

Report	Summary of key findings and recommendations	Recommendations			Status
		H	M	L	
<p>Subject: Justice Services</p> <p>Category: Assurance – Cyclical</p> <p>Date issued: 26 May 2023 Draft 13 September 2023 Final</p> <p>Level of Assurance: Satisfactory (Henderson Loggie LLP completed report equivalent to Midlothian Council Audit Substantial)</p>	<p>Section 27 of the Social Work (Scotland) Act 1968 sets out requirements for a function to be established within every Local Authority, under Part of the Act, to provide supervision and care of persons put on probation or released from prison. In summary, these requirements include availability of reports to any court, children's hearing (for person 16 and 17 years), procurator fiscal, or the Lord Advocate relating to persons appearing before them. They must also provide support and guidance to persons within the local authority immediately prior to their imprisonment or detention or reside in the area after release from imprisonment or detention. At Midlothian Council, these services are delivered by its Justice Services, led by its Chief Officer, Head of Adult Services, and Group Service Manager for Justice Services. The team act in accordance with court orders provided.</p> <p>In addition, the Social Work Justice Services have responsibilities for supervising Community Payback Orders (CPO) as set out in the CPO Practice Guidance (May 2022). Sections 227A to 227ZO, and Schedule 13 of the Criminal Procedure (Scotland) Act 1995 ("the 1995 Act") provide the legislative framework for CPOs and the role of Justice Services within Local Authorities.</p> <p>Similarly, the MAPPA brings together the Police, Scottish Prison Service (SPS), Health and the Local Authorities, in partnership as the Responsible Authorities, to assess and manage the risk posed for certain categories of offender. Responsible Authorities fulfil their statutory duties by jointly preparing and publishing MAPPA annual reports. Local Authorities manage and supervise those on the Sex Offender Register, however, can also supervise those not yet or removed from the register depending on court orders.</p> <p>The framework, roles and responsibilities for Local Authority Social Work Services in the Scottish Criminal Justice System are set out in the National Outcomes and Standards for Social Work Services in the Criminal Justice System (August 2010). There are three key outcomes for CJSW services: Community safety and public protection; the reduction of re-offending; and social inclusion to support desistance from offending.</p>	0	1	4	Management have accepted the factual accuracy of the report and its findings, and agreed to implement the recommendations.

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	<p>Responsibility for devolved budgets within Justice Services are clearly defined within documentation reviewed and are aligned with expected practice. High level responsibilities for the Health and Social Care Partnership (HSCP) and its Integration Joint Board (IJB) are set out in the Midlothian Integration Scheme (March 2022). The IJB has delegated responsibility to contribute to the achievement of national criminal outcome and the delivery of the Single Midlothian Plan. The documented Justice Services Financial Process (May 2023) details delegated authority for approving spend within the Justice Services team. Income and expenditure is monitored locally by Justice Service management through quarterly financial reports. Budget management is also reviewed by the Head of Adult Services and the HSCP's Chief Officer. Outcomes are monitored by the Chief Social Work Officer (CSWO) to whom the Head of Adult Services deputises. Executive management report to the Council and to the IJB. Commissioning services are established to support delivery of the Justice Service Delivery Plan</p> <p>The Henderson Loggie Internal Audit report provided Good assurance that</p> <ul style="list-style-type: none"> • Responsibility for devolved budgets within Justice Services are clearly defined and financial procedures are being followed in practice in controlling income and expenditure; • There is adequate reporting to Council committees around the work of Justice Social Work Services; and • There is adequate reporting to external bodies (such as the Scottish Government and Midlothian IJB) around the work of Justice Social Work Services (including reporting on unpaid work). <p>Satisfactory assurance that Commissioning and monitoring arrangements for commissioned services are being operated in line with the Council's financial procedures and that Financial record keeping is sufficient to demonstrate that ring fenced funding (such as COVID monies) have been spent in line with the conditions attached to the funding, requires improvement.</p> <p>The Internal Audit report on Justice Services made the following recommendations:</p>				

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	<ul style="list-style-type: none"> • A process should be developed to update the public contract register on a regular basis, specifically contract renewal details for Cyrenians should also be updated on the public contract register. (Low) • The framework agreements should be utilised to develop a joined up, cross team procurement exercise where terms and conditions with Randstad are refreshed and documented across HSCP teams to ensure value for money is being achieved by all teams.(Low) • Non purchase card holders who approve transactions on Integra should ensure they are aware of their roles and responsibilities on the checks to be completed during sign off on Integra and seek the training where there are gaps in their understanding. (Low) • Section 27 petty cash controls also require to be strengthened to ensure alignment with Council requirements. For example, management should ensure: <ul style="list-style-type: none"> ➤ The use of disbursement logs, ➤ The frequency of reconciliation is in line with the Council's risk appetite, and ➤ Line manager responsibilities for checks on balances and reconciliation and top-up checks are completed and documented. <p>The risks to staff health and safety when transporting cash between the Midlothian Council's bank and the HSCP building require to be assessed. This can be made on monetary value. Good practice would see two officers transporting cash when it is of larger value.(Medium)</p> • Section 27 forms must be uploaded to service user accounts on Mosaic by the Social Workers. Forms can be scanned onsite using printers or via cameras on laptops.A timeline for the scanning and uploading of the backlog of Section 27 Forms onto Mosaic by Business Services should be provided. (Low) 				