

To: Communities, Housing and Planning Policy Board

On: 6 June 2017

Report by: Director of Children's Services

Heading: Criminal Justice Grant 2017/18

1. Summary

- 1.1. The Community Justice Services Division of the Scottish Government allocates the grant funding for criminal justice social work. The grant is ring fenced funding, in accordance with sections 27A and 27B of the Social Work (Scotland) Act 1968 as amended.
- 1.2. The grant allowance for Criminal Justice Social Work for Renfrewshire for 2017/18 will be £3,249,271 representing a decrease of £243,394 since 2016/17. It is noted that the 2016/17 budget included an additional payment for preventative work and alternative to custody provision. It is likely that the current budget will be supplemented by contributions from neighbouring local authorities to support the provision of jointly funded services. A breakdown of the allocation is provided in Appendix 1 of this report. This funding is made up of the Local Government Central Allocation and funding from the Offender Services budget. At this time it would appear that the grant allocation and additional income will meet the budgetary requirements for 2017/18.
- 1.3. There are two significant changes to the way that the grant has been distributed in 2017/18. Firstly the disestablishment of the Community Justice Authorities as of 31 March 2017 and the move to the new model of Community Justice means that the funding has been provided directly to each Local Authority.
- 1.4. Secondly, the funding formula for criminal justice has been updated. Previously funding was based on 75% workload and 25% socio economic factors i.e. the number of unemployed young people aged 16-24 and the level of court business. Now workload makes up 50% and a wider range of factors including Rurality and the Social and Economic costs of crime comprise the remainder. This formula has been agreed by the Reducing Reoffending 2 Funding Group and the joint Scottish Government and COSLA Settlement and Distribution Group.

- 1.5. The expectation is that this funding is utilised to discharge Renfrewshire's statutory criminal justice duties, and as a statutory partner within the new model of community justice work towards preventing and reducing further offending in line with the Renfrewshire Community Justice Outcome and Improvement Plans.
 - 1.6. Renfrewshire provides the Paisley Sheriff Court Social Work Service on behalf of Renfrewshire and East Renfrewshire Councils. It also provides Pathways Partnership Project, which runs the accredited group and individual intervention programme for sexual offenders, for Renfrewshire, East Renfrewshire and Inverclyde. Previously the Community Justice Authority would provide the budget for shared services directly to the appropriate Local Authority, however within the new funding formula the funding for these services is within each local authority's budget. Negotiations are currently underway to reach agreement as to the contributions required to maintain current services for partner authorities.
 - 1.7. The discussion in relation to the Pathways budget is further complicated by the fact that the budget made available to the 3 local authorities combined in 2017/18 is £122,074, whereas the budget provided annually until 2016/17 was £246,797 and already required each local authority to contribute further. This represents a reduction of 51% in funding for a service that is anticipated to cost £314,000 in 2017/18.
 - 1.8. Recognising that the new formula would lead to a shift in resources, this will be phased in nationally over a period of 5 years commencing 2017/18. No Local Authority will lose more than 5% overall in year one, rising 5% per annum up to a maximum of 25%. Within Renfrewshire had dampening not been introduced Renfrewshire would have been subject to a further reduction of £387,764 this financial year. If the share of workload and Social and Economic costs of crime, and the national budget available for justice, remain unchanged by April 2021 Renfrewshire will experience an 18% decrease in its criminal justice budget.
 - 1.9. The funding formula was agreed in principle before the consequent financial implications were notified to local authorities. It was recognised that there would be local authorities who would win and others who would see a reduction in funding. It was always intended to be open to review. Senior managers and Social Work Scotland are raising concerns in appropriate forums in relation to the current and future grant awards and the ability to maintain a credible criminal justice service. Work will also take place to consider alternative models of service delivery to maximise capacity within the service.
-

2. Recommendations

- 2.1 The Communities, Housing and Planning Policy Board is asked to:
 - a) Note the indicative budget allocation of £3,249,271 for criminal justice social work services in Renfrewshire for 2017/18 as detailed in Appendix 1;
 - b) Note the forecast for Renfrewshire's allocation over the next 5 years.

3. Background

- 3.1 The Community Justice Services Division of the Scottish Government allocates the grant funding for criminal justice social work. Until 2017/18 this was to the Community Justice Authorities (CJAs) across Scotland, with Renfrewshire a part of the North Strathclyde Community Justice Authority Grant. However 2017/18 is the first year of the new Community Justice Model which sees funding directed to Local Authorities instead of CJAs. The grant is ring fenced funding, in accordance with sections 27A and 27B of the Social Work (Scotland) Act 1968 as amended.
- 3.2 This is also be the first year where the distribution methodology for S27 funding agreed by Scottish Ministers and COSLA Leaders has been used for distributing funding. This new methodology for distribution applies to both the Community Justice Social Work (CJSW) funding within the Local Government Settlement (Part 1 in Appendix 1) and the additional funding by Scottish Government (Part 2) which is included as part of the transfer from the Offender Services budget.
- 3.3 The new grant distribution formula was introduced with the aim of ensuring that funding:
- is equitable and supports existing services deemed appropriate and effective;
 - encourages core partners to co-operate with each other and Community Planning Partners on delivering improved outcomes;
 - encourages partnership working and jointly funded service delivery, including work with the 3rd sector, community organisations and service users;
 - focuses over time on preventative spend, including leveraging other community justice contributions.
- 3.4 Until now funding was separated into 2 parts, core funding which financed statutory criminal justice services provided by all local authorities, and non-core where Local Authorities were provided with funding for specific services relating to needs within their areas. In Renfrewshire this included funding for general group work services and for the provision of Moving Forward Making Changes (MFMC) the accredited sexual offending programme.
- 3.5 The grant awarded to Renfrewshire Council for 2017/18 is £ 3,249,271, a reduction of £243,394 since 2016/17. The grant is made up of two elements, part 1 is a flexible grant with part 2 being targeted to specific types of work. It should be recognised that the 2016/17 grant included a transfer from the Offender Services budget of £137,789 in September 2016 which supported a range of services and organisations. It is anticipated that grant income will be received from neighbouring local authorities for jointly providing services. As such it is anticipated the grant will meet the budgetary requirements for 2017/18.

- 3.6 Part 1 is the majority of the national funding, with Local Authority shares derived from criminal justice workloads which make up 50% of the formula, with Rurality and the Economic Cost of Crime informing the other 50%. Part 1 funding for Renfrewshire in 2017/18 is £3,024,086. The grant is provided on the condition that it should be used only for the delivery and commissioning of Criminal Justice Social Work Services; with each local authority having flexibility, working in partnership with other statutory partners and the third sector to direct this funding to meet Community Justice Local priorities, but have regard to the key delivery of statutory Criminal Justice Social Work Services and their statutory obligations to prevent and reduce further offending.
- 3.7 In exchange for this flexibility, the Scottish Government expects to see progress being made by Local Authorities towards the Scottish Government National Outcomes: we live our lives safe from crime, disorder and danger; we have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others; and our public services are high quality, continually improving, efficient and responsive to local people's needs. This links directly to the Strategy for Justice in Scotland and priorities which include reducing reoffending.
- 3.8 Part 2 is non-discretionary, providing specific funding for the delivery of key services and programmes. This includes specific targeted funding for the delivery of Community Sentences and Womens' Services and funding for key programmes agreed by Ministers. Flexibility to direct this funding working in partnership remains, however it requires to be utilised under the relevant headings.
- 3.9 Funding protected under Part 2 includes the Caledonian System, the Drugs Court (Glasgow), MAPPA/VISOR (provided by Inverclyde Council), Delivery of the National training programme, Training and Development, community sentencing and Womens' Services funding. Where this funding is not being fully utilised, or is no longer required then there should be discussion between the Scottish Government and Local Authority as to the need for that funding.
- 3.10 Renfrewshire's share of protected funding is £225,184. This is specific to support the delivery of community sentences and periodic updates may be required to inform ministers as to how this has been utilised. It also includes Renfrewshire's share of the £1.5m for bail support with women, to reduce remand numbers. Again periodic updates may be required to inform as to its use. Finally it includes £60,000 for the employment of the Training and Development Officer to provide a service to 6 local authorities of the previous NSCJA for 12 months until such time as this responsibility is passed to Community Justice Scotland.

- 3.11 The dissemination of the grant in this way to individual local authorities means that where shared services exist, funding is provided to each Local Authority directly. Renfrewshire provides a team which delivers MFMC for Renfrewshire, East Renfrewshire and Inverclyde. Whilst local authorities have not been provided with detailed budget line breakdowns of the grant, they have been provided with their share of the MFMC national funding. The budget made available to the 3 local authorities combined in 2017/18 is £122,074, whereas the budget provided annually until 2016/17 was £246,797 and already required each area to contribute further. This represents a reduction of 51% in funding for a service that is anticipated to cost £314,000 in 2017/18. The Scottish Government are clear that funding is for MFMC work only, whereas the service undertakes additional good practice, for example, more comprehensive assessments at court stage, programmed work with deniers, those on short term orders etc. MFMC alone is calculated to cost £235,500, thus the amount awarded is 52% of the amount required for MFMC provision.
- 3.12 Paisley Sheriff Court is the court for Renfrewshire and East Renfrewshire Councils. Renfrewshire manages the court team which provides court and bail services, arrest referral, diversion and the immediacy of appointments required within Community Payback Orders. Renfrewshire also provides access to the Womens' Community Justice Service and group work services, and hosts 3rd sector partners from the Turnaround service and SHINE, the Women Offenders Public Social Partnership. Negotiations are underway as to East Renfrewshire's contribution to this provision.
- 3.13 It was recognised that the funding formula would lead to shifts in resources across local authorities, thus the new formula will be phased in over a 5 year period, with the maximum loss in any one local authority being no more than 5% in year one, rising 5% per year up to a maximum 25%. Renfrewshire has benefitted from this mechanism in that had dampening not been introduced then Part 1 funding would have been £2,636,322. This means that all remaining equal in terms of workload, economic factors and national budgets for justice services, further cuts of £387,764 will require to be made over the next 4 years. These are substantial reductions, amounting in total to an 18% budget reduction. Whilst workloads have increased substantially since CPOs have been introduced i.e. Supervision orders by 60%, and Unpaid Work orders by 120%, rising workloads nationally means that this has not equated to a increase in funding for Renfrewshire.
- 3.14 The new funding formula has led to reductions in budgets in 2017/18 as well as the likelihood of further reductions over the next 4 years. Posts have been reduced and work is commencing to consider alternative models of service delivery. At the same time managers are raising concerns about the impact of the formula on areas with significant deprivation, and the capacity to meet statutory expectations regarding service provision given increasing workloads.

Implications of the Report

1. Financial

The indicative grant allocation for Renfrewshire 2017/18 is £3,249,271 and detailed in Appendix 1.

2. HR & Organisational Development

Staff resources have already been reduced through the ending of 1.5 temporary Social Worker posts as of 31 March 2017.

3. Community Planning –

Safer and Stronger -

Criminal justice staff work with people with convictions to address offending behaviour, undertake reparative work to repay the community against which they have offended, and support rehabilitation, with the aim of reducing recidivism and thus promoting safer communities. The creation of the Womens' Community Justice Centre and developments in unpaid work are already actions within the Safer and Stronger action plan, and the roll of unpaid work service users in contributing to wider actions within the Safer and Stronger and Greener Community Plans is also underway. Renfrewshire leads on the new model of community justice, employing the Lead Officer post and ensuring it meets its role as a statutory community justice partner. Community Justice Renfrewshire is an established thematic group within the Community Planning Structure, reporting to Safer and Stronger.

4. Legal

None.

5. Property/Assets

None.

6. Information Technology

None.

7. Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. Health & Safety

None.

9. Procurement

None.

10. Risk

The indicative grant funding for future years if unchanged will represent a significant challenge in delivering the statutory criminal justice social work service in future years.

11. Privacy Impact

None.

List of Background Papers

None

Children's Services

DH/MG/LG

30 May 2017

Author: Dorothy Hawthorn, Head of Service Childcare and Criminal Justice, 0141 618 6827.

APPENDIX 1

COMPARISON OF SCOTTISH GOVERNMENT CRIMINAL JUSTICE SERVICES GRANT				
Service	Final 2016/17 Allocation		2017/18 Allocation	Variance*
<u>Core</u>		<u>Part 1 Flexible grant</u>		
Community Payback Order	£1,092,546	Community Payback Order		
Criminal Justice Social Work Reports	£369,151	Criminal Justice Social Work Reports		
Throughcare	£424,990	Throughcare		
Home Detention Curfew	£11,267	Home Detention Curfew		
Diversion	£47,555	Diversion		
Bail	£156,734	Bail		
Court Services	£147,476	Court Services		
Drug Treatment and Testing Orders	£167,342	Drug Treatment and Testing Orders		
		Arrest Referral		
<u>Non Core Services</u>		Fiscal Work Orders		
Constructs Positive Steps to Stop Offending	£177,774			
Non –Centrally Initiated Funding	£346,155			
Arrest Referral	£34,440			
Fiscal Work Orders	£22,074			
Community Sexual Offender Treatment Programme/MFMC	£246,797	Community Sexual Offender Treatment Programme/MFMC	£74,933*	-£171,864*
		Part 1 total	£3,024,086	
Additional Targeted		Part 2 (Non-Discretionary) Specifically Targeted		

Funding 2016/17		Funding 2016/17		
Womens' Justice Service	£50,575	Womens' Services funding	£45,050	- £5,525
Prevention and Alternatives to custody	£137,789	Prevention and Alternatives to custody	£120,134	-£17,655
Training and Development	£60,000	Transitional Funding for Training and Development	£60.000	
		Part 2 total	£225,184	
	£3,492,665		£3,249,271	-£243,394

*funding for the provision of MFMC under the new funding formula has been paid directly to the 3 Local Authorities who Renfrewshire provides the service to i.e. Renfrewshire, East Renfrewshire and Inverclyde.