
Report To:	Health & Social Care Committee	Date:	20th October 2016
Report By:	Brian Moore Corporate Director (Chief Officer) Inverclyde Health and Social Care Partnership (HSCP)	Report No:	SW/45/2016/SMcA
Contact Officer:	Sharon McAlees Head of Criminal Justice and Children's Services	Contact No:	01475 715282
Subject:	INVERCLYDE COMMUNITY JUSTICE TRANSITION GROUP – PROGRESS REPORT		

1.0 PURPOSE

- 1.1 The purpose of this report is to present to the Health & Social Care Committee an update of progress at both a national and local level with regards to Community Justice.
- 1.2 Following royal assent being given to the Community Justice (Scotland) Act 2016, the Inverclyde Community Justice Transition Group has agreed in principle to a Memorandum of Understanding (see attached) that is presented as part of this report.

2.0 SUMMARY

- 2.1 The Community Justice (Scotland) Act 2016 was given royal assent in March 2016. This legislates for the establishment of a new national organisation, Community Justice Scotland while also detailing statutory Community Justice partners for local authority areas. It likewise indicates the involvement of third sector organisations being necessary in the development of community justice.
- 2.2 The Act stipulates adherence must be given to the National Strategy for Community Justice; Community Justice Outcomes Performance and Improvement Framework and associated Guidance in the development of a local Community Justice Outcomes Improvement Plan and subsequent Annual Reports.
- 2.3 The Act formerly dis-establishes existing Community Justice Authorities on 31st March 2017, with local community justice partners having responsibility from 1st April 2017.
- 2.4 Inverclyde Community Justice Transition Group, in taking cognisance of the Act, has developed a Memorandum of Understanding (see attached). The purpose of this is to strengthen the commitment of local statutory and non-statutory partners in having a shared understanding of their respective role in taking forward the community justice agenda in Inverclyde.
- 2.5 At a local level Inverclyde Community Justice Transition Group continues to meet on a six-weekly basis. In addition to this a Development Day was held on 28th April, a meeting with the Care Inspectorate regarding the development of a self-evaluation tool for community justice on 29th April and a Data Summit on the 11th May.
- 2.6 A Communication and Engagement sub-group also meet on a six-weekly basis and have developed a range of communication materials and engagement activities.

3.0 RECOMMENDATIONS

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

- a. Note the progress of Community Justice with regards to both national and local developments.
- b. Approve the Inverclyde Community Justice Partnership Memorandum of Understanding.

Brian Moore
Corporate Director (Chief Officer)
Inverclyde HSCP

4.0 BACKGROUND

- 4.1 The Community Justice (Scotland) Act 2016 provides the statutory framework for implementation of the new model of community justice in Scotland.
- 4.2 The new model will enable local strategic planning and delivery of community justice services with a focus on collaboration and involvement at a locality level and with people who use services.
- 4.3 The statutory Community Justice Partners include:
- Local Authorities
 - Health Boards
 - Police Scotland
 - Scottish Fire and Rescue Service
 - Skills Development Scotland
 - Integration Joint Boards
 - Scottish Courts & Tribunal Service
 - Scottish Ministers (Scottish Prison Service and Crown Office and Procurator Fiscal Service)
- 4.4 Inverclyde Community Justice Transition Group includes representation of all of the statutory partners as well as from key third sector organisations including Inverclyde Council for Voluntary Service (Third Sector Interface for Inverclyde), Action for Children and Turning Point.
- 4.5 The Act outlines the functions for community justice partners, expectations around local arrangements in developing a Community Justice Outcomes Improvement Plan and Participation Statement as well as the subsequent Annual Reports. The Act also specifies a duty of co-operation of community justice partners. These are all summarised in a local Inverclyde Community Justice Partnership Memorandum of Understanding that has been agreed in principle by the Inverclyde Community Justice Transition Group and is in the process of being signed-off by each respective partner.
- 4.6 The final draft of the National Strategy for Community Justice; Community Justice Outcomes Performance and Improvement Framework and associated Guidance were made available via the Knowledge Hub platform on 5th July. These will be formally launched and published on 24th November.
- 4.7 These national documents detail the community justice common outcomes that consists of four structural outcomes and three person-centric outcomes.

These include:

Structural Outcomes	Person-Centric Outcomes
<ul style="list-style-type: none">• Communities improve their understanding and participation in community justice.	<ul style="list-style-type: none">• Life chances are improved through needs, including health, financial inclusion, housing and safety being addressed.
<ul style="list-style-type: none">• Partners plan and deliver services in a more strategic and collaborative way.	<ul style="list-style-type: none">• People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities.
<ul style="list-style-type: none">• Effective interventions are delivered to prevent and reduce the risk of further offending.	<ul style="list-style-type: none">• Individuals' resilience and capacity for change and self-management are enhanced.

<ul style="list-style-type: none"> • People have better access to the services they require, including welfare, health and wellbeing, housing and employability. 	
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- 4.8 Central to the new model for community justice is driving improvement through quality and assurance. One element of doing this is in undertaking self-evaluation. Inverclyde has agreed to test part of the self-evaluation tool currently being developed by the Care Inspectorate, with a view to undertaking further self-evaluation activity during 2017.
- 4.9 Inverclyde Community Justice Transition Group held a Development Day on 28th April. The focus of this day was in developing a collective response in the development of the local Community Justice Outcomes Improvement Plan, where four of the common outcomes were considered. A further session is being scheduled to consider the remaining three common outcomes.
- 4.10 An initial logic model was also formulated as part of the Development Day and this will be further enhanced and incorporated into the local Community Justice Outcomes Improvement Plan.
- 4.11 An additional element of the local Community Justice Outcomes Improvement Plan is a Community Justice Profile. A Data Summit was held on the 11th May, bringing together people with a responsibility for performance reporting from the various statutory partners. There was also representation from Scottish Government Criminal Justice Analytical Division. The summit enabled an agreed approach to progress the Community Justice Profile.
- 4.12 An essential component of the local Community Justice Outcomes Improvement Plan is a Participation Statement. The Communication and Engagement sub-group have developed a range of communication materials to ensure public awareness of community justice and opportunities to be actively involved. A series of engagement activities are also being arranged including focus groups, individual interviews, participating in local events and giving presentations to local organisations.
- 4.13 These initial events will lay the foundation of co-production where it will be the future intention to build capacity where stakeholders are involved in decision-making, have an active role in community justice and are supported to develop user-led forums.

5.0 IMPLICATIONS

FINANCE

- 5.1 The Scottish Government's transition funding allocation of £50,000 to Inverclyde was used in taking forward the Transition Plan. A Community Justice Lead Officer was appointed in September 2015 who will support the co-ordination of activity and the Community Justice Transition Group.
- 5.2 A further funding allocation of £50,000 has been agreed by Scottish Government for the period 2016 / 2017, with potential for funding in 2017 / 2018. However, no further funding has at this stage has been agreed by the Scottish Government although discussions are on-going. This highlights the temporary nature of funding and the need to articulate at appropriate national forums the case for mainstreaming funding for ensuring the successful implementation of the community justice agenda. Inverclyde Community Justice Transition Group made a recent submission to the Scottish Government (see attached) including a logic model of activity undertaken locally during 2015 / 2016 and emphasising the pivotal role of the funding allocation in

achieving this progress.

- 5.3 As outlined in the National Strategy for Community Justice, the Community Justice Outcomes, Performance and Improvement Framework and associated Guidance, there is an expectation that partner resources will be leveraged to support change and local innovation. Inverclyde Community Justice Transition Group has agreed to ask all statutory partners to identify resources in kind that they can commit to local arrangements.

Financial Implications:

At Full Council in March 2016 Criminal Justice was awarded £100,000 being £50,000 for each of 2016/17 and 2017/18, although the funding has not been formally agreed by the Scottish Government.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000	Virement From (If Applicable)	Other Comments

LEGAL

- 5.4 The Community Justice (Scotland) Act was given royal assent in March 2016. This provides the legal framework to support the new model.
- 5.5 Inverclyde Community Justice Transition Group has developed a local Memorandum of Understanding (see attached) that incorporates the requirements of Community Justice partners as detailed in the Act and includes the role of the Community Justice Lead Officer in supporting local arrangements.

HUMAN RESOURCES

- 5.6 There are no human resources issues within this report.

EQUALITIES

- 5.7 Improving access to services is one of the common outcomes of Community Justice and this encompasses removing any potential barriers.

Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
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✓	NO – This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required.
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REPOPULATION

5.8 There are no repopulation issues within this report.

6.0 CONSULTATION

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 Community Justice (Scotland) Act 2016.



Inverclyde Community Justice Partnership Memorandum of Understanding

Version	1.0
Date	15.03.16
	23.05.16
	23.06.16
Review Date	(Draft)
Produced by	Ann Wardlaw

Positive Lives, Strengthening Communities

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Foreword

Councillor Stephen McCabe, Leader of Inverclyde Council and Chair of Inverclyde Alliance Board

As Chair of the Inverclyde Alliance Board, the Inverclyde Community Planning Partnership, I welcome the Inverclyde Community Justice Partnership Memorandum of Understanding.

The new model for community justice, underpinned by the Community Justice (Scotland) Act 2016, has placed community justice at a local level where the planning for this landscape and decisions can be made from a local perspective. While a legal duty is placed on statutory Community Justice Partners; partnership working is central to improving community justice outcomes and the Inverclyde Alliance has an important role to play in facilitating this.

Inverclyde Community Justice Partnership are driving forward in implementing community justice at a local level and very much using existing local strategies and the principles of Getting it Right for Every Child, Citizen and Community as a strong foundation. This Memorandum of Understanding strengthens local partnership arrangements and demonstrates a local commitment by partners in delivering positive community justice outcomes from the outset of this new partnership.

**Councillor Stephen McCabe
Chair of Inverclyde Alliance Board
Leader of Inverclyde Council**

1. Introduction

The Scottish Government's Future Model for Community Justice in Scotland consultation paper (2014) defined community justice as:

“The collection of agencies and services in Scotland that individually and in partnership work to manage offenders, prevent offending and reduce reoffending and the harm that it causes, to promote social inclusion, citizenship and desistance.”

The Community Justice (Scotland) Act 2016 is the legislative vehicle for implementing this new model whereby responsibility will transfer to local strategic planning and delivery partners while disbanding the current Community Justice Authorities.

The Community Justice Division has identified four key themes in the national Community Justice Strategy and that are also reflected in the national performance framework, both of which are currently being progressed. These include:

- Improved community understanding and participation.
- Strategic planning and partnership working.
- Effective use of evidence-based interventions.
- Equal access to services.

This Memorandum of Understanding sets out the working framework of the Inverclyde Community Justice Partnership as detailed in the Community Justice (Scotland) Act 2016. It has been developed in consultation with all of the statutory partners included in this legislation who have collectively, through the Inverclyde Community Justice Partnership, endorsed this Memorandum of Understanding.

The Community Justice Partnership sits under the umbrella of Community Planning, reporting directly to Inverclyde Alliance. The focus of the Community Justice Partnership very much aligns to existing strategies and local priorities and aligns to the principles of Getting it Right for Every Child, Citizen and Community and will contribute to the delivery of the wellbeing outcomes.

2. Aim

The aim of the Community Justice Partnership is to ensure the implementation of the new model of community justice in Inverclyde as detailed in The Community Justice (Scotland) Act 2016 by¹:

- Working together in planning for and delivering improved outcomes for community justice in Inverclyde.

¹ New Model for Community Justice – Transitional Funding 2016 / 2017 – Letter from Community Justice Division

- Actively involving the Third Sector, Community Based Organisations, communities, service users and their families and victims in community justice.
- Securing partners contribution towards resourcing community justice in order to achieve the outcomes identified in the annual Inverclyde Community Justice Improvement Plan.
- Contributing information in accordance with the national Performance Framework and evidencing this in the annual Inverclyde Community Justice Performance report.
- Establish local partnership arrangements for the strategic planning and delivery of community justice in Inverclyde, including with CPP, ADP and HSCP.

3. i. Inverclyde Community Justice Partnership

The Community Justice (Scotland) Act 2016 details statutory partners² to include:

- Local Authorities
- Health Boards
- Police Scotland
- Scottish Fire and Rescue Service
- Skills Development Scotland
- Integration Joint Boards
- Scottish Courts and Tribunal Service
- Scottish Ministers (Scottish Prison Service, Scottish Courts and Procurator Fiscal Service)

Inverclyde Community Justice Partnership includes involvement of all of the statutory partners and representation from Action for Children and Turning Point Scotland who both deliver local services; CVS Inverclyde who form one part of Inverclyde's third sector interface; local Community Safety and Wellbeing Manager, ADP Co-ordinator and NSCJA Policy Officer (until the dis-establishment of NSCJA).

Other Third Sector organisations and stakeholder organisations will have involvement in the planning and delivering of community justice, while not being directly represented on the Inverclyde Community Justice Partnership.

ii. Membership

The partner representation of the Inverclyde Community Justice Partnership is:

Designation	Service
Head of Children's Services & Criminal Justice	HSCP and Integration Joint Board
Head of Planning, Health Improvement and Commissioning	HSCP and Integration Joint Board

² Section 13 Community Justice (Scotland) Act 2016

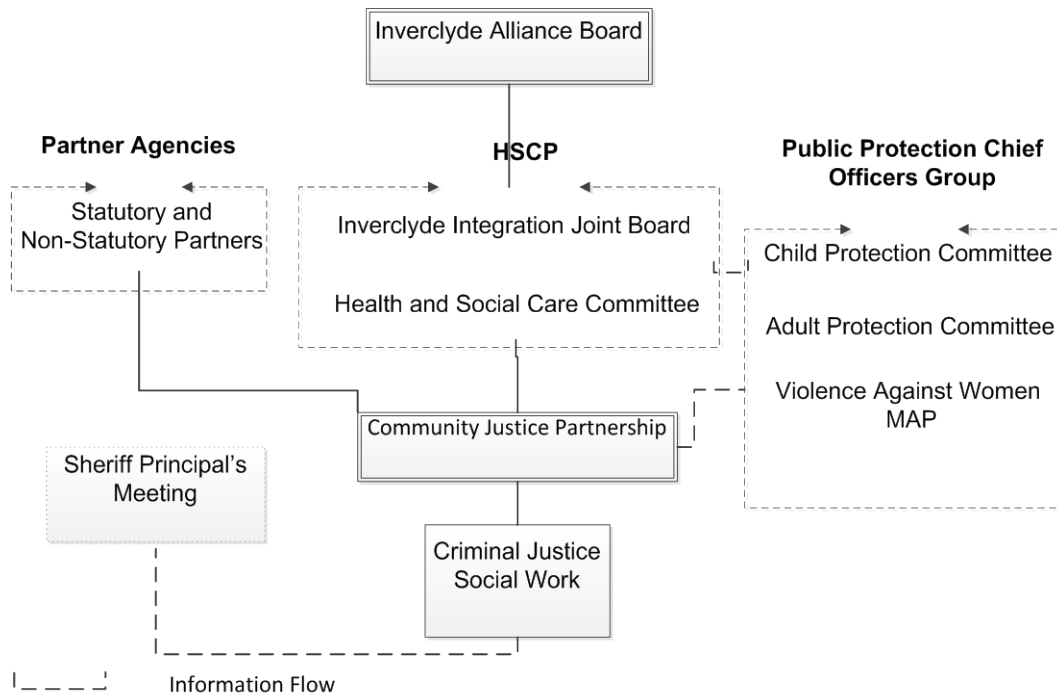
Community Justice Health Improvement Lead	Greater Glasgow & Clyde Health Board
Service Manager	HSCP Criminal Justice
Community Justice Lead Officer	Community Justice Partnership
Corporate Policy & Partnership Manager	Inverclyde Council
Legal Services Manager	Inverclyde Council
Service Manager	HSCP Youth Justice
Planning Officer	NSCJA
Single Point of Contact	Scottish Court Service
Single Point of Contact	Procurator Fiscal
Team Leader	Skills Development Scotland
Governor, HMP Greenock	SPS (Representative for Community Justice)
Chief Superintendent	Police Scotland
HSCP Integration Facilitator	CVS Inverclyde
Group Manager	Scottish Fire and Rescue Service
Service Manager	Action for Children
Operations Manager	Turning Point
Community Safety and Wellbeing Manager	Housing, Safer & Inclusive Communities, Inverclyde Council
ADP Co-ordinator	Inverclyde ADP

Other members will be co-opted onto the group for specific projects as appropriate.

4. Governance Arrangements

Interim governance arrangements have been agreed to support the immediate period of transition and implementation of the new model of community justice in Inverclyde. These will be reviewed following the revision of Inverclyde SOA in 2017.

Governance Structure



The governance structure also illustrates those specific to Criminal Justice Social Work. Each partner will have their own respective governance arrangements within their own organisation.

5. Functions

The Community Justice (Scotland) Act 2016 specifies core functions³ for community justice partners. These include:

1. Publishing a Community Justice Improvement Plan for the local authority area in relation to the nationally determined outcomes and any other local outcome measures.
2. Having due regard to the national Community Justice Strategy; the national Community Justice Performance Framework and Guidance issued by Scottish Ministers.
3. In preparing a Community Justice Improvement Plan consideration must be given to identifying which bodies are able to contribute to the preparation of this plan. The community justice partners must also consult with Community Justice Scotland and any other appropriate body or person.
4. Prepare a participation statement with regard to the preparation of the local Community Justice Improvement Plan and publish this.
5. Review the local Community Justice Improvement Plan periodically or as required and publish a revised plan.
6. Publish a Community Justice Performance Report on an annual basis.
7. Have regard to the community justice outcomes improvement plan in relation to the area of a particular local authority.
8. Comply with any direction issued by Community Justice Scotland.

6. Duty of Co-operation

In addition to the core functions, there is a duty of co-operation⁴ included in the Community Justice (Scotland) Act 2016. This may include:

- Sharing information;
- Providing advice and assistance
- Co-ordinating activities (and seeking to prevent unnecessary duplication);
- Funding activities together.

7. Resourcing of Community Justice

Recent correspondence to Community Planning Partnership Chairs from the Community Justice Division⁵ outlines guidance for preparation of Community Justice Transition Plans and update reports. These indicate the expectation that there will be leverage of partner resources to support change and innovation locally and for the work of community justice going forward beyond the transitional funding period.

³ Section 19-29 Community Justice (Scotland) Act 2016

⁴ Section 35 Community Justice (Scotland) Act 2016

⁵ New Model for Community Justice – Transitional Funding 2016 / 2017 – Letter from Community Justice Division

A key aim of the Transition Funding is to

“Secure the partners contribution of community justice funds, information, staff and other resources as is required to meet the outcomes noted in their local plan to deliver community justice outcomes.”

This is also included in the draft Community Justice National Outcomes, Performance and Improvement Framework where partners will need to evidence leverage of resources for community justice and the impact this has made in achieving outcomes.

8. Self-Evaluation of the Community Justice Partnership

The draft Community Justice National Outcomes, Performance and Improvement Framework adopts the Justice Analytical Division “*5-Step Approach to Evaluation*”⁶. It is anticipated that self-evaluation would be an integral element of performance reporting and the development of local Community Justice Improvement Plans. This would be undertaken by the collective Community Justice Partnership where all partners would have an active role and contribution. Likewise, for the preparation of any future inspection process focusing on community justice; all partners would have an active role and contribution. This would also take cognisance of broader self-evaluation processes and frameworks undertaken by the Health and Social Care Partnership, Local Authority and wider Community Planning Partnership.

9. Information Sharing

Community Justice Partners agree to work to the principles of information sharing detailed in the Community Justice (Scotland) Act 2016, the national Community Justice Strategy and the national Community Justice Outcomes, Performance and Improvement Framework.

10. Role of the Community Justice Lead Officer

The post of Community Justice Lead Officer is hosted by the HSCP Criminal Justice Social Work service on behalf of all the community justice partners in Inverclyde.

The role of Community Justice Lead Officer is in assisting Inverclyde Community Planning Partnership in bringing together and supporting the defined range of partner agencies that will be responsible for ensuring appropriate actions to address re-offending in Inverclyde. This includes the provision of the Inverclyde Community Justice Outcome Improvement Plans to Scottish Government / Community Justice Scotland, review of these Plans and regular reporting in line with the National Strategy, the National Performance Framework and any locally determined outcomes frameworks.

⁶ Designing and Evaluating Behaviour Change Interventions (2015) Scottish Government

In pursuance of this function the Lead Officer will:

1. Provide support for the transition of Community Justice to Inverclyde Community Planning Partnership arrangements and support relevant community planning groups in relation to the reducing reoffending agenda.
2. Lead on the development and provision of the annual multi-agency Inverclyde Community Justice Outcome Improvement Plans. To report on outcomes achieved and those in progress and plans to improve or maintain the current position.
3. Ensure that appropriate linkages are made with the Single Outcome Agreement, corporate plans and strategies.
4. Respond to feedback from Community Justice Scotland on their assessment of Inverclyde's performance and, to comply with any directions to update Community Justice Scotland within specified timescales of actions undertaken or plans to improve performance.
5. Engage with, liaise and support defined statutory partners who can contribute to reducing reoffending and secure and facilitate contributions from these agencies.
6. Assist with the identification of other key agencies that can contribute to the Outcome Improvement Plan and specifically assist in the delivery of agreed outcomes.
7. Engage with Community Justice Scotland, relevant community bodies and any other persons considered appropriate in the preparation of the plan.
8. Provide relevant reports to the Inverclyde Alliance Board (Community Planning Partnership) Health and Social Care and Council Boards on planning and performance and ensure processes are in place for appropriate external communications.
9. Liaise and network with similar posts nationally, participate in any relevant national group, and contribute to the sharing of good practice in reducing reoffending and to communicate this information with partner agencies.
10. Contribute to the local Commissioning Strategy, and to participate in discussions relevant to national commissioning.
11. Lead on identified areas of work on behalf of the Inverclyde Community Planning Partnership.
12. Provide local community justice partners with the findings and implications of reports, policies and research relating to reducing reoffending.
13. Establish and utilise effective systems to support liaison and feedback in relation to progress against agreed national or local objectives.
14. Lead, organise and manage local consultation events which will inform feedback on and review the Inverclyde Outcome Improvement Plan.
15. Liaise with analysts from each service/partner in relation to their information, with the aim of informing a local multi-agency needs analysis.
16. Ensure that statutory and local partners in exercising their own functions are aware of the Inverclyde Outcome Improvement Plan.
17. Undertake any other appropriate activity on behalf of the Community Justice Partnership.

The functions of the Community Justice Lead Officer will periodically be reviewed to reflect any national or local priorities.

11. Review of the Memorandum of Understanding

This Memorandum of Understanding is a working document and subject to review to reflect both national and local changing circumstances with regards to community justice.

This document will be reviewed on an annual basis and any changes will be subject to the collective agreement of the Community Justice Partnership.

Signed for and on behalf of:

Inverclyde Council

Designation

Signature

Date

Signed for and on behalf of:

Police Scotland

Designation

Signature

Date

Signed for and on behalf of:

Scottish Fire and Rescue Service

Designation

Signature

Date

Signed for and on behalf of:

Inverclyde HSCP and Integration Joint Board

Designation

Signature

Date

Signed for and on behalf of:

North Strathclyde Community Justice Authority

Designation

Signature

Date

Signed for and on behalf of:

Scottish Prison Service

Designation

Signature

Date

Signed for and on behalf of:

Greater Glasgow and Clyde Health Board

Designation

Signature

Date

Signed for and on behalf of:

CVS Inverclyde

Designation

Signature

Date

Signed for and on behalf of:

Skills Development Scotland

Designation

Signature

Date

Signed for and on behalf of:

Action for Children

Designation

Signature

Date

Signed for and on behalf of:

Turning Point Scotland

Designation

Signature

Date

Signed for and on behalf of:

Scottish Court Service

Designation

Signature

Date

Signed for and on behalf of:

Crown Office and Procurator Fiscal Service

Designation

Signature

Date

Our Ref:

Your Ref: SM/CJD

Date: 30th May 2016

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Tel: 01475 715282

Justice Directorate

Community Justice Division

redesignofcommunityjustice@scotland.gsi.gov.uk

Dear Mr Harper,

NEW MODEL FOR COMMUNITY JUSTICE – TRANSITIONAL FUNDING 2016-2017

As outlined in the Inverclyde Community Justice Logic Model below, the transitional monies have been crucial to the successful short term outcomes achieved during this first year period. Evidence of this is illustrated in feedback from a range of partners following a recent Development Day indicating:

“I would just like to say that I found today very informative and inspiring...today’s event was an education on what good partnership work can achieve and set a realistic and achievable direction of travel for the Inverclyde Community Justice Partnership.”

“It was a useful opportunity to network with Inverclyde partners and develop my understanding of their services as well as their understanding of ours.”

“My initial reflections are the sense of partnership already in the room and the willingness to share as part of the discussion and it was interesting to hear the range of input. It is also heartening to see the level of commitment that comes within a small local authority where it should be more difficult to find resources to support partnership agendas, but in fact seems to work better than in some bigger local authorities.”

“I thought this was a very positive event for developing partnership understanding and joint working. There was a deepening of the members’ sense of commitment to the statutory duty we all have under the Act.”

In summary, significant progress has been made in Inverclyde with regards to local planning for implementation of the Community Justice agenda. While there is a strong commitment to partnership working, there is consensus amongst Inverclyde Community Justice Transition Group that such progress would not have been possible if the transitional funding and co-ordinating role of the Community Justice Lead Officer had not been secured. There are concerns around the sustainability of the Community Justice agenda without continuing an adequate level of funding. This post is instrumental in being able to sustain both the momentum and stakeholder buy-in for local implementation of the Community Justice agenda and more significantly, achieving the long term ambitions in improving the lives of those who are involved in the criminal justice system, their local communities and ultimately reducing offending.

If you wish further detail on any aspect in this response, please do not hesitate to contact me.

Yours sincerely

Sharon McAlees
Chair of Inverclyde Community Justice Transition Group

Inverclyde Community Justice Logic Model

