

Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 11 February 2026
Subject:	Children’s Services - Youth Justice Service proposal	
Report of	Deputy Leader and Cabinet Member for Children and Young People	

Summary

This report sets out a proposal for Bury Council to establish its own Youth Justice Service (YJS) and to formally end the existing partnership agreement with Rochdale Council. The proposal is informed by service, financial, and quality considerations, including alignment with Youth Justice Board (YJB) expectations and learning from national inspection frameworks.

It is considered that a standalone Bury YJS will be more cost effective, will strengthen local accountability and governance, and will improve access to timely, child-first youth justice support for Bury’s children and young people, delivered within their own communities.

Bury and Rochdale have had a service agreement in place to work in partnership to provide the joint Youth Justice Service since 2014, this was last reviewed and updated in December 2024. The agreement sets out how Rochdale will deliver the Youth Justice Service for young people who enter the Youth Justice System and above for Bury Council. Bury Council have continued to provide early help and prevention interventions for Bury young people and this will not change. The proposal would see a merge of the Youth Justice Prevention team into the wider Youth Justice Service.

All local authorities have statutory duties to children and young people who enter the criminal justice system, in line with the following legislation: -

- Police and Criminal Evidence Act 1984
- Crime and Disorder Act 1998

- Legal Aid and Sentencing and Punishment of Offenders Act 2012
- Equal Opportunities/ Diversity
- Working Together to Safeguard Children 2023

Therefore, the proposed separation from Rochdale Council will enable Bury to effectively exercise their duties, regain freedom and flexibility to adapt the service to local context, and need.

Youth Justice Grant funding is allocated to each local authority per annum; for 2025 /26 Bury was allotted £354,372. Funding arrangements post April 2026 have not yet been confirmed.

The scope of the service is set out in the Service Agreement as Bury and Rochdale Youth Justice Service is committed to working in partnership to ensure:

- Children are appropriately diverted from the Youth Justice Service.
- That offending by children is prevented and the use of custody is reduced.
- The delivery of quality and effective services to children, parents/carers, victims, and the community.
- The improvement of practice and achievement of positive outcomes for children and young people.
- That children are safeguarded and risk to the public is minimised and managed effectively.
- That restorative justice, trauma-informed and child-first approaches underpin our practice.
- The unnecessary criminalisation of cared for children and other disproportionality represented group is avoided where at all possible.
- Improved Education, Training and Employment opportunities for children within the service.
- Improved physical health and wellbeing for all children entering Youth Justice Service
- That the service provides value for money.

Recommendation(s)

1. Approve the establishment of a standalone Bury Youth Justice Service. With a target go-live date of 1 September 2026, subject to discussion and agreement with Rochdale Brough Council.
2. Approve the termination of the current Youth Justice Collaborative Agreement dated 12th November 2015 with Rochdale Borough Council.
3. Authorise officers to identify and secure an appropriate local venue within Bury from which the Youth Justice Service will operate.
4. Delegate authority to the Executive Director for Children's Services, in consultation with the Portfolio Holder, to take all necessary steps to implement the new service arrangement, including any TUPE transfer of staff, whilst ensuring compliance with Youth Justice Board requirements and inspection expectations.
5. Consider the proposal in line the wider Families First Partnership reforms, and the development of a targeted adolescent service which is outlined below.

Reasons for recommendation(s)

The recommendation is driven by the need to ensure that Bury's Youth Justice provision is fully aligned with national expectations, including the Youth Justice Board's child-first, trauma-informed approach and the focus on prevention, diversion, and reducing reoffending.

Establishing a local service will enable stronger oversight of quality and performance, improved partnership engagement, and greater responsiveness to the specific needs and profiles of Bury's children and young people. Delivering our own Youth Justice Service will provide us with a greater opportunity to develop the service tailored to local demographics and priorities supported by the ability to make decisions locally.

The original agreement was put in place to achieve economies of scale with shared staffing and management, training, case management tools, and the input of specialist services which would have been less affordable if Bury had delivered the service alone.

In addition, working in partnership with Rochdale Council was considered to be beneficial due to joint governance arrangements with Police, Health and Education driving service improvement and performance leading to improved outcomes for young people.

Both Bury and Rochdale Children's Services now consider it to be in the best interests of both Local Authority areas to separate and deliver local Youth Justice Services.

If agreed we would take the opportunity to redesign the service under one Directorate ensuring effective use of resources aligned to local services around our wider adolescent offer for example Youth Service, Prevention, Keeping Families Together, and Complex Safeguarding ensuring a more tightly joined up approach and greater impact.

Alternative options considered and rejected

Option 1: Continue the partnership arrangement with Rochdale Council. This option was rejected due to limited local control, reduced visibility of performance, and challenges in ensuring services are delivered close to where Bury young people live.

Option 2: Enter a partnership with another local authority. This option was rejected as it would continue to create dependency on external governance arrangements and would not fully support the integration of youth justice with Bury's wider children's services.

Option 3: Commission the service from an external provider. This option was rejected due to higher costs, potential instability, and reduced direct accountability to the Council and statutory partners.

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Background

Youth Justice Services are statutory multi-agency services established under the Crime and Disorder Act 1998. They are overseen by the Youth Justice Board and inspected under a joint framework led by HM Inspectorate of Probation against a framework that focuses on leadership, partnership arrangements, service delivery, and outcomes for children.

The Youth Justice Board sets clear expectations that services should be child-first, trauma-informed, and focused on prevention, diversion from the criminal justice system, and reducing reoffending. YJB guidance also emphasises the importance of local accessibility, effective engagement with children and families, and strong integration with wider children's services, education, health, and safeguarding partners. All of which support the case for a standalone Bury YJS.

Bury currently delivers its youth justice function through a partnership arrangement with Rochdale Council which was established in 2014. While this arrangement has enabled statutory compliance, it has limited the Council's ability to directly shape service delivery, performance management, and local partnership engagement.

Currently there are 53 Bury young people open to YJS. The number of Bury children/interventions open to Youth Justice is lower than Rochdale, and therefore we would expect to see the comparable differential across data sets and Bury manage their prevention offer outside of Bury and Rochdale Youth Justice. However, despite the comparable differential the data indicates that we have more Bury cared for children open than Rochdale; a higher number of children with Special Educational Needs (SEN) and/or Education, Health, and Care Plans (EHCPs). Going forward in 2025 - 2026 resource needs to be targeted to address these areas of concern. Notably Bury children are disproportionately represented in court proceedings, remand, and licence cases (Youth Justice Plan 2025/2026).

National youth justice data shows long-term reductions in first-time entrants and reoffending; however, children who do enter the system often present with complex needs requiring coordinated local responses. A Bury-based service will be better placed to respond to local trends, profiles of need, and community factors. Establishing a standalone service will enable clearer performance monitoring against key indicators, including first-time entrants, reoffending rates, use of custody, and timeliness of interventions.

Partnership and commissioning arrangements

Youth Justice service has integrated partnerships with Police and Health Services (School Nursing) who are part of the multi-disciplinary team and offer support to Bury children and young people open to YJS.

REMEMEDI is commissioned for Bury and Rochdale Council to provide Youth Justice victim service and reparation. Contractual and funding arrangements would need to be explored as part of any transition planning.

It is recognised that at present Bury children open to Youth Justice Service do not have access to a dedicated CAMHS or SALT practitioner due to commissioning arrangements, therefore this has been escalated and will need a resolution prior to the establishment of a separate Youth Justice Service.

NHS GM (Bury) colleagues participate in the Youth Justice Board and recognise an apparent inequity of access to dedicated NHS provision between Rochdale and Bury. This is understood to relate to Speech and Language Therapy Services and CAMHS services.

For Speech and Language Therapy Services, NHS GM (Bury) have ascertained from NCA that the historical arrangement for the funding is for 1 day per week in Bury and 1 day per week from Rochdale has and that the member of staff that delivers the services is employed by Rochdale (NCA) SaLt service. However it is understood that an additional two days is available in Rochdale and that this is consolidated in a contract variation from NHS GM. While there is some evidence that the youth justice cohort in Rochdale is bigger, NHS GM (Bury) colleagues have asked NHS GM to address this inequity, and the gap in provision has been noted in the NHS GM and NCA contract monitoring review. We are expecting to hear that outcome as a commissioning intent for the ICB for 26/27

For CAMHS , NHS GM (Bury) colleagues recognise there is no dedicated CAMHSs provision for the Youth Justice Service for Bury. While waiting times for core CAMHS services in Bury compare comparatively well with GM, it is recognised that the lack of dedicated capacity is detrimental to the Youth Justice Offer. This inequity has been formally raised with the NHS GM Director of Mental Health Commissioning, and with Senior Leadership in the Pennine Care including the Chief Operating Officer, Director of Strategy and Director of Finance. The Bury Locality Board, as a partnership board and as a sub committee of the ICB board, formally noted the inequity of provision in the February 2026 meeting, and it is identified as a risk in relation to the Bury mental health programme board priorities for 26/27.

Current workforce model

Currently the team delivering the service to Bury residents consists of 13 FTE permanent posts and 3.5 FTE fixed term posts, it is expected that colleagues in scope will be consulted as part of a TUPE transfer if proposals proceed. It is proposed that reporting lines would change from current model to reporting into Head of Service for Family Help role at Bury Council until further posts are established. Team members are currently employed on Rochdale Council Terms and Conditions; these would be protected as part of a TUPE process.

Rochdale Council have offered their current employees the opportunity to remain with Rochdale Council prior to the service agreement ceasing. In the event that all or some Rochdale employees wish to remain as an employee of Rochdale Council, any new positions created will require a Bury job description evaluated under the job evaluation scheme and will be recruited to in line with Bury Council's Recruitment and Selection Processes.

In relation to timeframes, if the decision is made by Cabinet in February 2026 a joint transition plan will be compiled with Rochdale setting out key tasks and activities with timescales. In consideration of consultation activity with staff, establishing governance arrangements, financial considerations, commissioning arrangements etc. we are looking at a 6-month plan from February to August 2026 for full implementation. The current service level agreement would need to be extended from April 2026 to August 2026 to ensure continued service delivery of statutory Youth Justice Services by Rochdale during the transition. These timescales may need to be reviewed as we progress to accommodate HR processes.

Youth Justice Prevention Team will undergo an internal consultation alongside any Rochdale employees who may TUPE into Bury Council to merge the new proposed structure with the Youth Justice Prevention Team.

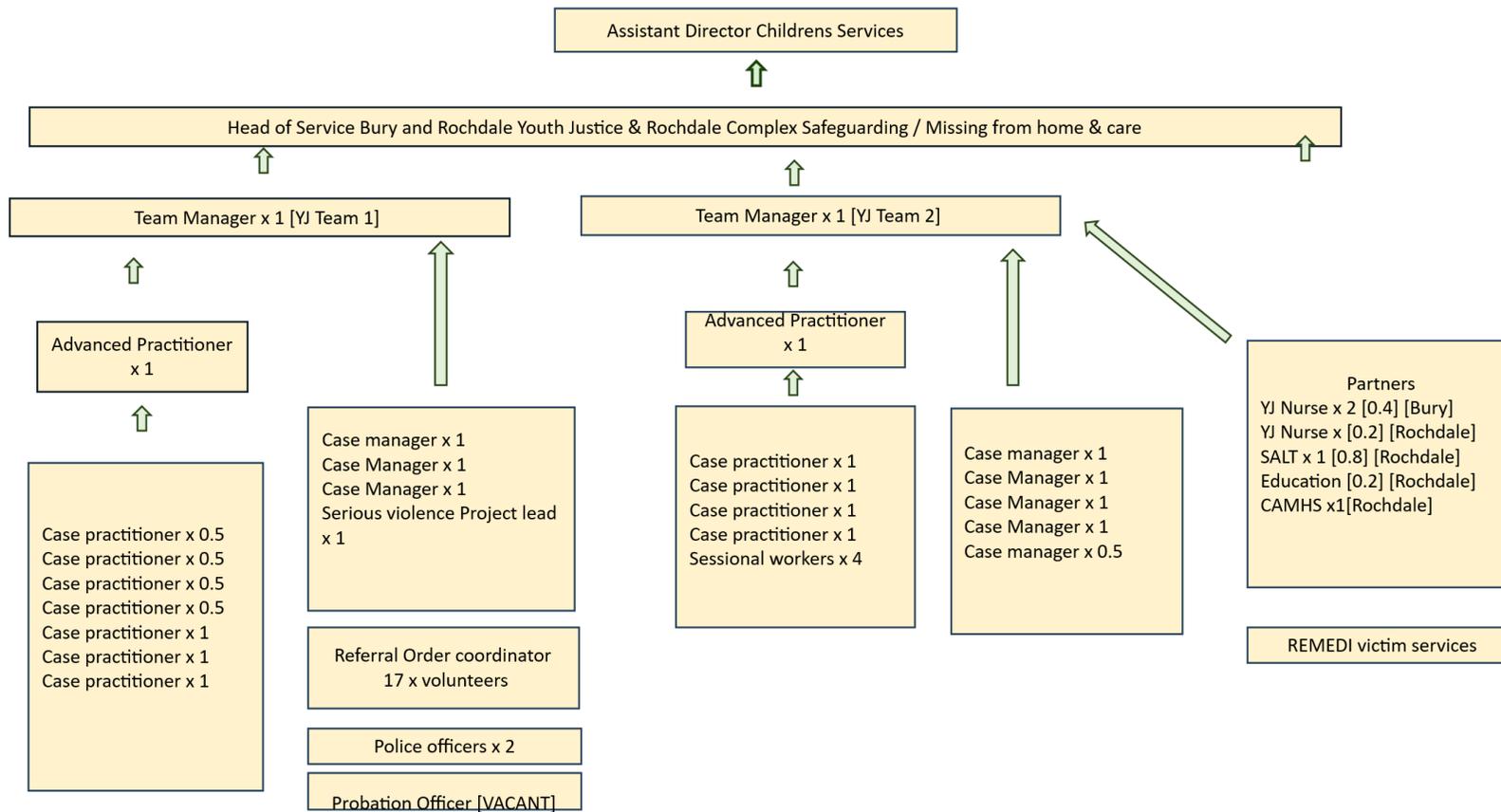
Locations for a Bury based service are being explored.

As outlined in the Bury and Rochdale Youth Justice Business Plan, Bury contributions to the current structure are £833,788.47.

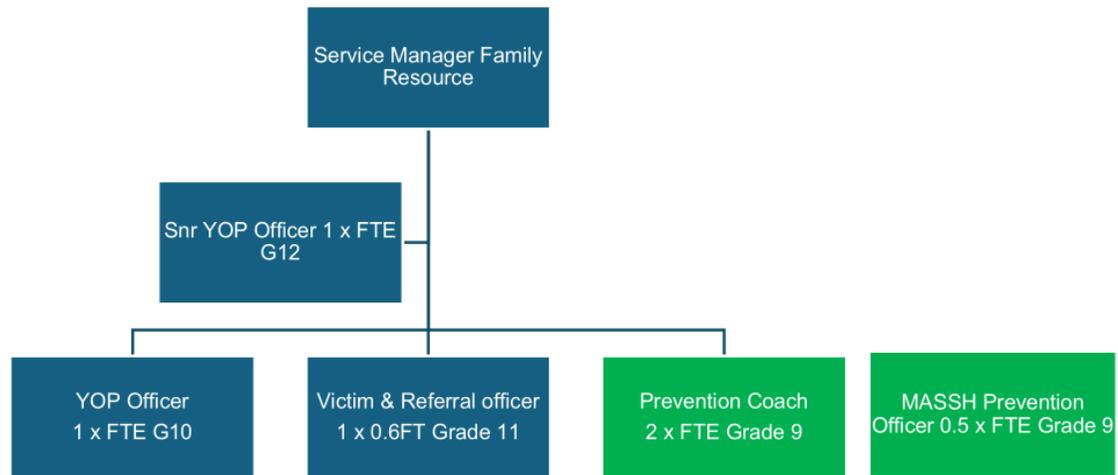
Finance have confirmed the new proposed staffing structure will cost £797,206.

Please see below the updated structure which includes proposed grades and finances.

Current Structure: Bury & Rochdale YJS



Current Structure: Bury Youth Justice Prevention Service

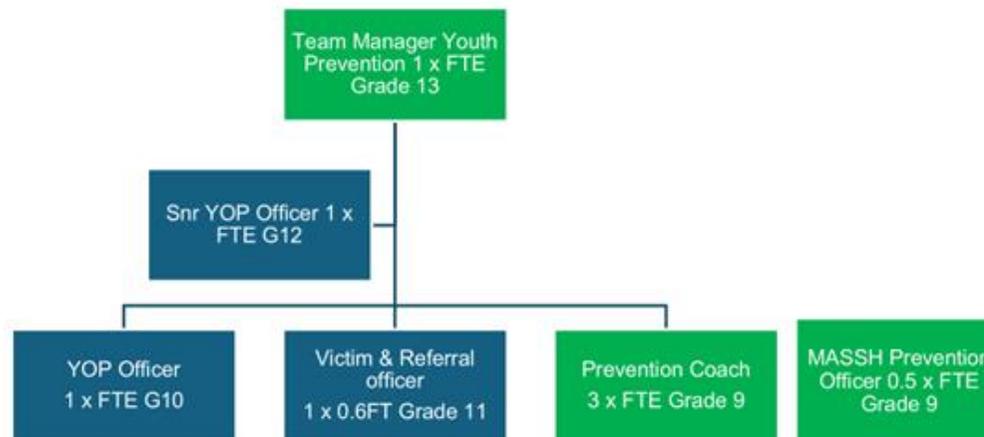


Blue – perm. Positions in establishment

Green – grant funded positions fix term

New temporary Structure: Bury Youth Justice Prevention Service

An operational decision form was approved in December 2025 which outlined increased investment of the Violence Reduction Unit grant funding into the Youth Prevention Service. This sees a temporary change to the structure and capacity within the team.



Blue – perm. Positions in establishment

Green – grant funded positions fix term

Links with the Corporate Priorities:

Please summarise how this links to the Let's Do It Strategy.

1. The Youth Justice Service proposal links to the strategic vision from Let's Do It Strategy - making Bury a place of opportunity, reducing deprivation, improving life chances, and operationalises it in the context of children and young people involved (or at risk of involvement) in the youth justice system.
2. The proposal supports Bury's corporate priorities by safeguarding children, promoting early intervention, and improving outcomes for vulnerable young people.
3. A local Youth Justice Service will contribute to safer communities and improved life chances for children and families across the borough.
4. It supports the Council's corporate priorities by contributing directly to improved educational outcomes, increased employability, prevention of offending, building safer and more resilient communities.
5. The proposal embeds the LET's principles into its approach: working at a neighbourhood level; promoting skills / education; partnership across agencies and communities; focusing on strengths and early intervention.
6. It aligns with the Let's Do It Strategy by strengthening partnership working, focusing on prevention, and delivering services that are rooted in local communities.
7. It also provides a delivery route for the Council's ambition that no young person is left behind, that services are joined up, early intervention is key, and children / young people are supported to reach their full potential.

Equality Impact and Considerations:

1. The proposal to establish a separate Youth Justice Service and to devolve the current partnership arrangement with Rochdale Council demonstrates a clear commitment to our children and young people in Bury. The proposal recognises the heightened vulnerability and over-representation of our looked after children within the youth justice system, as well as those with SEND, and other protected characteristics. Please refer to the separate EIA that has been completed to supplement this report.

Environmental Impact and Considerations:

1. Delivering youth justice services locally is expected to reduce travel requirements for children, families, staff, and partners, supporting the Council's environmental and carbon reduction ambitions. When identifying a venue, consideration will be given to sustainability, accessibility, and the use of existing Council or community assets to minimise environmental impact.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Transition arrangements, workforce capacity, compliance with statutory requirements, and readiness for future inspection.	<p>These risks will be mitigated through a detailed implementation plan, early engagement with the Youth Justice Board, robust governance arrangements, and clear performance management frameworks.</p> <p>Ongoing self-assessment and quality assurance activity will be embedded to ensure continuous improvement and preparedness for inspection.</p>
<p>Demand and complexity of cases. Increasing complexity of young people's needs (e.g. trauma, exploitation, mental health, substance misuse) places strain on capacity and resources.</p>	Multi-agency planning trauma informed practice; early help pathways; workforce development in complex needs and safeguarding.
<p>Disproportionality and Equality Continued overrepresentation of looked after children and minority ethnic groups in YJS cohort.</p>	Regular disproportionality adults: targeted diversion for children looked after and minority groups; joint working with schools and social care; board monitoring equality data.
<p>Partnership Coordination Changes in partner priorities (e.g. Police, Health, Education) reduce alignment or resource contribution to youth justice outcomes.</p>	Maintain robust Youth Justice Partnership Board governance; shared priorities in strategic plans; joint training and communications.

Gaps in provision from CAMHS and SALT for Bury Children open to YJS.	Commissioning discussions and solutions to be explored to ensure that our children are not disadvantaged by not having access to the relevant multi-Disciplinary professionals as part of their care plan.
Re-offending rates Increase in youth re-offending or serious violence due to social/ economic pressures or reduced Early Help capacity.	Focused early intervention and diversion; targeted work with known cohorts (e.g. serious youth violence); robust monitoring and case review.
Buildings / Suitable space At present we have no identified building space in Bury in which to deliver a YJS from. Whilst rooms in the family hubs / youth service are, and can be utilised, having a dedicated space to deliver services, and offer a welcoming drop in space for our young people is a key consideration.	Joined up working with Department for Place to identify a suitable venue in which to deliver the YJS.
IT Solutions YJS currently use a different electronic recording system (Core IYSS) than Bury Children's Services (Liquid Logic). Compatibility and IT systems will need to be considered as part of the transition planning.	Joined up working with IT services to consider suitable IT solutions moving forward.

Legal Implications:

To be completed by the Council's Monitoring Officer.

- 1 Local Authorities have a core statutory duty to provide Youth Justice Services under Section 40, Crime and Disorder Act 1998. The provision of a high quality, responsive service in line with statutory guidance and standards implemented nationally are

the focus of Youth Justice Services. This report highlights that the compliance with these statutory duties, minimum standards and statutory guidance will be easier to oversee if delivered in house. From this perspective, the proposals offer an opportunity for better outcomes and compliance with relevant statutory duties.

2. The arrangement for the shared service between the two Councils is set out in the Collaborative Agreement dated 12th November 2015. The agreement makes certain provisions for termination, and the Councils need to observe those requirements or reach alternative agreement as to any proposed approach.
3. If Bury Council establishes its own Youth Justice Service, The Transfer of Undertakings (Protection of Employment) 2006 (TUPE) will apply and employees currently working within the joint service may be TUPE'd across from the joint service.
4. Consideration will need to be given to the roles within the proposed Youth Justice Service, and whether the same roles currently within the shared service will still exist within the proposed standalone service. If the same roles do not exist for some or all of the transferring employees, a redundancy situation may arise.
5. Regulation 4 TUPE 2006 confirms that the Employees who transfer over will have their rights protected and will transfer over with at least the same terms which they had when employed under the joint service.
6. TUPE obligations will need to be followed by both Councils to ensure affected employees are informed about the transfer and consulted with in good time, with their trade union representatives present.

Financial Implications:

7. The financial implications are outlined in the report with a small cost reduction resulting from the proposed changes.

Appendices:

Background papers:

Please list any background documents to this report and include a hyperlink where possible.

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
YJS	Youth Justice Service
YJB	Youth Justice Board