



STUDENTS INVOLVED WITH THE YOUTH JUSTICE SYSTEM AND INCLUSION

PAPER EIGHT

Students involved with the youth justice system and inclusion

BACKGROUND

The Taylor Review of the Youth Justice System, December 2016:

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“It is my view that education needs to be central to our response to youth offending. All children in England are required to be in education or training until their 18th birthday, but too often children in the youth justice system have been out of school for long periods of time through truancy or following exclusion. As a result, half of 15-17 year olds have the literacy or numeracy levels expected of a 7-11 year old. Schools and colleges are crucial in preventing offending”.

“Among the children now in the youth justice system are high numbers of black, Muslim and white working class boys; many are in care, and mental and other health problems, and learning difficulties, are common. ...many of the children in the system come from some of the most dysfunctional and chaotic families where drug and alcohol misuse, physical and emotional abuse and offending is common. Often they are victims of crimes themselves. Though children's backgrounds should not be used as an excuse for their behaviour, it is clear that the failure of education, health, social care and other agencies to tackle these problems have contributed to their presence in the youth justice system.”

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Over the past ten years there has been a significant reduction in the numbers of young people receiving custodial sentences and a greater emphasis on community sentencing, providing young people with access to the positive opportunities that can be provided in the education and training sector. Young people with community sentences are more likely now to be encouraged to seek educational opportunities in a mainstream setting. Others may be encouraged to enter mainstream settings in the education and training sector after a period in a Young Offenders' Institution, or one of the newer secure schools.

Under the *Children and Families Act* (2014) education and training providers are required to use their 'best endeavours' to support young people with low level additional needs. As identified above, many young people involved with the youth justice system have learning difficulties, often specific difficulties with text or number, as well as mental health needs.

Organisations may find it challenging to match the learning needs of young people involved with the youth justice system, in a context in which these young people:

- may have experienced multiple disadvantages;
- often have learning difficulties, sometimes previously undiagnosed;
- are likely to have been excluded and have lower levels of previous attainment that do not reflect their potential or ability;
- may not believe they will be included in mainstream education;
- may experience stigma because

of their involvement with the youth justice system, particularly if they have had a custodial sentence

and in which senior leaders

- need to balance the safeguarding of all students with the educational needs and aspirations of an individual;
- need to recognise that young people may have patchy attendance because of other compulsory requirements related to the youth justice system, such as attendance at court.

The following case studies provide examples of ways in which education and training providers have used their 'best endeavours' to respond to these challenges.

1

Catch 22: a national ILP, social business and charity

Using 'best endeavours' to preparing students to engage in mainstream settings.

A high proportion of the students supported by Catch 22, who are involved with the youth justice services, have been in care, experienced exclusion, and are eligible for free school meals. The challenge for senior leaders at Catch 22 is to prepare these young people to engage in mainstream further educational settings. Most will have some kind of additional need, including social and emotional challenges and mental health needs. Many require behavioural support, and have social communication needs.

The strategies and interventions that senior leaders deploy have been developed over many years. Their provision is based in small and highly personal environments and every student has an individual learning plan tailored to identified needs and aspirations.

Central to their approach is the senior leaders' belief that reliable, strong one-to-one relationships are fundamental in creating role models that help student to develop the skills needed to succeed in the workplace or in mainstream education and training settings. In addition to providing additional learning support, they have established a staff structure that is heavily focused on relationship-building, with high ratios of teaching and support staff to students. The structure includes a fundamental non-teaching role (the 'Advocate') who works on behalf of the student, developing strong relationships with other relevant individuals and support agencies. The advocate also acts as a strong role model.

Many of the young people that the teaching staff at Catch 22 work with have never had anyone believe in them. The leaders encourage them to have high expectations of students and to expect full attendance. The teachers challenge inappropriate behaviour and have a zero tolerance for offending behaviour. They build in therapeutic time to ensure that the students' voice is heard, understood and, where appropriate, acted on. This helps build confidence, self-esteem and encourages students to express their own opinions whilst listening to others.

As a result of this approach attendance and engagement improve and inappropriate behaviour decreases, as students feel they have greater control over their future. The learning support contributes to highly levels of success in achieving academic or vocational qualification aims, and progression into mainstream education or training settings or employment.

2

Milton Keynes College: is a large GFE which also provides education in prisons in the Midlands and South Central area of the country.

Using 'best endeavours' to open up the college to include young offenders

The challenge for the senior leaders at Milton Keynes College is to overcome the beliefs of many young people, and their families, that time in custody will mean they are excluded from Further Education Colleges, or a future career. At the same time, senior leaders have to balance the safeguarding of all students with the needs of an individual.

With a firm commitment to diversity and inclusion, senior leaders have developed a process specifically designed to overcome these potential barriers, by developing a formal risk assessment procedure which was recognised by the Association of Colleges and the National Offender Management Service (NOMS) as best practice. The staff ask all students to disclose any relevant convictions at enrolment through the mainstream

applications process and anyone who discloses is invited to attend a risk assessment interview with two trained staff from the core team, one of whom is always a senior manager. Staff are trained in the process and have been working in partnership over 10 years with Thames Valley Probation Services, now the Community Rehabilitation Service, in understanding and managing risk factors. On average staff conduct over 100 interviews a year across a range of age groups. The staff have established very good communication arrangements with Community Police, who are regularly on campus, and have access to the Community Rehabilitation Service Entry to Employment and Education team.

Coming to the interview can be a bit daunting for the students, so they are invited to bring along a parent or support worker. The process is an enabling one, assisting any student, including adults, to understand how the college will work with them and what their own responsibilities will be. It is a completely confidential process and their place on the course is allocated and held until the risk assessment has been completed. In 95% of cases students have been accepted into the college through this system, and senior leaders have had very few cases where students have had any further issues. They are encouraged to keep their past confidential whilst on their courses, so they can be part of the mainstream class and enjoy student life and move on positively. They have the same assessment of any learning needs as their peers, and

arrangements for additional learning support, or support for mental health needs, are agreed with them.

Senior managers recognise that the college has a key role to play in supporting Young Offenders on release but it is essential that an understanding of safeguarding and risk management is in place to support them in this transition and also protect mainstream students in the college environment. In addition to providing additional learning support and any support for mental health needs, dedicated spaces and trained staff are essential in the support of young people with additional needs outside the classroom and to support them to be successful in building a positive future. If there are any concerns they are initially handled through the tutorial process and the Designated Senior Lead for safeguarding will also liaise with agencies if any issues need to be escalated.

The staff have interviewed young people on release on temporary licence from Young Offenders' institutions, and set up college places for them on release in partnership with their support workers and social services. They also work with applicants from younger prisoners in open prisons who wish to come to college through day release arrangements.

These arrangements have been very successful in opening up the college to young people who have been involved with the youth justice system, and have a range of learning needs. The support provided enables young people to integrate into college

life and successfully complete their programmes.

3

Christ the King: A Catholic Sixth Form College in South London, with three centres.

Using 'best endeavours' to include and retain students involved with the community police and youth offending teams.

The challenge for senior leaders is to balance the educational support needs of the young person, many of whom have additional learning needs, including mental health needs, with any potential risks to other students. The college continues to be vigilant with regards to safeguarding its students.

In order to achieve this, the senior leaders maintain an awareness of any local issues which may pose a threat to any student. They strive to ensure that any situations which occur outside of college which may affect the safety of a student are discovered, and provision is put in place to ensure that the situation is addressed.

The college has an excellent relationship with the local police and youth offending team and this enables them quickly to obtain information relating to any student who may be subject to a criminal charge, or who may be involved in a criminal case as a victim or witness. When any students at Christ the King are identified as being involved in police action, the college follows a tight process which is bespoke and relates to the type and seriousness

of the charge. The interventions adopted by senior managers involve liaising closely with the community police and the local authority youth offending teams and other external agencies including Social Services, local MASH teams and Virtual Schools where appropriate. These agencies have established protocols with the local police that enable them to share information about students, including issues such as allegations of possession of offensive weapons or the possible breaching of exclusion zones.

Any student identified as being involved in criminal activity is subject to a risk assessment. Where, following a risk assessment, managers agree to continue supporting a student, that student's behaviour is closely monitored, and changes may be made to the timetable to minimise potential risk to others. Managers continue, where appropriate, to liaise with youth offending teams and the community police while the student is studying

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Milton Keynes College

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at the college, and take further action if required. If the managers find they cannot meet the needs of the student, or where they assess that the risk to others, or to themselves, is too high they refer the students on to other local agencies, ensuring they do not become NEET.

The inclusion of students facing such issues and requiring additional learning support, has been very successful. In 2015/16 there were 15 students identified cross site as being subject to criminal prosecution. Of those 15, 14 were retained and achieved qualifications or completed first year study. Of the seven second year students, all progressed to university or further training. One student completed a Level 2 course at the college and then transferred to another education provider.

REFLECTION

As the national policy encourages young people involved with the youth justice services to undertake educational programmes in order to improve their life chances, how confident are you that your organisation is inclusive, and has procedures that enable young people, to integrate, be retained and succeed?

- Very confident
- reasonably confident
- not very confident
- not at all confident

Where you are not confident, what are the specific barriers that you face?

How might you use your 'best endeavours' to develop partnerships, strategies and interventions, that might improve the situation?

