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Chief Officer
Lanarkshire CJA
South Lanarkshire Council
Council Headquarters
Beckford Street
HAMILTON
ML3 0AA

Your ref:
Our ref:
04 February 2011

Dear Tony

CRIMINAL JUSTICE SOCIAL WORK SERVICES ALLOCATION OF GRANT FOR 2011-12

1. I am writing to inform you of the ringfenced funding allocations to your Community Justice Authority (CJA) for the delivery of approved core and non-core components of Criminal Justice Social Work Services grant for the financial year 2011-12. The allocations are set out in **Annex A**. This funding is provided under sections 27A and 27B of the Social Work (Scotland) Act 1968 as amended. Chief Officers, as budget holders, are responsible for the effective financial management of the funds allocated to their CJA, and for resource allocations across their constituent authorities.

2. Given the current tight funding constraints it has not proved possible to apply a cost of living uplift to either core or non core areas of expenditure.

Core Funding

3. Core funding is designed to provide grant for those mainstream services where availability occurs on a Scotland-wide basis. Allocation between CJAs of available grant for core services is subject to application of the agreed formula process. For the 2011-12 financial year however it has been agreed by CJAs, COSLA, ADSW and the Scottish Government that there will be a moratorium on the formula for allocating funding. Therefore, for the core services to which the formula would otherwise have been applied CJAs will receive the same funding in 2011-12 as they received in 2010-11. Please note that CJAs have the authority to vire monies within the various service heads which constitute core funding, and may do so without seeking clearance from the Scottish Government. CJAs do not have authority to vire monies from the core block to the non-core block.

4. It has also been agreed, as three years of data are now available, that funding for DTTOs and for Throughcare Addiction Services, previously included as part of non-core funding, will henceforth be included in core funding.

Community Payback

5. You will note that we have grouped three core lines together under the heading "Community Payback Order". This makes no operational difference to the use of these funds but is in recognition of the fact that the community payback order will be in force throughout 2011-12 and that the funding allocated to community service orders, probation orders and supervised attendance orders will also cover the implementation of the CPO.

6. The core allocations incorporate the roll forward into 2011-12 for the £6m (£2m previously announced by the Cabinet Secretary for Justice in late October 2008 and £4m announced in June 2009) to assist with the immediacy and speed of community service delivery; to help with preparations for the community payback order; and to reflect increased workloads.

7. You will be aware that the Cabinet Secretary for Justice announced on 1 February that the Scottish Government would make available an additional £4m to support unpaid work. This money will be additional to the allocations detailed in the annexes and will be accounted for separately. The intention is that this money should be used to help ensure that unpaid work projects which might not otherwise have been able to proceed can do so. We will write to you as soon as possible with further details on how these funds will be allocated and used.

Home Detention Curfews

8. For the reasons set out in paragraph 3, the indicative grant allocations for HDCs have remained at the same level as they were in 2010-11. I can inform you however that the statistical information is now available to enable the HDC grant allocations for 2012-13 and beyond to be determined through the formula process.

Non-Core Expenditure

9. Non-core funding is subdivided into those projects/programmes initiated by the Scottish Government and those locally/regionally initiated. In the event that an underspend is forecast in non-core expenditure there is provision to make application within the specific financial year to the Government for approval for virement to assist with the delivery of core services.

Centrally Initiated Projects/Programmes.

10. The Scottish Government has provided funding for a range of centrally initiated projects/programmes, the majority of which are time limited. Where no specific timescale has been indicated for such initiatives they will be funded to March 2012. The Scottish Government will be responsible for decisions on future funding of these initiatives beyond that date. Where a decision is taken not to provide further funding, the monies so released will be retained by the Scottish Government and used for other criminal justice social work purposes. It cannot be automatically assumed that the CJA previously in receipt of such funding will be the sole or principal recipient of the redistributed monies.

11. If a CJA is of the view that a central initiative is proving either ineffective or offers poor value for money it should so advise Community Justice Division officials at the earliest opportunity. A decision in such circumstances on whether the project/programme should continue or the possibility of virement to a pressurised area within non-core or core services will rest with the Scottish Government.

Locally/Regionally Initiated Projects/Programmes

12. Ministers have agreed to collapse most funding lines previously included under non centrally initiated funding into a single budget line, which has been labelled "Non Centrally Initiated Funding". This excludes DTTOs and TAS which as noted above are moving to core services. Other programmes that will not be included in the single budget line will be funding for New Development Funding and funding for initiatives for women offenders since funding for those services is intended specifically for those purposes.

13. In using funds allocated under the "Non-Centrally Initiated Funding" line, CJAs have discretion to change funding priorities in accord with their area plan and where appropriate to discontinue funding of projects/programmes. Where the latter takes place the CJA has the authority to use 100% of the monies so released for other areas of non-core activity. However in such instances CJAs should advise the Scottish Government of their intentions and how they propose to use the released funding. This will assist in ensuring that future allocations more accurately reflect actual expenditure plans.

14. CJAs do not have authority to vire money from other locally or regionally initiated funding lines – such as the funding for women offenders - into different funding priorities. In some circumstances the Scottish Government may be willing to authorise such virement on a case by case basis. CJAs should contact Community Justice Division if they wish to apply for such virement.

15. It has been agreed to remove the 20% ceiling currently in place for virement from non-core to core services. This will enable CJAs to address any shortfall in their ability to fund CPOs and provide more flexibility in targeting funding to meet local and national priorities. CJAs should however continue to seek clearance from the Scottish Government before make any such virement.

New Development Funding

16. As noted in the grant allocations letter for 2008-09 dated 9 January 2008, funding to take forward innovative developments identified in the CJA area plans was allocated for the three financial years of the spending review period and so comes to an end on 31 March 2011. As noted below, a new funding line is being introduced which will provide £100k to each CJA for spending on projects related to women offenders. Each CJA will receive a small additional amount of funding - £20k in total - which represents the difference between the funding for women offenders and the previous new development funding. This funding will however be paid for the first three months of the 2011-12 financial year only.

Women Offenders

17. In the grant allocations letter for 2010/11 financial year, the Government announced that additional funding of £100,000 for each CJA was included in 2010/11 allocations and that this was intended to provide further investment to support women offenders and reduce their risk of reoffending. I am pleased to inform you that it has been decided to continue this funding for a further year. Although this is provided for CJAs to use in line with local priorities as they relate to women offenders, the Scottish Government will look to chief officers to provide information on the uses to which the funding has been put. We encourage innovative use of the funding, and chief officers may wish to discuss with the CJA representative on the Scottish Government women offenders strategy group how uses of the funding might reflect the emerging national strategy on women offenders.

Youth Court

18. Funding for Youth Courts has been extended to end March 2012. This is conditional upon local partners continuing to work with the Scottish Government to re-calibrate the Youth Courts to ensure their focus is narrowed to serious and persistent offenders as set out in Wilma Dickson's letter of 18 February 2010.

Domestic Abuse

19. The development of the Caledonian System is jointly funded by the Effective Practice Unit (EPU) and the Equality Unit (EQU) of the Scottish Government, with the EPU responsible for overseeing the development of the men's programme in line with accredited standards, and the EQU for the women's and children's services. It is not planned, at this stage, to roll out this programme to all CJAs.

Intensive Support Packages

20. The CJA grant allocations do not include any provision for intensive support packages. Individual cases will be the subject of separate correspondence. Where a CJA requires to seek additional funding from the Scottish Government for any new such packages, the contribution to be made available will be restricted to no more than 90% of the total sum being sought, with the balance to be met from the CJA budget.

Arrangements for payment of grant

21. The allocation of grant for 2011-12 will be paid in monthly instalments with application of a 2.5% retention factor.

22. Upon receipt of the final audited claim for 2010-11 financial year any balance due from the Scottish Government will be paid up to the maximum level of the grant allocation. Any overpayment of grant will require to be repaid to the Scottish Government. Further guidance on this matter is detailed in the Audit section below.

Accountability Issues

23. Chief Officers, as budget holders, are ultimately accountable for the proper use of the section 27 grant funds allocated to their CJA, including internal resource allocations across the constituent authorities. In the discharge of their duties, Chief Officers should act in accordance with the principles of the Public Finance and Accountability (Scotland) Act 2000 and related guidance, and the requirements of the Government Financial Reporting Manual. CJAs will also require to allocate Section 27 grant funding in a way which reflects the objectives of the area plan as well as other considerations, including any other related resources which partners propose to direct towards activities relevant to the plan. In this respect, they must satisfy the Government and its auditors that appropriate safeguards are in place for the protection of public funds.

24. Where Criminal Justice Social Work Services grant is paid by the Scottish Government, in accordance with Section 27A of the Social Work (Scotland) Act 1968, a CJA has no discretion to forward it to a service provider other than a local authority, unless it provides the services following transfer of the functions under Section 8 of the Management of Offenders etc (Scotland) Act 2005. It is however for CJAs to determine the proportion of funding to be allocated to the individual local authorities within their area of coverage in accordance with the priorities identified within its area plan.

25. Accountability issues are fully set out in the Management Statement/Financial Memorandum.

Audit

26. CJAs are required to complete annual accounts. The Director of Finance should certify that the expenditure shown has been spent on the services indicated in the specific financial year. The accounts should be passed to the CJA's external auditor as soon as possible after the end of each financial year. On receipt of the audit returns, the Chief Officer should make arrangements to sign off the consolidated CJA audited return and submit to Audit Scotland by 30 September following the end of the financial year to which the annual accounts relate. A copy of the audited annual accounts should also be sent simultaneously to the above address for the attention of Maurice Williams.

27. Following receipt of the CJA audited annual accounts from Audit Scotland, the Scottish Government will consider any comments made by external auditors and ensure that appropriate action is taken. Any balance due will be paid up to the maximum level of the grant allocation. Any overpayment of grant will require to be repaid to the Scottish Government within one month of receipt of a letter informing the CJA that monies are due to the Scottish Government.

28. The Scottish Government will make arrangements for the audited annual accounts to be laid before Parliament.

29. Please contact Maurice Williams, (tel: 0131 244 5439) or Carol McKegney (tel: 0131 244 4349) if you have any queries.

Yours sincerely



IAN DONALDSON

Lanarkshire Community Justice Authority Indicative Allocation 2011/12

Service	2011/12 Allocation	2011/12 Total Scotland Allocation
Core		
Community Probation	£1,398,568	£10,708,824
Payback Community Service	£2,567,295	£19,430,621
Order SAO	£342,861	£3,964,017
Criminal Justice Social Work Report (Formerly SERs)	£1,707,678	£12,732,275
Throughcare (Includes throughcare addiction services)	£1,600,203	£8,893,319
Home Detention Curfew	£51,975	£316,602
Diversion	£155,756	£1,457,534
Bail	£179,650	£1,775,258
Court Services	£429,252	£3,224,940
DTTO	£594,500	£6,615,323
Total Core Services	£9,027,737	£69,118,714
Non Core		
Centrally Initiated Funding		
Arrest Referral	£125,599	
CSOGP	£207,497	
Delivery of the National Training Programme	£60,000	
Fiscal Work Order Pilots	£50,000	
MAPPA	£134,227	
Youth Court	£1,587,060	
Total Centrally Initiated Funding	£2,164,383	
Non-Centrally Initiated Funding		
	£531,991	
New Development Funding (Apr - June 2011 only)	£20,000	
Women Offender Services	£100,000	
Total Non Core Services	£2,816,374	
Overall Total	£11,844,111	

