



Ministry
of Justice



Youth Justice Board
Bwrdd Cyfiawnder Ieuenctid

Key Performance Indicator Recording Guidance for Youth Justice Services

Version 1.0

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Introduction

The Key Performance Indicators (KPI) recording guidance sets out the rationale behind each of the KPIs, the counting rules and additional guidance notes for practitioners.

The youth justice system has developed significantly since the current set of KPIs were introduced, with the multi-agency model now much more firmly embedded. Whilst the number of children entering the system with a statutory disposal has fallen significantly, it is clear YJSs are working with increasingly complex caseloads. The new KPIs reflect a judgement about areas that are strategically important in delivering effective services for children and will provide an understanding of how YJS partnerships are responding to this different context.

While the KPIs themselves have been finalised, this is a live document and may be changed to provide further guidance or to consider feedback from YJSs and provide further clarity when needed. The document will contain a change log to show when and where changes have been made.

An appendix of Frequently Asked Questions (FAQs) can be found at this document and will be updated as more FAQs come in.

YJSs will be required to record KPI data from 1st April 2023. This date will be counted as the beginning of quarter one. All KPIs require YJSs to record the status at the start of the order, YJSs are therefore required to provide back-dated information for cases where the order starts before April 2023.

All KPIs must be submitted to the Youth Justice Board quarterly in line with the Terms & Conditions of grant and as part of the standard returns process. Failure to do so can result in delays in awarding or withdrawal of the YJB grant.

The data submission procedure is being developed. Youth Justice Services will be notified well in advance of how to do this and this guidance will be updated once it has been finalised.

The four current KPIs

- Binary reoffending rate
- Frequency of reoffending
- First Time Entrants
- Use of custody

The four existing KPIs will continue to be used and follow the counting rules outlined in the YJS Data Summary. These indicators continue to provide a helpful overview of how the system is performing. It is recognised that data on the existing KPIs will not fully align with the new KPIs given the difference in caseload, particularly as the data for the Reoffending and First Time Entrants KPIs are sourced from the PNC. The MoJ and YJB are considering how to ensure that the recording of these measures is accurate and sustainable in the future.

The new KPIs

- Suitable accommodation
- Education, training and employment
- Special educational needs and disabilities/Additional learning needs

- Mental health care and emotional wellbeing
- Substance misuse
- Out of court disposals
- Links to wider services
- Management board attendance
- Serious violence
- Victims

The new KPIs are listed above and the guidance on counting rules and considerations for practitioners are contained within this guidance document. With the exception of the 'Serious violence' KPI, the data will be submitted via the KPI template until such time it is possible to collect the data through case level data returns.

Caseload

For the new KPIs, YJSs are required to return data on all children who had an intervention closing in the quarter. YJSs are not required to record on diversion and prevention cases where the YJS did not carry out an intervention.

An intervention is defined as at least one session post-assessment aimed to help the child desist from further offending behaviour. Interventions should be strengths-based and future-focused and promote positive outcomes for the child.

Recording children leaving custody

For children being released from custody, data will be recorded on KPIs on accommodation, ETE, SEND/Additional learning needs, mental health and wellbeing, and substance misuse. For these children, outcomes should be recorded:

- 1) at the point of release from custody, and
- 2) at the end of the licence period of children's sentences.

KPI data reporting will be aligned to AssetPlus for children being released from custody. The AssetPlus Joint Working Protocol states that completion of the *Leaving Custody* module should be a collaborative effort between YJS and secure establishment staff.

YJSs have a responsibility to ensure that they are in agreement with the data inputted by establishment staff when they approve data for children joining the YJS caseload following release from custody. YJS staff must ensure that subjective data fields, such as deeming accommodation and ETE arrangements as suitable or unsuitable, are reflective of the YJS's assessment.

Version control and change log

Version	Date	Section	Details of change

1 Suitable Accommodation

Rationale

The Suitable Accommodation KPI look at the type and suitability of accommodation at the start and end of the order by type of order. Additionally, for those leaving custody, it looks at how far in advance accommodation was secured. YJSs are required to record the number of children in the community and being released from custody into **suitable** or **unsuitable** accommodation arrangements (see 'Further recording guidance and notes for practitioners').

We know that access to safe and suitable accommodation reduces the risk of reoffending. This KPI should indicate how many children are in suitable/unsuitable accommodation. This will allow us to understand and evidence the barriers in order to escalate with partners, and to target support when children are in unsuitable accommodation.

Counting rules

1.1 Number of children with an order ending in the period

- 1.1.1 Input the number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive in the relevant cell based on type of outcome.
- 1.1.2 If a child had multiple orders that ended during the quarter, count only the most serious.
- 1.1.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date count only the most recent one once.
- 1.1.4 For custodial remands of four weeks or more, input the number of children whose custodial remand of 28 days or more which did not result in a sentence of immediate custody ended between the first date of the quarter and last date of the quarter inclusive.

1.2 Type of accommodation

- 1.2.1 Using the same counting rules as above, input the number of children by type of accommodation, suitability of accommodation at the start date, end date and release date (for custodial sentences and custodial remands of four weeks or more not resulting in a custodial sentence).
- 1.2.2 For each legal outcome type, the sum of the 'Yes' and 'No' columns for start, release and end should both equal each other and the number of orders closing by type of order.
- 1.2.3 'Bed & Breakfast', 'No Fixed Abode' and 'Unknown' cannot be selected as suitable accommodation.

1.3 Timeliness of when accommodation secured for children being released from custody for custodial sentences

- 1.3.1 Input the number of children released from custody (on a custodial sentence) in the quarter whose accommodation upon release was secured prior to release into the relevant time band.

Further recording guidance and notes for practitioners

Suitability of accommodation

In determining whether accommodation is "suitable" practitioners must consider:

- The need for arrangements to be sustainable over time. Temporary and short-term accommodation arrangements should be avoided.
- The child's specific circumstances and needs, such as their health needs and need for supportive relationships, and their protected characteristics, such as special educational needs and disability (SEND)/additional learning needs (ALN) and race, ethnicity and cultural needs.
- The child's voice and preferences, such as their want to be closer to their home area (although closeness to home may not be appropriate for every child).
- Providing the child with a nurturing and emotionally supportive environment, and one that supports them in their journeys towards desistance.
- Relevant safeguarding concerns and the character and suitability of the landlord or other provider.
- For a child being released from custody, the importance of arrangements that are made, agreed and communicated well in advance of the child's release date.

Practitioners should make a professional judgement on suitability based on the individual needs and circumstances of each child. As stated in the counting rules, in the case of a child being placed in a bed and breakfast or categorised as having no fixed abode or unknown accommodation arrangements, this will be categorised as unsuitable. For all other placements, assumptions should not be made based on the type of accommodation that has been arranged. For example, returning to one's family home may be suitable for some children and unsuitable for others.

Arranging accommodation is complex and multifaceted, YJSs must report honestly and reasonably on suitability data – this will equip MoJ and YJB to better push for change in the children's accommodation sector where needed.

Timeliness of when accommodation was secured for children being released from custody for custodial sentences

For children being released from custody, YJSs are required to record data on how far in advance of release accommodation arrangements have been made.

Timely accommodation arrangements are critical to children's experiences in terms of enabling them to envision and prepare for the future. It's also critical to ensuring that other resettlement arrangements can be made in time for release, such as education and mental health support. The inclusion of this metric, therefore, seeks to encourage a behaviour that prioritises timeliness of accommodation arrangements alongside suitability.

The following criteria are applied to the timeliness of arrangements: accommodation arranged 0 to 13 calendar days prior to release is viewed as providing insufficient timeliness; 14 to 27 calendar days as moderate timeliness; and 28+ calendar days as high-performing timeliness. The 'high-performing' banding is based on HMIP's ambition that accommodation should be arranged four-weeks prior to release from custody.

In assessing overall YJS performance in relation to timeliness, a nuanced view will be taken where possible and appropriate, recognising that timeliness of arrangements can depend on factors outside of YJSs control and that arrangement breakdowns can occur.

A differentiation should be drawn between the timeliness of accommodation arrangements and the timeliness of resettlement planning. Whilst accommodation should be arranged several weeks prior to children's release dates, resettlement planning should begin at the start of their custodial order, including an assessment of their accommodation needs.

2 Education, Training and Employment

The ETE KPI looks at the number and proportion of children in ETE by suitability, ETE provision type and type of order for children of school age and children above school age and how many hours were offered and attended.

Rationale

There are established links between low educational engagement and attainment and the risk of childhood offending. This KPI should highlight where children are not in suitable ETE to help YJSs to escalate concerns with ETE providers. At a wider level, this data will allow MoJ and YJB to understand where the wider system acts as a barrier to a child's desistance and raise these with relevant other Government departments if necessary.

Counting rules

2.1 School age and above school age

- 2.1.1 Children are counted as school age if they are aged 16 or under up to and including 31st August in the current year.
- 2.1.2 Children are counted as above school age if they turn 17 on or after 1st September.

2.2 Number of children with an order ending in the period

- 2.2.1 Input the number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive, in the relevant cell based on age group at end of order and type of disposal.
- 2.2.2 If a child had multiple orders that ended during the quarter, count only the most serious.
- 2.2.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, count only the most recent one once.

2.3 ETE status

- 2.3.1 The numbers of children in ETE with an order closing in the period at the start and end of the order are based on the sums of the provision type at the start and end of the order.
- 2.3.2 Input the number of children in suitable ETE with an order closing in the period. It may be the case that a child is in ETE, but the practitioner does not consider the provision suitable based on the child's needs or believes the hours the child is attending are not sufficient.
- 2.3.3 The numbers of children not in ETE is calculated by subtracting the number of children in ETE with an order closing in the period from the number of children with an order ended in the period.
- 2.3.4 Input the number of children with an order ending in the period whose ETE status is not known.

2.4 Type of ETE provision

- 2.4.1 Using the same counting rules as above, input the number of children in the primary type of ETE provision on the start date of the order and on the end date of the order.
- 2.4.2 The sum of ETE provision types at the start and end should both equal each other and the number of orders closing by type order.
- 2.4.3 The 'Number of children in ETE with an order closing in the period' fields will automatically populate based on the sum of the provision types.
- 2.4.4 The 'Number of children not in ETE with an order closing in the period' will automatically populate based on the 'Number of children with an order closing in the period' minus the 'Number of children in ETE with an order closing in the period'.

2.5 Number of hours offered and attended

2.5.1 Using the same counting rules as above, input the number of children in the relevant hours bands for the number of hours offered and the number of hours attended one week prior to the start, release date (for custodial sentences) and end date of the relevant order.

Further recording guidance and notes for practitioners

This KPI requires YJSs to record ETE status, suitability and type of ETE provision for children in the community and being released from custody with a ETE arrangement.

Of the children with an order ending in the quarter, this KPI requires YJSs to record:

- 1) children who have started and remained engaged in ETE during the quarter
- 2) the suitability of the child's ETE arrangement,
- 3) children who are not in ETE, and
- 4) the number of children with an unknown ETE status. When reporting data on this indicator, practitioners should make a professional judgement on the suitability of ETE arrangements based on the individual needs and circumstances of each child.

For children who were engaged in multiple ETE placements in one quarter, suitability should be recorded on the most recent placement.

For children who are a primary care giver, for example they are looking after a child or someone with disabilities, this should be classified as not in ETE on the spreadsheet. Given the low number of times this occurs, local intelligence and further data will be gathered to understand this.

In determining whether ETE arrangements are "suitable" practitioners must consider:

- The child's voice, strengths, and ambitions for the future. These should be identified through direct consultation with the child. For children being released from custody, this should additionally be identified through the child's constructive resettlement plan.
- How sustainable the provision is for the child and likely to result in continuity of ETE engagement.
- The [protected characteristics](#) of the child.
- An appropriate objective for the child which forms a pathway to achieving tangible educational and/or vocational outcomes in the form of credits and qualifications. These objectives could be the pursuit of a long-term career or educational objective, or it could focus on softer outcomes, such as lifting children's self-confidence and motivating them towards further learning.
- Appropriate for the child's current educational proficiency.
- Encouraging proficiency in English and Maths and be ambitious about improving this proficiency.
- Appropriate and supportive for children with special educational needs and disabilities (SEND).
- The importance of making, agreeing and communicating ETE arrangements for children being released from custody that begins at the point of, or close to, the child's release date.
- If children are released from custody with a planned ETE arrangement and there is a gap between the start date of the ETE placement and release date from custody, constructive activity should be arranged to fill this gap.

Given the above considerations of suitability, practitioners should take a needs-led approach to arranging ETE. For example, some children may be ready to sustain full-time employment or an apprenticeship, whereas others may be better suited to a traineeship or a jobcentre mentoring circle to improve their employability skills.

If children are referred to a 'Skill Mill', this should classify this as 'Education re-engagement programme'.

Children are counted as school age if they are aged 16 or under up to and including the 31st of August. Children are counted as above school age if they turn 17 on or after 1st September.

Children over school leaving age can remain in a range of ETE options (until the end of the academic year in which they are turning 18), such as an apprenticeship or traineeship, spending 20-hours or more a week working or volunteering, while in part-time education or training, or schemes provided by third sector organisations.

Data may fluctuate dependent on school terms. If fluctuations in data occur, this data will be scrutinised to understand this.

If a child has ETE arranged but they are not due to start until after the order has ended, this should not be recorded.

YJSs must report honestly and reasonably on suitability data – this will equip MoJ and YJB to better push for change to ensure ETE supports desistance.

3 Special Educational Needs and Disabilities /Additional Learning Needs

The Special Educational Needs and Disabilities (SEND)/Additional Learning Needs (ALN) KPI looks at the number of children with SEND for England or ALN for Wales by type of order, whether they have a formal plan in place and whether they are in suitable ETE.

Rationale

Identifying special educational needs/additional learning needs and providing support early is key to a child's educational engagement and attainment. This KPI should highlight where children are not receiving ETE support, to provide the evidence for YJSs to escalate concerns with ETE providers.

Counting rules

3.1 Number of children with an order ending in the period

- 3.1.1 Input the number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and the last date of the quarter inclusive in the relevant cell and type of disposal.
- 3.1.2 If a child had multiple orders that ended during the quarter, count only the most serious.
- 3.1.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, count only the most recent one once.

3.2 SEND/ALN

- 3.2.1 Using the same counting rules as above, input the number of children whose order ended in the quarter who were identified as having SEND/ALN assessed by a relevant practitioner.
- 3.2.2 Input the number of those whose order ended in the quarter and identified as having a SEND/ALN who had a formal plan in place for the current financial year.
- 3.2.3 Input the number of those whose order ended in the quarter and identified as having a SEND/ALN who were in suitable ETE.

Further recording guidance and notes for practitioners

For definitions of SEND and ALN, please refer to the [SEND Code of Practice](#) and [Additional Learning Needs Code for Wales](#).

A formal plan means an Education, Health and Care Plan (EHCP), a SEND support plan, an individual learning/education plan or an individual development plan (Wales), which should include:

- Details of the child's SEND/ALN support needs
- what special or additional support is being given
- who will provide the support and how often
- a child's targets
- how and when progress will be checked

The formal plan should be up-to-date for the current academic year and accurately reflect the child's support needs.

4 Mental Healthcare and Emotional Wellbeing

This KPI requires YJSs to record how many children are screened or assessed to understand their mental health and emotional wellbeing needs.

For children who are already in an arrangement to support their mental health and emotional wellbeing, the form asks to clarify if support is in place.

What constitutes an intervention for emotional wellbeing and mental health is in line with the [NHS THRIVE framework](#). This framework provides a set of principles for creating needs-based mental health and wellbeing support for children.

The focus on need-based interventions means that there is no 'wrong door' for children needing mental health and emotional wellbeing support; whether a child has talked to their YJS worker, a GP or mental health worker, they will be provided with support or be signposted to available support options.

Therefore, children may be screened by any professional who seeks to promote mental health awareness and help children with mental health and wellbeing needs or those at risk of mental health difficulties.

Rationale

Rates of poor mental health are higher for children across all stages of the youth justice system than in the general population. We need to monitor access to mental health interventions so we can escalate concerns (at a local and/or regional and/or national level) where children are not receiving access to support for mental health and emotional well-being.

Counting rules

4.1 Number of children with an order ending in the period

- 4.1.1 Input the number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and the last date of the quarter inclusive in the relevant cell based on the type of order.
- 4.1.2 If a child had multiple orders that ended during the quarter, count only the most serious.
- 4.1.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, count only the most recent one once.

4.2 Mental Health and emotional wellbeing needs and provision

- 4.2.1 Using the above counting rules, input the number of children whose order ended between the first date of the quarter and last date of the quarter inclusive who were receiving treatment for a mental health or emotional wellbeing need before coming on to the YJS caseload.
- 4.2.2 Using the above counting rules, input the number of children whose order ended between the first date of the quarter and last date of the quarter inclusive who had a screened or identified need for an intervention to improve mental health or emotional wellbeing. Please refer to definition of interventions below

- 4.2.3** Input the number of children who have planned mental health or emotional wellbeing interventions or who were offered interventions within the quarter.
- 4.2.4** Input the number of children who are or have been attending mental health or emotional wellbeing interventions within the quarter.

4.3 Types of intervention

- 4.3.1** Input the number of children receiving an intervention by type (see 'Further recording guidance and notes for practitioners' below for further details).

Further recording guidance and notes for practitioners

The [NHS THRIVE framework](#) conceptualises the mental health and wellbeing needs of children into 5 risk-based groups: thriving; getting advice; getting help; getting more help; getting risk support.

You do not need to record data on the 'thriving' group as these children may be experiencing the normal ups and downs of life but do not need individualised advice or support.

For all other children the following needs-based interventions should be recorded:

Getting advice: this group of children are in need of advice and signposting. Children in need of this type of intervention are best supported in the community with the possible addition of self-support and are not wanting goals-based specialist input. This group of children may be adjusting to life circumstances with mild or temporary difficulties. However, this group also includes children with chronic, fluctuating or ongoing severe difficulties for which they are choosing to manage their own health and/or are on the road to recover.

Getting help: this group of children are in need of focused goals-based input. Children in need of this type of advice would benefit from focused, evidence-based help and support, with clear aims, and criteria for assessing whether these aims have been achieved. This type of intervention will be delivered by a professional or by a range of people who can provide targeted, outcomes-focused help to address a specific mental health issue. These interventions are characterised by an explicit shared understanding from the outside of, what success looks like, how likely success is to occur by a specific date, what would happen if success was not achieved. Emphasis is placed on ending the intervention if it is no longer working or if the gains no longer outweigh potential harm.

Getting additional help: children in this group require extensive and specialised goals-based help, with clear aims and criteria for assessing whether these aims have been achieved. Children in this group need extensive resource allocation and may require particular attention and coordination from those providing services locally. Children in this group will often be completely unable to participate age-appropriately in daily activities in at least one context (e.g. school, home, with peers). Children in this group are likely to be unable to function in all domains (e.g. staying at home or in bed all day without taking part in school activities). Children in this group may need constant supervision and due to their level of difficulties they are no longer managing self-care and may experience distress on a daily basis. Children in this grouping may have a range of overlapping needs that mean they require greater input, such as the coexistence of autistic spectrum disorder (ASD), major trauma or broke attachments.

Getting risk support: this group of children have not benefitted from or are unable to use help but are of such a risk that they are still in contact with services. Whilst there is likely to be

elements of risk management across all interventions, this group refers to a context of high concerns but a lack of therapeutic process and for those children where risk management is the sole focus. Despite extensive input, these children are unable to make use of help and remain a risk to self or others. This group includes children who may routinely go into crisis but are not able to make use of the help offered. These children may self-harm or have emerging personality disorders and have not yet responded to intervention.

If a child attends the arrangement they have been offered, this must be recorded. We recognise that some interventions may be delivered once the child has left the YJS caseload but the YJS will have referred successfully. For these cases, we aim that the YJS will record where attaining information is reasonable.

5 Substance Misuse

This KPI requires YJSs to record the number of children with a screened or identified need for an intervention or treatment to address substance misuse and of that, the number of planned/offered treatment and the number of children attending intervention/treatment.

Some children on the YJS caseload will already be engaged in support at the start of their order. This KPI requires YJSs to record where this is the case. This will inform understanding of the unmet need of children on the caseload.

Some children may be receiving universal support, this is information, advice and support delivered to children or a group of children without assessing their risk. For this KPI, universal support is not captured in the data return.

Rationale

We know that children in the youth justice system are particularly vulnerable to substance misuse. We need to monitor access to substance misuse interventions/treatment so that we can escalate concerns where children are not receiving access to support for substance misuse.

Counting rules

5.1 Number of children with an order ending in the period

- 5.1.1 Input the number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive, in the relevant cell based on type of order.
- 5.1.2 If a child had multiple orders that ended during the quarter, count only the most serious.
- 5.1.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, count only the most recent one once.

5.2 Assessment of need

- 5.2.1 Using the above counting rules, input the number of children whose order ended between the first date of the quarter and last date of the quarter inclusive who were receiving treatment for substance misuse not as a result of screening by the YJS.
- 5.2.2 Using the above counting rules, input the number of children whose order ended between the first date of the quarter and last date of the quarter inclusive who had a screened or identified need for an intervention/treatment to address substance misuse.

5.3 Targeted interventions

- 5.3.1 A targeted intervention is interventions for children who are not necessarily seeking help but are vulnerable to substance misuse.
- 5.3.2 Using the above definition, input the number of children who were screened or identified as needing an intervention and were offered targeted treatment.
- 5.3.3 Using the above definition, input the number of children who were screened or identified as needing an intervention and attended targeted treatment.

5.4 Specialist substance misuse treatment interventions

- 5.4.1 A specialist substance misuse treatment intervention refers to interventions which are individual packages of care-planned support, that build children's resilience and reduce the harm caused by substance misuse.

- 5.4.2** Using the above definition, input the number of children who were screened or identified as needing an intervention and were offered a specialist substance misuse treatment intervention.
- 5.4.3** Using the above definition, input the number of children who were screened or identified as needing an intervention and attended a specialist substance misuse treatment intervention.

5.5 Complex care

- 5.5.1** Complex care is multi-agency care packages these packages include substance misuse treatment and detoxification, along with support for housing (potentially via short-term fostering arrangements), residential treatment, such as NHS inpatient units or voluntary sector rehabs.
- 5.5.2** Using the above definition, input the number of children who were screened or identified as needing an intervention and were offered complex care.
- 5.5.3** Using the above definition, input the number of children who were screened or identified as needing an intervention and attended complex care.

Further recording guidance and notes for practitioners

YJSs should use [NICE guidelines](#) to understand how need is categorised. Under the NICE guidelines, children's needs should be assessed to identify if there is problematic substance misuse. Problematic substance misuse refers to all drugs and alcohol.

Need is addressed by an intervention or treatment to address problematic use. For each group offered an intervention, their specific vulnerabilities and any concerns about their behaviour should be identified so that interventions are tailored to their needs.

Some children will benefit from universal support – this is support that is delivered to a group of children without assessing their risk. Often this is in the form of education that addresses a large group of children or information and advice services provided by non-drug specialists. Universal work undertaken by YJSs to educate children on the effects of substance misuse is central to preventing further substance misuse problems. However, this work is not considered an intervention and should not be recorded under this KPI.

Interventions can be classified under three categories:

- targeted,
- specialist substance misuse treatment interventions, and
- complex care.

Targeted interventions: this refers to interventions for children who are not necessarily seeking help but who have risk factors that make them vulnerable to substance misuse. They can be delivered by other professionals such as children's social care, YJS's, mental health services. Examples of interventions at this level include brief psychosocial interventions, brief advice harm reduction and aftercare and referral to structured drug and alcohol treatment.

Specialist substance misuse treatment interventions: this refers to interventions which are individual packages of care-planned support, that build children's resilience and reduce the harm caused by substance misuse. This can include medical, psychosocial or specialist harm-reduction interventions. Examples of interventions at this level include community-based substance mis/use assessment and structured treatment/specialist treatment interventions.

Complex care: this refers to multi-agency care packages these packages which include substance misuse treatment and detoxification, along with support for housing (potentially via short-term fostering arrangements), residential treatment, such as NHS inpatient units or voluntary sector rehabs.

YJSs should ensure that the intervention offered is appropriate for the age and maturity of the child and aim to minimise the risk of any unintended adverse consequences and stigma.

The timeliness of access to treatment is important in ensuring that the needs of children are met to increase their resilience to reduce further problematic substance use. YJSs should recognise that treatment should be timely and appropriate.

6 Out of Court Disposals

This KPI requires YJSs to record: the number of children with interventions ending in the period, the number of children who completed the intervention programmes in the quarter and the number of children who did not complete intervention programmes in the quarter.

Rationale

An increasing number of cases supervised by YJSs are now out of court disposal. We need to ensure that interventions attached to these are completed and that children achieve a positive outcome.

Counting rules

6.1 Number of children with an order ending in the period

- 6.1.1 Input the number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive, in the relevant cell based on type of intervention.
- 6.1.2 If a child had multiple orders that ended during the quarter, count only the most serious.
- 6.1.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, count only the most recent one once.

6.2 Number of intervention programmes completed in the quarter

- 6.2.1 Using the above counting rules, input the number of children who successfully completed intervention programmes in the period.
- 6.2.2 Using the above counting rules, input the number of children who did not complete intervention programmes in the period.

Further recording guidance and notes for practitioners

An Out of Court Disposal (O OCD) is defined as a case where the YJS has been asked to undertake an assessment and/or deliver interventions, including services delivered directly by the YJS, under other local authority or partnership arrangements or on a commissioned basis by another provider.

O OCDs will include:

- Community Resolution with YJS Intervention
- No Further Action Outcome 22 with YJS Intervention
- No Further Action Outcome 22 Deferred Prosecution/Caution with YJS Intervention
- No Further Action Outcome 20/21 with YJS Intervention
- Youth Cautions where there is a YJS intervention
- Youth Conditional Cautions

An intervention is at least one session post-assessment aimed to help the child desist from further offending behaviour. Interventions should be strengths-based and future-focused and promote positive outcomes for the child.

Whilst the definition of OOCB often varies, to minimise the reporting burden and to ensure that the data provided is appropriate for use as a KPIs, OOCB does not include any OOCB managed solely by the police.

Completing the intervention programme means that the child must have engaged with and completed a sufficient number of sessions/activities, as identified in the plan, to achieve the intended outcomes of the intervention. Practitioners should use their professional judgement to determine if the engagement of the child has achieved the desired outcome of the programme.

Across England and Wales, we acknowledge that prevention work and pre-bureau work is commonly used, these cases should not be classified as OOCBs.

7 Links to Wider Services

This KPI requires YJSs to record children who are classified as a currently care experienced child (known in statute as a 'Looked After Child'), a 'Child in Need' or who are on a 'Child Protection Plan', an 'Early Intervention Plan' or who are referred to Early Help services.

Recording this data encourages services to work together in coordinating support given to children within the local authority.

Rationale

We know that real, effective multi-agency working is essential to reducing offending/reoffending. We need YJSs to engage consistently and proactively with other services to ensure holistic support and early identification of risk. This KPI will help us to understand where YJSs have good information sharing in place with social care and early help services.

Counting rules

7.1 Number of children with an order ending in the period

- 7.1.1 Input the number of children aged under 18 at the start of the order whose order ended between the first date of the quarter and last date of the quarter inclusive, in the relevant cell based on type of disposal.
- 7.1.2 If a child had multiple orders that ended during the quarter, count only the most serious.
- 7.1.3 If a child had multiple orders that ended during the quarter of the same seriousness, regardless of date, count only the most recent one once.

7.2 Early Help and Care Status

- 7.2.1 Using the above counting rules, input the number of children who were:
 - a currently a currently care experienced child
 - on a Child Protection Plan at the order end date
 - a Child in Need/Child in Need of care and support at the order end date
 - on an Early Intervention Plan at the order end date
 - already open to Early Help services prior to start of order
 - referred to further Early Help services.

Further recording guidance and notes for practitioners

Early help, also known as early intervention, is support given to children and families by a local authority when a problem first emerges. It can be provided at any stage in a child's life. The Early Help model of assessment includes services for parents or the whole family (rather than singular child-focused assessments) to reduce risk factors and improve protective factors for children. All early help is voluntary – families do not have to participate if they do not want to. There is local variation and in models and recording systems for Early Help so youth justice services should use the existing multi-agency early help framework used by their local authority.

Many of the children who on the YJS caseload are also managed by other services in the community. This KPI will provide data on the needs of children on the caseload and detail the extent to which the work of YJSs overlap with other support structures.

8 Management Board Attendance

This KPI requires YJSs to record the number of senior partners attending the quarterly meetings, and of those senior partners was data presented which identified areas of disproportionality.

In line with the Terms and Conditions of grant, management boards will be required to meet quarterly. Management board attendance will not be integrated into the case management system. ***YJSs are therefore required to manually input attendance into the template.*** MoJ and YJB will monitor this data to ensure that this data is accurate.

Rationale

It is vital for YJSs to have strong leadership and consistent senior level representation at management boards. This KPI will indicate when there is an issue in this area.

Counting rules

8.1 Management Board Attendance

- 8.1.1 Input '1' in the relevant cell in the 'Attended' column based on the role and whether the partner was senior or delegated/non-senior.
- 8.1.2 Input '1' in the relevant cell in the 'Did not attend' column based on the role and whether the partner was senior or delegated/non-senior.
- 8.1.3 If it was the partner's first time attending the meeting, input '1' in the relevant cell in the 'Attended' column.

Further recording guidance and notes for practitioners

It is recognised that in some areas the YJS Management Board may now have been merged with other local strategic boards and/or may be known by a different name, for example Youth Justice Partnership Board. For the purposes of this KPI, the term 'YJS Management Board' can be taken to apply to all such variations

All statutory partners should be represented on the YJS Management Board. These are the local authority (children's social care and education), police, probation, and health. Members of the Management Board should be of the appropriate seniority and have the authority to make strategic decisions, for example with regard to financial and staffing resources.

The YJS Management Board should have clear and current terms of reference, understand its accountability, and be proactive in driving change.

Non statutory partners may be involved in the YJS Management Board, as relevant and appropriate to the area. These are not captured under the KPI however these will be monitored by MoJ and YJB. A description of the operational partnership at a strategic level including non-statutory at the management board will be assessed through the Youth Justice Plans submitted to the YJB.

Presenting racial and ethnic disparity data

This KPI will require statutory partners, as board members, to contribute data from their individual services that identifies areas of racial and ethnic disproportionality as reducing racial and ethnic disparity is a priority.

Here, 'data' refers to local data as opposed to national data. Although, YJSs will need to understand their data in the context of the national picture, the focus should remain on driving local improvement. For example, a statutory probation partner is expected to present the amount by which (if any) certain ethnic and racial groups are overrepresented on the local caseload. The partner would also be expected to contextualise this data and outline actions for reducing the disproportionality. It is expected that data will be scrutinised, and an 'explain or reform' approach adopted in which disproportionality that cannot be explained should be addressed through innovative and proactive action.

It is expected that the management board make the wider staffing group aware when priorities and actions for reducing disparities arising from these discussions. All YJS staff should be working to address need using a Risk-Need-Responsivity approach to challenge overrepresentation and provide tailored support. It should be recognised that disproportionality is likely to impact on wider educational and health needs, for example, children who experience discrimination are more likely to have problematic substance use.

Reducing racial and ethnic disparities should remain a priority when assessing children who are new to the YJS area.

The data presented and actions which result should feed into the yearly YJ plan. In doing so, YJSs are expected to scrutinise their local data and present this in a way which explains or challenges over representation.

There is not a standardised way for services to present or identify this data. YJB have been working to improve methods of collecting data on ethnicity and to expand the evidence base on disproportionality in the youth justice system. For guidance on how to capture this data, YJSs should refer to the YJB's reducing disparity tool kit which can be found in the YJAF data set. For areas where disproportionality is not captured by the YJB such as education needs, YJSs should use the local toolkits referenced in YJB's Terms and Conditions of Grant.

In line with the Public Sector Equality Duty, it should be recognised that racial and ethnic disparities may occur alongside other protected characteristics.

9 Serious Violence

This KPI requires YJSs to record children cautioned or convicted of Serious Violence on the YJS caseload.

Rationale

Serious Violence rates have increased in some areas and given the severity/ consequences of this particular form of crime; this is high priority concern. Data on this will provide a more accurate picture and help to direct local, regional and/or national action to prevent and tackle knife and gang-related crime.

Counting rules

9.1 Definition of Serious Violence

- 9.1.1 For the purposes of this KPI, Serious Violence is recorded in line with the YJB definition as any drug, robbery or violence against the person offence that has a gravity score of five or more resulting in a caution or court sentence
- 9.1.2 The KPI will measure the number of proven Serious Violence offences and the proportion of proven Serious Violence offences as a proportion of total offences in the quarter and will look at the demographic breakdowns of children cautioned or convicted for these offences.

Further recording guidance and notes for practitioners

There is no need to submit this data via the template as Serious Violence data will be captured via the quarterly case level data returns. Should YJSs not be able to submit case level data for whatever reason, a summary level return will be accepted.

10 Victims

This KPI looks at the number of victims resulting from offences committed by children on the YJS caseload, the number contacted, and the number engaged in restorative justice opportunities as well as those who requested and were given further information and support.

Rationale

YJSs have a statutory duty to provide support to victims. YJSs need to ensure compliance with this duty to protect the rights of victims.

Counting rules

10.1 Cases

- 10.1.1 Input the number of children with an order closing who had an offence with an identified victim or victims.
- 10.1.2 Count each child once, regardless of whether or not they had multiple orders closing who had an offence with an identified victim or victims
- 10.1.3 Input the total number of victims. If the offence or offences involved multiple victims, count all victims.

10.2 Victim support

- 10.2.1 Input the number of victims who consent to be contacted by the YJS. The number of victims who consent to be contacted by the YJS should not be greater than the total number of victims.
- 10.2.2 Input the number of victims who engaged with restorative justice opportunities. See 'Further recording guidance and notes for practitioners' for the definition of restorative justice as outlined in the Victim's Code.
- 10.2.3 Input the number of victims who were asked for their view prior to Out of Court Disposal decision making and for those who were asked for their view for planning for statutory court orders.
- 10.2.4 Input the number of victims who requested information about the progress of the child's case.
- 10.2.5 Of the above, input the number of victims who were provided with information about the progress of the child's case.
- 10.2.6 Input the number of victims who asked for additional support.
- 10.2.7 Of the above, input the number of victims who were provided with information on appropriate victim support services.

Further recording guidance and notes for practitioners

YJSs must record the number of children with an intervention closing with an identified victim or victims of youth crime in the quarter. In cases where a child has multiple interventions at the same date, this should be counted as one case only.

YJSs are required to record the total number of victims across all interventions closing in the quarter. In the case that the same individual is a victim of multiple offences this should be counted individually for each child on the caseload.

For data which requires YJSs to record the number of victims as a number of the total number of victims, this should be recorded per child. For example, if three children are sentenced for an offence against the same victim, this should be treated as three cases. In the case that the same victim and same child are recorded on two cases and the victim requests information on the progress of both cases, this should be recorded once.

YJSs should use the definition of victim found in line with [The Victims Code](#). A victim is defined as: a person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence; or a close relative (or a nominated family spokesperson) of a person whose death was directly caused by a criminal offence.

YJSs must record the number of victims who consent to be contacted by the YJS. YJSs are not required to record if contact has been made. Whilst all YJSs are required to contact victims who are not eligible for the Victim Contact Scheme (this is all cases where a child is sentenced to less than 12 months in custody).

The **Victim Contact Scheme** applies if the child was convicted of a specified violent or sexual offence and sentenced to 12 months or more in custody (or detained in a hospital for treatment under the Mental Health Act 1983 with or without a restriction order⁴⁵). In these cases, a victim or a bereaved family relative has the right to be automatically referred within 10 working days of sentencing to the National Probation Service Victim Contact Scheme and be assigned a Victim Liaison Officer

YJSs are required to record the number of victims engaged with on Restorative Justice opportunities. **Restorative Justice** is defined as a process that brings those harmed by crime, and those responsible for the harm, into communication. It enables everyone affected by a particular incident to play a part in repairing the harm which can be valuable in finding a positive way forward. YJSs must consider whether victims will benefit from information about Restorative Justice at any stage in the criminal justice process. 'Engaged' refers to an active footprint of engagement with victims on restorative justice opportunities that goes beyond passive signposting of information.

Communicating may include the victims and the child meeting face-to-face; communicating via letter; recorded interviews or videos. Restorative Justice is voluntary for all parties and it must be agreed by all involved, including facilitators, that it is safe and appropriate to proceed. It will only happen if both parties, having acknowledged the basic facts of the case, both want to take part. Victims do not have to take part and can withdraw at any time. Victims can ask to participate in Restorative Justice at a time that is right for them.

YJSs are required to record the number of victims asked their view prior to out of court disposal decision making and planning for statutory court orders. This includes planning for referral orders, youth rehabilitation orders and custodial sentences.

YJSs should record this information per OOC/ statutory court order. For example, if the same individual is recorded as the victim for two OOCs, this should be recorded as two victims. An 'out of court disposal' is defined as a case where the YJS has been asked to undertake an assessment and/or deliver interventions, including services delivered directly by the YJS, under other local authority or partnership arrangements or on a commissioned basis by another provider. If the YJS has attempted to contact the victim to ask their view but

the victim has not responded/engaged, this should be recorded if there is an active footprint of engagement.

It is recognised that whilst including victim's views as part of the OOC decision-making process is accepted as good practice, OOC decision-making should not be delayed for the child if it is not possible to get a victim's views in timely manner.

Appendix 1: Frequently Asked Questions

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Why do we need to change the KPIs?

The current KPIs (First Time Entrants, reoffending rates and the number of children in custody) provide a helpful overview of how the youth justice system as a whole is delivering against our shared overarching aim of preventing (re)offending by children. These measures should continue to inform discussion at a local level. YJB and MoJ will also continue to use the information to perform their oversight function and to understand the performance of the system as a whole.

However, it is hard to tie a change in any one of the current KPIs specifically to the work of an individual YS partnership. For example, changes to the FTE rate could be largely the result of a demographic bulge, or the economic climate, rather than an indication of the local YJS partnership’s performance. Fluctuations in the current measures do not always reflect what makes a successful YJS partnership.

We need a set of YJS KPIs which both recognise and celebrate the strength of partnerships and provide intelligence to enable us all (Management Boards, the YJB, the MoJ) to focus our attention where there are challenges – including providing the evidence to be able to hold partners to account.

We acknowledge that any set of KPIs is inevitably a proxy snapshot of the range of work and issues within a service. We have aimed to strike a balance between not asking you to report against an unmanageable number of metrics, but still providing insights across the range of key areas we know are important to address the needs of children today to tackle (re)offending.

We are also clear that KPIs mean very little (or can be actively misleading) if the numbers are not accompanied by thorough analysis and narrative to explain what the data are telling

us. These are not a set of targets: we want the KPIs to be used as a source of information and intelligence to facilitate the better partnership working and service improvements, we know everyone is trying to achieve. We will keep the KPIs under review to ensure they provide the insight and evidence needed to drive performance.

Who do you mean by ‘the YJS partnership’?

By ‘the YJS partnership’ we mean the multi-agency group of organisations which contribute to/are part of the work of the YJS: local authorities, including education and social care; statutory partners in health, police and probation; and non-statutory partners such as housing, the voluntary sector and elected members who contribute to the delivery and oversight of youth justice services, and who may be part of the YJS management board.

These KPIs are designed to indicate the success of that partnership, in recognition that YJSs do not operate in isolation from other local services. We recognise that successful partnership working is central to enabling children to succeed and that the most effective YJS partnerships are those where there is strong multi-agency collaboration. To deliver the best outcomes for children, all services must work towards reducing the barriers to desistance. The revised KPIs will provide transparency on the strength of YJS partnerships.

Why change the measures now?

The youth justice system has developed significantly since the current set of KPIs were introduced, with the multi-agency model now much more firmly embedded. Whilst the number of children entering the system with a statutory disposal has fallen significantly, it is clear YJSs are working with increasingly complex caseloads. We need KPIs which help us understand how YJS partnerships are responding to this different context.

This is also important in enabling us to make the case to HM Treasury around YJS funding: at the last Spending Review we successfully negotiated an uplift in the YJS core grant based on the complexity of need and challenges which YJSs face. Given the current economic climate, it has never been more important to be able to a) deliver value for every taxpayer pound; b) be able to evidence that value, and the impact that YJSs have. Key to this is having a strong performance oversight function, which in turn relies on having a strong data set.

YJB are reviewing how scrutiny and accountability is improved. Improved KPIs will allow for better understanding of the most effective interventions YJS partnerships are undertaking.

When will we be expected to start recording the new KPIs?

YJSs will be required to record data on the new KPIs from April 2023. Having listened to your feedback, we have set the start date for data returns at the beginning of the new financial year, rather than October 2022 as originally planned. This will mean first returns of the new KPIs will be due in July 2023, reporting on the previous 3 months (Q1 2023).

From April 2023, the KPIs will form part of the YJB’s Data Reporting Requirements. It is a priority for us to minimise any operational burden that may occur as a result of these changes and we will work closely with CMS providers to embed these changes.

Counting rules and guidance on how to record the KPIs have been circulated alongside this FAQ document. YJB regional leads will work with YJSs to ensure that appropriate support is provided where necessary.

How did you decide on the list of proposed KPIs?

MoJ and YJB worked together to develop an initial range of metrics based predominantly on the intelligence we have received from YJSs about the challenges and priorities you face, in addition to research (including HMIP findings) around the common features of high performing YJSs.

We then carried out extensive engagement – with academics, other government departments, policy officials, and the frontline. We have engaged with AYM, YMC, HMI Probation, analysts and information managers to further develop proposals. We have used information gathered through surveys, webinars and information submitted to the MoJ via email to inform the KPIs.

Have you listened to our feedback?

As a result of the feedback received, we have made changes to the initial set of KPIs proposed. For example, remand is no longer proposed as a KPI given the low numbers of children receiving custodial remand in many parts of the country. Further to this, we have included additional measures on victims and substance misuse. Following engagement, we have separated SEND from ETE, these will now be two KPIs in recognition of the complexity and quantity of work being undertaken by YJS partnerships in these areas. The KPIs will now record if management boards are contributing data which identifies racial disparity in their individual services.

Concerns were raised that the KPIs on serious violence and wider services are reflective of the profile of children on the caseload rather than performance. However, reducing youth violence and promoting effective partnership working remains a priority. Continuing to collect data will help us to understand best practice and to target support where needed.

These KPIs reflect a judgement about areas that are strategically important in delivering effective services for children. The intention in revising the KPIs is to ensure that there is a clear understanding of how local multi-agency partnerships are operating at both a local and central level.

How will the KPI data be used?

We recognise that YJS Partnership KPIs are just one tool used to understand a complex environment. A rising – or falling – number could indicate a variety of different issues, and therefore analysis and interpretation of the local situation will be essential for the KPIs to be useful. For small YJSs, fluctuations in numbers may not always be statistically significant. KPIs will be understood within the context of other data and soft intelligence.

This data will be used by:

- **Management Boards / YJSs themselves:** to understand your own performance – both what is working well and where you need to focus your efforts to deliver improvements; to engage with and hold partners to account where the data reveal challenges/issues; to evidence wider issues which need escalating.
- **HMIP:** to inform their pre-fieldwork stage at inspection.
- **MoJ:** to demonstrate the efficacy of YJSs when making the case for funding; to evidence widespread or systemic issues in order to escalate with relevant sponsoring other Government Departments or national leadership; to identify where there are structural barriers in the system.
- **YJB:** to carry out its oversight function; to understand barriers to desistance in order to bolster partnerships where needed; to determine where challenges are wider than a single area and may require a more coordinated/central response; to assess regional trends and patterns.

YJB's quarterly Performance Oversight Board (POB) responds to concerns about service delivery and identifies and disseminates good practice across the system. The existing Board is under review to ensure that YJSs are assessed effectively to inform decisions on when to intervene to support underperforming services. YJB will use the KPIs as a key element of intelligence, alongside other data such as the information provided by YJB regional leads. Recognising the importance of gaining a holistic view, assessments will use a combination of evidence and data to act on emerging need. YJB will send out further information before April 2023 about its new performance oversight function and plans. Therefore, KPIs will form part of the YJB's assessment of 'priority' YJSs for intervention.

Will the new KPI data be published / how will YJSs be able to see the data?

YJB will reconcile the KPI data with YJSs as part of the Youth Data Summary (YDS). YJSs will continue to receive the YDS on a quarterly basis, from July 2023 (the end of the first quarter of reporting) the new KPI data will be included in this. KPI data will not be included in Annual Statistics published by the YJB and will continue to be presented as the wider data set.

How is this joined up with other work across government?

We are working across Government to ensure these KPIs are as closely aligned as possible with the work of other government departments and agencies in recognition that YJSs are the central bridge for multiple services. For example, the KPI on victims has been drafted in alignment with the Victim's Code which will require YOTs to report on the work they are undertaking. Similarly, the definition of OOCd aligns with HMI Probation's OOCd definition used during inspection.

Serious Violence is a cross-Government priority. The Serious Violence KPI aligns with the Home Office's multi-agency approach to reducing Serious Violence which will ask agencies to work together to reduce violence levels.

Where possible, we have worked to align the definitions we have used with definitions used by other agencies. We are aware that in some cases, the definition of 'suitable' for ETE and accommodation, may not completely align. Honest reporting is central to the support we can provide. We encourage YJSs to record the challenges they are facing in line with the definitions provided.

How will the new KPIs work in practice?

We are publishing a full set of guidance explaining what and how to capture this new data set – please refer to the guidance alongside this FAQ. We are working closely with CMS providers to ensure that any operational burden is minimised.

How will these KPIs be used to address racial and ethnic disparities?

Reducing racial and ethnic disparities is a priority. We explored the possibility of a standalone KPI measuring racial and ethnic disparity. However, initial scoping demonstrated that YJSs do not have a standardised way to collect this data, which creates an issue with collecting data on the proposed KPI.

In line with HMIP’s thematic inspection of the experiences of black and mixed heritage boys in the youth justice system, racial and ethnic disparities will be addressed within the Management Board KPI. The aim is to examine the work conducted by both YJSs and their partner agencies in reducing disparities.