
To: Social Work, Health and Wellbeing Policy Board

On: 3 March 2015

Report by: Director of Children's Services

Heading: Community Justice Consultation

1. Summary

- 1.1 In 2012 the Commission on Women Offenders and Audit Scotland raised concerns about the effectiveness of the community justice arrangements in Scotland. This prompted a consultation of the redesign of these services in 2013. The approach to redesign has centred around: improved leadership and collaboration; evidencing and delivering improved outcomes; increasing prevention; and learning and workforce development.
- 1.2 On 9 April 2014 the Scottish Government published the 2nd stage of its consultation, the "Future Model for Community Justice in Scotland" which focused on the detail of the model.
- 1.3 On the 19 August 2014 the Social Work, Health and Wellbeing Policy Board approved Renfrewshire's response to the consultation.
- 1.4 The Government published its response to stage 2 of the consultation on 15 December 2014.
- 1.5 It has been identified that to provide the strategic vision for community justice in Scotland, a new national strategy will be developed with local government and key partners, in consultation with stakeholders. The aim is to deliver against a set of long term outcomes around reducing reoffending; increasing positive citizenship; increasing public safety; increasing public reassurance; reducing costs and reducing stigma.
- 1.6 The new model delivers a community solution to the achievement of improved outcomes for community justice; to the problem of reoffending and the task of offender management, building upon investment made by the Scottish Government and Local Government in community planning and utilising strengthened provisions expected under the Community Empowerment (Scotland) Bill.

- 1.7 Local strategic planning and delivery of services through Community Planning Partnerships (CPPs) is central to the new arrangements. With this emphasis upon collective responsibility through a partnership approach at a local level approaches can be developed to best, meet the needs of the local community both in terms of victims and offenders.
 - 1.8 To provide leadership, enhanced opportunities for innovation, learning and development and to provide assurance on the delivery of improved outcomes, a new national body, Community Justice Scotland, will be established. Community Justice Scotland will have a non-hierarchical relationship with CPPs and their partners.
 - 1.9 In addition, the formation of Community Justice Scotland will provide further opportunities to commission services strategically as well as taking on some of the operational work currently undertaken at a Scottish Government level. The establishment of a Hub for innovation, learning and development within the body will provide the community justice workforce and community justice itself with the profile and identity it deserves, together with evidence of what works to inform commissioning, and practice and partnership standards.
 - 1.10 The model will be defined by a performance culture through the establishment of an outcomes, performance and improvement framework against which local partnerships can plan and report. This will provide real opportunities to monitor progress, drive improvement, offer consistency and link decisions and actions to analysis of need and what works, leading to increased efficiency and effectiveness.
 - 1.11 Criminal justice social work will continue to be the responsibility of the local authority to deliver. With the disassembling of the Community Justice Authorities the grant funding for criminal Justice social work services will be allocated directly to the local authority.
-

2 Recommendations

- 2.1 The Social Work, Health and Wellbeing Policy Board is asked to note that:
 - (a) Strategic planning for community justice will become the responsibility of the Community Planning Partnership. The first plan is due to be produced by the Community Planning Partnership by December 2015.
 - (b) A new national strategy for offenders and a performance and improvement framework will provide the model against which partnerships will plan and report.
 - (c) Criminal Justice Social Work will continue to be delivered by the local authority.
-

3 Background

- 3.1 The Government published its response to its consultation, the "Future Model for Community Justice in Scotland" on 15 December 2014. The main features of the proposals include:

- Community Planning Partnerships (CPPs) are to be central to the new arrangements: the focus will be on delivering community solutions to the issues of reducing re-offending and offender management. There is no requirement on CPPs to establish distinct community justice partnerships. There will therefore be discretion in how these new duties are delivered.
- The timescales identified mean that CPPs will assume responsibility under the new model from 1 April 2016, with full responsibility being conferred from 1 April 2017. Community Justice Authorities (CJAs) will be formally disestablished on 31 March 2017. It is noted that legislation will be necessary for this to happen.
- CPPs will have a duty to prepare and publish a local plan to deliver improved outcomes for community justice in their area and to report annually on their assessment as to what has been achieved. The first plan for the shadow year requires to be made available to Scottish Government by January 2016.
- The national body, Community Justice Scotland, will be established in the latter part of 2016/17. CPPs will not be accountable to the national body (Community Justice Scotland) for their performance. The emphasis is on a non-hierarchical, mutually supportive relationship. Notwithstanding this, the new national body will have an assurance function. This body will be tasked with setting the vision for community justice and reducing reoffending in Scotland, which will take the shape of a national 5 year strategy. This is to be developed in partnership with local government and key partners. There will also be a communication function, championing community justice services in an effort to raise their profile and highlight their contribution.
- A hub for innovation and learning will also be developed, with functions determined by Community Justice Scotland. Among its core functions will be the production of a national training schedule and taking a strategic approach to workforce development.
- The Scottish Government will develop a national framework for outcomes, performance and improvement, jointly with key partners and stakeholders. It is against this framework that CPPs will be expected to plan and report.
- Transitional funding of £1.6 million per annum will be made available from 2015/16, for 3 years ending in 2017/18. The criteria for the allocation of this funding will be agreed through the COSLA Distribution and Settlement Group. It is understood that the provision of a suitable local plan will be a requirement.
- It has been identified that £50,000 per annum will be provided to the Criminal Justice Voluntary Sector Forum to enable them to build capacity and engage with the partnership. National partners including Police Scotland and the Scottish Prison Service will be key partners as will Victim Support Services.
- A funding sub group has been established to consider development of a new funding formula for Criminal Justice Social Work (CJSW), which better incentivises the outcomes which will be set out in the new framework. It is noted that to achieve improved outcomes for community justice will require contributions beyond criminal justice social work. CPPs are therefore expected to leverage resource from their full range of partners in the delivery of community justice services.

- The Multi Agency Public Protection Arrangements (MAPPA), at least for the short term, will continue on a regional basis of the current North Strathclyde Community Justice Authority. This includes Argyll and Bute, West and East Dunbartonshire's, East Renfrewshire, Inverclyde and Renfrewshire. However, MAPPA will require to be reported on within the 32 CPP annual reports.

3.2 Community Justice Authorities have been asked by Scottish Government to support the transition arrangements within local areas. A national Community Planning Partnership Community Justice event is also planned for early April. Representatives from Renfrewshire will attend.

Implications of this report

1. Financial Implications

In the new arrangements grant funding for criminal justice social work will be allocated directly to the local authority. Work is being undertaken at a national level to review the funding formula which determines the level of funding provided to local authorities. It has been indicated that a transition fund of £1.6m will be made available for a period of 3 years to support the implementation of the new community planning arrangements.

2. HR and Organisational Development Implications

Renfrewshire provides many support services to North Strathclyde Community Justice Authority (NSCJA) via Service level Agreements. It is understood that there are no TUPE requirements in relation to the staff currently employed by NSCJA for either community planning partnerships or the national body Community Justice Scotland. Renfrewshire is however working with NSCJA and Scottish Government to explore the options open to the three members of staff employed by NSCJA.

3. Community Plan/Council Plan Implications

Safer and Stronger	- Community Planning Partnerships will undertake local strategic planning for community justice services.
--------------------	---

4. Legal Implications

None.

5. Property/Assets Implications

None.

6. Information Technology Implications

None.

7. Equality and Human Rights Implications

- (a) 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. Given equalities and human rights underpin the community planning partnership as adopted by Renfrewshire the change of the strategic planning arrangements from the Community Justice Authority to the Community Planning partnership will have no negative impact on vulnerable individuals.

8. Health and Safety Implications

None.

9. Procurement Implications

None.

10. Risk Implications

None.

11. Privacy Impact

None.

List of Background Papers

(a) None.

The foregoing background papers will be retained within Social Work for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Dorothy Hawthorn, Head of Child Care and Criminal Justice, 0141 618 6838, dorothy.hawthorn@renfrewshire.gcsx.gov.uk

Author: Dorothy Hawthorn, Head Child Care and Criminal Justice