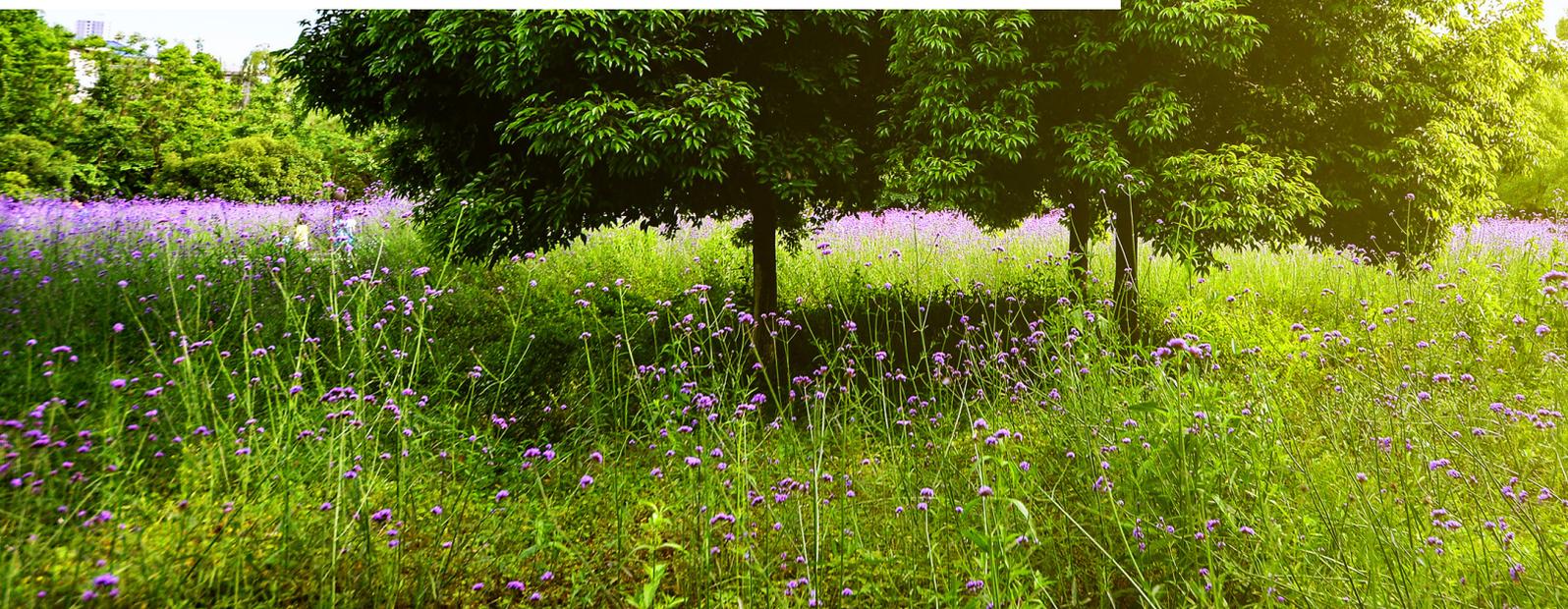


# Inspection of justice social work services in Dumfries and Galloway council

March 2020



<b>Contents</b>	<b>Page</b>
<b>1 Introduction</b>	<b>3</b>
<b>2 How we conducted this inspection</b>	<b>3</b>
<b>3 Context</b>	<b>5</b>
<b>4 Key messages</b>	<b>6</b>
<b>5 Achieving outcomes</b>	<b>7</b>
<b>6 Delivery of key processes</b>	<b>9</b>
<b>7 Impact and experience of community payback orders</b>	<b>13</b>
<b>8 Leadership of improvement and change</b>	<b>14</b>
<b>9 How well is the service preparing for the extension of the presumption against short sentences?</b>	<b>16</b>
<b>10 Areas for improvement</b>	<b>16</b>
<b>11 Capacity for improvement</b>	<b>17</b>
<b>12 Evaluations</b>	<b>18</b>
<b>Appendix 1: The six-point evaluation scale</b>	<b>21</b>
<b>Appendix 2: Quality indicator model</b>	<b>23</b>
<b>Appendix 3: Terms we use in this report</b>	<b>24</b>

## Introduction

The governance arrangements for justice social work services are set out in legislation, making local authorities responsible for delivering a range of services for those involved in the justice system<sup>1</sup>. This includes the completion of reports for courts and the Parole Board and the supervision of individuals on statutory social work orders and licences. Statutory social work orders include community payback orders (CPO) which can be imposed by courts in Scotland as an alternative to a custodial sentence. A person subject to a CPO can be required to comply with the terms of a supervision requirement and/or undertake an unpaid work requirement. A supervision requirement is one of nine provisions available to the court that can be imposed as part of a CPO<sup>2</sup>. Unpaid work takes place in local communities and is for the benefit of the community. These are the two most commonly used requirements and someone on a CPO can be subject to one of these or both depending on circumstances outlined in a report provided to court by justice social work services and the decision of the court. Guidance on the management and supervision of these is contained within National Outcomes and Standards<sup>3</sup> and CPO practice guidance<sup>4</sup>.

There has been significant change in justice social work over the last decade including the introduction of community payback orders in 2011<sup>5</sup>. Effective community-based sentencing options are essential to the successful implementation of the Scottish Government's community justice strategy<sup>6</sup> and the extension of the presumption against short sentences. In this context, the Care Inspectorate has decided to focus inspections of justice social work services, at the present time, on how well community payback orders are implemented and managed as well as how effectively services are achieving positive outcomes.

## How we conducted this inspection

An inspection team visited Dumfries and Galloway in November and December 2019. We examined a self-evaluation report and supporting evidence provided by the local authority. We reviewed a representative sample of the records of people who were or had been subject to a community payback order during a two-year period to August 2019. This related to 101 records from a population of 588 individuals. We met with 65 people subject to community payback orders including those with a supervision requirement or an unpaid work requirement, or both. We undertook focus groups and interviews with key members of staff, partner agencies, stakeholders and senior managers with responsibility for justice services.

---

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

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

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

<sup>4</sup> Community Payback Order Practice Guidance, Scottish Government, 2019

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

<sup>6</sup> National Strategy for Community Justice, Scottish Government, 2016

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

The scope of the inspection focused on:

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

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

1.1 Improving the life chances and outcomes for people subject to a community payback order.

2.1 Impact on people who have committed offences.

5.2 Assessing and responding to risk and need.

5.3 Planning and providing effective intervention.

9.4 Leadership of improvement and change.

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

For the purposes of this report we refer to justice social work services as **justice services** and at times **the service** as an abbreviation. We refer to people who are, or have been, subject to a community payback order as **individuals**. Where we refer to staff, we mean justice workers who have responsibility for supervising the various requirements of a community payback order unless referred to by their specific designation. Justice social workers have responsibility for supervising the various requirements of a community payback order and are sometimes referred to as **supervising officers** to reflect their qualification, role and function. **Unpaid-work supervisors** are staff with day-to-day responsibility for supervising individuals on unpaid work placements. Dumfries and Galloway also employs **community payback officers** and case managers; paraprofessionals, not qualified in social work, who undertake a variety of community payback related tasks. **Managers** refers to those responsible for supervising staff. In Dumfries and Galloway this relates to **senior social workers** and **locality managers**.

## Context

Dumfries and Galloway is geographically the third largest region in Scotland covering a land area of 2,380 square miles and with an estimated population of 148,060. The biggest town is Dumfries in the east, followed by Stranraer in the west and Annan, close to the border with England. Rurality and a dispersed population present challenges in terms of equitable access to services, deployment of resources and ensuring consistency in the quality of service delivery.

The service operated a locality model with two managers holding responsibility for specific, area-wide services. Since 2018, the service had been structured as community supervision and intervention teams that included **unpaid work**. Case managers undertook assessments and supervised community payback orders. They then looked to the interventions teams to provide appropriate activities to meet an individual's assessed need, risk and personal characteristics. A programme team delivered an extensive range of structured, behaviour change and offence focused programmes across the area. The unpaid work team comprising community payback officers and unpaid work supervisors organised projects and supervised daily work groups from bases in Dumfries, Newton Stewart, Stranraer and Annan. A social work team also operated from HMP Dumfries. Business support for the service was provided by a dedicated team aligned to the corporate resources team.

Dumfries and Galloway had a below national average rate of offending however, the rate of sexual offending was higher and had increased in recent years. Crimes of dishonesty were higher than the national average. There had been a 5% drop in the number of community payback orders from 2017-18 to 2018-19. Supervision requirements had increased while the use of unpaid work had decreased, although rates remained above the national average. The use of programme requirements was almost double the national average and was increasing, from 6.2% in 2017-18 to 13.6% in 2018-19.

There were two sheriff courts in operation, in Dumfries and Stranraer, each undertaking differing processes in terms of how orders were notified and closed. For example, one court expected completion reports<sup>7</sup> in accordance with the National Outcomes and Standards while the other did not.

---

<sup>7</sup> Completion reports are expected to be submitted to court within 14 working days of the order being completed.

## Key messages

- Performance in key areas of practice is not yet as good as it could be, with some elements of unpaid work significantly below the national average. A restructured service and updated delivery model provide a solid foundation from which to deliver improvements.
- Local practice deviates from the National Outcomes and Standards in relation to expected timescales for completion of some key tasks. Statutory reviews and home visits are less robust for individuals who do not pose a high risk of harm. However, with regard to assessment of need and risk and related case management planning, overall practice was of a high quality.
- Leaders are effectively delivering a significant programme of transformational change, making concerted efforts to modernise the service, strengthen the workforce and improve performance.
- Sustained investment in infrastructure and the service delivery model means that all elements of the service are available to individuals irrespective of where they live across a large, rural area.
- A new governance structure offers an appropriate fit for justice social work, giving more prominence to the service and better connecting it to wider social work teams as well as enabling consistent oversight and scrutiny.
- Individuals made subject to the various requirements of a community payback order experience predominantly positive, empowering relationships with skilled and committed staff in all elements of the service.
- A strong commitment to an improvement culture and delivering better outcomes for individuals permeates each aspect of the justice social work service.
- Positive outcomes are being achieved for individuals, particularly in relation to confidence building, community inclusion and understanding offending behaviour.

## Achieving outcomes

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

### How well are performance measures achieved?

There had been historical challenges within the wider social work service, which were appropriately prioritised by leaders. More recently, attention had turned to the justice social work service where improvements in performance had been slow. This had resulted in senior officers addressing structural, funding and staffing issues. These changes were relatively recent and yet to demonstrate impact. To date, performance in relation to community payback orders had been variable. The service had not met key targets, with some measures significantly below the national average. Initial contact rates<sup>8</sup> were sometimes affected by differing court processes, which hindered the swift notification of an order being imposed. This meant individuals were not always seen within expected timescales. Induction targets<sup>9</sup> and commencement of unpaid work were challenging, largely due to individuals failing to attend.

Encouragingly, senior officers recognised the importance of starting an order quickly. Decisive action and important investments were supporting and driving improvement. Increasing the number of social work assistant posts had improved responsiveness within court. Everyone on a community payback order (irrespective of the requirement) had an allocated worker. This was helping to encourage and support individuals to fulfil their obligations to the court. An enhanced group induction process had been introduced to improve attendance. There was an expectation that individuals begin their unpaid work hours immediately following their induction session. These developments were contributing to encouraging signs of improvement in terms of early engagement.

From the point at which individuals engaged with their community payback order, they made good progress. Completion rates were either in line with, or above, the national average. For example, in 2017/18, at 73.3%, performance was better than the national rate of 67%. The use of CPO programme requirements was steadily increasing, and the service provided a full range of structured, offence-focused interventions to meet demand.

---

<sup>8</sup> Contact on same day, or within one working day, of community payback order being imposed.

<sup>9</sup> Induction to unpaid work and first supervision contact much take place within five working day of imposition.

Investment in the information management system was supporting the production of more timely and reliable data. As a result, the service was better able to understand performance and identify improvements. The format of reporting made it difficult to gauge progress against local and national targets. Robust performance management and reporting had therefore been identified as a priority. A permanent performance management and quality assurance post had been created. The postholder had been tasked with developing a coherent framework and providing supporting analysis to strengthen strategic scrutiny and oversight of performance.

#### How well are outcomes for individuals improving?

There was limited qualitative data to demonstrate the impact of interventions on **person-centred** outcomes. The service recognised the need to incorporate intended individual outcomes within strategic plans and related performance frameworks. This was seen as crucial to demonstrating the impact of justice interventions on improvements in the life chances of individuals.

A post-sentence assessment process had been introduced for standalone unpaid work requirements imposed without the preparation of a criminal justice social work report. As a result, the service was better able to identify need and risk and match individuals to available unpaid work opportunities. Regular reviews had been introduced to monitor progress towards achieving individual outcomes.

While these developments were encouraging, there was scope to strengthen mechanisms for identifying, recording and reporting on person-centred outcomes. By collating comments from completed exit questionnaires and within case records, the service was able to demonstrate that individuals were being treated with respect. The majority of individuals also viewed the support received during the CPO as contributing to positive changes in their attitude to offending. Notably, the inspection team were able to find more evidence of improved individual outcomes than the service was able to tell us about. Find ways of systematically collating information that demonstrates outcomes for individuals was therefore a priority.

Staff were enthusiastic about their role and strongly committed to making a positive difference in the lives of individuals. We could see that interventions and services were contributing to a wide range of tangible person-centred outcomes. Individuals were improving in confidence as a result of the support they received, and this was a particular strength. Community inclusion had also improved significantly for the majority of individuals. There were encouraging examples of people becoming better connected to sources of support, which was helping to reduce isolation and improve social integration. There were similar improvements in personal relationships and the mental health and wellbeing of a significant number of individuals. Positively, many individuals were benefitting from employability support and encouragement to access further education. There were also examples of improvements in relation to accommodation, general health and substance use.

## Delivery of key processes

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

### How well do staff provide help and support?

Staff understood that individuals had often experienced trauma and adversity during their lifetime that may have contributed to their involvement in the justice system. They recognised that interventions were more likely to be successful if effort was made to identify and remove potential barriers to engagement.

In almost all instances, early recognition of need and timely referral to services was supporting individuals to access appropriate supports. Structured interventions that encourage change were making it possible for individuals to explore the attitudes that contribute to offending and understand the impact of their behaviour on others. A new induction process and additional support from social work assistants were increasing opportunities to engage and build relationships, particularly with individuals with complex needs. Attention was given to an individual's caring responsibilities and employment commitments. Positive relationships with staff meant that individuals were more likely to contact the service during times of crisis. As a result, staff were making case management decisions that helped the individual and reduced the need to return orders to court. For example, facilitating a short suspension from unpaid work to allow individuals to address relevant issues helped reduce the risk of breaching orders as a result of unauthorised absences. For young people, person-centred relationships with specialist youth justice staff and established connections to the throughcare and aftercare service were contributing to well managed transitions which were sensitive to individual need.

A range of unpaid work opportunities was available across an extensive geographical area. This was supporting individuals to complete projects that benefitted their local communities. Localised provision also reduced time spent travelling, while the provision of travel passes encouraged regular attendance. Staff were also attentive to overcoming financial barriers. The service worked in partnership with **FareShare** to provide hot and cold food. Eating regularly meant individuals were better able to give their best to unpaid work tasks. Having access to food also demonstrated a commitment to meeting the needs of people on limited incomes and care for the wellbeing of individuals. Provision of single-gender groups, personal placements and bespoke working opportunities was enabling the service to meet the needs of individuals and to overcome specific geographical challenges.

The service worked in collaboration with partner agencies so that the majority of individuals were able to benefit from '**other activity**' opportunities. These activities could be tailored and offered opportunities for individuals to use existing strengths, develop new skills and engage with the wider community. Innovatively, online courses were helping individuals to develop IT skills and pursue learning in a variety of relevant topics. Well-presented completion certificates were appreciated by individuals and seen as supporting their employability.

While there were inevitable geographical challenges, access to substance misuse and employability support was generally good with few delays. **Apex** and

**Addaction** were key partners, offering responsive flexible services across the region. Effective partnership working between the justice service, **community justice partnership** and the alcohol and drug partnership had secured funding for a justice addictions worker in order to improve access to addiction support. For the small number of individuals who experienced delays in accessing services, these related to specialist, often mental health, services.

### How well do staff assess risk and need?

Assessing and responding to risk and need was a strength. The quality of justice social work court reports was consistently high. Initial assessments commented on an individual's suitability to undertake the various requirements of a community payback order. Staff training on trauma and the impact of personality disorder was usefully informing disposal options within reports. The sheriff courts viewed the reports they received as helpful and informative.

A comprehensive **level of service/case management (LS/CMI)** assessment had been completed for all relevant individuals. We rated the quality of most assessments as good or better. Assessments of risk and need were not routinely completed within the 20-day timescale required by the National Outcomes and Standards. Introduction of a local protocol had extended the timescale for completing comprehensive assessments to 30 days. Managers had made this decision to allow staff enough time to gather information from partner agencies in order to complete specialised assessments where needed.

Age appropriate risk assessments were undertaken in respect of young people under 18. The efforts of youth justice staff, working in collaboration with the **Scottish Children's Reporter Administration (SCRA)** were ensuring that offending by young people was primarily being addressed within the Children's Hearings System. As a result, only a small number of young people were subject to CPOs. This reflected successful adherence to the national **Whole System Approach for Young People Who Offend**.

Specialist risk assessments including Risk Matrix 2000<sup>10</sup> and Stable and Acute 2007<sup>11</sup> were in place for individuals convicted of sexual offences. Staff had undertaken training in the **Spousal Abuse Risk Assessment** tool in order to carry out assessments on individuals convicted of domestic abuse. These specialist assessments had been completed to a high standard and were effectively informing public protection and victim safety planning.

The service had introduced an assessment process for individuals with a standalone unpaid work requirement. This was helping staff identify and respond to relevant need and risk. Unpaid work staff therefore had access to information to help them plan and allocate tasks. They also shared information with supervising officers and partner agencies as necessary.

Robust assessment of an individual's suitability for structured, offence-focused programmes was undertaken in all relevant cases. A pre-eligibility criteria form ensured report authors and supervising social workers were making the most

---

<sup>10</sup> Risk Matrix 2000 (RM2K) is an actuarial risk assessment used to assess risk posed by individuals convicted of sexual offences.

<sup>11</sup> Stable and Acute 2007 (SA07) is used to undertake a dynamic assessment of risks posed by individuals convicted of sexual offences.

effective use of the available offence-focused programmes provided by the service. Programme delivery staff and social workers were routinely sharing comprehensive and detailed information on an individual's existing or emerging risk and need.

### How well do staff plan and provide effective interventions?

All individuals subject to supervision had a **case management plan** in place. The quality of the majority of plans was good or better and **case management planning** was even stronger. As with LS/CMI risk assessments, case management plans were not being routinely completed within the 20-day timescale outlined in National Outcomes and Standards. Nor were plans created or managed within the LS/CMI electronic system. Local policy had extended timescales for completion to 30 days along with an expectation that plans were produced, reviewed and updated within the local authority **MOSAIC** information management system. This decision reflected a culture of 'shared responsibility' aimed at ensuring that all relevant services had access to the plan and related case recordings. However, the rationale for deviating from the National Outcomes and Standards was not fully understood by all relevant staff.

In recent years, the unpaid work service had been reviewed and restructured. It was now more integral to the delivery of a suite of justice social work interventions. Co-locating unpaid work staff with the programme delivery team was supporting the exchange of knowledge, skills and values amongst workers, contributing to a positive working culture. The unpaid work service had also introduced case management staff responsible for managing individuals subject to standalone unpaid work requirements. This meant that individuals benefitted from having a named worker they could go to with queries or concerns. This additional oversight was reducing the potential for drift within an order, improving partnership working and supporting individuals to sustain their unpaid work placements. Introducing 'light duty' work placements for individuals with additional or complex needs had increased the range of unpaid work placements available to the court, promoting the inclusion of individuals who may otherwise not have been considered suitable for such a disposal.

Strong partnership working and collaboration with the third sector was enabling individuals to benefit from a wide range of 'other activity' opportunities as part of an unpaid work requirement. This included working closely with Apex, Addaction, **Turning Point Scotland, Venture Trust** and **Shine** mentoring service to best meet the learning and personal development needs of individuals made subject to a CPO. As well as enhancing access to employability skills and learning opportunities the service was facilitating access to over 50 online courses including food hygiene, health and safety and emotional management.

Well-embedded offence-focused programmes included **Moving Forward: Making Changes, Constructs**, the **Caledonian system** and a women's groupwork programme. Feedback from individuals on the content, delivery and value of groupwork programmes was very positive. Supervising officers were undertaking one-to-one intervention work on a range of issues to help individuals gain an understanding of the wider impact of their offending behaviour on victims. This included working with individuals to embed their learning from groupwork to support **desistance** from further offending.

Collaboration between justice social work and partner agencies was effective, particularly at the initial assessment and planning stage. Importantly, partners were fully involved in all relevant risk management planning. Robust arrangements were in place to support collaboration and information sharing on issues of public protection. While partner agencies were not routinely attending reviews, they were regularly providing progress reports to social workers to inform decision making.

Staff worked proactively and creatively to use compliance measures as an opportunity to engage with individuals and they were exercising discretion appropriately. There was effective oversight from managers for individuals identified as posing a risk to others, with **statutory reviews** taking place in accordance with the National Outcomes and Standards. In other instances, the frequency of reviews was less consistent and the involvement of managers was limited. Similarly, home visits were not routinely undertaken in accordance with the National Outcomes and Standards. These issues had already been identified as areas for improvement.

### **How well do staff involve individuals in key processes?**

A commitment to person-centred practice was having a positive impact on the CPO experience of individuals. Staff were actively consulting, seeking and recording the views of individuals at all key stages of their involvement with the justice social work service. As a result, individuals felt listened to and were appropriately informed of the expectations of them during their order. For individuals subject to statutory social work supervision, there was variability in home visits and reviews. This limited opportunities for feedback or to be fully and meaningfully included in all aspects of their community payback order. Involving individuals in a recent consultation was helpfully informing development of an enhanced induction and review process for everyone undertaking unpaid work. Individuals participating in structured groups were actively encouraged to participate in all aspects of their supervision, which was promoting ownership of the order, their learning and personal outcomes.

A range of mechanisms was in place to seek and record the views and experiences of individuals, primarily within the unpaid work service, such as daily attendance sheets and exit questionnaires. However, individuals were often reluctant to make written comments. Staff therefore took opportunities to more routinely capture and record verbal comments in order to better inform service design and delivery.

## Impact and experience of community payback orders

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

Virtually all the individuals we met were overwhelmingly positive about their experience of relationships with staff and the services and supports they received during their CPO. We noted the service had been particularly successful at engaging women. Workers were described as genuine, reliable and regularly 'going above and beyond' to support individuals to achieve positive outcomes. Feeling accepted and being treated with respect was helping individuals to constructively engage with the justice system.

Individuals appreciated the localised nature of the unpaid work service and took pride in the fact that the unpaid work being undertaken was making a difference to their respective communities. Working in groups alongside supportive and encouraging unpaid-work staff was helping improve self-worth with individuals feeling included and involved. Placements at the Summerhill community centre were highly valued. The centre offered a wide range of quality activities that provided opportunities for individuals to pay back to the community while simultaneously benefitting from being included in an easily accessible community resource. Working in partnership with FareShare in distributing food to families in need was also recognised as important. Similarly, individuals described providing winter fuel to vulnerable older people as part of the Winter Warmth initiative as highly rewarding.

Individuals consistently reported having their needs met, viewing staff as approachable and accessible. By exploring their offending behaviour and considering alternatives during their order they felt better equipped to avoid further offending. Structured group-work interventions were appropriately challenging views and assumptions. These were proving to be transformative and life changing for many individuals, encouraging them to consider their past behaviours and impact upon others, often for the first time.

For other individuals, their lives had changed significantly as a result of reducing social isolation and accessing support to address long-term issues such as substance misuse. The majority of individuals welcomed the routine offered by the CPO and appreciated being able to use their time constructively. A strong message from individuals related to their sense of improved confidence and ability to self-manage. As a result, they were more likely to engage with other sources of support and with their communities. For example, several individuals gained a place at college and a number of others became volunteers with partner agencies beyond the end of their orders.

While there were few negative experiences, there were instances of individuals experiencing prejudice from members of the public as a result of their involvement in the justice system or their offences becoming known in a small community. The possibility of stigmatisation was clearly recognised by leaders and staff who were making every effort to appropriately address the issue when it came to their attention.

## Leadership

### How well are leaders supporting improvement and change?

This part of our report examines the effectiveness of leaders in striving for excellence in the quality of justice services. We look at how well leaders govern, oversee and use performance management to drive forward service improvement, innovation and change. We also look at the extent to which leaders involve staff and partners and learn from others to develop services.

Over the past five years, leaders had been effectively delivering a significant programme of transformational change across social work. More recently, they had focused on justice social work. Concerted efforts had been made to modernise the service, strengthen the workforce and improve performance. Intentions were clearly outlined within strategic plans that linked to wider local and national priorities. Following dissolution of the former community justice authority<sup>12</sup>, leaders took the opportunity to review the effectiveness of historic partnership and funding arrangements. Effective joint working structures had been retained in relation to **multi-agency public protection arrangements (MAPPA)**. Withdrawing from other arrangements had released resources, which had enabled the service to invest in developments to more effectively meet local needs. As a result, the service was delivering an extensive range of justice social work services across a wide, largely rural geographical area. A programme of repositioning and restructuring had resulted in clear and coherent improvements to the service design and delivery model that were widely welcomed by staff in all elements of the service.

Social work services had recently 'de-coupled' from the children, young people and lifelong learning directorate, becoming a stand-alone service with direct lines of strategic accountability. This had brought a sharper focus on justice issues from elected members and senior officers, which was helping to develop a distinct vision for the service. Robust governance structures were in place. The chief officers group received regular reports and maintained sound oversight of performance. Elected members were well informed on developments through a routine schedule of committee meetings and regular contact with the chief social work officer. The justice service was an important partner within other strategic fora with strong links and lines of communication to the community justice partnership, alcohol and drug partnership and the public protection committee. Locality managers represented the service within a wider social work tactical management group, ensuring operational delivery concerns were actively informing strategic decision-making.

---

<sup>12</sup> Community justice authority – disbanded in 2016 following the introduction of community justice partnership arrangements.

We found a clear commitment to continuous improvement with examples of self-evaluation and external review that were helping leaders identify areas for development. This had led to investment in a new information management system (MOSAIC) that was improving data accuracy and integrity. A performance management and quality assurance post had been created to facilitate access to a broader range of service delivery and person-centric information. While there was strong commitment to making a positive difference in the lives of individuals, the service had yet to clearly articulate intended person-centric outcomes. It was also yet to finalise a reporting framework capable of monitoring a range of quantitative and qualitative information that could demonstrate the impact of services. Similarly, while some quality assurance work was being undertaken, a systematic approach to reviewing and reporting on practice had yet to be established.

Leaders recognised that the service had yet to achieve lasting improvements in performance against local and national targets. A revised model of service delivery was successfully reframing unpaid work as a meaningful intervention capable of delivering positive outcomes for individuals. Investment in additional staff and the quality of buildings was enhancing the diversity and range of work placements and 'other activity' through improved access to workshop facilities, groupwork and online resources. As a result, both staff and individuals viewed unpaid work provision as being positively transformed in recent years.

Faced with challenges in recruitment and retention, the local authority had adopted an effective '**grow your own**' approach, which had impacted positively on staffing levels within the justice service. Efforts to establish a positive, values-driven culture among staff were proving successful. Staff consistently articulated strong values characterised by a clear understanding of the factors that contributed to offending behaviour, and a desire to support meaningful outcomes for individuals and communities. Staff conveyed confidence in their role and reported feeling enabled and encouraged by leaders and managers to work autonomously and creatively. In this regard they were well supported by having easy access to a range of up-to-date policies, procedures and guidance aligned to local and national priorities. Staff had participated in local and national training to support them in their statutory duties. Unpaid-work staff spoke very positively about their recent involvement in a national training pilot delivered by **Community Justice Scotland**. Most staff described leaders as visible and approachable. Staff felt consulted and involved in the transformational change agenda, viewing the process as well managed and seamless. It will be important to ensure that staff in supporting roles feel equally informed and valued.

## How well has the service prepared for the extension of the presumption against short sentences?

**Extension of the Presumption Against Short Sentences (EPASS)** was enacted into legislation on 4 July 2019. To date, there had been no significant impact on local sentencing practice. By establishing a short-life working group and examining statistical returns, the service had proactively prepared for an increase of 7.5%, representing approximately 32 additional orders each year. This had usefully been broken down further by requirements, with consideration given to potential increases for both the unpaid work and community supervision elements of the service. Staffing capacity had been increased to include additional sessional staff, unpaid-work supervisors, social work assistants and social workers. At the present time, there was sufficient capacity within the service to meet expected demand and this was being closely monitored. However, any increase in the projected number of orders, particularly those requiring supervision, was likely to prove challenging to the service.

### Areas for improvement

- Reinforce the importance of the National Outcomes and Standards, which are based on best practice. Create a mechanism that supports adherence to the National Outcomes and Standards timescales for completing core assessment and case management tasks while allowing flexibility where needed in complex cases.
- Establish and embed routine quality assurance processes to improve consistency in undertaking statutory reviews and home visits in accordance with the National Outcomes and Standards.
- Articulate evidence-based person-centric priorities for individuals within strategic and business plans.
- Introduce and embed a robust performance management and reporting framework that is equally capable of tracking performance against local and national targets and identifying where the service is having the most positive impact in the lives of individuals.

## Capacity for improvement

We are confident that the service is delivering quality and effective services and that it has both the commitment and capacity to deliver the identified areas for improvement.

The service has welcomed external scrutiny to support continuous improvement and engaged fully with the inspection process. As a result of restructuring, the justice social work service has become more prominent within the corporate structure. Efficient governance arrangements have been established, ensuring effective oversight from, and accountability to, elected members and the chief executive. A programme of significant transformational change is being effectively led by an aspirational chief social work officer who is supported by a committed and capable senior management team. Sustained financial investment is enabling the service to deliver an extensive range of interventions across a diverse geographical area, to help reduce re-offending and promote opportunities for desistance. The workforce told us they feel valued, enabled and empowered to fulfil their statutory role and functions. Using a relationship-based practice approach, they have been working creatively to meet the needs of individuals made subject to the various requirements of a community payback order. The service knows itself well and had already identified a number of areas for improvement that correlated with our inspection findings. Leaders have taken timely and effective action to make improvements and are taking appropriate steps towards establishing a robust performance management culture. They showed commitment to delivering demonstrable changes in the lives of individuals, expressing clear intentions to establish better outcomes measures within a coherent performance monitoring and reporting framework.

## Evaluations

What key outcomes have we achieved?	
1.1 Improving the life chances and outcomes for people subject to a community payback order	<b>Adequate</b>
<p><b>Rationale for the evaluation</b></p> <p>Justice services were clearly being transformed, with significant restructuring, redesign and investment in the workforce aimed at modernising the service and ensuring it was fit for purpose. Nonetheless, the service had yet to achieve lasting improvements in several key areas of performance, particularly in relation to unpaid work, where some measures were yet to meet local and national targets. Early engagement and commencement of unpaid work were proving challenging. Decisive action had been taken to address these issues but had yet to demonstrate impact. This included increasing the number of social work assistant posts to improve contact rates. An enhanced group induction process had been introduced with an increasing expectation that individuals start unpaid work immediately. The service was committed to delivering positive outcomes, and managers had recently started to think about how to measure outcomes for individuals made subject to community payback orders. Inspectors found encouraging examples of individuals gaining confidence and being better connected to sources of support within their communities. This included access to employability services and encouragement to access further education. However, the service currently had limited data to demonstrate the difference services were making for individuals.</p>	

How well do we meet the needs of our stakeholders?	
2.1 Impact on people who have committed offences	<b>Very Good</b>
<p><b>Rationale for the evaluation</b></p> <p>Individuals were benefitting from positive relationships with staff in all elements of the service. A strong value base and commitment to person-centred outcomes meant staff were working in partnership with individuals and treating them with respect. Early recognition of need and referral to appropriate services and interventions was enabling most individuals to access services that were responsive to their needs and risks. Supports were timely, with individuals able to access advice as soon as difficulties arose or when they were best placed to make the most effective use of the available assistance. Despite the geographical challenges, individuals were able to access an appropriate range of services with limited delays in receiving support. This was having a positive impact on stability, personal relationships and overall wellbeing. Individuals appreciated the localised nature of the unpaid work service and took pride in undertaking work that enabled them to use or develop skills that ultimately benefitted the community. Individuals found structured interventions to be appropriately challenging. As a result, they had the chance to consider their past attitudes, behaviours and the impact upon others with a view to desisting from further offending. There were few negative experiences highlighted by individuals. However, there were instances of people experiencing prejudice from members of the public</p>	

as a result of being involved in the justice system. The potential for individuals to experience stigma was clearly recognised by leaders and staff who made every effort to address issues when they came to their attention.

<b>How good is our delivery of services?</b>	
5.2 Assessing and responding to risk and need	<b>Good</b>
<p><b>Rationale for the evaluation</b></p> <p>There was a number of important strengths in assessment of risk and needs. High-quality court reports included initial assessments that usefully outlined the suitability of a community payback order as a possible disposal option. Reports evidenced an appropriate level of partnership working and collaboration on issues of risk, particularly as it related to considerations of public protection. Staff were able to consult with forensic psychologists in order to better formulate assessments for individuals who posed a high risk of reoffending. There was robust assessment of individuals' suitability for offence focused programmes. The service had introduced a risk and needs assessment for individuals subject to standalone unpaid work requirements. Efficient and effective communication and information sharing systems and protocols were enhancing the ability of the service to assess and respond to risk and need. An appropriate assessment had been completed for every individual. Age appropriate assessments were used for young people under the age of 18. Specialist assessments for individuals convicted of sexual offences and domestic abuse had been appropriately completed in all required instances. The quality of most assessments was good or better. Performance in this indicator would have been better with greater adherence to the 20-day timescale outlined within the National Outcomes and Standards. The service had taken a decision to replace the 20-day timescale with one of 30 days. While managers contend that this was done to facilitate comprehensive and detailed assessments, the extension had been applied to all community payback orders, irrespective of complexity. Best practice supports the earliest possible recognition of, and response to, the likelihood and imminence of further offending.</p>	
5.3 Planning and providing effective intervention	<b>Good</b>
<p><b>Rationale for the evaluation</b></p> <p>A commitment to person-centred approaches meant individuals were benefitting from access to an extensive range of structured interventions and services to meet identified need and risk irrespective of where they lived. This included specialist, nationally accredited programmes for individuals convicted of sexual offences or domestic abuse. Effective partnerships with local groups and the third sector were supporting the service in offering a variety of unpaid work opportunities throughout the area. Opportunities to attend during the day, in the evening or at weekends enabled the service to respond to the needs of individuals and communities. Case management planning was a strength, particularly where an individual posed a risk of harming others. Collaborative planning and partnership working meant that in almost every instance the level of supervision and contact with services reflected an individual's risk and need. A case management plan was in place for everyone who</p>	

required one. The quality of the majority of plans was good or better. However, similar to assessments, most plans had not been completed within the 20-day timeframe outlined within the National Outcomes and Standards. The service did not generate case management plans within the LS/CMI electronic system. Local practice required plans to be produced, reviewed and updated within the MOSAIC information management system. This management decision was based on ensuring relevant staff and partners had swift access to relevant information. With no clear guidance in place, the rationale for this deviation from national guidance was not well understood by staff. Some quality assurance work was being undertaken. For example, the service had identified that statutory reviews and home visits needed to improve in order to adhere to the National Outcomes and Standards. However, a systematic approach to quality assurance had yet to be established.

### How good is our leadership?

9.4 Leadership of improvement and change

**Good**

#### Rationale for the evaluation

Historic challenges within the children and families service had required leaders to prioritise transformational change there. Over the past 12-18 months, their focus had turned to the justice social work service. Leaders understood the statutory importance of the service and had brought their experience to bear by creating a revised governance structure. The new arrangement gave greater prominence to justice social work, better connecting it to the wider social work service and improving oversight and scrutiny. Leaders recognised that some elements of performance were not as good as they need to be or could be. Restructuring and service redesign, although relatively recent, offered opportunities to evidence that effective leadership and the transformational programme can deliver tangible improvements. A strong commitment to establishing an improvement culture alongside effective leadership meant staff felt valued and consulted. They were confident in their role and articulated a clear commitment to delivering improved outcomes for individuals, families and communities. Additional investment in the information management system had resulted in improvements in the range and reliability of available data. There is now a need to focus on performance reporting and developing person-centred outcomes to ensure progress can be tracked, performance can be benchmarked and leaders can identify what is making the most difference to the lives of individuals.

## The six-point evaluation scale

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

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

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

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

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

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

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

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

## The quality indicator model

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

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

### Terms we use in this report

**Addaction** – local service providing support to adults with drug and/or alcohol addiction issues.

**Apex** – national organisation working with people with lived experience of the criminal justice system to change their behaviour and lead fulfilling lives.

**Caledonian system** - this is an integrated approach to addressing domestic abuse. It combines a court-ordered programme for men, aimed at changing their behaviour, with support services for women and children.

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

**Case management planning** - by case management planning we mean the actions and collaborative work that support the implementation of the plan.

**Community justice partnership** – introduced across Scotland as a result of the Community Justice (Scotland) Act 2016. Established a new model for partnership and collaborative working to deliver community-based solutions to improve outcomes for community justice, reduce reoffending and support desistance.

**Community Justice Scotland** – a national organisation responsible for promoting the highest standards of practice across community justice, including the delivery of national training to justice social work services.

**Constructs** – a groupwork programme for men which aims to support reductions in re-offending.

**Desistance** – means stopping. In the context of this report, it means avoiding further offending.

**FareShare** - UK charity tackling hunger and food waste.

**FRAME** – Framework for Risk Assessment, Management and Evaluation (2011). FRAME outlines the policy approach to risk practice in Scotland. It articulates standards that should underpin the work of justice agencies involved in assessment and management of risk posed by those who are involved in offending behaviour.

**Grow your own** - a scheme to support (often financially) locally-based staff to gain a professional qualification, which increases the ability of the service to recruit and retain workers to important posts.

**Guide to self-evaluation of community justice** - the Scottish Government commissioned the Care Inspectorate to develop a guide to self-evaluation for community justice in Scotland. The guide is part of the approach to promote continuous improvement and excellence in community justice.

**Local placements** – refer to the provision of an unpaid work placement in the area where the individuals live. Local placements can minimise time and cost for travel and provide benefits to the local community.

**LS/CMI** – (level of service/case management inventory) – a national tool that provides a means for consistency in risk assessment and management practice. To be used in conjunction with, not as a replacement for, professional judgement.

**Moving Forward: Making Changes (MF: MC)** - a behavioural programme designed to provide treatment for men who commit sexual offences or offences with a sexual element.

**Multi-agency public protection arrangements (MAPPA)** - MAPPA offers a co-ordinated approach to the management of those subject to sex offender notification requirements, restricted patients, and individuals subject to community supervision who present a high or very high risk of serious harm.

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

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

**Presumption against short-term sentences (PASS)** - the Criminal Justice and Licensing (Scotland) Act 2010 introduced a presumption against sentences of less than three months, requiring the court to (i) only pass a sentence of three months or less if no other appropriate disposal is available and (ii) record the reasons for this. Legislation extended the timescales to 12 months for offences committed on or after 4 July 2019.

**Risk of serious harm** – The *Framework for Risk Assessment, Management and Evaluation* (RMA, 2011) defines risk of serious harm as “There is a likelihood of harmful behaviour, of a violent or sexual nature, which is life threatening and/or traumatic and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible”.

**SHINE** – a national service providing mentoring and support to women serving a custodial sentence, on remand or subject to a community payback order – aimed at reducing offending and supporting desistance.

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

**Supervision requirement** – this is one of nine provisions available to the court that can be imposed as part of a community payback order (CPO). With the exception of unpaid work for individuals aged 18 and over, none of the CPO requirements can be imposed without the addition of a supervision requirement. Supervision requires the individual to attend appointments with a criminal justice social worker for a specified period. The aim of supervision is to encourage compliance and reduce reoffending by engaging the individual in a process of change.

**Turning Point Scotland** – national agency working with individuals facing diverse and complex challenges and experiencing marginalisation.

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

**Venture Trust (Scotland)** – national charity providing intensive personal development programmes and outdoor activities to help reduce offending and support desistance.

**Whole System Approach for Young People Who Offend** – introduced by Scottish Government, this is a national approach to addressing the needs of young people involved in offending. It is aligned to the principles of the Getting it Right for Every Child (GIRFEC) approach.

## Headquarters

Care Inspectorate  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4NY  
Tel: 01382 207100  
Fax: 01382 207289

Website: [www.careinspectorate.com](http://www.careinspectorate.com)

Email: [enquiries@careinspectorate.gov.scot](mailto:enquiries@careinspectorate.gov.scot)

Care Inspectorate Enquiries: 0345 600 9527



© Care Inspectorate 2020 | Published by external communications

 @careinspect  careinspectorate

