

# Report

Report to:	<b>Social Work Resources Committee</b>
Date of Meeting:	<b>19 August 2020</b>
Report by:	<b>Director, Health and Social Care Executive Director (Finance and Corporate Resources)</b>

Subject:	<b>Staffing in Justice Social Work Resources</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ provide an update to Committee on the introduction and expansion of three areas of service delivery within Justice Services: the Structured Deferred Sentencing Initiative, Caledonian System and Justice Throughcare
- ◆ request a re-alignment of the Link Project establishment to the Structured Deferred Sentence Establishment
- ◆ request an increase in the Criminal Justice Social Work establishment in response to the expansion of the Justice Service provision over the past two years and the backlog of work as a result of COVID

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the content of the report be noted; and
- (2) that the changes in establishment, detailed at Section 6 of the report, be approved.

## 3. Background

3.1. Justice Services

3.1.1. The Scottish Government vision for Community Justice is reflected in the current South Lanarkshire Community Justice Improvement plan of which the key aims are: prevent and reduce further offending by addressing its underlying causes; and safely and effectively manage and support those who have committed offences to help them reintegrate into the community and realise their potential for the benefit of all citizens.

3.1.2. South Lanarkshire Council (SLC) are committed to improving the quality of available interventions in Justice Services for all service users, including the successful transition of people from custody to our communities.

3.1.3. Since 2018 Justice Services have successfully extended Justice Throughcare provision for individuals leaving custody. Service provision has been enhanced for young people involved in the criminal justice system and also for families affected by domestic abuse. The unpaid work service has also continued to adapt to new pressures since being reviewed in 2017. Development and improvements within these three areas have strengthened interventions, improved outcomes for service users across the Justice Social Work Service and promoted the Safer South Lanarkshire agenda.

### 3.2. Structured Deferred Sentencing Initiative

- 3.2.1. The Structured Deferred Sentencing Initiative, a partnership between the Court, Social Work and the third sector has been in operation since 2018. Structured deferred sentencing (SDS) is a community based intervention given after conviction and before sentencing which aims to divert young people away from the criminal justice system by providing intensive community interventions to reduce re-offending, improve employability and build/maintain community supports.
- 3.2.2. Within South Lanarkshire a closed Court with dedicated sheriffs sits on a fortnightly basis to sentence and review young people aged 16-21 years who are subject to an SDS.
- 3.2.3. The University of the West of Scotland Evaluation report concluded in 2019 that the SDS development had led to ground-breaking outcomes for young people convicted of moderate to high level offences. 84% of young people subject to SDS successfully completed their Order and were admonished at the end of the period of deferment. This is in stark contrast to the poor outcomes for young people of a similar age subject to Community Payback Orders.
- 3.2.4. The SDS success rate has led to the diverting of a significant number of young people from the Criminal Justice System leading to improved life chances for this group including better employability prospects and stronger community links.
- 3.2.5. The findings from the Structured Deferred Sentencing Initiative are of particular significance in light of the Scottish Governments introduction of Presumption against Short Sentences (PASS) of 12 months or less which will lead to an increase in community-based sentencing.
- 3.2.6. The SDS initiative was identified as a good practice example at the Community Justice (Scotland) Second Chancers event and in the report from the Care Inspectorate on Children's Services published in June 2020.
- 3.2.7. The SDS project has driven forward the extension of the Whole System Approach (WSA) for young people up to the age of 21 years, where possible, and is aligned with the vision of the Children's Services Plan, Corporate Parenting Strategy and Community Justice Partnership.

### 3.3. Caledonian System

- 3.3.1. In 2018 SLC successfully secured Scottish Government funding for a two year period to deliver this multi-faceted Domestic Abuse programme.
- 3.3.2. Caledonian System is an accredited programme designed for use with adult male perpetrators convicted of domestic abuse offences. The primary aim of the Caledonian System is to reduce the re-offending of men convicted of domestic abuse related offences, thereby increasing women's and children's safety. This is in line with the Scottish Government three-fold intended outcomes for community-based interventions: public protection, reduction of custody and social inclusion of rehabilitated offenders. Support is also provided to the women and children affected by the behaviour of the perpetrator and this support is delivered by Women's Aid and Circle.

- 3.3.3. The original funding bid provided for a 0.5 FTE Team Leader, 1.5 FTE Social Worker, one FTE Women's Aid worker and a part-time CIRCLE worker.
- 3.3.4. Social Workers undertake an assessment as to the suitability of men for this programme including an enhanced risk assessment. Observations and conclusions are reflected in a detailed report to the Court. The Court may then choose to implement a Community Payback Order (CPO) with a requirement to attend the Caledonian Programme.
- 3.3.5. The programme includes focussed intervention with men lasting a minimum of two years comprising pre-group preparation and motivation sessions (14 sessions), a group-work programme (22 sessions), and post-group maintenance until the end of the Court Order.
- 3.3.6. Since its inception 56 men have been placed on CPOs with a condition of attendance at the Caledonian Programme. 17 children affected by domestic abuse have been supported by the Children's Worker provided by CIRCLE and 26 Women have been supported by Women's Aid.
- 3.3.7. The demand in the first year of the project has significantly exceeded that projected in the funding application.
- 3.3.8. Evaluation to date indicates improved outcomes for all involved. Women and children report feeling safer and men report having greater control over their feelings and behaviours.
- 3.3.9. Ongoing monitoring and evaluation since the inception of the Caledonian System, shows that the number of CPOs with condition of Caledonian Programme, has significantly exceeded the volume anticipated at the time of submission of the original funding bid. There has also been a substantial increase in the demand for work from the Women and Children's Service.
- 3.3.10. The increase in demand whilst indicating that the project is successful and valued by the judiciary has led to challenges for the current staff team. The present allocation of a 0.5 FTE Team Leader post is inadequate to meet the demands for allocation, guidance and supervision required for this specialist service.
- 3.3.11. The Team Leader is responsible for the day to day delivery of the Caledonian Men's Programme and is responsible for the day to day provision of the Caledonian Women's Service and Caledonian Children's Service. The Team Leader is familiar with the local and national Caledonian Performance Outcome Framework and data gathering processes and monitors local compliance with these.
- 3.3.12. The Programme requires to be supported by the establishment of a full-time Team Leader. They would manage the needs of the increased service on a daily basis, provide oversight and monitoring in terms of risk management and escalate timeously where necessary to ensure robust strategies are in place to ensure the safety of victims and families.
- 3.4. Unpaid Work
- 3.4.1. The Criminal Justice and Licensing (Scotland) ACT (2010) places a statutory duty on Councils to fulfil their requirements for Community Payback Orders. Providing service-users with Unpaid Work to meet the requirements of their order within the relevant timescales and supervising the Unpaid Work.

- 3.4.2. Community Payback Orders must contain offender supervision and/or unpaid work conditions.
- 3.4.3. Taking, arranging and organising referrals for Unpaid Work from the community, including individuals, community groups and agency projects.
- 3.4.4. Providing opportunities for 'meaningful activity'. (30% of an individual's CPO Unpaid Work requirement can be fulfilled by meaningful activity other than Unpaid Work, for example learning skills to help secure employment such as CV writing).
- 3.4.5. There is a statutory duty on all local authorities to submit an annual report accounting for the performance of Community Payback orders. Unpaid Work are a significant component of this return.
- 3.4.6. The Coronavirus Act 2020 provided a legislative basis for the suspension of the unpaid work activity and court business until July 2020. There is now a substantial backlog in unpaid work hours that require to be completed. The resumption of court business also means that new demand will add to the volume on unpaid work hours requiring to be serviced. The requirement to ensure infection control and social distancing adds additional demands on managers coordinating, supervising and overseeing work based placements. As such Team Leader coverage requires to be extended by 0.5 Temporary cover to ensure there is adequate resilience to manage the demands of additional unpaid work and ensure we meet statutory requirements. This post will be a temporary post until March 2021.
- 3.5. Justice Throughcare
  - 3.5.1. Until 2018 Justice Throughcare was a Pan-Lanarkshire service managed by North Lanarkshire. In April 2018 South Lanarkshire Justice Throughcare Team was established and took over responsibility for the successful transition of people from custody to our communities. The change to Throughcare arrangements necessitated the setting up of a new team with new protocols and procedures, the building and sustaining of strong partnership arrangements and strengthening knowledge and expertise within the service in terms of work/interventions with this group. It was intended to monitor progress and review the established team within a 24-month period to ensure that there was sufficient capacity to meet the needs of the service.
  - 3.5.2. The Throughcare Team is still in its infancy and requires additional capacity to provide senior management oversight and liaison with partners such as the Scottish Prison Service and the Parole Board.
- 4. Sustaining and Improving Justice Services - The Structured Deferred Sentencing Initiative**
  - 4.1. The Scottish Government has requested that where possible the Whole System Approach (WSA) is extended to young people up to the age of 26 years. This approach requires that an age appropriate service is provided which focusses on young peoples' needs and risk being managed effectively to help reduce and prevent further offending behaviours.
  - 4.2. The SDS Service is one example of a (WSA) intervention that has been evaluated as achieving the effective outcomes outlined in 3.2. The success of the approach continues to be contingent on a welfare-led intensive support package which fosters strong relationship-based practice.

- 4.3. SDS service delivery at the present time is supplemented by service provision from Family Support Workers (FSW) attached to the LINK project. The LINK project is funded until 2021 and currently provides a service to 16-18 year olds remanded or sentenced to custody in HM Young Offenders Institution, Polmont.
- 4.4. The volume of young people in this category has significantly reduced and as such it is proposed that the two FSWs associated with this project are aligned to the SDS project. The FSW would expand on their role in supporting young people subject to SDS whilst continuing the work of the LINK Project and supporting those young people in custody as part of a wider whole systems approach.
- 4.5. There is already a role for FSWs within the SDS initiative and workers from the LINK project have played a considerable role in supporting young people who are subject to SDS with transitions and assisting them to maintain accommodation and support in the community. The continuity of staff from custody to community is important for relationship-based practice and achieving good sustainable outcomes for young people. The realignment of FSW to the SDS initiative would enhance the level of service for young people involved with the Justice System and contribute to improvements in the safety, wellbeing and life chances of young people.
- 4.6. The SDS Service also requires a dedicated Team Leader to provide clear management direction and co-ordination of support, to meet required goals. A dedicated Team Leader would embed work which reduces the criminalisation of young people and continue to improve their life chances.
- 4.7. The Team Leader role would include allocations, monitoring and evaluation. They would be responsible for regular supervision of Social Workers (and FSWs), monitor and consistently implement Council procedures keep up-to-date with changes/recommendations with regards to interventions for young people involved with the Criminal Justice System and ensure staff have opportunities for training and development. The Team Leader would also liaise with third sector partners to promote a WSA to interventions, engage with staff in locality justice teams to ensure the SDS referral process is consistent and that the needs and risks for young people in the justice system are being met through the use of appropriate interventions.

## **5. Justice Services Management Support**

- 5.1. The introduction and expansion of three areas of service delivery; the Structured Deferred Sentencing Initiative, Caledonian System, and Justice Throughcare, has added significantly to the role and responsibilities of Operations Managers and there is need for an additional Operations Manager within Justice Services.
- 5.2. The expansion of service delivery and the addition of services providing resource intensive interventions has led to an increase in workforce, both fieldwork staff and frontline managers, which has increased the requirement for supervision, guidance and oversight.
- 5.3. Operations Managers provide leadership in supporting staff to deliver effective, responsive and tailored interventions, ensure consistent provision of a credible and competent Justice Service which offers positive outcomes for those involved in the Justice Service and our communities, and contribute to improvements in public protection through efficient response to risk management and safety concerns whilst ensuring compliance with legislation and statutory responsibilities and monitoring performance.

- 5.4. Recent new government strategies such as the Emergency Early Release of Offenders has required partnership working, planning and direction at an operational and strategic level. The implementation of such strategies requires an immediate, efficient and effective response. The current operations manager complement within Justice Services does not have the capacity to manage such additional responsibilities whilst maintaining the quality of service delivery and providing effective risk management response to other areas of the service.
- 5.5. The Covid-19 pandemic has required leadership, planning and monitoring from Operations Managers to ensure that all aspects of staff and service user safety and compliance with Scottish Government recommendations were taken account of and adhered to. Responding to the pandemic has affected all areas of service delivery and procedures have required constant review and update to ensure service user and staff safety whilst continuing to provide a statutory service and responding flexibly to specific areas of increased risk such as domestic abuse.
- 5.6. Overall, there has been a significant increase in the scope and responsibility of Justice Operations Managers since 2018, and there will continue to be enhancements and improvements to service delivery. This means there is a requirement for an additional Operations Manager to ensure all areas of responsibility are covered on a day-to day basis.

## **6. Employee Implications**

- 6.1. It is proposed that the 2 FTE Family Support Workers from the LINK project (funded to 2021 by ADP) are realigned to the Structured Deferred Sentencing Team establishment.
- 6.2. The increased service provision has led to a requirement for an overall establishment increase of 3 FTE, in order to sustain the expansion and ongoing improvements to delivery of Justice Services.
- 6.3 The Employee implications are detailed below and are seeking to create 2.5 FTE permanent posts to be added to the establishment as well as a temporary 0.5 FTE Team Leader post until 31 March for the Unpaid Work service.

<b>Post (Social Work)</b>	<b>Current Number of Posts (FTE)</b>	<b>Proposed Number of Posts (FTE)</b>	<b>Grade</b>	<b>SCP Range</b>	<b>Hourly Rate</b>	<b>Annual Salary</b>	<b>Gross Cost inc on costs 30.3% (proposed posts)</b>
Family Support Worker	<b>2</b>	2	Grade 2 level 1 - 4	34 – 57	£11.78 - £16.52	£21,497 – £30,147	£56,021 - £78,563
Team Leader	<b>0</b>	2	Grade 3 Level 8	79 – 80	£22.89 - £23.24	£41,772 – £42,411	£108,857 - £110,523
Operations Manager	<b>0</b>	1	Grade 4, Level 2- 5	82 – 88	£23.92 - £26.18	£43,652 - £47,776	£56,878 - £62,252
<b>Total</b>	<b>2</b>	5					£221,756 - £251,338

## **7. Financial Implications**

- 7.1. Overall, 5 FTE posts will be funded from the Section 27 Social Work budget at a cost between £0.222m and £0.251m. This is for the 2 FTE Family Support Worker posts which will be realigned to the Structured Deferred Sentencing Team and the 2 FTE

new posts -1.5 FTE Team Leader and 1 FTE Operations Manager. Also 0.5 FTE Team Leader until 31 March 2021 for the Unpaid Work Service.

## **8. Climate Change, Sustainability and Environmental Implications**

- 8.1. There are no implications for climate change associated with this report.
- 8.2. There are no sustainable development implications associated with this report.
- 8.3. There are no environmental implications associated with this report.

## **9. Other Implications**

- 9.1. There is a risk of not providing adequate contingency cover and sufficient management support to ensure robust public protection arrangements are in place, if the posts are not approved.
- 9.2. There are no other issues associated with this report.

## **10. Equality Impact Assessment and Consultation Arrangements**

- 10.1. This report does not introduce a new policy, function or strategy, or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.
- 10.2. Consultation has taken place with the Trade Unions in regard to the recommendations contained within this report.

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09 July 2020

### **Link(s) to Council Values/Objectives**

- ◆ focused on people and their needs
- ◆ working with and respecting others
- ◆ accountable, effective, efficient, and transparent
- ◆ ambitious, self-aware and improving

### **Previous References**

- ◆ none

### **List of Background Papers**

- ◆ Structured Deferred Sentencing Evaluation Report
- ◆ Children's Services Inspection report
- ◆ Scottish Government WSA letter
- ◆ Caledonian Funding application

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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