

Report To: Health and Social Care Committee **Date:** 9 January 2020

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Partnership (HSCP) **Report No:** SW/11/2020/SMcA

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Subject: Criminal Justice Social Work Inspection

1.0 PURPOSE

1.1 The purpose of this report is to inform the Health and Social Care Committee of the very positive outcome of the recent inspection of Criminal Justice Social Work.

2.0 SUMMARY

2.1 The Chief Executive and Leader of the Council received notification from the Care Inspectorate on 1st May advising of a Criminal Justice Social Work inspection with a particular focus on Community Payback Orders. The inspection involved five key stages that concluded in the publication of the inspection findings by the Care Inspectorate.

2.2 The scope of the inspection focused on:

- The ability of the justice service to demonstrate improved outcomes for individuals subject to community payback orders.
- Key processes linked to community payback orders, including quality of risks / needs assessment, planning and intervention.
- How people subject to community payback orders experience services.
- Leadership of justice services.
- The extent to which justice services are prepared for the presumption against short sentences.

2.3 The Care Inspectorate used a quality indicator model to form their evaluation and applied a six-point scale to score five of the indicators inspected. This is outlined below and constitutes a very positive inspection outcome indicating a high performing criminal justice social work service :

Quality Indicator	Score
1.1 Improving the life chances and outcomes for people subject to a community payback order.	Very Good
2.1 Impact on people who have committed offences.	Very Good
5.2 Assessing and responding to risk and need.	Good
5.3 Planning and providing effective intervention.	Good
9.4 Leadership of improvement and change.	Very Good

2.4 A recurring theme throughout the report is the aspirational leadership at all levels within the HSCP and the Council in challenging traditional ways of delivering justice services and moving towards adopting a public health model which is underpinned by a determination to address the

impact of poverty, deprivation and disadvantage. This was noted to have a significant impact on the capacity of staff to develop strong supportive relationships with services users that were pivotal in contributing in many cases to changing patterns of offending and improving lives.

3.0 RECOMMENDATIONS

3.1 It is recommended that the Health and Social Care Committee:

- a. Notes and comments on the content of the report including the requirement to develop an improvement action plan.
- b. Requests a further update on the improvement action plan.

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4.0 BACKGROUND

- 4.1 The Care Inspectorate provides scrutiny and assurance of criminal justice social work and commenced a programme of criminal justice social work inspection in 2018. To date this has included an inspection of two Local Authorities, with Inverclyde being the third Local Authority criminal justice social work inspection area.
- 4.2 Inverclyde received formal notification of the inspection on 1st May 2019. This involved five distinct stages that concluded with the Care Inspectorate publishing their findings.
- 4.3 As well as considering the self-evaluation and evidence submitted by justice services; the Care Inspectorate read ninety criminal justice social work case files and spoke to forty people subject to a community payback order. In addition, the Care Inspectorate undertook focus groups and interviews with key members of staff, partner agencies, stakeholders and senior managers and elected members with responsibility for justice services.
- 4.4 Using a quality indicator model, the Care Inspectorate applied a six-point scale to score five indicators. The score for each is outlined below:

Quality Indicator	Inverclyde
1.1 Improving the life chances and outcomes for people subject to a community payback order.	Very Good
2.1 Impact on people who have committed offences.	Very Good
5.2 Assessing and responding to risk and need.	Good
5.3 Planning and providing effective intervention.	Good
9.4 Leadership of improvement and change.	Very Good

It is important to note that from similar inspections undertaken in two other Local Authority areas, Inverclyde has achieved the highest grading to date.

4.5 Key findings from the inspection include:

- A robust performance management framework enabled the service to monitor and review performance against nationally and locally determined indicators. This was able to demonstrate Inverclyde exceeds several national targets in several cases by a significant margin, for example, that 84.6% of individuals started their unpaid work placement within the seven day target compared to the Scottish average of 68.4%.
- A range of positive outcomes had been achieved by individuals including:
 - Access to stable accommodation;
 - Improved stability around alcohol and drug use;
 - Access to further education and learning opportunities;
 - Increased ability to manage finances;
 - Better family relationships;
 - Increased structure and purpose in their life;
 - Addressing offending behaviour.
- Of particular strength, the service is proactive in responding to the poverty, disadvantage and needs profile of individuals by providing person-centred services that adopt a public health model.
- Individuals subject to community payback orders experienced positive relationships with staff that were characterised by respect, support and appropriate challenge. Staff were

found to be honest, straightforward, trustworthy and reliable.

- Inspirational leadership and the vision and values promoted by leaders permeated the service and had a significant impact on the culture within the service of treating individuals with dignity and respect that staff had clearly adopted.
- There was a strong culture of co-production within justice services in improving and reshaping of services.

The service had comprehensively reviewed the potential implications of the extension of the presumption against short-term sentences.

- 4.6
- Senior officers should review policy and practice relating to the timescales for completing LS/CMI assessments and plans to ensure that a best practice approach is implemented and clear guidance is provided to staff.
 - Senior officers should ensure that quality assurance processes are well-embedded in order to improve the quality of practice around statutory reviews and case recording.

An improvement action plan addressing these actions is in place.

5.0 IMPLICATIONS

Finance

- 5.1 There are no financial implications.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

Legal

- 5.2 There are no specific legal implications in respect of this report.

Human Resources

- 5.3 There are no implications.

Equalities

- 5.4 Equalities

- (a) Has an Equality Impact Assessment been carried out?

	YES
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

5.5 Repopulation

There are no specific repopulation issues.

6.0 CONSULTATIONS

6.1 This report has been prepared by the Chief Officer, Inverclyde Health and Social Care Partnership (HSCP) after due consultation with statutory and third sector partners.

7.0 BACKGROUND PAPERS

7.1 Inspection of Justice Social Work Services in Inverclyde Council.

Inspection of justice social work services in Inverclyde council

December 2019



HAPPY TO TRANSLATE

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Introduction

The governance arrangements for justice social work services are set out in legislation, making local authorities responsible for delivering a range of services for those involved in the criminal justice system¹. This includes the completion of reports for courts and the Parole Board, and the supervision of individuals on statutory social work orders and licences. Statutory social work orders include community payback orders (CPO) which can be imposed by courts in Scotland as an alternative to a custodial sentence. A person subject to a CPO can be required to comply with the terms of a supervision requirement and / or undertake an unpaid work requirement. A **supervision requirement** is one of nine provisions available to the court that can be imposed as part of a CPO². **Unpaid work** takes place in local communities and is for the benefit of the community. These are the two most commonly used requirements and someone on a CPO can be subject to one of these or both depending on circumstances outlined in a report provided to court by justice social work services and the decision of the court. Guidance on the management and supervision of these is contained within National Outcomes and Standards³ and CPO practice guidance⁴.

There has been significant change in justice social work over the last decade including the introduction of community payback orders in 2011⁵. Effective community-based sentencing options are essential to the successful implementation of the Scottish Government's community justice strategy⁶ and the extension of the presumption against short sentences. In this context, the Care Inspectorate has decided to focus inspections of justice social work services, at the present time, on how well community payback orders are implemented and managed as well as how effectively services are achieving positive outcomes.

How we conducted this inspection

An inspection team visited Inverclyde in July and August 2019. We examined a self-evaluation report and supporting evidence provided by the local authority. We reviewed a representative sample of the records of people who were or had been subject to a community payback order during a two-year period from April 2017. This related to 90 records from a population of 357 individuals. We met with 40 people subject to community payback orders including those with a supervision requirement or an unpaid work order, or both. We undertook focus groups and interviews with key members of staff, partner agencies, stakeholders and senior managers with responsibility for justice services.

¹ Social Work (Scotland) Act 1968, Criminal Justice (Scotland) Act 2003, Community Justice and Licensing (Scotland) Act 2010

² In imposing a CPO, the court may include one or more of nine specific requirements. These are unpaid work or other activity requirement; offender supervision requirement; compensation requirement; programme requirement; residence requirement; mental health treatment requirement; drug treatment requirement; alcohol treatment requirement; and conduct requirement.

³ National Outcomes and Standards for Social Work Services in the Criminal Justice System, Scottish Government, 2010

⁴ Community Payback Order Practice Guidance, Scottish Government, 2019

⁵ Community Payback Orders were introduced by the Criminal Justice and Licensing (Scotland) Act 2010

⁶ National Strategy for Community Justice, Scottish Government, 2016

During the inspection, we considered how well National Outcomes and Standards and practice guidance was being applied and what difference community payback orders were making to the lives of individuals who were, or have been, subject to them. The scope of the inspection focused on the following.

- The ability of the justice service to demonstrate improved outcomes for individuals subject to community payback orders.
- Key processes linked to community payback orders, including quality of risk/needs assessment, planning and intervention.
- How people subject to community payback orders experience services.
- Leadership of justice social work services.

We used a quality indicator model (appendix 2), to consider how the service was performing against a number of quality indicators and have provided evaluations using a six-point scale (appendix 1) for the following indicators.

- 1.1 improving the life chances and outcomes for people subject to a community payback order.
- 2.1 impact on people who have committed offences.
- 5.2 assessing and responding to risk and need.
- 5.3 planning and providing effective intervention.
- 9.4 leadership of improvement and change.

In the course of the inspection, we also explored the extent to which criminal justice social work services were prepared for the extension of the presumption against short sentences.

For the purposes of this report we refer to criminal justice social work services as **justice services** and at times use **the service** as an abbreviation. We refer to people who are, or have been, subject to a community payback order as **individuals**. Where we refer to **staff**, we mean justice social workers, case managers and unpaid work supervisors unless referred to by their specific designation. Justice social workers have responsibility for supervising the various requirements of a CPO and are sometimes referred to as **supervising officers** to reflect their role and function. **Unpaid-work supervisors** are staff with day-to-day responsibility for supervising individuals on unpaid work placements. The service also employed **sessional unpaid-work supervisors** to support full-time staff to deliver services. In the context of Inverclyde's justice service, **case managers** are paraprofessionals, not qualified in social work, who undertake a variety of community payback related tasks. This included supporting individuals subject to unpaid work, undertaking court-related duties and carrying out lower-risk supervision.

Context

Inverclyde is a small local authority located in west central Scotland and has a population of 78,150 living within an area covering 61 square miles. The Inverclyde council area is divided into 114 data zones, a significant proportion of which (50) were in the 20% most deprived areas in Scotland. Local data analysis of individuals on community sentences undertaken for the period 2017/18 indicated that 81% of people subject to community sentences experienced among the highest levels of deprivation in Scotland. The estimated prevalence of drug use in Inverclyde in 2015/16 was significantly higher than the Scottish average. There was an 8.9% increase in domestic abuse incidents between 2008 and 2018. National crime trend data indicates that in 2015/16, Inverclyde had a considerably higher rate of non-sexual crimes of violence than the national average though this had become more in line with the national average by 2017/18.

The number of criminal justice social work reports requested by court had reduced considerably over the past decade. There was also a downward trend in the number of community payback orders imposed at court from a peak of 347 in 2015/16 to 242 being imposed in 2018/19. The justice service operated from offices based in the area's two main towns of Greenock and Port Glasgow. The service also provided a justice social work service to HMP Greenock where a small staff team was based. The service has had a consistent management team in place for a number of years. While there has historically been similar stability in frontline staff, more recently, some social workers had left the service and there was increased turnover in unpaid work staff which was a challenge for the service.

Key messages

- Leaders demonstrated a strong commitment and vision to improve outcomes for individuals which was supported by a clear understanding of their needs and a well-informed strategic plan that was driving improvement.
- A well-embedded performance management framework and access to high-quality data analysis, meant leaders could show strong justice service performance that exceeded national targets, sometimes by a considerable margin.
- A range of positive outcomes had been achieved for individuals. This included improved access to stable accommodation and increased access to further education and learning opportunities. The service was not yet able to demonstrate year-on-year trends in improved outcomes but was well placed to do so in future.
- The justice service was well integrated into the health and social care partnership which strengthened governance arrangements and supported quick and easy access to services for individuals including those aimed at addressing mental health and addiction issues.
- The unpaid work service was operating effectively and played an important role in improving outcomes for individuals while ensuring payback to communities.
- Staff demonstrated a sound value base and treated individuals with dignity and respect, which resulted in positive, supportive and effective working relationships.
- The service undertook appropriate assessments of individuals risk and needs and put plans in place to address these however, the majority were not completed within the expected timescales outlined within National Outcomes and Standards guidance. The guidance highlights that the completion of a full assessment of risk and needs within 20 days is viewed as best practice as it supports early recognition of, and response to, the likelihood and imminence of further offending.

Achieving outcomes

In this section, we look at the extent to which the justice service can demonstrate improving trends against clear performance measures and can show tangible results in improving the life chances and outcomes for individuals subject to community payback orders. In the first section, we outline how well the service is performing against nationally and locally determined indicators and in the second we examine performance against person-centred outcomes.

How well are performance measures achieved?

Performance in meeting the standards for community payback orders was a significant strength. A robust performance management framework enabled the service to monitor and review performance against nationally and locally determined indicators. Leaders used the information gathered to inform policy, planning and service development and demonstrate improving trends across a number of important measures. These included strong performance in ensuring that individuals subject to community payback orders were seen quickly once an order was made, enabling them to start community payback swiftly.

A designated court social work team had contributed to the justice service achieving year-on-year improvements in post-sentence contact rates, significantly exceeding national performance averages. Similarly, the service exceeded national targets for induction to unpaid work and undertaking supervision case management meetings in accordance with national standards. A positive trend in the timely commencement of unpaid work requirements showed consistently strong performance over a number of years. For example, as a result of the efforts of case managers and the unpaid-work team, 84.6% of individuals started their placement within seven working days during 2017/18, which compared strongly with the national figure of 68.4%.

Leaders undertook regular reviews of performance and had access to high-quality data analysis. This enabled senior officers to identify and respond to areas where further improvements could be achieved. For example, they identified that as a consequence of the complex needs and life circumstances of individuals, unpaid work requirements were not always completed on time and a relatively high number of requests were made to the court to extend the order. In response, sessional unpaid-work supervisors were deployed to increase capacity within the service and to engage with individuals to provide targeted support and improve the rate of completed orders. As a result, a significant (63.5%) reduction in the number of extension requests submitted to court had been achieved. This was helping to ensure that individuals were not involved in the justice system for longer than necessary as more orders were completed on time.

The service had set ambitious local targets against national measures for community payback orders. While these were not always met, the service planned to review the targets to ensure they remained both aspirational and achievable.

How well are outcomes for individuals improving?

The service had made a concerted effort to better understand the current and potential future challenges facing individuals using justice services. This included a recent examination of the deprivation profile of individuals on community payback orders, which highlighted that over 80% experienced significant deprivation. This had helpfully informed local performance measures and target areas that had been established by the service to ensure they had a strong focus on addressing the impact of poverty, as well as addressing offending behaviour. While the service was not yet able to demonstrate year-on-year progress on these measures, the existing structure and arrangements meant it was well placed to do so in the future.

While the outcomes that had been achieved for individuals were not fully evident in case records, this was in part due to the case recording system that was in place. However, staff and individuals reported a wide range of positive outcomes associated with their engagement with the requirements of community payback orders. These included improved stability around drug and alcohol use; increased ability to manage finances; a greater sense of maturity; better family relationships; increased structure and purpose in their life; and optimism for the future. In addition, as a result of the service and support received, we found examples of individuals demonstrating increased awareness of the issues that contributed to their offending alongside improved confidence in their ability to desist from further offending in the future. Positive outcomes, in terms of a reduction in the frequency and seriousness of offending were also evident for the majority of individuals within our case file review sample. We found that the majority of individuals, who had an identified housing need were able to secure safer and more stable accommodation as a result of the supports they received. Many individuals were increasingly able to access further education and learning opportunities.

While the service recognised the need to better integrate person-centred outcome measures into the existing performance framework, there was a strong determination and commitment to achieving positive change in the lives of individuals. The effective use of mechanisms such as a bespoke justice-needs assessment tool, exit questionnaires and data from the level of service/case management inventory (**LS/CMI**) meant the service was increasingly able to demonstrate achievements against intended individual outcomes. While the response rate to exit questionnaires had increased in recent years, there was scope for further improvement as just over a quarter of individuals had the opportunity to provide feedback at the completion of their order.

Delivery of key processes

In this section, we look at the extent to which the justice service recognises the need for help and support and provides this at the earliest opportunity. We consider the quality of assessment and planning and the range and quality of different types of intervention. We also look at how individuals are involved in key processes.

How well do staff provide help and support?

The design and delivery of justice services reflected a strong commitment to providing effective and timely help and support. The majority of individuals were seen on the day their order was imposed, which enabled court staff to identify immediate support needs and highlight those to supervising officers and case managers to facilitate an early response. Once a community payback order had begun, staff removed barriers to accessing support when it was needed. A well-used duty system was in operation to give individuals quick access to a crisis response where needed.

The justice service had introduced the role of case manager to work with individuals subject to stand-alone unpaid work requirements. This was a very positive development as it meant that individuals could benefit from the type of support and guidance that would ordinarily only be provided through a supervision requirement. Case managers routinely interviewed individuals at the start of their unpaid work requirement. This enabled them to identify those with particular literacy needs and follow this up with a timely referral for support. Case managers also supported individuals with welfare issues and made referrals to other services and agencies which helped them sustain and complete their orders. Of particular strength, the service was proactive in responding to the poverty, disadvantage and needs profile of individuals by providing services that were person-centred and took account of their often chaotic and unstable circumstances.

Following a recent internal review of the unpaid work service, which involved extensive consultation with individuals, changes were made to the design and delivery of the service in a bid to remove barriers to participation. This resulted in a broader range of work placements, including placements that could be undertaken during adverse weather conditions, to minimise the risk of disruption due to staffing and seasonal issues. An overspill group had been established to allow individuals the opportunity to undertake additional unpaid work days where capacity allowed. A placement exclusively for women was also introduced. Shorter and late-start placements were introduced to accommodate those with childcare or health needs. Recognising the potential impact of poverty and disadvantage, staff provided access to lunch funds and discretionary travel passes where these issues were identified as a barrier to engagement. We found helpful examples of individuals accessing one-off funding that enabled them to overcome significant hardship.

Several multi-disciplinary forums had been established to review inter-agency referral processes and address some pre-existing inconsistencies and confusion between partners about the reasons for referrals and expectations of support services. As a result, the introduction of clearer processes improved referral routes and information sharing, and created more positive working relationships between justice staff and partner services.

How well do staff assess risk and need?

The initial assessment of risk and need, outlined within justice social work reports for court, were helpfully informing decisions about the suitability of community payback orders. The majority of reports were high quality with almost all evidencing an appropriate level of collaboration with partner agencies. Report authors were alert to the vulnerability of individuals potentially facing custody, with reports being appropriately accompanied by suicide prevention forms. These helpfully alerted sheriffs and the Scottish Prison Service to potential risks of self-harm should an individual be imprisoned.

Staff followed best practice in accordance with the national **Whole Systems Approach** when addressing offending by young people. Designated youth justice staff prepared court reports, completed assessments and managed community payback orders for young people under the age of 18 years. This approach, combined with a specialist age-appropriate assessment tool, the youth level of service/case management inventory (**YLS/CMI**), enabled youth justice staff to identify risk of re-offending and take a holistic overview of a young person's needs.

Specialist risk assessments including Risk Matrix 2000⁷ and Stable and Acute 2007⁸ had been used appropriately. The service had not adopted an accredited domestic abuse assessment tool and we identified instances where, had this been available to staff, it may have informed assessments more fully. More recently, social workers had undertaken training in the Spousal Abuse Risk Assessment tool in preparation for future use.

For individuals with a stand-alone unpaid work requirement, case managers used a helpful post-sentence interview framework to identify risk and needs relevant to allocating work placements. This included considering the individuals' caring responsibilities and health needs. The process was supported by a locally developed justice needs review tool. This was completed at the induction or first interview stage of their order and helpfully supported unpaid work staff to identify and monitor risk throughout the order. Effective communication between all justice staff supported timely and efficient exchange of information about evolving or escalating risk and needs. We also found effective partnership working and efficient information sharing across other services that were involved in the delivery of the

⁷ Risk Matrix 2000 is an actuarial risk assessment instrument used to assess risk posed by individuals convicted of sex offences.

⁸ Stable and Acute 2007 is used to undertake a dynamic assessment of risks posed by individuals convicted of sex offences.

order or supervision. For example, justice service staff routinely shared pre-birth and child protection concerns with appropriate colleagues.

Our review of records demonstrated that staff had completed a comprehensive LS/CMI assessment in almost all relevant cases. The quality of the majority of these was good or better. Most assessments demonstrated an appropriate level of partnership consultation and indicated that the individual had been appropriately involved in the assessment process. However, three-quarters of LS/CMI assessments had not been completed within 20 days, which is the expected timescale outlined in National Outcomes and Standards. A local policy had extended timescales for completion to 90 days to align with the first review stage. This had not resulted in an improvement in the quality of assessments. Senior managers highlighted that safeguards had been put in place to ensure that assessments were undertaken sooner when necessary. However, there was a lack of clear guidance for staff on when and under what circumstances a full assessment should be completed earlier. Quality assurance mechanisms had not been put in place to test or confirm whether safeguards were sufficient.

How well do staff plan and provide effective interventions?

Social work staff demonstrated a strong ethos of ensuring that relationship-based practice was at the core of supervision. This was clear in the effective working relationships that existed between staff and individuals. They embodied the vision and values of the service which was evident in the priority given to providing quality interventions. Individuals subject to supervision benefitted from a consistent supervising officer, which was helping to build important relationships. The level of supervision was commensurate with the risks, needs and factors identified within the assessments and case and risk management plans in almost all cases.

Case management plans were present in almost all cases however the majority of these were not completed within 20 days as required by National Outcomes and Standards. Senior managers advised us of their policy to complete these in time for the three-month statutory review however, we considered this a missed opportunity to embed a fully informed plan and begin to measure progress from an early stage. The majority of plans were high quality and reflected a range of interventions that were person centred and recognised the significant welfare challenges that existed for many individuals subject to community payback orders.

There was an appropriate level of partnership working to deliver case management plans. Referrals to appropriate resources were made at the earliest opportunity. Effective links to drug and alcohol and mental health services were in place, which supported planning. Staff used a range of intervention approaches including resources from **Safer Lives**, **Constructs** and **Targets for Change** and individuals were able to access interventions that met their needs in the majority of cases. Strong public protection arrangements were underpinned by mature multi-agency public protection arrangements (**MAPPA**) and multi-agency risk assessment

conference (**MARAC**) arrangements and a public protection hub where lead officers for public protection were co-located. However, it was clear that for some individuals, some of whom had convictions for domestic abuse offences, offence-focussed work lacked structure and emphasis on the impact of offending. In recognition of this, the service had adopted the Up2U domestic abuse perpetrator programme, which takes a structured approach to address offending behaviour. The service had started a training programme for social workers from justice and children and families teams in order to take a service-wide approach.

Youth justice staff worked collaboratively with young people in a structured way to address identified risk and need. The **Shine** service provided support and assistance to women involved with justice services to engage with supervision and to achieve positive outcomes.

Initial **statutory reviews** took place within expected timeframes in the majority of cases although subsequent reviews were not always undertaken on time. The service did not have a clear review template in place for recording the discussion, decisions and outcomes. The management of non-compliance and use of discretion was appropriate in most cases. As well as sending letters when individuals missed appointments, staff would also text, phone or visit in an effort to encourage engagement. While the service undertook some quality assurance of operational practice, this was not consistent. The service had developed a new quality assurance framework to improve practice in this area, but this had not been fully implemented. Case records completed by supervising officers did not routinely reflect the range of work undertaken with individuals during supervision that aimed to address offending behaviour. The health and social care partnership had set aside significant funds to invest in a new social work information system, supported by a staff training programme, to improve case recording and enable improved information sharing and analysis.

The delivery of the unpaid work service was generally strong, and a range of suitable placements were provided. Placement providers and individuals were positive about work being undertaken that benefitted communities. The unpaid work service provided a wide range of **other activity** options as part of an unpaid work requirement. These had a focus on nutrition and physical activity provided by the health improvement team however, this had not been delivered for some time. The community learning and development team was providing other activity in the form of classes on health and wellbeing, employability, adult literacy and support in gaining a qualification. Unpaid-work staff delivered a six-session programme for individuals at the early stage of an unpaid work requirement as part of other activity. This included a focus on problem solving, anger management, drug and alcohol awareness and addressing attitudes supportive of offending behaviour.

How well do staff involve individuals in key processes?

Staff actively consulted with individuals and considered their views at key stages of their involvement with justice services. Home visits took place in accordance with plans in almost all cases. Individuals viewed these visits as positive as they enabled family members to be consulted and express their views on issues relating to the payback order and they provided an additional layer of support. Staff gave clear and helpful information to individuals at the start of supervision and unpaid work requirements. As a result, individuals were clear about what was expected of them during an order. A complaints procedure was in place and was actively monitored. There was a strong commitment among all staff groups to promote an individual's **self-efficacy**, independence and to enhance their ability to fulfil their obligations to the court by promoting responsibility and ownership of the order. This was supported by **person-centred approaches** to supervision and strong case management being embedded within the unpaid work service.

A number of positive changes were made to the unpaid work service following a review that included consultation with individuals on how the service could be improved. Individuals had identified poverty as a particular challenge to consistent engagement and attendance. This resulted in a variety of initiatives to remove potential barriers to engagement including the provision of discretionary travel and lunch vouchers. Individuals on unpaid work requirements contributed to consultations that helped shape corporate housing and homeless policy. They had also been included in an Alcohol and Drug Service reference group to develop future models of delivery. Exit questionnaires and a justice needs review tool had been used effectively to capture and respond to individuals views. Third sector partners including **Your Voice** were actively involved in listening to individuals' experiences of services and views on how they could be improved. This was central to the health and social care partnership's successful approach to collaborating with individuals to develop and improve services.

Impact and experience of community payback orders

This section focuses on the impact that justice social work services, including commissioned services, were having on the lives of those individuals who were, or had been, subject to a community payback order. It considers whether individuals benefitted from positive relationships with staff and what effect getting help and support had on them.

Almost all individuals we met were positive about the experience and impact of participating in community payback orders. Those subject to supervision experienced positive relationships with staff that were characterised by respect, support and appropriate challenge. Individuals found staff to be honest, straightforward, trustworthy and reliable. They reported that staff made time for

them, took account of their particular needs and vulnerabilities, and took proactive, practical steps to help them engage with their order.

Where individuals had particular needs, staff referred them to appropriate support services and there were no reports of significant delays. Individuals told us they benefitted from quick access to services providing support to address alcohol, drug and mental health issues. They found these services to be effective with many highlighting increased stability in their lives. Individuals also benefitted from a wide range of supports including clothing grants, emergency fuel payments, educational and volunteering opportunities, housing advice and help to resolve childcare arrangements. Individuals valued the additional help and support provided by third sector agencies including Turning Point Scotland, Venture Trust and Shine mentoring services, which complemented the support provided by justice staff.

Most individuals undertaking unpaid work, found work placements to be beneficial, well managed and rewarding. They highlighted that unpaid-work staff were supportive, approachable, courteous and respectful. They reported that unpaid work provided them with a helpful routine, a sense of purpose and the opportunity to try new things and learn new skills. For some, their experience was diminished by not always being provided with a placement when they attended the service, which they attributed to staffing issues and oversubscribing of work teams. The service had introduced a helpful traffic-light report system for case managers to identify and respond to service issues that could impede an individual's progress in completing their unpaid work requirement within expected timescales.

Individuals who participated in other activity as part of unpaid work found participation in a six-session offending behaviour programme useful, relevant and appropriately challenging to their thinking in respect of offending behaviour. A number of individuals had been supported by the community learning and development service to attain a Scottish Qualification Authority (SQA) personal achievement award as part of their other activity requirement.

Leadership

This section examines the effectiveness of leaders striving for excellence in the quality of justice services. We look at how well leaders provide governance and oversight, and use performance management to drive forward service improvement, innovation and change. We also look at the extent to which leaders involve staff, partner agencies and individuals to learn from others to develop services.

Chief officers, the council leader and the chief executive of the council demonstrated a strong vision for the ongoing improvement of justice services and outcomes for

individuals based on a 'getting it right for every child, citizen and community'⁹ approach. This vision was outlined clearly in the health and social care partnership's strategic plan. The plan reflected coherence and synergy across key national and local priorities that linked well to the '6 Big Actions' introduced by the partnership to improve outcomes for people and communities. Inspirational leadership and the vision and values promoted by leaders permeated the service and had a significant impact on the culture within the service of treating individuals with dignity and respect that staff had clearly adopted. Staff and managers had a clear sense of ownership of the aims and aspirations of the strategic plan. The partnership had undertaken a comprehensive assessment of strategic needs, informed by the views of individuals and communities, which had effectively informed policy, planning and service delivery. Leaders had a sound understanding of the key demographics and challenges in their communities and used this knowledge successfully to underpin their approach to service delivery. This was supported by robust and effective operational management of the service.

The justice service benefitted from being fully integrated into the health and social care partnership resulting in close links with colleagues across the partnership and improved pathways to access services for individuals. An effective working relationship between the justice service and the **community justice partnership** provided an opportunity for leaders to develop services from an early intervention and prevention perspective. It also created additional opportunities to include individuals in service development.

Leaders demonstrated a strong commitment to using sound performance information to improve outcomes for those using justice services. There was a clear culture of reflection, performance management and learning for continuous improvement. The service had a long-established and effective performance monitoring framework in place which supported the efficient and reliable collection of data. Information on key performance indicators was analysed through a quarterly service performance review forum chaired by the chief social work officer. The forum had been successful in driving improvement, and enabled leaders and managers to review data, measure performance against targets and set new targets based on new developments or learning.

Leaders had made changes to strategic objectives over time in response to emerging themes and an increased knowledge of the needs of individuals using justice services. They used performance information to learn from their successes and respond swiftly to areas for improvement. Chief officers provided regular performance reports to committees with oversight and governance responsibilities including the health and social care partnership committee, Inverclyde Alliance and the Integration Joint Board. These committees effectively held the service to account for maintaining high standards of service delivery and performance.

⁹ The Inverclyde Alliance had adopted a 'getting it right for every child, citizen and community' approach which was inclusive of individuals with experience of justice services. This was based on the Getting it Right for Every Child approach introduced in Scotland to better integrate the planning and delivery of services for children and young people.

Leaders were not yet able to demonstrate year-on-year trend information on improving person-centred outcomes. However, positive steps had been made towards achieving this through improved systems to collect and analyse relevant information.

There was a strong culture of co-production within justice services. For example, the views of forty women had been central to informing strategic plans aimed at better meeting the needs of women involved in the justice system. This resulted in a successful application to the **Community Fund** to establish a project steering group that aimed to achieve step change in service delivery driven by women with experience of justice services. Consultation with those using services had also been instrumental in reshaping and improving unpaid work services.

Leaders were proactive in using learning to improve services. Following publication of a Care Inspectorate report on serious incident reviews (SIR)¹⁰, the chief officer initiated a learning review that included an analysis of local SIR practice. This resulted in positive changes to the service's approach and arrangements for undertaking reviews. The health and social care partnership continuously challenged traditional ways of delivering justice services and explored ways to work differently and more effectively. This included moving towards adopting a public health model for the delivery of services, which was underpinned by a determination to address the impact of poverty, deprivation and disadvantage that a high number of individuals had experienced.

Leaders responded proactively and imaginatively to a significant reduction in core funding for the justice service that had affected several aspects of service delivery including the arrangements in place to deliver offence-focused programmes. Leaders undertook a comprehensive review that focused on delivering quality services within a reduced budget. This resulted in an investment in the Up2U domestic abuse programme and training for staff in the Moving Forward: Making Changes sex offender treatment programme. Senior managers had also reviewed the paraprofessional role in order to enable the service to be more responsive to fluctuations in demand across a range of activities.

Staff in the unpaid-work service expressed dissatisfaction with the current approach to recruitment and retention that meant some staff were employed on temporary employment contracts on an ongoing basis. This had affected staff morale and resulted in some uncertainty and insecurity. Leaders were alert to the potential impact on staff of temporary employment contracts and ensured that development and training opportunities and support structures were available to both temporary and permanent staff. However, given the important contribution that this staff group had made to improvements in the performance of the service, the temporary nature of these posts puts the sustainability of ongoing performance improvement at risk.

¹⁰ Criminal Justice Social Work Serious Incident Reviews – An overview of themes arising from notifications submitted between February 2015 and December 2017

How well is the service preparing for the extension of the presumption against short sentences?

The service had comprehensively reviewed the potential implications of the extension of the **presumption against short-term sentences**. The review highlighted that while it was difficult to predict the number of additional community payback orders (CPO) that may be made as a result, there would be a likely impact on the number of criminal justice social work reports requested by the court and a subsequent impact particularly on unpaid work services.

The service identified that over 60 individuals were sentenced to periods of custody of between three and 12 months during 2017/18, many of whom were likely to have complex needs and experience of the significant effects of severe and multiple deprivation. Senior managers recognised that effective partnership working arrangements would be crucial in responding to the needs of these individuals should they become subject to a CPO rather than a custodial sentence. Helpful discussions had been initiated with relevant community justice partners to develop appropriate arrangements. In addition, managers had put appropriate arrangements in place to recruit additional sessional staff where required. The service also planned to enhance its ability to respond to increased demand by using paraprofessionals to address pressure points across the service as they arose. Meeting these potential demands will be a challenge against the backdrop of a reduced budget for the justice service.

Areas for improvement

- Senior officers should review policy and practice relating to the timescales for completing LS/CMI assessments and plans to ensure that a best practice approach is implemented and clear guidance is provided to staff.
- Senior officers should ensure that quality assurance processes are well-embedded in order to improve the quality of practice around statutory reviews and case recording.

Capacity for improvement

We were confident that the justice service had considerable capacity to continue to make improvements where required. Our confidence was enhanced by the strong leadership, effective governance arrangements and well-embedded performance management framework that were in place. An effective quarterly performance review forum was successfully driving improvement. The effective integration of justice services within the health and social care partnership meant that the justice agenda had prominence and senior managers were able to influence the strategy for

service development. Leaders had established clear and well-informed person-centred outcome measures and put arrangements in place to analyse performance against these. They demonstrated the ability to use data effectively to change practice and services where needed. This was supported by an ambition to address the impact of poverty for individuals and to embed a relationship-based case management approach for all individuals subject to community payback orders which had the potential to significantly improve outcomes, particularly for those undertaking unpaid work. A culture of striving for continuous improvement and a drive to achieve transformative change in service provision puts the service in a strong position to strive for excellence.

Evaluations

What key outcomes have we achieved?	
1.1 Improving the life chances and outcomes for people subject to a community payback order	Very good
<p>Rationale for the evaluation</p> <p>The service can demonstrate strong and improving performance trends across several important community payback order standards. Consistently high performance has enabled the service to exceed the national average for initial contact rates and commencement of unpaid work, often significantly. This was noted as a particular achievement given the needs profile of individuals subject to the various requirements of a community payback order, most of whom lived in some of the most deprived communities in Scotland. A robust performance framework and access to high-quality data analysis meant leaders were well informed on where further improvements could be achieved. Building on strong national performance, ambitious local targets were being reviewed to ensure they remained aspirational and achievable. There was a strong determination and commitment within the service to achieving positive change in the life circumstances of individuals. Mechanisms such as a bespoke justice needs review tool and completion questionnaires meant the service was increasingly able to demonstrate intended individual outcomes however, they were not yet able to demonstrate year-on-year trend data showing the sustained achievement of positive outcomes. A range of positive outcomes had been achieved for individuals, many of whom had achieved greater stability in accommodation and increased access to further education and learning opportunities. Individuals were able to demonstrate increased awareness of the issues that contributed to their offending alongside improved confidence in their ability to desist from further offending in the future.</p>	

How well do we meet the needs of our stakeholders?

2.1 Impact on people who have committed offences

Very Good

Rationale for the evaluation

Individuals benefitted from positive working relationships with staff at all levels. Staff demonstrated a positive value base and treated individuals with dignity and respect and engaged in positive conversations aimed at addressing their particular needs. Individuals told us that participation in community payback orders had been a positive experience through which they were able to access help, support, advice and encouragement to address issues that had resulted in offending. Individuals experienced swift access to support services with no significant delays in service provision.

Individuals spoke very positively about their social workers, case managers and unpaid work supervisors and told us that staff valued them, made time for them and helped them access a range of practical and financial support. As a result of engagement with specialist support services, individuals experienced increased stability around drug and alcohol use, improved family relationships, greater maturity and were better informed about employability options. For some individuals, their motivation to engage consistently with their order was affected by sometimes being unable to access unpaid work placements. This was attributed to staffing shortages and oversubscribing of work teams. The service had recently introduced an attendance monitoring tool which aimed to track and address this issue.

How good is our delivery of services?

5.2 Assessing and responding to risk and need

Good

Rationale for the evaluation

The service produced high-quality and informative court reports to inform sentencing options. These were supported by sound initial assessments of risk and need. Specialist assessments were being completed appropriately for young people and individuals convicted of sex offences. The service had not yet implemented an accredited domestic abuse risk assessment tool however, plans were in place to do so. We found strong collaboration with colleagues and partner agencies to inform assessments. Communication and information sharing within the justice service and across partner agencies was effective and efficient. Case managers and unpaid work supervisors shared important information on evolving and escalating risk in order to respond to this quickly. Innovatively, the use of a bespoke justice needs review tool helped case managers identify, monitor and respond to risk and need for individuals on stand-alone unpaid work orders. While individuals had an appropriate

and informative LS/CMI risk assessment in place, most of these had not been completed within the expected 20-day timescale outlined in National Outcomes and Standards. Local policy had extended the timescale for completion to up to ninety days to correlate with the initial statutory review. However, this delay had not resulted in an improvement in the quality of assessments. There was a lack of clear guidance for staff on when and under what circumstances a full assessment should be completed at an earlier stage of an individual's order.

5.3 Planning and providing effective intervention

Good

Rationale for the evaluation

The service had a strong ethos of ensuring that a relationship-based practice approach was the basis for the supervision of individuals subject to CPO. Staff were clearly demonstrating the vision and values of the service in their positive, respectful engagement with individuals. Case management plans were present in almost all cases however, the majority of these had not been completed within the expected 20-day timescales. The majority of plans were high quality and reflected a range of interventions that were person-centred and recognised the significant welfare challenges that existed for many individuals subject to community payback orders. Collaborative planning and partnership working enhanced the quality of case management and supported swift access to appropriate services. A balanced, structured range of intervention including established programmes and approaches was in place within supervision. A sound approach was in place to address risk, needs and offending behaviour for young people and women on community payback orders. The delivery of interventions for perpetrators of domestic abuse was less consistent. The processes for undertaking statutory reviews needed improvement to ensure that they took place on time and were recorded in a way that fully reflected progress and informed planning. The delivery of unpaid work services was generally strong, and placement providers and individuals gave helpful examples of unpaid work which benefitted communities. While the service undertook some quality assurance of operational practice, this was not consistent.

How good is our leadership?

9.4 Leadership of improvement and change

Very Good

Rationale for the evaluation

Leaders demonstrated a strong vision for the ongoing improvement of justice services, with achieving positive outcomes for individuals underpinning their values. Led by senior officers and elected members, the positive culture of treating individuals with dignity, respect and recognition of the considerable impact of deprivation on individuals, was clear throughout the service and ably demonstrated by staff. Clear and effective governance arrangements were in place, supported by a strategic plan that was usefully informed by a robust strategic needs assessment. A well-embedded performance management framework provided leaders with

valuable data that was used effectively to inform policy, planning and to drive improvement. The justice service had exceeded national performance targets on most indicators. The justice service was well integrated into the health and social care partnership which strengthened links between the partnership colleagues and services to the benefit of individuals.

Robust arrangements were in place for scrutiny and oversight of the performance of the justice service. The health and social care partnership and justice service continuously challenged traditional ways of delivering services and explored ways to work differently and more effectively. The service recognised the need to improve processes to gather and use person-centred outcome information to further inform planning and service development and demonstrate outcomes for individuals to a greater extent.

Appendix 1

The six-point evaluation scale

The six-point scale is used when evaluating the quality of performance across quality indicators

Excellent	Outstanding or sector leading
Very Good	Major strengths
Good	Important strengths, with some areas for improvement
Adequate	Strengths just outweigh weaknesses
Weak	Important weaknesses – priority action required
Unsatisfactory	Major weaknesses – urgent remedial action required

An evaluation of **excellent** describes performance that is sector leading and supports experiences and outcomes for people that are of outstandingly high quality. There is a demonstrable track record of innovative, effective practice and/or very high-quality performance across a wide range of its activities and from which others could learn. We can be confident that excellent performance is sustainable and that it will be maintained.

An evaluation of **very good** will apply to performance that demonstrates major strengths in supporting positive outcomes for people. There are very few areas for improvement. Those that do exist will have minimal adverse impact on people's experiences and outcomes. While opportunities are taken to strive for excellence within a culture of continuous improvement, performance evaluated as very good does not require significant adjustment.

An evaluation of **good** applies to performance where there is a number of important strengths that, taken together, clearly outweigh areas for improvement. The strengths will have a significant positive impact on people's experiences and outcomes. However, improvements are required to maximise wellbeing and ensure that people consistently have experiences and outcomes that are as positive as possible.

An evaluation of **adequate** applies where there are some strengths but these just outweigh weaknesses. Strengths may still have a positive impact but the likelihood of achieving positive experiences and outcomes for people is reduced significantly because key areas of performance need to improve. Performance that is evaluated as adequate may be tolerable in particular circumstances, such as where a service or partnership is not yet fully established, or in the midst of major transition. However, continued performance at adequate level is not acceptable. Improvements

must be made by building on strengths while addressing those elements that are not contributing to positive experiences and outcomes for people.

An evaluation of **weak** will apply to performance in which strengths can be identified but these are outweighed or compromised by significant weaknesses. The weaknesses, either individually or when added together, substantially affect peoples' experiences or outcomes. Without improvement as a matter of priority, the welfare or safety of people may be compromised, or their critical needs not met. Weak performance requires action in the form of structured and planned improvement by the provider or partnership with a mechanism to demonstrate clearly that sustainable improvements have been made.

An evaluation of **unsatisfactory** will apply when there are major weaknesses in critical aspects of performance that require immediate remedial action to improve experiences and outcomes for people. It is likely that people's welfare or safety will be compromised by risks that cannot be tolerated. Those accountable for carrying out the necessary actions for improvement must do so as a matter of urgency to ensure that people are protected and their wellbeing improves without delay.

Appendix 2

The quality indicator model

The inspection team used this model to reach evaluations on the quality and effectiveness of services.

What key outcomes have we achieved?	How well do we jointly meet the needs of our stakeholders?	How good is our delivery of services for those involved in community justice?	How good is our operational management?	How good is our leadership?
1. Key performance outcomes	2. Impact on people who have committed offences, their families and victims	5. Delivery of key processes	6. Policy, service development and planning	9. Leadership and direction
1.1 Improving the life chances and outcomes of those with lived experience of community justice	2.1 Impact on people who have committed offences 2.2 Impact on victims 2.3 Impact on families	5.1 Providing help and support when it is needed 5.2 Assessing and responding to risk and need 5.3 Planning and providing effective intervention 5.4 Involving people who have committed offences and their families	6.1 Policies, procedures and legal measures 6.2 Planning and delivering services in a collaborative way 6.3 Participation of those who have committed offences, their families, victims and other stakeholders 6.4 Performance management and quality assurance	9.1 Vision, values and aims 9.2 Leadership of strategy and direction 9.3 Leadership of people 9.4 Leadership of improvement and change
	3. Impact on staff		7. Management and support of staff	
	3.1 Impact on staff		7.1 Staff training and development, and joint working	
	4. Impact on the communities		8. Partnership working	
	4.1 Impact on the community		8.1 Effective use and management of resources 8.2 Commissioning arrangements 8.3 Securing improvement through self-evaluation	
10. What is our capacity for improvement?				
Overall judgement based on an evaluation of the framework of quality indicators				

Appendix 3

Terms we use in this report

Case management plan – This should be developed in collaboration with the individual and should seek to address the identified risks and needs and promote the strengths identified by the assessment process.

Community Fund – is the term used to describe the National Lottery Community Fund previously known as the Big Lottery.

Community justice partnership – These were introduced across Scotland as a result of the Community Justice (Scotland) Act 2016 and established a new model whereby community justice partners are required to work collaboratively to deliver community-based local solutions to improve outcomes for community justice, reduce reoffending and support desistance.

Constructs – is a groupwork programme for men aged over 18 that aims to achieve a measurable reduction in re-offending.

Desistance – in the field of criminology, this is the term used to describe the process of cessation of offending or other anti-social behaviour. Achieving a better understanding of the how and why people stop offending provides an opportunity to develop better criminal justice policy, processes and practice.

LS/CMI – The Level of Service/Case Management Inventory is a case management tool and assessment instrument that measures the risk and need factors of late adolescent and adult offenders.

MAPPA - is the acronym for multi-agency public protection arrangements put in place to manage the risk posed by registered sex offenders and other individuals who pose a high risk of harm to people and communities.

MARAC - refers to multi-agency risk assessment conferences. These are arranged to share and review information on high-risk domestic abuse perpetrators and those potentially affected by domestic abuse.

Other activity - can be undertaken as part of an unpaid work requirement and provides an opportunity for individuals to undertake other rehabilitative activities which promote **desistance** from offending, for example alcohol or drug education, employability training, problem solving, interpersonal skills training and so on.

Person-centred approaches – is the term used for practice that focuses on the individual's personal needs, wants and goals so that they become central to the social work process.

Presumption against short-term sentences (PASS) - The Criminal Justice and Licensing (Scotland) Act 2010 introduced a presumption against sentences of less than three months, requiring the court to (i) only pass a sentence of three months or

less if no other appropriate disposal is available and (ii) record the reasons for this. Following a period of consultation, the Scottish Government announced its intention to extend the legislation to include a presumption against sentences of less than 12 months.

Safer lives – is a programme for individual work with children and young people under the age of 18 involved in harmful sexual behaviour or sexual offending behaviour using a strengths-based model.

Self-efficacy – is a person's belief in their ability to succeed in specific situations or accomplish a task. One's sense of **self-efficacy** can play a major role in how one approaches goals, tasks, and challenges.

Shine - is a national service that provides mentoring and support to women serving a custodial sentence, on remand or subject to a community payback order and is aimed at supporting desistance and reducing reoffending.

Statutory reviews – National Outcomes and Standards indicate that case management plans should be reviewed, and where necessary, revised at regular intervals during the course of a community payback order.

Supervision requirement – This is one of nine provisions available to the court that can be imposed as part of a community payback order (CPO). With the exception of unpaid work for individuals aged 18 and over, none of the CPO requirements can be imposed without the addition of a supervision requirement.

Targets for Change – is an offence-focused programme that can be delivered on a one-to-one basis for individuals subject to justice social work supervision.

Unpaid work – is intended as an alternative to imprisonment that takes place in local communities and is for the benefit of the community. It can be imposed as a stand-alone requirement by means of a Level 1 or Level 2 order, or it can be imposed in conjunction with a range of other requirements, including supervision.

Whole Systems Approach – introduced by Scottish Government, this is the national programme for addressing the needs of young people involved in offending. It is underpinned by the principles of the Getting it Right for Every Child approach.

YLS/CMI – The Youth Level of Service/Case Management Inventory is a generic risk assessment tool used to assess the risk of future offending in young people aged between 12 and 17.

Your Voice – is a not-for-profit organisation in Inverclyde founded to work with individuals and communities to ensure they have a say about decisions that affect their lives. The Inverclyde health and social care partnership has used the information gathered from individuals and communities to inform policy, practice and service development.

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