



# Estyn

*Rhagoriaeth i bawb – Excellence for all*

Arolygiaeth Ei Mawrhydi dros Addysg  
a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate  
for Education and Training in Wales

## Meeting the learning needs of children and young people who offend

June 2008



BUDDSODDWR MEWN POBL  
INVESTOR IN PEOPLE



**The purpose of Estyn is to inspect quality and standards in education and training in Wales. Estyn is responsible for inspecting:**

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- ▲ primary schools;
- ▲ secondary schools;
- ▲ special schools;
- ▲ pupil referral units;
- ▲ independent schools;
- ▲ further education;
- ▲ adult community-based learning;
- ▲ youth support services;
- ▲ youth and community work training;
- ▲ LAs;
- ▲ teacher education and training;
- ▲ work-based learning;
- ▲ careers companies;
- ▲ offender learning; and
- ▲ the education, guidance and training elements of The Department for Work and Pensions funded training programmes.

Estyn also:

- ▲ provides advice on quality and standards in education and training in Wales to the National Assembly for Wales and others; and
- ▲ makes public good practice based on inspection evidence.

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## Introduction

- 1 The issues surrounding the policy, planning and delivery of education and training for children and young people who offend are complex and involve many different agencies. This means it is not always clear to these agencies who is responsible for raising the education standards and outcomes for this group of learners. The Welsh Assembly Government, in its 2007-2008 remit to Estyn, asked for advice on how local authorities fulfil their statutory role as far as the education and training of children and young people in the youth justice system is concerned.
- 2 This report sets out the role of local authorities in meeting the education and training needs of children and young people who offend and how well authorities meet these statutory responsibilities.
- 3 The Assembly has commissioned two previous remit reports in this area. These reported on the quality of education and training for children and young people who offend<sup>1</sup>. Each report found that there are many important barriers which prevent children and young people from achieving their full potential.
- 4 This report is based on the outcomes from inspection and the findings of published research and surveys. It also draws on the responses from questionnaires that Estyn sent to all Youth Offending Teams (YOTs) and all local authorities in Wales. We also took evidence from the local authorities' Single Education Plans and YOT Youth Justice Plans.
- 5 This report identifies how well local authorities meet the needs of children and young people in the youth justice system by:
  - supporting Youth Offending Teams;
  - planning and developing appropriate provision; and
  - monitoring learning outcomes.
- 6 The report includes case studies in Appendix 3 which show good practice in providing education and training for children and young people who offend.
- 7 The report also includes a glossary of terms.

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<sup>1</sup> The quality of the education and training provided for Welsh young people in the youth justice system, Estyn 2005

## Background

- 8 The Crime and Disorder Act 1998 required the Chief Executive in each local authority in England and Wales to establish, by April 2000, a multi-disciplinary YOT to co-ordinate services to reduce and prevent youth offending at a local level.
- 9 Local authorities are responsible for supervising children and young people who offend and working with those at risk of offending. Local Authority Chief Executives put in place annual youth justice plans which describe the nature and scale of offending by children and young people in their area and the programmes to tackle this. They are accountable for YOTs and provide leadership and management to the YOTs to help them meet the Youth Justice Board Education, Training and Employment targets.
- 10 Directors of Education are accountable for the education of all children and young people residing in their local authority area. As part of this accountability they are responsible for the planning and delivery of education for children and young people in the youth justice system. It is the local authority, rather than schools, that has the responsibility for making available education provision to meet the needs of these children and young people, with the minimum of delay.
- 11 YOTs are multi-agency bodies and must be funded or staffed from the following statutory partners:
  - the police service;
  - the probation service;
  - social services;
  - local authority education services; and
  - the health service.
- 12 YOTs co-ordinate the work involved in preventing youth offending at a local level and support children and young people who offend. Each team is managed by a YOT manager who co-ordinates the work of the youth justice services. YOT managers are accountable within local authority structures, and are overseen by multi-agency, strategic management boards.
- 13 YOTs work to prevent children and young people from offending through a range of targeted programmes. They carry out a standard assessment of all children and young people coming into the youth justice system and develop individual supervision plans to address particular needs. In the case of children and young people of statutory school age who offend, it is the role of YOTs to identify those:
  - whose education and training needs are not being met by existing school provision;
  - who have no provision at all; or
  - who have provision but it is not appropriate.

- 14 Much of the work of YOTs is statutory. This means it must be informed by the relevant strategies and policies that affect children and young people in Wales, including children and young people who offend.
- 15 The main strategies and policies which relate to the education and training of children and young people who offend are:
  - The All Wales Youth Offending Strategy (AWYOS) which was jointly agreed by the Welsh Assembly Government and the Youth Justice Board in July 2004. This strategy expects that those who are supervised by YOTs are treated as children and young people first and offenders second. The strategy requires children and young people who offend to have an Individual Learning Plan (ILP) outlining their Education, Training and Employment (ETE) requirements;
  - The Learning Country' (2001) and 'Learning Pathways 14-19' (2002). These policies and strategies recognise that young people learn in different ways and that they can all contribute to society if their learning has been successful. There is a focus on developing individual learning pathways to meet the needs of each learner and providing wider choice and flexibility of programmes and ways of learning; and
  - Extending Entitlement' (2001), which is the Assembly's flagship policy for youth support services in Wales. The basis of the policy is 10 'entitlements', which the Assembly and partners have deemed essential for young people aged between 11-25, to receive, in order for them to achieve their full potential.
- 16 The Welsh Assembly Government's guidance circular (2006), *Inclusion and Pupil Support* sets out a framework for all schools and Local Authorities to use to develop an inclusive and supportive approach for children and young people with additional learning needs. The circular identifies children and young people who offend as one of the main groups requiring special attention.
- 17 Her Majesty's Inspectorate of Probation inspects Welsh YOTs. They invite Estyn to inspect the education and training provided for the children and young people supervised by the YOT. The reports are available on the HM Inspectorate of Probation website.

## Main findings

- 18 Overall, local authorities do not do enough to ensure that YOTs in Wales secure full-time education, training or employment (ETE) for children and young people in the youth justice system. They do not always provide sufficient leadership and management to YOTs or contribute to the YOT management board at a high enough level.
- 19 Local authority education services in Wales contribute less money to YOTs, as a proportion of overall funding, than partners in England do. In 2006/07 their contribution to total, all Wales YOT funding went down from 3.1% to 2.9% of the total YOT budget. This means that the range of services and the educational opportunities available to children and young people who offend, and who often have complex and long-standing educational needs, are limited.
- 20 Many YOT boards do not have plans to improve ETE performance. None of the YOTs in Wales currently meets the YJB ETE target. Many YOT managers and practitioners find it difficult to make sure that children and young people to get the ETE interventions they need.
- 21 Planning and delivery arrangements for the education and training of children and young people who offend vary widely across authorities. Most children and young people who offend do not have an Individual Learning Plan (ILP) as required by both the Assembly and the YJB<sup>2</sup>. At LA level there is a lack of clarity about who should lead the multi-agency work to produce the ILP and what form this should take. Most YOTs find it difficult to access all the information they need about a child or young person's learning style.
- 22 All local authority education services must provide education for their pupils who have been excluded from school. However, most authorities do not ensure that they offer these learners the recommended 25 hours per week. In the main, schools are often reluctant to offer places to children and young people who have been excluded, offended and/or who have been in custody.
- 23 Overall, there are not enough education and training places to meet the individual needs of those who offend. Although many YOTs are able to access individual education packages from a good range of alternative settings, including pupil referral units, youth service programmes and voluntary projects, there are still too many gaps in provision. Finding and accessing suitable provision remains a major difficulty for many children and young people who offend.
- 24 There is a shortage of appropriate work based training places for young people who offend. There is not enough basic skills provision to support these children and young people. Local authorities do not commission enough projects suitable for girls and young women who offend. There is not enough Welsh language or bilingual provision available.

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<sup>2</sup> All Wales Youth Offending Strategy (2004) WAG, YJB



- 25 The arrangements for managing the transition of children and young people from custody to the community are only adequate or poor in around half of cases. There is not enough representation by local authority officers at meetings in the secure estate to review the ETE progress made by young people in custody and agree the arrangements for continuing with their learning on release.
- 26 The majority of children and young people leaving custodial detention attend alternative curriculum provision rather than go to school. This means they do not always have the opportunity to gain appropriate accreditation.
- 27 However, many local authorities do aim to provide some appropriate accreditation. In this way children can progress to further education, training and/or employment. Most local authorities use a range of agencies and partnerships to plan and deliver their alternative provision and there are many successful examples. However, there is little monitoring of the quality or outcomes of the provision.
- 28 The Youth Justice Board, the Welsh Assembly Government and local authorities do not collect data on the attainment or achievements of individuals or groups of children and young people supervised by YOTs in the community. There is no quantitative measurement of outcomes, no target setting, nor any monitoring of trends to drive up standards.

## Recommendations

- 29 In order to make further progress at a national level the Welsh Assembly Government should:
- R1 ensure there are enough appropriate work-based training places to meet the needs of all young people;
  - R2 collect national data on the attainment and achievements of children and young people supervised by YOTs in the community; and
  - R3 monitor the use of individual learning plans for all children and young people who offend, as required in the All Wales Youth Offending Strategy.
- 30 In order to better meet the education and training needs of children and young people who offend, local authorities should:
- R4 participate in YOT management boards at a senior enough level, ensuring that there is representation at a high enough level from education services;
  - R5 review the level of funding contribution to YOTs;
  - R6 produce and monitor YOT Education, Training and Employment performance improvement plans;
  - R7 monitor the learning outcomes of the children and young people known to the YOT;
  - R8 increase the range of agencies used to provide alternative, structured programmes, including more basic skills provision;
  - R9 be represented at learning review and planning meetings in the secure estate; and
  - R10 respond to the needs and wishes of children and young people leaving detention, including the kind of provision they attend.

## How well do local authorities support Youth Offending Teams?

- 31 Local authority support for youth offending teams varies widely across Wales. Local authority chief executives are accountable for the youth offending team in their area. Their role is to provide leadership and management, to contribute resources and to work with youth offending teams to achieve Youth Justice Board education, training and employment targets.

### Providing leadership and management

- 32 Local authorities (LAs) in Wales do not always contribute to the YOT management board at a high enough level. Although they are statutory partners on the board, the status and attendance of local authority officers involved varies too much. There is not always someone of sufficient seniority in attendance. This means there is not always someone who can make decisions about resources or make recommendations to the appropriate committees. The most successful YOTs have a management board with a high profile within the local authority, and effective integration into other local strategic structures.
- 33 Local authority members on the YOT management board do not always make the best use of their influence at a strategic level to ensure better quality services for children and young people from their own mainstream agencies. This means there is not always effective delivery or development of ETE services.
- 34 Management boards do not ask for reports on the achievement and attainment of children and young people known to the YOT. This means that there is no discussion of these young people's needs at a strategic level to inform local planning and commissioning processes.
- 35 Many YOTs boards do not have plans to improve ETE performance. Too few YOT plans make clear the responsibility of the local authority to work with the YOT to achieve the YJB ETE performance target<sup>3</sup>. In addition, protocols and service level agreements between LAs and YOTs are not finalised quickly enough or reviewed on a regular enough basis. This limits the effectiveness of joint working. In a few local authorities, however, YOTs have secured access to the authorities' education management system to help them monitor the outcomes for the children and young people they supervise.
- 36 A few YOTs do not have any education or training representatives on their board. This means that there is not enough discussion about work-based learning and career advice opportunities.

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<sup>3</sup> This is the target set by the YJB for YOTs to ensure that 90 per cent of the children and young people coming through the youth justice system are in full-time education, training or employment by the end of their sentence. By 'full-time' they mean 25 hours of ETE per week.

\*In 2006/07, the counting rules for education, training and employment changed to differentiate between young people receiving 25+ hours and 16-24 hours of education, training and employment. Prior to April 2006, YOTs only returned the number of young people in full-time education, training and employment, therefore the new counting rules may have contributed to the decline in performance in 2006/07.

- 37 Most local authority Single Education Plans (SEPs) for 2006-2008 link effectively, in operational terms, to the YOT Youth Justice Plans for their area. All but a few of the local authorities rightly identify the YOT as an important partner. One authority, for example, has appropriately brought inclusion services under a single management structure and the YOT manager is a member of the strategic development board.
- 38 A majority of SEPs also helpfully identify children and young people in the youth justice system as a group that needs specific action to help them get the most from their education.
- 39 A few Single Education Plans make very good links with the ETE section of YOT Youth Justice Plans by saying what they will do to help meet the YJB ETE target.
- 40 Many LAs include YOT representatives on alternative provision or behaviour support panels. This means they are involved in determining provision to better meet the needs of the children and young people they supervise.
- 41 Nearly all the LA Youth Justice Plans refer to strong links with the local authority inclusion agenda and the wider partnerships, like 14-19 learning networks and the Young People's Partnerships. In many LAs, YOT staff are members of these important groups and are able to influence how resources are allocated to children and young people who offend.

#### **Contributing resources**

- 42 Local authority education partners in Wales contribute less money to YOTs, as a proportion of overall funding, than partners in England do. In 2005/06, 3.1% of YOT funding in Wales came from education partners. The total for England and Wales was 5.1%. The English region of Yorkshire, for example, contributed 5.9% which was the highest education funding outside London.
- 43 In 2006/07 the contribution to total YOT funding from education partners in Wales had gone down from 3.1% in 2005/06 to 2.9%. As a result, the range of services and the educational opportunities available to children and young people who offend, and who often have complex and long-standing educational needs, are limited.
- 44 In a few LAs however, YOTs in partnership with other agencies, are successful in attracting significant new funding from other sources including Lottery monies, the 14-19 learning networks and the European Social Fund. However, YOT Management Boards do not always address well enough the sustainability of short-term funded projects. For example, there was no funding to support the continuation of the successful Assembly Government custody project (Appendix 3).

#### **Ensuring YOTs meet education, training and employment targets**

- 45 YOTs in Wales do not meet the Youth Justice Board (YJB) Education, Training and Employment (ETE) performance target. Data from the YJB shows that between April 2006 and March 2007, of the total number of children and young people supervised by YOTs in Wales, 59.5% were in full time ETE. This compares with a total for England and Wales of 68.7%.

- 46 Many YOT managers and practitioners find it difficult to make sure that children and young people get the ETE interventions they need. However, they have little control over what local education services are provided. The role of YOT workers is to develop individual supervision plans for the children and young people and negotiate access to ETE provision on their behalf.
- 47 Nearly all local authorities in Wales second education workers into YOTs. They do this to try and improve access to ETE provision for the children and young people with whom the YOTs work. However, too many local authorities deploy YOT education workers to undertake inappropriate tasks. In a few cases these workers provide education and training directly. A few YOT education workers do not undertake the more appropriate tasks of educational assessment, school custody liaison or attendance at inclusion panels.
- 48 Although YOTs value the support role of these education workers, the more strategic influence of the post is limited. One YOT identifies the LA's lack of regular supervision and line management of the education worker, as a particular problem. At times other professionals do not see the YOT education worker as a part of the education system. However some LAs increase the influence of the YOT education workers by inviting them to be part of multi-agency fora.
- 49 LAs help the most successful YOTs to improve access to ETE for children and young people who offend by making sure there is good communication between the LA agencies involved. In these cases, the best LAs and the YOT have formal protocols for joint working and YOTs liaise well with pupil referral units and schools.

## How well do local authorities plan and develop provision?

- 50 Planning and delivery arrangements for the education and training of children and young people who offend vary widely across authorities. Directors of Education in each local authority are accountable for the education and training provision of all children and young people residing in their area. Their role in relation to children and young people who offend is to make sure that there is appropriate provision available to meet their (often complex) learning needs (see Appendix 1). Local authorities are not accountable for education delivery in custody, although they should ensure there is a smooth transfer of learning between custody and community.

### Planning provision

- 51 Nearly all local authorities have a designated officer who has responsibility for meeting the needs of children and young people in the youth justice system. However, in a few authorities it is not always clear to all agencies whether the YOT or the local authority is taking responsibility for finding alternative placements for school-age children.
- 52 Most children and young people who offend do not have an Individual Learning Plan (ILP) as required by both the Assembly and the YJB<sup>4</sup>. At LA level, agencies are not always clear about who should lead the multi-agency work to produce the ILP and what form this should take. The production of plans by the local authority is often too dependent on the type of provision the child or young person receives. In one local authority, however, a named education inclusion officer takes the lead in producing and reviewing ILPs for children and young people who offend. This means that there is more effective monitoring of the education that these children and young people receive.
- 53 Around half of local authorities review the progress made by children and young people who offend. These reviews are not, however, always consistent or held at regular enough intervals. As a result, these children and young people do not always make as much progress as they could.
- 54 Most YOTs find it difficult to access all the information they need about a child or young person's learning style. In particular they have difficulty in getting information from pupil referral units (PRUs) on statements of special educational needs (SEN). In a few YOTs, however, there are good links with schools. In one local authority, for example, there are six pupil support officers based in secondary schools. They work closely with the Education Worker at the YOT and attend YOT meetings. This means they share information and review regularly the progress of these pupils. Nearly all schools provide YOTs with useful education information to support the writing of court reports.
- 55 Overall, joint planning between YOTs and other providers of education is better than that between YOTs and schools.

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<sup>4</sup> All Wales Youth Offending Strategy (2004) WAG, YJB

**Providing education for children and young people who offend and who are excluded from school**

- 56 All local authority education services provide education, training and learning opportunities for their pupils who have been excluded from school. They do this in a variety of ways:
- at registered pupil referral units;
  - in unregistered units;
  - through placements at colleges of further education;
  - by educating children and young people in their own homes ('home tuition'); and
  - at key stage 4, by using work based learning providers or voluntary agencies to provide vocational education.
- 57 A recent Estyn report<sup>5</sup> found that most local authorities are able to provide education for excluded children and young people after 15 days. However, most authorities have difficulty in ensuring that they offer these learners the recommended 25 hours. There are various reasons for this, including:
- limited time and finance to prepare and plan the child or young person's education;
  - limited availability of suitable providers;
  - problems in gaining access to the child or young person's home;
  - limited capacity in Education Other Than At School (EOTAS) provision;
  - problems in arranging transport for the child or young person; and
  - the unwillingness of some children and young people, and at times their parents, to take up the provision that is offered.
- 58 In the main, schools are reluctant to offer places to children and young people who have been excluded, offended or who have been in custody. Many schools do not formally exclude these pupils, but wait for the child or young person to return before planning any provision. This means that the child or young person is neither in school nor accessing alternative provision.
- 59 Many local authorities ensure that provision for excluded children, even though it might fall short of the YJB target of 25 hours a week, leads to appropriate accreditation, so that these children can progress to further education, training and/or employment. Children and young people supervised by the YOT who do not have full-time school places have alternative education packages that take account of their previous school attendance, and their disciplinary records. These packages challenge these children and young people and can help raise their self-esteem.

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<sup>5</sup> Evaluation of the implementation by schools and LEAs of guidance on exclusions (2007), Estyn

### Developing a diverse range of provision through partnership working

- 60 Overall, there are not enough appropriate education and training places to meet the individual needs of children and young people who offend.
- 61 Many children and young people who offend have had poor experiences of education and do not know how to learn. They have become disengaged from school and see the curriculum and the way the school delivers it as inappropriate<sup>6</sup>. Other research findings<sup>7</sup> support this and indicate that providers need to put in place more structured programmes that give young people who have underachieved the opportunity to do something worthwhile.
- 62 Many YOTs are able to access individual education packages from a good range of alternative settings including pupil referral units, youth service programmes and voluntary projects. This type of provision is often more appropriate than traditional provision for the needs of the children and young people they supervise. However, children and young people who offend can become further disengaged by attending 'discrete' provision. In addition, mainstream providers do not act to develop more appropriate programmes for these learners.
- 63 A few 14-19 Learning Networks are making good progress in helping providers work together. However, most 14-19 Learning Networks have not done enough to extend provision for children and young people who offend or to cater adequately for their varied and complex needs. As a result, this limits the young people's choices and fails to give them the qualifications they need to get jobs.
- 64 Many learners in contact with the YOT, can also access a wide range of activities such as life-skills courses, cognitive behaviour work, sporting and other leisure activities, and independent living skills. In a few local authorities, the providers have registered courses with the Open College Network. This enables children and young people to obtain credits from these activities.
- 65 Most local authorities use a range of agencies including the voluntary sector to deliver their alternative provision. Workers in Youth Inclusion Projects give very good support to young people who are at risk of offending. For example, in one local authority, the staff on the Youth Inclusion Project work with the staff of voluntary projects to provide preventative work. A significant proportion of children and young people who are at risk of committing crime, anti-social behaviour or dropping out of education provision are catered for in this way.
- 66 Local authority Young People's Partnerships (YPPs) are also more aware than they were previously of young people in the youth justice system and are beginning to plan for them. They are making good progress in developing appropriate provision which supports these young people's education. Youth work organisations use a range of informal approaches effectively to work with difficult to reach young people, and those most at risk of harm.

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<sup>6</sup> Keeping Young People Engaged Roberts C (2005), Interim Report Year 2, YJB

<sup>7</sup> (YJB, 2006:68)



- 67 In the most effective projects for those in the youth justice system, workers plan the activities carefully, set high expectations for the work and young people's behaviour and pay good attention to basic skills. Because of these approaches, young people enjoy their sessions, attend well, and recognise and value their achievements.
- 68 Despite all these initiatives however, many children and young people who offend experience major difficulty in finding and accessing suitable provision. In particular, there is a shortage of work-based training places that meet the needs of this group. Work-based training schemes do not offer enough vocational qualifications at levels 1 and 2 to meet the needs and interests of learners in the 14-19 age group. This acts as a barrier to getting more young people engaged in education and training.
- 69 Overall, there is not enough basic skills provision for children and young people who offend. Many young people drop out of work-based training because of basic skills difficulties. Many local authorities are only able to offer two hours a week and this means that progress made by the young people is too slow. However, a few local authorities are beginning to recognise the need for more basic skills support for this group of learners.
- 70 In a few cases, work-based and vocational training schemes are reluctant to take on young people in the target group. For example, one provider has developed criteria for attendance at a new media skills centre which could discriminate against young people supervised by the YOT. These criteria require regular school attendance up until the age of 16.
- 71 Many young people over 16 years of age supervised by the YOT are themselves reluctant to accept training placements, and want only work, which is in short supply or temporary. Their attendance on training schemes is not always good. This makes it difficult for the YOT to meet its target in relation to ETE.
- 72 In a few LAs, ETE providers do not always adequately supervise young people during courses. They send them home early from work-based training schemes because of a lack of work placements. This is a risk factor for many young people who offend, as the majority of youth crime occurs in the late afternoon and evening<sup>8</sup>.
- 73 Only a few YOTs are able to access provision which meets fully the diverse needs and backgrounds of the children and young people they supervise.
- 74 Local authorities do not commission enough projects suitable for girls and young women who offend. In many instances, opportunities for community-based projects and activities reinforce stereotypes and these go unchallenged by the children and young people, YOT officers or project staff.
- 75 There is not enough Welsh language or bilingual provision available. This means that children and young people with Welsh as their preferred language have to 'opt in' to a Welsh speaking service. Similarly, children and young people with little understanding of the Welsh language can experience great difficulty in adapting to both school and community activities resulting in possible exclusion and an increased risk of offending.

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<sup>8</sup> The MORI Youth Survey 2001

- 76 In a few LAs, YOTs are successfully integrating the basic entitlements for young people in Wales into their work. Recent YOT inspections have reported on how well local authorities and YOTs make some of these entitlements available to children and young people who offend (Appendix 2).

<b>Managing transition arrangements for children and young people leaving custody</b>
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- 77 In half of YOTs, continuity of provision between custody and community is good and in the best cases the child or young person continues ETE work started in custody on release. In these instances, members of the LA behaviour support team make joint visits with the YOT education worker to secure settings. The secure setting then establishes the child's or young person's needs with regards to ETE prior to release and education is provided.
- 78 For a few YOTs there is not enough representation by local authorities at the Detention and Training Order (DTO) meetings in the secure estate. These meetings review the ETE progress made by young people in custody and agree the arrangements for continuing with their learning on release.
- 79 In a few YOTs there is a lack of choice in the curriculum offered to young people from Wales in custody in England. These young people are unable to follow the Welsh curriculum well enough. This also means it is difficult for these young people to re-engage with mainstream education on release.
- 80 In many YOTs there is a problem for post-16 young people in securing suitable training placements on release in a timely manner. This has an adverse effect on their motivation. There is now an agreement between YOTs and Careers Wales which seeks to help minimise the delay in finding suitable placements for young people leaving custody.
- 81 Many education departments in the secure estate provide YOTs with records of achievement and attainment. However, there can often be a delay in the YOT workers receiving this information.
- 82 Most children and young people leaving detention attend alternative curriculum provision rather than school. This is because the school removes the young person from the school roll when they receive a custodial sentence. At times, YOT workers negotiate on a case by case basis with head teachers to keep places open for those receiving short sentences. Although not able to provide a full 25 hours education for all the children and young people, many providers and YOTs strive successfully to supply packages, including work experience and activities that challenge children and young people and raise their self-esteem. However this 'discrete' provision can reinforce divisions and act as a barrier to participation in mainstream education.

## How well do local authorities monitor learning outcomes?

- 83 The Youth Justice Board, the Welsh Assembly Government and local authorities do not collect data on the attainment or achievements of individuals or of the group of children and young people supervised by YOTs in the community. There is no quantitative measurement of outcomes, no target setting, nor any monitoring of trends to drive up standards.
- 84 Local authorities do not monitor well enough the learning outcomes of other groups which contain significant numbers of children and young people who offend. For example, children and young people who offend are likely to have additional learning needs<sup>9</sup>. Local authorities do not measure outcomes well enough for learners with additional learning needs in a way that is useful for comparative purposes. They more easily measure learning outcomes like attendance or attainment of qualifications than improvements in self-confidence or emotional stability. This makes it more difficult to compare these children and young people's achievements and progress in different settings.
- 85 A recent Estyn report<sup>10</sup> found that much valuable information about learning outcomes for young people with additional learning needs is lost at points of transition between phases of education, for example between early years and primary education and between secondary and post-16 provision. This makes it very difficult to evaluate the impact of early and/or specialised interventions.
- 86 The report also found that schools, colleges and other providers do not always receive accurate and timely information about the prior achievements of learners with additional learning needs. This is more likely to happen where learners move about frequently and particularly affects some of the most vulnerable learners including those with additional learning needs, and those who are excluded, looked after children, and children and young people who offend.
- 87 Data collection systems within authorities focus well on learning outcomes for pupils in local authority maintained schools but do not usually include those for pupils in education other than at school (EOTAS) provision. As a result, authorities do not always know the quality of the teaching and learning in this other provision.
- 88 Overall, many Young People's Partnership'S do not have systems in place to measure what young people learn, how well they progress, or how well they are developing their personal and social skills. While many YOTs have a good menu of community-based projects which it makes available to the children and young people it supervises, it is not clear how these projects contribute to their overall educational development or achievements. Local authorities and YOTs do not evaluate the impact of their support on improvements in children and young people's attendance or attainment.

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<sup>9</sup> Oxford University, 2002 Validity and Reliability of Asset: Findings from the First Two Years of the Use of Asset

<sup>10</sup> 'Evaluating outcomes for children and young people with additional learning needs', February 2007

- 89 The standards and quality of alternative provision for children and young people who offend are mixed. In a few authorities, the work expected of children and young people in some of the alternative settings is not set at a high enough level so these learners do not always have the opportunity to gain appropriate accreditations. The curriculum is not always broadly based or balanced and the staff involved do not have sufficient access to the local authority education advisory service to support them in its delivery.
- 90 Monitoring of provision varies unduly between authorities. In one authority, the behaviour support service regularly monitors the quality of teaching and learning on inclusion programmes. In this case, children and young people have good standards of achievements and can gain accreditation.
- 91 In another, although many young people gain important key skills through taking part in projects and activities, their achievements in key skills are not officially recognised. A few young people over compulsory school age who are in contact with the Youth Offending Team do not achieve as well as they might. This is because they do not have access to education and training tailored to their needs.
- 92 Significant numbers of children and young people who offend are represented in two groups who do not do well enough in their GCSE examinations. One group is young people educated other than at school (EOTAS). However, they make reasonable progress with their behaviour and attendance, which helps them on work placements. Many gain valuable vocational skills as a result. The second group is looked-after children who, compared to similar children in other areas of Wales, perform poorly, with around 20% gaining two or more GCSE subjects at grade C or above.
- 93 Many young people who offend develop good vocational skills that help them to find and keep meaningful employment. However, many employers do not always recognise the range of alternative educational qualifications that children and young people obtain on their ETE placements or in the Young Offenders Institution. Employers sometimes do not place value on the practical-based skills that many of the young people gain while engaged with ETE provision. This is particularly so in the cases where young people have accessed courses, but then find that they are competing against others with more 'traditional' qualifications.

## Appendix 1

### The learning needs of children and young people in the youth justice system

Many children and young people who offend experience high levels of disadvantage. They have complex needs, including a history of substance misuse, mental health needs, and disrupted family backgrounds.

A significant proportion have very negative experiences of school. In a recent study in England and Wales<sup>11</sup>, 40% rated their experience of school as 'awful'. Almost 90% reported having being absent from school at least once a week. Two-thirds had left school before the statutory leaving age, either because they were excluded or because they just stopped going. This means that these children and young people are not receiving their full education entitlement or reaching their potential.

In one YOT in Wales, inspectors found that children and young people had experienced problems with their schooling in 67% of cases inspected, including problems related to bullying, truancy and temporary and permanent exclusions. Of those excluded, 33% did not have adequate access to 25 hours of education, training or employment each week.

Many of these children and young people understand well their own motivation to learn. YouthLink Scotland<sup>12</sup> interviewed young offenders in custody about their experiences of learning:

*"The main causes of their disruptive behaviour, identified by the young people, include boredom, peer pressure and showing off to friends. They also referred to frustrations over teachers not explaining things very well, or the pace of learning being too fast, or finding it too difficult to catch up after falling behind in lessons. Some of the group said that, while acknowledging their behaviour had been disruptive, more should have been done to help them overcome the issues and problems underpinning such behaviour. They also said that in a lot of schools external factors such as the influence of drink and drugs played a big part in pupils' disruptive behaviour."*

One survey of children and young people in the youth justice system, carried out by a Welsh YOT<sup>13</sup>, shows that many of them question the relevance of the learning they receive. They are often bored, frustrated and are angry because the school makes them study subjects that they find difficult to understand. Other pupils and teachers often ridicule them if they show a lack of understanding.

The National Research and Development Centre for adult literacy and numeracy

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<sup>11</sup> Improving the literacy and numeracy of disaffected young people in custody and in the community – summary interim report of the first 18 months of the study NRDC 2005

<sup>12</sup> Scottish Parliament's Education Committee – Pupil Motivation Inquiry – YouthLink Scotland 2005

<sup>13</sup> 'Barriers to Learning', Bridgend Youth Offending Team 2007

survey reported more positive views of post-16 provision.

*“Many young people (69 per cent) had received some education/training since school and this was perceived more positively. What they liked about post-16 provision was the more relaxed, flexible, ‘grown-up’ atmosphere, the shorter lesson span and the fact that tutors generally treated them with greater respect. Some of these young people found it difficult to sit in one place, doing the same thing for too long.”*

The same report found that attitudes to work experience and vocational training were generally positive.

*“These were seen as preparation for employment, as something active and therefore not boring, and as more appropriate for their life stage. Aspects of the social environment – such as being able to ‘make a brew’, have a chat or let the radio play – were seen as characteristic of work rather than school and mentioned as important.”*

The Welsh YOT survey showed that, for many young people, dream jobs included being a plasterer, carpenter, mechanic or a ‘brickie’. For this reason qualifications relevant to employment are most valued.

The NRDC research found that these children and young people enjoyed discussion sessions, typically in drama and life skills classes, as well as art and computing and getting one-to-one support. For some, the opportunity to catch up on things missed at school or to obtain qualifications for future work or training was also rated highly.

## Appendix 2

### Extending entitlement for children and young people who offend

A few YOTs are successfully integrating the entitlements for young people in Wales into their work. Recent YOT inspections have reported on how well YOTs and local authorities make the basic entitlements available to children and young people who offend.

### Being heard

Most local authorities give children and young people the opportunity to have their views taken into account when planning suitable education and training provision. However, they cannot always guarantee to meet children and young people's preferred options.

In the best YOTs, workers take the children and young people's values and culture into account. A few YOTs have good systems for consulting with children and young people. The YOTs ask service users to comment on content, location and timing of offending behaviour workshops, and to suggest ways of making improvements. Generally, YOTs use young people's views to inform developments and pilot these with the young people themselves.

In a few YOTs, children and young people are involved in youth participation initiatives. In one, the YOT collects the views of children and young people and provides reports for the Youth Court User Group, Youth Forum, Community Safety Partnership forums and the Young Peoples' Partnership. In another YOT, a bilingual complaints procedure is in place and they use explanatory leaflets to explain clearly the procedure to children and young people.

One YOT has commissioned a research report called 'Entitled to Learn'<sup>14</sup>. This report asks children and young people about the barriers to learning they face. The YOT intends to use the findings of this report to influence the 14-19 network to develop more provision which will meet better the needs of children and young people who offend.

A few YOTs however need to develop their consultation procedures, so that they consult children and young people on a more regular basis. They should then use this information to inform practice and improve services.

### Taking part/getting involved

In a few YOTs, workers are helping children and young people well to get involved in their local communities. One young person has spent many months improving a recreational area in his home village. In another example, a group of young people who had been damaging cars in their village are now engaged in a reparation scheme with their local community. This helps young people to repair some of the damage caused by their offending behaviour.

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<sup>14</sup> 'Barriers to Learning', Bridgend Youth Offending Team 2007

In another YOT, the local authority enables young people, through their participation in the Young People's Partnership and the local Youth Council, to contribute views to the development of their local area.

### **Health and well-being**

All YOTs routinely assess the lifestyle, substance use, physical, emotional and mental health of the children and young people they supervise. They do this using the YJB assessment tool Asset. In a few YOTs, workers have begun to address these health and well-being issues. For example, in one area a Welsh Rugby Union initiative encourages healthy lifestyles through community based rugby. In other YOTs there are good contacts with substance misuse workers. These workers provide an invaluable information, education and advisory service on all substance misuse issues. The workers give direct advice and help to children and young people particularly where they are reluctant to attend mainstream drug services.

Other YOTs deliver very good work with children and young people particularly with regard to helping anger management, reducing offending behaviour, and improving attitudes towards victims and helping them to understand better the problems of misuse of drugs and alcohol.

However, YOTs do not always make enough use of existing projects and activities to give children and young people more opportunities to structure their leisure time. In a few YOTs, although children and young people are involved in summer activity schemes such as Splash, overall those involved with the YOT do not have access to enough structured leisure opportunities.

### **Access to information and guidance**

Nearly all YOTs have a good and productive relationship with Careers Wales. There is a protocol in place between YOTs and Careers Wales, which means they work well together to help young people aged over 16 to secure education and training.

In the best examples, Careers Wales has allocated a named link careers adviser who attends weekly meetings to discuss individual cases. In one authority, there are weekly meetings at the YOT to which the pupil support officers and the careers advisers are invited on a rota basis. This means that there is a good forum for identifying client needs and bringing support workers together. Careers Wales produces a useful fact sheet for careers advisers giving them advice on the implications of having a criminal record on work in various professions.

Careers Wales makes good use of Youth Gateway for those children and young people who are difficult to place in work-based training. In one authority, Careers Wales and the YOT have secured an agreement from the council to provide those referred by the YOT with a bank of work placements. Careers Wales has also made good progress in dealing with the issue of young Welsh people in custody in England. Nearly all Welsh young people leaving one of the YOIs in England now receive a visit from a Careers Wales adviser when they are about to leave custody. There is also a new service level agreement in place for Careers Wales to visit all those in custody in Wales prior to their release. This helps the child or young person to adapt to life after custody.



There are effective protocols between education departments and Careers Wales to attend final planning meetings in order to ease early return to education, training or employment on release.

However, children and young people in secure settings in England cannot access Careers Wales CLIC online because of security issues in the secure setting. This can hamper the smooth transition of learning between custody and community.

## Appendix 3

### Good practice examples

#### Examples of good local authority support for YOTs

##### **Providing support to YOTs in a South Wales Valley: Improving access to facilities**

The Head of Life Long Learning is a member of the YOT Management Group and supports the YOT by providing free access to all youth service buildings and facilities. This means that YOT staff can access all training packages to support their work with children and young people. They also have contact with the Duke of Edinburgh Award officer and can use the expertise of the authority's 22 youth workers.

##### **Increasing resources for ETE provision: How YOTs and LAs access additional funding**

- an employability project for young people aged 16-19 years leaving care and an intervention programme for children aged 8-12 years at risk of offending, supported by YPP funding;
- a basic skills worker funded by the 14-9 learning network to continue work based in the YOT;
- one YOT has benefited from an EU Leonardo da Vinci programme which has developed programmes for young people at risk and helps them make the move between education and employment;
- Five Careers Wales Youth Gateway Advisers to give individual and flexible support to meet the needs of the YOT from YJB funding;
- European funding to set up a 'Responsible Employers Forum' for 'young people in need' who find it hard to find work experience and employment in a highly rural area;
- an ESF funded extending entitlement project. This includes strands on sexual health, Keeping In Touch, an emotional health project – Squash the Blues – and a drop-in health advisory project; and
- a support worker in custody project funded by Welsh Assembly Government.

## **Examples of successful local authority projects**

### **Alternative provision using learning through doing in West Wales: The success of a range of provision**

This project, running since 2004, works with up to 10 young people at KS4 who are following an alternative curriculum. These young people have been outside of the system for a significant number of years, some since primary school. The approach is to genuinely engage young learners through doing things. As a result, young people on the project begin to get a new perception of learning.

The project has a vocational aspect and builds in progression and in-house qualifications. The young people built a go-kart at a local college.

There is a core curriculum of maths, English, ICT, and graphical materials accredited at entry level. All the young people have individual learning plans. The Behaviour Support Service funds the project as part of its statutory SEN provision. A Careers Wales personal adviser makes contact before they leave the project and stays with them until they have clear progression plans. If the young person is in care they are put into the over 15's team who have a brief to pick up vulnerable young people when they leave school.

From the 2005 intake, six young people who had been attending for two years graduated from the scheme. Five of them progressed into work, training or further education.

### **Using media studies to engage high risk young people in South Wales**

One local authority has developed a media project which targets around 12 high risk young people known to the YOT. It very successfully maintains disadvantaged and disruptive young people in education and training. They attain accredited qualifications and develop skills appropriate to either employment or further education and training, through film and programme making, and broadcasting over the internet.

Outcomes for the young people are good. They achieve accredited qualifications and progress to further education. The project held a major awards ceremony at a local pavilion to celebrate the young people's success.

### **Monitoring progress in a North Wales local authority: An example of effective joint working**

There is a good working relationship between the YOT education worker and the LEA officers. This good co-operation helps children and young people obtain the support they need. The LEA and the YOT regularly exchange information about all school age children and young people, and all have individual education plans and receive assistance to access education. The LEA also has a useful tracking system in place that enables it to know what education each child or young person has received.

## Examples of YOT based projects

Local magistrates and drama students from the college simulate a court room and young people decide the sentence, say why they chose it and ask magistrates questions. YOT workers, a police officer, a community practice nurse (CPN) and a worker from a local drugs project discuss the causes of crime with the young people and explain how, as a team, they support young people who offend and also their victims. Teachers follow up this work during PSE lessons.

The young people understand the personal cost of crime better because:

- they are fully involved in and enjoy the event;
- they ask searching questions of key professionals;
- they hear first-hand evidence of how crime affects the offender and the victim; and
- the course materials are tailor made, attractive and accessible to young people.

## Using drama to prevent offending in a South Wales valleys community

**Example of a voluntary sector based project: The following is an example of how the YOT, in partnership with the voluntary sector, can improve provision.**

### Alternative provision in a large urban area run by the voluntary sector

At this project run by a voluntary organisation, key workers provide excellent support to young people on a one-to-one basis. All participation by young people is on a voluntary basis. During induction, the young people establish their own aims. Staff provide support with life skills, independent living skills, preparation for work and literacy and numeracy support. They give every young person an Individual Learning Plan (ILP), and a record of achievement. Staff support young people well to achieve ASDAN awards.

## Examples of youth service projects

### A local crime reduction project in South Wales

This project works with a local bus company to develop ways of reducing young people's stoning of buses. The young people make a film in which they interview bus company staff and young people about the impact of their actions. They also role-play a bus driver and a passenger during a stoning attack.

Through this project, young people increase their self-esteem and are able to recognise the impact of their peers' and their own actions. As a result, the stoning has now stopped and the bus company is no longer going to remove all bus services from the estate.

The project uses the film well to raise awareness amongst other young people and adults, by taking it into schools and local communities.

### **A crime prevention project in a valleys community**

Workers work closely with the Fire Service to provide an exciting and valuable initiative called the 'Arson rap'. This music-based activity gives young people very good opportunities to learn about and discuss the dangers and consequences of arson. Young people prepare and record musical 'raps' to alert and inform other young people. They produce good quality CDs.

### **Examples of projects to Extend Entitlement**

#### **'Being Heard' in West Wales**

In one authority, children and young people attending an alternative programme are involved in forum work on rights and entitlements with Children in Need and the NSPCC. A group of these young people wrote to their AM and got a free school meals entitlement at their project. They also got a permanent base for their group in a surplus local authority owned house.

#### **A sport and health-based project in North Wales**

An annual, ten-session long, athletics programme, based at a local college, has been developed for children and young people who are at risk of offending and have no previous experience of a range of sports, due to poor school attendance. The programme focuses on building confidence and creating a new interest by challenging children and young people to achieve their potential and stop criminal and antisocial behaviour. All children and young people gain a certificate for their Duke of Edinburgh Award. YOT staff enthusiastically support and deliver these programmes.

#### **Good practice in transferring careers information**

For children or young people of school age returning to one local authority from the secure estate, a Careers company provided the required support to a good standard. The children and young people met with a careers advisor before discharge. The advisor transferred information effectively from Connexions in England to help meet their needs.

## Glossary/references

<b>Term</b>	<b>Definition</b>
<b>ASDAN</b>	The Award Scheme Development and Accreditation Network qualifications and awards are used by schools and colleges to provide opportunities for learners 14-19 to develop personal, social and active citizenship skills, work-related skills, key skills and wider key skills.
<b>Asset</b>	Asset is the standard assessment framework used with young people at all stages of the youth justice system from Final Warning onwards. It is intended to help practitioners analyse the underlying causes of a young person's offending behaviour and to plan appropriate intervention programmes accordingly.
<b>EOTAS</b>	Education other than at school
<b>ETE Asset</b>	This is the part of the Asset framework which looks at the education, training and employment needs of children and young people who offend. It is important to have all of this information available so that later on any YOT plans can be co-ordinated well alongside other ETE plans the child or young person might have.
<b>Extending Entitlement</b>	<p>Extending Entitlement is the Welsh Assembly Government's flagship policy for youth support services in Wales. It includes all services, support and opportunities for young people between 11 and 25, wherever they happen, whoever is delivering them and wherever the funding originates. There are ten entitlements under the following headings:</p> <p>Your rights, Being heard, Feeling good, Education and employment, Taking part/getting involved, Being individual, Easy access, Health and well-being, Access to information and guidance, Safety and security</p>
<b>KIT</b>	Keeping in Touch projects. The aim of these projects is to keep in touch with young people who have left school and are not planning to follow traditional learning pathways. The projects support them in remaining in education, training or employment.
<b>NEET</b>	Young People aged 16-18 who are not in education, employment or training

<b>Secure Estate</b>	Facilities run by HM Prison Service, including prisons and youth offending institutions
<b>Single Education Plan</b>	The Single Education Plans say how the local authority will provide education for children and young people being educated outside the school sector and how they can be improved. The monitoring of this provision.
<b>YJB</b>	The Youth Justice Board for England and Wales provides leadership for the youth justice system, whose aim is to prevent offending and re-offending by children and young people. The YJB sets performance indicators for education, training and employment (ETE).
<b>YOI</b>	Young Offenders Institution. A place where young people aged between 15 and 21, who have broken the law, serve their sentence after a court conviction.
<b>Youth Justice System</b>	<p>The Youth Justice System has three main parts:</p> <ul style="list-style-type: none"> <li>• <b>Youth Offending Teams (YOTs)</b> which include police officers, the probation service, social services and people from other organisations. Their job is to deal with young offenders in the community, and help stop them committing crimes.</li> <li>• <b>Youth Courts</b> deal with all young people who have been charged with a crime. Sometimes in very serious cases a youth court might decide to send a young person for trial by a Crown Court, the same kind of court that deals with serious crimes committed by adults.</li> <li>• <b>Custody.</b> In some situations a court can give a young person a custodial sentence. This means that they have their freedom taken away and are kept in secure accommodation.</li> </ul>