Inspection of Justice Social Work Services in West Dunbartonshire Council

August 2019

HAPPY TO TRANSLATE

CONTENTS

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[1]. 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 or undertake an unpaid work requirement, or both. A supervision requirement is one of nine provisions available to the court that can be imposed as part of a CPO[2]. Unpaid work takes place in local communities and is for the benefit of the community. These are the two most commonly used requirements. Someone on a CPO can be subject to one or both of these requirements depending on circumstances outlined in a report provided to court by justice social work services and the disposal decision of the court. Guidance on the management and supervision of the various requirements is contained within the National Outcomes and Standards[3] and CPO practice guidance[4].

There has been significant change in justice social work over the last decade including the introduction of community payback orders in 2011[5]. Effective community-based sentencing options are essential to the successful implementation of the Scottish Government's community justice strategy[6] 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 West Dunbartonshire during February and March 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 from November 2016. This corresponded to 99 records from a population of 702 individuals.   We met with twenty-eight people subject to unpaid work/supervision requirements as part of their community payback order.

We undertook focus groups and interviews with key members of staff, partner agencies, stakeholders and senior managers with responsibility for justice services.

During the inspection, we considered how well the National Outcomes and Standards and CPO practice guidance were being applied and what difference

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[1] Social Work (Scotland) Act 1968, Criminal Justice (Scotland) Act 2003, Community Justice and Licensing (Scotland) Act 2010.
[2] In imposing a CPO, the court may include one or more of nine specific requirements. These are unpaid work or other activity requirement; supervision requirement; compensation requirement; programme requirement; residence requirement; mental health treatment requirement; drug treatment requirement; alcohol treatment requirement; and conduct requirement.
[3] National Outcomes and Standards for Social Work Services in the Criminal Justice System, Scottish Government, 2010.
[4] Community Payback Order Practice Guidance, Scottish Government, 2019.
[5] Community Payback Orders were introduced by the Criminal Justice and Licencing (Scotland) Act 2010.
[6] National Strategy for Community Justice, Scottish Government, 2016.

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 following:

- 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 and 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. We have evaluated the following quality indicators using a six-point scale (appendix 1):

- 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 were 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.** 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 CPO. These staff are sometimes referred to as **social workers** or **supervising officers** to reflect their qualification, role and function. We also refer to **unpaid work supervisors** which is the term for staff with day-to-day responsibility for supervising individuals on unpaid work placements. West Dunbartonshire also employs **community justice officers** and **community justice assistants.** These are paraprofessionals not qualified in social work, who undertake a variety of community payback related tasks. This includes organising and overseeing unpaid work and carrying out lower-risk supervision. **Managers** refers to those responsible for supervising staff. In West Dunbartonshire this relates to senior social workers and an unpaid work manager.

Context

West Dunbartonshire is one of the smallest local authorities in Scotland, with a population of 89,600 across 159 square kilometres. A significant percentage of the population live in some of Scotland's most deprived communities. Historically the area has experienced high rates of domestic abuse. This continues to be the case, with 2017/18 Scottish Government figures confirming West Dunbartonshire had the second highest rate of domestic abuse in Scotland at 153 recorded incidents per 10,000 population compared to the Scottish average of 110 reported incidents.

In 2015/16, the service experienced a sharp increase in the number of community payback orders imposed, the vast majority of which included unpaid work requirements. At 67.2 per 10,000 population, this was the third highest rate in the country and significantly above the national figure of 46.1 per 10,000. This increase coincided with preparations for the dissolution of the former justice partnership with Argyll and Bute and East Dunbartonshire. There were also a number of staff changes and a significant restructuring within the justice team. Collectively, these changes were challenging for the service as they impacted upon the consistency of operational management and continuity in senior leadership.

At the time of the inspection, the chief officer of the health and social care partnership had been in post for just over a year; a new head of service/chief social work officer had recently been appointed and the service manager post with responsibility for justice was vacant. At an operational level, the two senior social workers were also relatively recent appointments and were new to a management role.

Justice services were based within modern office accommodation in the centre of Dumbarton. Strategic managers were located nearby within the recently opened council headquarters building. The justice service had historic links with neighbouring authorities in Argyll and Bute and East Dunbartonshire (business support systems continue to be hosted by Argyll and Bute). Together, they form part of North Strathclyde multi-agency public protection arrangements (MAPPA) along with Inverclyde, Renfrewshire and East Renfrewshire.

Key messages

- Individuals subject to community payback orders are treated with respect and value the support they receive from staff. The service now needs to develop ways of being able to demonstrate the difference this support is making in improving outcomes for individuals and its contribution to community safety.

- A culture has developed in justice social work services whereby the National Outcomes and Standards are not routinely adhered to. Practice is not consistent with the national framework for the assessment and management of risk. In a high proportion of instances, case management plans are not completed, which impacts on the quality of targeted intervention individuals receive. Plans are not reviewed in accordance with national guidance.

- There has been poor performance in the delivery of unpaid work over a sustained period. However, recent improvement actions are encouraging and delivering success in a few important aspects.

- A new management team is in place and recognising the need for urgent improvements and modernisation of practice. Leaders need better systems to support them in gaining oversight of performance across all justice social work services. Given the scale of the improvements required, this is essential to identify priorities and ensure decisions regarding service planning and delivery are well informed.

Achieving outcomes

This section considers 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.

How well are performance measures achieved?

Performance data submitted to the Scottish Government was showing poor and declining performance across a range of measures over several years. This was particularly evident in relation to meeting the required timescales at the start of a community payback order, including commencement of both statutory supervision and unpaid work.

The most recent 2017/18 annual statistical returns for West Dunbartonshire indicated that:

- only 20% of first inductions to unpaid work/supervision case management meetings were within timescales[7]; this was down 10% from the previous year
- the number of unpaid work requirements starting within seven days fell dramatically, showing a declining trend from 70% in 2013/14 to 7% in 2017/18
- over the past three years, the number of unpaid work requirements that took more than two months to start was the highest in the country.

Increased demand and staffing capacity within the unpaid work team, alongside limited availability of work placements contributed to delays. These were often lengthy, requiring a significant number of orders to be extended beyond their original timescales. For example, over the past two years, the number of unpaid work requirements not completed within timescales because suitable staff were not available was significantly higher than any other local authority area. Towards the end of 2016, the delays attracted comment from local sheriffs and reports within the local press. However, it was almost a year later and following the appointment of a new service manager that concerted action was taken to address the decline in performance.

Efforts to improve post sentence contact rates[8] included the introduction of a temporary reporting-in service and allocation of additional resources to increase the number of permanent staff. As a result, post sentence contact rates for 2017/18 rose to 85% from 41% the previous year. Performance reports for the first three quarters of 2018 were showing the beginnings of improvement for some measures. However, this improvement was very recent and local and national targets had yet to be consistently achieved. It was therefore too early to gauge whether progress could be sustained over time. Overall, the service was not able to demonstrate positive or improving trends in relation to meeting statutory requirements and standards.

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[7] Induction to unpaid work and first-supervision contact must take place within five working days of imposition.

[8] Contact on same day, or within one working day, of community payback order being imposed.

How well are outcomes for individuals improving?

There was an absence of outcome-focused measures within the current planning and performance framework. Other than our review of records, there was no other outcome information through which the service could demonstrate what difference was being made to the life chances of individuals subject to the various requirements of a community payback order.

In just over half of individual records, there was no evidence of a reduction in the frequency or seriousness of offending as a result of the support received. Individuals had no access to accredited programmes that can demonstrate change over time. There was limited evidence of individuals receiving required financial guidance or benefitting from support to address their drug use or improve their resilience and sense of confidence. A specific service had been offered to women who were subject to supervision requirements, however no information was gathered in terms of the difference the support had made for participants. Similarly, there was no expectation or mechanism for third sector partners to produce information in respect of individual outcomes.

Within the unpaid work service, an exit process and accompanying questionnaire were very rarely used. For example, only nine of a possible 200 people completed an exit questionnaire in 2017/18. The recently introduced Geopal App[9] was replacing paper systems and there was an intention to extend its use to capture the experiences of individuals at the end of their unpaid work requirements, but this was not yet taking place. There was no similar process or tool to capture the views of individuals upon completion of a supervision requirement. Leaders were going to adopt the Justice Star tool and arrange training with Community Justice Scotland. Statutory reviews were not taking place routinely, which meant there was no consistent recording or measuring of an individual's progress or change throughout the duration of their order.

We found examples of positive individual outcomes in just under half of the records we read. This was most evident in relation to accessing employment, further education and support within the community, with half of those needing help in these areas achieving some success. Similarly, just under half of individuals requiring support to address mental health and alcohol issues were assisted to make some positive change in this aspect of their lives. A similar number were achieving improvements in accommodation and important relationships.

Delivery of key processes

This section looks at the extent to which the justice service recognises the need for help and support and provides this at the earliest opportunity. It considers the quality of assessment and planning and the range and quality of different types of intervention. It also explores how individuals are involved in key processes.

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[9] Geopal App on electronic tablets used by staff as a replacement for paper timesheets and exit questionnaires.

How well do staff provide help and support?

Individuals advised they were receiving relevant and helpful information about their order from staff, particularly in relation to the expectations of unpaid work. The scheduling of supervision appointments was suitably responsive to individual circumstances and the start time of unpaid work allowed greater flexibility for individuals who may have caring responsibilities.

There was a limited range of support services across the area. There were two long established services offering support to individuals with substance misuse issues; Alternatives Community Drug Service and DACA[10]. Useful employability support was available from the Working4U[11] service while young people could access similar age-appropriate support from Action for Children.

Staff expressed concern regarding diminishing availability of appropriate interventions to meet the needs of individuals as a result of funding constraints across the third sector. Nevertheless, we found that for the majority of individuals, referrals were made to appropriate sources of help and support at the earliest opportunity. Reorganising of services was seeking to make the most of resources and enabling ease of access, with the justice service co-located alongside the social fund team and relationships maintained with income maximisation and housing teams.

Staff were making positive efforts to help individuals remove or overcome potential barriers in order to engage with available services. Examples included directing individuals towards employability services, support to attend appointments and assistance with travel. Half of individuals were accessing required interventions. For others, access was limited, primarily as a result of need not being appropriately identified by staff. In a number of instances, the barrier to accessing key services related to delays in being offered a suitable unpaid work placement.

How well do staff assess risk and need?

Practice in relation to the assessment of risk and need was not compliant with national FRAME guidance or the National Outcomes and Standards. Consequently, the majority of individuals subject to supervision did not have a completed level of service/case management inventory (LS/CMI) risk assessment. Where a comprehensive assessment was present, very few had been completed within expected timescales[12].

On the electronic system, we found examples of overwriting and updating of existing assessments as opposed to re-administering the assessment tool for each new referral to the justice team. In several instances, justice social work reports were referencing completed level of service inventory-revised: screening version (LSI-R:SV) risk assessments that could not be found within electronic records. This highlighted issues in the accuracy of recording and efficient use of the system.

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[10] Dumbarton Area Council on Alcohol

[11] A service offering employability support, assistance with benefits, debt, learning and digital literacy

[12] A LS/CMI assessment should be completed within 20 working days for all individuals on supervision

Specialist assessments were not consistently completed. For example, while there were Stable and Acute 2007[13] assessments in all relevant instances, we found fewer corresponding Risk Matrix 2000[14] assessments. In a very small number of instances, a risk of serious harm (RoSH) assessment had not been undertaken where we judged one should have been completed. This was despite social workers completing relevant national training on the assessment tool. We found examples of specific, age-appropriate assessment tools being used when young people were engaging with youth services. However, when young people were involved with justice social work services, the LS/CMI assessment tool was not used despite it being accredited for a 16+ age group.

There was a lack of rigour in identifying and sharing information in relation to risk and need.   Only just over half of assessments of risk and need were appropriately informed by consultation with partner agencies. There was no standard process to support the early identification, recording and communication of risk for individuals made subject to stand-alone unpaid work requirements. There was also a lack of forums or mechanisms to support the routine sharing and exchange of pertinent information between groups of staff. Restructuring and co-location had brought social workers, community justice officers and community justice assistants together. However, there was little connection with the unpaid work supervisors. This was a missed opportunity as supervisors were spending extended periods of time with individuals and often had information that may have been of use in identifying changing or evolving risks.

For individuals convicted of sexual offences, there were clear processes for addressing victim safety concerns within the context of MAPPA. Despite the prevalence of domestic abuse, forums to support the identification of potential victims and individuals most likely to cause harm were underdeveloped. A strategic approach to preventing domestic abuse had recently been agreed and senior managers were establishing joint multi-agency tasking and co-ordinating (**MATAC**) and multi-agency risk assessment conference (**MARAC**) arrangements in partnership with neighbouring Argyll and Bute.

Justice social work reports prepared by social workers were informing the court on the availability and appropriateness of community disposals. From our review of records, we judged 62% of reports to be good or better. Where a report was available, the initial assessment of risk and need went someway to informing supervising officers what was required to reduce risk and meet the needs of the individual. Similarly, where they were present, we found just over half of LS/CMI assessments to be of an acceptable standard.

How well do staff plan and provide effective interventions?

The preparation, delivery and oversight of case management plans did not routinely adhere to the National Outcomes and Standards. As a result, only 37% of individuals with a supervision requirement had a completed plan. Where a case management

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[13] Stable and Acute 2007 (SA07) is used to undertake a dynamic assessment of risks posed by individuals convicted of sexual offences

[14] Risk Matrix 2000 (RM2K) is an actuarial risk assessment used to assess risk posed by individuals convicted of sexual offences

plan was present, it was of an acceptable quality however, very few had been completed within expected timescales.

Until mid-2018, individuals with an unpaid work requirement were experiencing considerable delays in starting unpaid work, often up to 12 weeks. This lack of immediacy in starting a placement had the potential to undermine an individual's motivation and commitment and for many was extending their length of involvement in the justice system unnecessarily. With no indoor workspace or operational base (other than a storage unit) unpaid work staff were making full use of the available community projects and small number of charity shop placements. This was challenging in adverse weather conditions and often resulted in individuals spending substantial periods of time in vehicles waiting for conditions to improve or being sent away if bad weather persisted.

While individuals had a clear understanding of the expectations of unpaid work, for many there was less appreciation of what supervision involved. Individuals were unclear whether they had a case management plan and couldn't differentiate between supervision appointments and formal, statutory reviews. We found the frequency of scheduled contacts between individuals and their supervising officer to be acceptable. However, many individuals we spoke to described supervision as a 'check-in' to ensure there were no issues or they were making progress with their unpaid work requirements. As a result, supervision often lacked meaning and was failing to offer constructive challenge on the issues which contributed to offending. The overall quality of recording within electronic records was poor. Entries were often lacking in detail, analysis or reflection, making it difficult to gain a sense of the individual and their progress, or the rationale for decisions and actions taken by staff.

Home visits and statutory reviews were not routinely taking place in accordance with expected standards. As a result, opportunities to build relationships and involve individuals and their families in planning what they hoped to achieve during the community payback order were missed.

Partnership working in preparing and delivering case management plans was limited. The only programme requirement available to the court was the recently introduced but yet to be evaluated SACRO PAIR domestic abuse initiative. The partners of men attending the group were able to access support from the Women's Safety and Support Service. The Moving On support service for women was not functioning due to staff being unavailable with no contingency in place to ensure the service could still operate. The intensive Turnaround support service for individuals with complex needs, which included a focus on offending, was no longer available in the area. For individuals on supervision, including those convicted of sexual offences, there were no available accredited, therapeutic programmes, which are known to help reduce offending and potential risk to others.

Where a recent justice social work report was available, the initial plans outlined within the report were offering some initial direction to supervising officers in terms of what intervention was required in the early stages of supervision. In almost all instances, we found there was a consistent member of staff with responsibility for managing the community payback order. In the majority of instances, we judged discretion to have been used appropriately and relevant action taken by supervising officers in response to non-compliance by an individual.

How well do staff involve individuals in key processes?

Opportunities to listen to individuals and to use their experiences to help shape the type of service they received were limited. Although a useful supervision review template existed and included a section to seek and record the views and experiences of individuals, it was not routinely used. Key statutory processes were often not being followed. As a result, individuals were not involved and included sufficiently in planning and reviewing the work to be undertaken to reduce offending. This also meant that opportunities to note progress, recognise strengths and to promote desistance were missed.

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.

Some individuals had experienced significant delays in starting unpaid work during a current or previous community payback order. This caused them anxiety and concern about the implications of not completing their hours within court-imposed timescales. Others with existing skills were not matched to suitable placements, meaning opportunities to use their skills to benefit the community were not taken. A few individuals were benefitting from the 'other activity' component of unpaid work, such as gaining a Construction Skills Certification Scheme card, which improved access to employment. Overall, the range of 'other activities' was limited as was individuals' awareness of what was available. A number of individuals nearing completion of their unpaid work hours were uncertain about the future. Many were keen to continue using their time constructively but viewed access to volunteering and training opportunities in the community as limited.

We heard consistent messages on the issues that were negatively impacting on the experience of community payback orders. The main concern related to individuals being sent home on days they were scheduled to work, while others, who were not scheduled to attend, were allowed to remain. Individuals did not understand how such decisions were reached and therefore viewed them as unfair and limiting their ability to complete their hours. Many individuals were also frustrated by spending too long travelling or sitting within vehicles which were universally viewed as small and cramped.

We found a distinction between individuals' experience of supervision and unpaid work based on the quality of relationships with staff and whether contact during the order was purposeful.

Individuals subject to a supervision requirement were benefitting from support to improve their welfare and wellbeing, such as housing advice and assistance to address alcohol use. Those participating in the SACRO PAIR programme viewed it as both challenging and useful in helping them think differently about their offending. There were also examples of individuals with convictions for sexual offences who were using supervision to reflect on their actions and developing strategies to avoid

further offending. For individuals subject to supervision who did not undertake structured or offence-focused work, relationships with supervising officers were less well developed. In such instances, individuals were unable to identify the difference supervision was making to their life.

The positive regard individuals had for unpaid work supervisors was a significant strength. Individuals described unpaid work supervisors as encouraging, approachable and attentive. Supervisors were using a range of approaches to best fit the uniqueness of an individual. This was helping them build trusting relationships that encouraged the person to give their best when working in a team. Individuals spoke of being treated with respect and care, with unpaid work staff often going the extra mile in demonstrating their concern for individuals.

Those attending unpaid work felt safe and were confident that supervisors would deal with any challenging behaviour. For many individuals, the most valuable outcome from undertaking unpaid work was seeing the positive difference their efforts were making for others. Improving the gardens and outdoor play spaces in the local children's hospice was seen as a particularly rewarding local placement as the positive impact for the children and their families was tangible.

Leadership

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

How well are leaders supporting improvement and change?

There were appropriate governance structures for the service. An established public protection chief officers group was responsible for strategic oversight and coordination of all public protection services. Lines of accountability were clear and appropriate. The head of service/chief social work officer reported directly and was accountable to the chief officer of the health and social care partnership and had regular meetings with the local authority chief executive. The justice manager had a seat on relevant community planning partnership service delivery groups as well as the Violence Against Women Partnership and the child and adult protection committees.

Structures for governance were newly established following dissolution of the inter-authority Partnership and Joint Committee and thus far had not been effective in addressing the long-standing issues in the justice social work service. As described earlier in this report, a culture had been allowed to develop in which there was a lack of regard to, and compliance with, the National Outcomes and Standards. While staff and managers spoke of a desire for positive, cultural change they were unsure of how to achieve it. At the end of 2017, a new service manager assumed responsibility for the justice service, identified the need for urgent improvement and set in place a series of priority remedial actions. These measures were beginning to address the decline in performance with encouraging signs of improvement in some areas of

practice, most notably initial contact rates. Performance has since been closely monitored.

As a result of this increased scrutiny, leaders had become better informed on the issues within the unpaid work service. However, it was only in the course of this inspection that the magnitude of difficulties with the efficiency and effectiveness of statutory supervision became apparent. Until the inspection, senior managers were largely unsighted on the lack of compliance with the National Outcomes and Standards and the poor performance in relation to assessment and case management planning.

Staff told us that an excessive volume of work was preventing them from completing assessments, preparing related plans and undertaking home visits. A benchmarking exercise would be a useful action for managers to take as we did not find evidence that the range of duties that staff were expected to undertake in relation to community payback orders in West Dunbartonshire was unusual.

Operational managers were allocating work in a very traditional way, through a weekly meeting where staff volunteer to take reports or new orders. While staff liked the transparency of the system, not everyone was routinely attending the meeting, which compromised a fair and efficient distribution of work across the team.

Leaders with responsibility for the justice social work service needed to foster a more outward-facing attitude in respect of the service. They should find ways of exposing staff and operational managers to practice in other parts of the country, so that they have opportunities to learn how to modernise their approaches and become familiar with best practice from elsewhere.

Other than national guidance there was little in the way of up-to-date policies and procedures to help staff understand and fulfil their respective roles, responsibilities and statutory duties. Quality assurance processes and self-evaluation approaches were underdeveloped. This was restricting the ability of managers to oversee and constructively challenge deficits in individual staff or team performance. There was no established learning culture to drive continuous improvement other than for initial case reviews and serious case reviews, which took place within MAPPA, where dissemination of learning was supported by a calendar of multi-agency training events across the North Strathclyde area.

While the remedial action taken in respect of unpaid work noted above is encouraging, further turnover within the senior management team had put a brake on progress in driving improvement forward in other aspects that needed it. In particular, there was a need to involve staff in shaping and sharing the aspirations for the service. It was clear staff had limited understanding of improvement plans, or how they will contribute. Indeed, there was no consistent approach within the service to involving staff, stakeholders and individuals subject to community payback orders in innovation and change.

Although a full senior management team was not yet established, efforts were being made to improve communication and information sharing with staff. The new head of service/chief social work officer was making efforts to be more visible in order to build productive relationships. Better engagement meant operational managers were beginning to develop a sense of ownership of future service direction. Nonetheless, there was clearly considerable work to do to win the trust and

confidence of the whole staff group. Some staff spoke of losing trust and confidence in their leaders following service restructuring that had concluded in 2017. They had found the move difficult from specialist assessment, supervision and throughcare teams to one generic justice team as it resulted in an increase in work that was less familiar to them. Nearly two years later, some staff were still feeling overwhelmed and under-skilled, which was impacting on their confidence and morale.

Until recently, there had been limited communication and engagement with key stakeholders. However, relationships with the judiciary and elected members were starting to improve as a result of re-engagement by the new head of service/chief social work officer and representation at the local court consultative committee. Some effort had been made to positively raise the profile of justice services through the distribution of a newsletter but corporate webpages were unhelpfully out of date. Social media could be used much more effectively to raise awareness, report on performance and highlight the beneficial work being undertaken with communities.

How well is the service preparing for the extension of the presumption against short sentences?

Planning for the forthcoming extension of the presumption against short sentences was still in the early stages. Leaders were anticipating increases in Level 1 orders. They were therefore making efforts to increase capacity within the unpaid work service by funding additional posts. Consideration was also being given to potential ways of meeting any increase in demand, including realignment of underutilised resources and introducing structured, evidence-based programmes, which are known to support change. Leaders were committed to making the necessary preparations within potential timescales. Given the issues highlighted within the report we are not currently confident the service will be able to respond effectively to any increases in workload. Although it is improving, unpaid work performance is not yet consistently meeting local and national targets. We have also identified a number of areas where significant improvement is required for the service to comply with the National Outcomes and Standards for community payback orders. Only once this improvement has been achieved will the service be in a better position to respond to any additional demands. Service delivery that is efficient and proportionate to the risk presented by individuals and the range of needs to be met is key to the success of future developments. Effective application and use of LS/CMI will therefore be essential to future service delivery.

Areas for improvement

- Leaders should take urgent steps to ensure practice complies with the National Outcomes and Standards. To this end:
- staff should be fully trained in all aspects of the LS/CMI system
- assessments of risk and need should be completed within expected timescales and in accordance with FRAME guidance
- SMART case management plans should be in place for everyone on supervision

- plans should be formally reviewed by managers on a regular basis, with review meetings recorded and plans updated accordingly
- a systematic quality assurance process should be put in place, with performance routinely monitored and reported to leaders.

- Leaders should increase the range of interventions and resources to better address individuals' offending related needs.

- Leaders should further streamline and strengthen the unpaid work service in order to improve the experience and outcomes for individuals.

- Leaders should seek to create an empowering, learning and performance culture, including high-quality supervision that is reflective, supportive and importantly, offers constructive challenge to support staff in meeting legal requirements.

- Leaders should agree a clear vision, purpose and direction for justice social work that is current, widely communicated and increases aspiration for what the service can achieve for individuals, their families and communities.

Capacity for improvement

During the inspection, we heard candid acknowledgements of the challenges within the service. While leaders had a grasp of what was required in order to build capacity for improvement and change, they were also realistic that transformative and cultural change was likely to take time. As a result of our discussions during the inspection, leaders were now better sighted on potential risks and priorities for improvement. New 'change agent' posts had recently been introduced and aligned to heads of service across the health and social care partnership. At an operational level, additional funding was to be made available to introduce a new team manager post within the service structure. These were encouraging developments as they were likely to increase the level of support and expertise available to strategic leaders and operational staff.

Capacity for improvement is contingent on leaders (including the yet to be appointed service manager with responsibility for justice) being able to give sustained attention to addressing the development needs of the service. The breadth and depth of the areas of improvement we have identified are likely to prove challenging, particularly for a new leadership team.

Significant and meaningful engagement with, and commitment from, all staff groups and managers will therefore be crucial if leaders are to achieve positive organisational change. It is also instrumental to identifying and achieving intended outcomes for individuals, their families and communities.

Evaluations

What key outcomes have we achieved?	
1.1 Improving the life chances and outcomes for people subject to a community payback order	Weak

Rationale for the evaluation

A pattern of declining performance within the unpaid work service had contributed to individuals experiencing significant delays in starting work. In recent years, the number of individuals waiting over two months to start an unpaid work placement was higher than in any other local authority area. As a result of remedial action, there was clear improvement in first-contact rates and the first three quarterly reports for 2018/9 were showing tentative signs of progress in two other measures. While this was encouraging, it was very recent and too early to tell whether progress could be sustained. Although there was monitoring of unpaid work performance against local and national targets, the service had not identified intended outcomes for individuals made subject to community payback orders. During our inspection, we identified examples of individuals on supervision achieving some success in improving relevant life issues. However, the service was unable to provide any evidence either through data gathered, feedback from individuals or within review processes to demonstrate the difference community payback orders are making in improving outcomes for individuals.

How well do we meet the needs of our stakeholders?	
2.1 Impact on people who have committed offences	Adequate

Rationale for the evaluation

The extent to which the services provided were meeting the needs of individuals was largely dependent on the quality of working relationships and whether contact during the order was purposeful. For many individuals, supervision was not sufficiently targeted on achieving positive change in mutually agreed goals. As a result, contact with supervising officers was often less impactful as it lacked focus and constructive challenge. Some individuals on supervision, particularly those participating in a structured programme, found it helpful and were able to identify the positive difference the support offered had made to their wellbeing and attitude to offending. Once unpaid work started, most individuals viewed their experience as overwhelmingly positive. The genuine interest, respect and concern shown by unpaid work supervisors was a significant strength.

How good is our delivery of services?	
5.2 Assessing and responding to risk and need	Weak

Rationale for the evaluation

Practice in relation to assessment did not routinely comply with national FRAME guidance or the National Outcomes and Standards. Core practice tasks, such as everyone on supervision having a completed assessment of risk and need, had not been undertaken. This was a significant weakness. As a result, only a significant minority of individuals on supervision had a completed assessment of risk and need using LS/CMI.   There was no standardised mechanism for assessing risk for individuals on stand-alone unpaid work requirements. Other than within MAPPA, there was an absence of a structured or systematic approach to information sharing, which meant the exchange of pertinent information on risk between groups of staff was insufficiently robust. Where a justice social work report for court, or a comprehensive LS/CMI assessment had been completed, they were of a sufficient quality and went some way to informing staff responses to meeting identified risk and needs.

5.3 Planning and providing effective intervention	Weak

Rationale for the evaluation

Contrary to national community payback order guidance, the majority of individuals on supervision did not have an individualised case management plan identifying how assessed risks and needs were to be met. Home visits and statutory reviews were not routinely taking place. These were significant weaknesses. As a result, individuals and their families were not meaningfully involved in case management planning. This meant opportunities to note progress, recognise strengths and promote desistance were missed. The majority of individuals were able to access supports to address relevant welfare concerns. However, they had no access to accredited, national programmes that help to reduce offending. Individuals with unpaid work requirements often experienced significant delays in accessing a suitable placement and there was a limited range of available 'other activities'. Where case management plans had been completed, they were of sufficient quality to assist individualised responses. There was also evidence of supervising officers appropriately using discretion and responding to non-compliance by individuals.

How good is our leadership?	
9.4 Leadership of improvement and change	Weak

Rationale for the evaluation

There were appropriate governance structures for the service and performance reporting was also taking place. However, these had not been effective in identifying and addressing the difficulties within the justice social work service, which was failing to meet targets and expected practice standards in key areas. As a result, leaders were not sufficiently well sighted on where improvement and change were required. Turnover and vacancies within the leadership team had acted as a brake to continuous improvement. Although there was progress in addressing the issues in one aspect of the service, the wider performance picture was more challenging. A culture of non-compliance with national guidance had been allowed to develop. A lack of an outward looking, aspirational vision and direction for the service and a delivery model that had not kept pace with national developments had resulted in the service losing sight of its core purpose and function in key areas of practice. The service had been slow to act decisively to address the concerns raised by stakeholders regarding the efficiency of the unpaid work service. However, the subsequent remedial actions were beginning to show encouraging signs of improvement across several key measures. This demonstrated what could be achieved when there was significant collective focus and targeted action to improve practice.

Appendix 1

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, which 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 which 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.

Appendix 2

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?
1. Key performance outcomes	**2. Impact on people who have committed offences, their families and victims**	**5. Delivery of key processes**	**6. Policy, service development and planning**	**9. Leadership and direction**
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
	3. Impact on staff		**7. Management and support of staff**	
	3.1 Impact on staff		7.1 Staff training and development, and joint working	
	4. Impact on the communities		**8. Partnership working**	
	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	
10. What is our capacity for improvement? Overall judgement based on an evaluation of the framework of quality indicators				

Appendix 3

Terms we use in this report

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 individual strengths identified by the assessment process.

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.

Desistance – a term deriving from desistance theory, which strives to explain what is useful in assisting individuals to avoid, or 'desist' from further offending.

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

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.

Justice Outcome Star – a trademarked suite of person-centred tools for use with individuals in the justice system to support and measure change.

Local placements – this refers 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 consistent practice in risk assessment and management practice. To be used in conjunction with, not as a replacement for, professional judgement

LSI: R:SV – (level of service inventory-revised: screening version) - this eight-item screening tool is part of the LS/CMI system. It takes less time to complete than the full LS/CMI assessment and is used during the preparation of justice social work reports to assist in identifying and prioritising risk and need.

MARAC/MATAC – multi-agency risk assessment conference arrangements and multi-agency tasking and co-ordination – processes to identify and protect the vulnerable from domestic abuse.

Moving On – a support service for women on supervision delivered by a community justice officer from within the justice service.

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.

Preventing Abuse in Relationships (PAIR) Programme – a 16-week programme designed and delivered by SACRO for men convicted of domestic abuse offences who present a low to medium risk.

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. Following a period of consultation, the Scottish Government has announced plans to extend the legislation to include a presumption against sentences of less than 12 months in 2019.

Risk of serious harm – The Framework for Risk Assessment, Management and Evaluation (RMA, 2011) defines risk of serious harm as follows: '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'.

SACRO: Safeguarding Communities - Reducing Offending – a third sector organisation that provides a wide range of justice services aimed at safeguarding communities and reducing offending within the community. Services work with offenders and their families to support and assist them to address issues contribute to offending behaviour.

SMART – Smart, Measurable, Achievable, Realistic and Time-bound.

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

Supervision requirement – this is one of nine provisions available to the court that can be imposed as part of a CPO. Apart from 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 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.

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 stand-alone 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.

Victim safety planning - a risk management activity by which attention is drawn to the safety of specific individuals or groups who may potentially be victimised, with a view to devising preventative or contingency strategies

Women's Safety and Support Service – West Dunbartonshire council service providing support for women who are experiencing or have experienced domestic abuse, particularly where there has been a court referral, or the victim or perpetrator is receiving a justice social work service.

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