare, education, training and employment, Child Sexual Exploitation, safeguarding, and health.
- The value of time spent working on YJB programmes such as sector led improvements, un-paid work programming, AssetPlus, staff training for AssetPlus, national standards audits, new KPI measures, TRM Case Management Development, and reoffending toolkits.