



## **Youth Justice Agency**

# **Executive Agency Framework Document**

December 2012

## FOREWORD

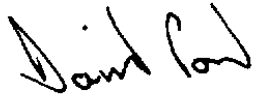
The Youth Justice Agency carries out the Department of Justice's functions for the provision of youth justice services under the Criminal Justice (Children) (Northern Ireland) Order 1998 and Justice (Northern Ireland) Act 2002.

The principal aim of the Agency is to make the community safer by helping to stop offending. In seeking to achieve this the Agency delivers a range of services, often in partnership with others, to help children and young people address their offending behaviour, divert them from crime, assist their integration into the community, and to meet the needs of victims of crime.

The purpose of this Framework Document is to define the responsibilities of, and the relationship between, the Agency, the DOJ, Ministers and the Northern Ireland Assembly and to outline the Agency's financial structure, personnel management arrangements and relationship with other agencies. The document has been reviewed by the Department and the Agency in accordance with DFP guidance on Framework Documents and reflects organisational and policy changes and the new relationships and arrangements resulting from the devolution of justice.

The Agency is part of the wider justice system and contributes alongside other partners to achieve the system's overall aims and objectives. Performance targets consistent with those relating to the criminal justice system, are set annually to measure the Agency's effectiveness within a framework of efficiency and economy, and are published annually in the Agency's Corporate and Business Plan. Performance is measured against these targets and reported in the Agency's Annual Report and Accounts.

Since its creation in 2003 the Agency has demonstrated an impressive capacity to respond positively to a constantly changing operating environment. It now has structures, processes and systems in place that are better aligned to meet the demands and expectations placed on it. The Agency's attention to delivering a quality service on a value for money basis is assured.

A handwritten signature in black ink, appearing to read "David Ford". The signature is written in a cursive, slightly slanted style.

**DAVID FORD**  
Minister of Justice

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## **Chapter 1 –Status, Aims and Objectives**

### **Executive Agency**

#### **Status**

1.1 The Youth Justice Agency (The Agency) is an executive agency within the Department of Justice, established on 1 April 2003.

1.2 The Agency is headed by a Chief Executive who is supported by an Agency Management Board and two non-executive Directors

#### **Purpose and Commitment**

1.3 The Agency carries out the Department of Justice's (DOJ) functions for the provision of youth justice services under the Criminal Justice (Children) (Northern Ireland) Order 1998 and Justice (Northern Ireland) Act 2002. These include: the delivery of a range of community based, court ordered and diversionary interventions; youth conferencing arrangements; and the provision of custody for young people in the purpose designed single Juvenile Justice Centre "Woodlands", built on the existing site in Bangor, which became operational in January 2007.

1.4 The Agency plays a major part in delivering the aims of the youth justice system and contributes, alongside other partners to aims and objectives of the wider criminal justice system and the delivery of some of the DOJ PSA targets. The Minister is answerable to the Northern Ireland Assembly for all matters concerning the Youth Justice Agency.

1.5 The Agency's policy framework is set by the Minister and the Chief Executive is directly accountable to the Minister, through the Departmental Sponsor, for the delivery of services and the management of resources in accordance with this policy.

1.6 A Business Plan for the Agency will be drawn up annually approved by the Minister and published (See Ch. 4). Planning will take place in close liaison with the sponsor and will take into account the wider aims of the DOJ.

### **Location and function**

1.7 The Agency has around 350 staff and an annual budget of approximately £20 million. It provides a range of services, both within the community and within custody and often delivered in partnership with others, with an emphasis on:-

- helping children to address their offending behaviour;
- diverting them from crime;
- assisting their integration into the community; and
- meeting the needs of the victims of crime.

1.8 Community-based services are delivered by the Agency's Youth Justice Services directorate through 8 area offices located across Northern Ireland. Each area team is responsible for:-

- delivering youth conferences - a restorative approach, established under the Justice (Northern Ireland) Act 2002, which brings together the young person, family and victim to discuss the impact of the crime;
- supervising young people who are subject to a range of Court orders including Attendance Centre Orders, Reparation Orders and Community Responsibility Orders; and
- delivering programmes and interventions with young people and their parents/carers to prevent re-offending.

1.9 Custody for children is provided in Woodlands Juvenile Justice Centre which is located in Bangor and services the needs of all of Northern Ireland. Woodlands has been designed as a centre of excellence within a secure environment, offering a wide range of services and support to help prevent

young people from re-offending. It provides a safe, secure and stimulating environment for up to 48 boys and girls between the ages of 10 and 17 who have been remanded or sentenced to custody by the courts. It also operates as a place of safety for PACE purposes.

1.10 These front-line services are supported by two other teams based in the Agency's Corporate Headquarters premises in central Belfast. These are:-

1.11 Business Improvement directorate – has responsibility for researching best practice in working with young people who offend, disseminating this to practice staff and developing and implementing practice guidance and standards for the Agency which are evidence-based and which will contribute towards young people desisting from offending. It also formulates the Agency's responses to external consultations and drafts internal policy for Youth Justice Services.

1.12 Corporate Services directorate – provides for the management and delivery of personnel, finance, business planning, information technology, statistics and research, estate management, and other support functions on behalf of the Chief Executive.

### **Statement of Purpose and Values**

1.13 The Youth Justice Agency has the following Statement of Purpose and a set of Values:

## **STATEMENT OF PURPOSE**

“Making communities safer by helping children to stop offending”

## **VALUES**

- We will deliver services to young people based on proportionality and individually assessed risks, needs and ability
- We will work to change, challenge and support young people to be the best they can be
- We will hold young people to account for their offending behaviour and, where possible, ensure that they make good the harm they have done
- We will use research and evidence based practice to inform all our work
- We will work in partnership with other agencies, departments, local communities and service providers
- We respect everyone no matter how different they are
- Everything we do will be underpinned by equality, openness, fairness, honesty and integrity

## **Strategic Aims**

1.14 The performance of the Agency is monitored against a wide range of measurements which flow from the Strategic aims, Targets and Development objectives detailed in the Agency’s Corporate and Business Plans. These change over time to reflect new priorities and actual performance.

1.15 Indicators will be developed in the future, as appropriate, to measure the success of the Agency in achieving high quality outputs within a



framework of efficiency and economy, consistent with the role of the DOJ as set out in the Programme for Government.

1.16 The Agency will also work towards the relevant targets contained within the ten year Strategy for Children and Young People in Northern Ireland 2006-2016.

## **Chapter 2 – Responsibilities**

### **Minister**

2.1 The Agency is subject to the overall direction of the Minister, as advised by Departmental officials.

2.2 The Minister determines the policy framework within which the Agency operates and the scope of its activities. The Minister determines the resources to be made available to the Agency, approves its Corporate and Business Plan, sets key performance targets, and will be advised by Departmental officials on Agency performance. The Minister delegates the day to day operation of the Agency but expects to be consulted by the Chief Executive on the handling of operational matters which could give rise to significant public or Assembly concern. The Chief Executive will consult with the sponsor Department in respect of any policy matters in advance of seeking Ministerial approval.

2.3 The Minister may request reports from the Chief Executive on any matter relating to the delivery of Youth Justice Services, and will routinely receive reports from the Chief Executive on the following matters:

- death of a young person while in custody;
- escape or absconding of a young person from custody;
- any child protection allegation against Agency staff;
- serious incidents, including serious injury to persons or damage to property;
- significant change affecting the management of the Agency or the way in which fundamental services are delivered; and
- any other issue which is likely to arouse significant public or Assembly concern.

## **Chief Executive**

2.4 The Chief Executive is responsible to the Minister for the Agency's performance and service delivery. In accordance with this Framework Document, they must satisfy themselves that services are delivered to the appropriate standards, including those set out in legislation, and within allocated resources; and may exercise the powers set out in Article 52(2) of the Criminal Justice (Children)(Northern Ireland) Order 1998 in consultation with the Department. In particular it is the Chief Executive's responsibility to:

- prepare and submit draft Corporate and Business Plans in conjunction with the sponsor Department, including key targets, to the Minister for approval;
- meet the Agency's objectives and key targets within the resources allocated;
- manage the Agency's resources efficiently, effectively and economically and in accordance with the principles of fairness and equality as outlined in Government policy;
- notify the Department of any novel or contentious issues or any significant problems being experienced in meeting the Agency's delivery targets, on a timely basis;
- submit quarterly reports on the performance of the Agency, as directed by the Minister, and provide such reports on the business of the Agency as the Minister may require, including information required for the planning and control of public expenditure;
- comply with corporate governance requirements and provide the Departmental Sponsor with assurance statements quarterly, to support the Departmental Annual Governance Statement and ensure that the Agency adheres to best practice in its implementation;

- prepare and submit an Annual Report and Accounts to the Minister to be laid before the Northern Ireland Assembly;
- consider in consultation with the Department, the implications for the Agency of any relevant developments in Government policy;
- keep under review all aspects of the management and organisation of the Agency, to ensure that they best suit its business needs;
- develop and maintain a comprehensive risk management plan for the Agency which should then be made available to the Department;
- ensure compliance with the Northern Ireland Public Procurement Policy and provide an annual report of Direct Award Contracts;
- make available to the Department all audit and review reports and such other information necessary to deliver its responsibilities as and when required;
- Comply in good faith with all relevant statutory requirements; and
- Adhere to the Departments policy on data handling.

2.5 The Chief Executive has delegated authority on financial and personnel matters as set out in annex B of this document.

2.6 The Chief Executive will be supported in their day-to-day responsibilities by a Management Board, the membership and terms of reference of which are outlined below.

2.7 The Chief Executive is a member of the Senior Management team of the sponsor Department and a member of the Criminal Justice Board in which capacity they contribute to the development of the Department's overall management strategy. The Chief Executive provides information and advice

required by the sponsor Department's Permanent Secretary in connection with their overall responsibilities for the sponsor Department. The Chief Executive has direct access to the Minister on all delegated matters and is consulted before any proposals significantly affecting the work of the Agency are put to the Minister by the sponsor Department.

### **Permanent Secretary**

2.8 The Permanent Secretary, as principal Accounting Officer, is responsible for the overall management of the sponsor Department and is the principal policy advisor to the Minister. The Permanent Secretary is the Sponsor for the Agency and is responsible for providing support and advice to the Chief Executive and for advising the Minister on the strategic direction of the Agency, its Corporate and Business Plan, the annual setting of key performance targets and resources needed to achieve them. The Permanent Secretary is also responsible for advising on the performance of the Agency against its key targets and on policy issues governing the work of the Agency.

## **Chapter 3 – Accountability**

### **Accounting Officer Responsibilities**

3.1 The Permanent Secretary is the principal Accounting Officer for the sponsor Department and as such is responsible for ensuring a high standard of financial management in the sponsor Department as a whole. The Permanent Secretary has designated the Chief Executive as Agency Accounting Officer.

3.2 As provided for in the Accounting Officer designation letter the Chief Executive, as Agency Accounting Officer, is accountable for the proper, effective, efficient and economic use of resources provided to the Agency, for the propriety and regularity of its expenditure, and for ensuring that the requirements of Government Accounting Northern Ireland are met. They are responsible for establishing and maintaining systems for this purpose, following any relevant guidance issued by the sponsor Department, and putting into effect any relevant recommendations of the Public Accounts Committee, other Assembly Committees and other Parliamentary authority accepted by the Department / Minister.

### **Committees**

3.3 The principal Accounting Officer and the Agency Accounting Officer may be required to appear before the Public Accounts Committee at hearings relating to the Agency. The Minister will decide who should attend other Committee hearings. Where a Committee's interest is in the day-to-day operations of the Agency, the Minister will normally regard the Chief Executive as the person best placed to appear.

## **Parliamentary, Assembly and Other Enquiries**

3.4 Members of Parliament and of the Northern Ireland Assembly, Members of the European Parliament, public representatives and the general public are encouraged to deal directly with the Chief Executive or other Agency Directors on matters which are the responsibility of the Agency. The Minister may ask the Chief Executive to draft responses to Members of Parliament (MPs) or of the Legislative Assembly (MLAs) who ask Assembly questions about matters delegated to the Agency. The Minister's reply will be published in the Official Report. Other Assembly business, and enquiries on matters not delegated to the Agency, will be dealt with by the Minister. The Chief Executive will advise the Minister on such matters as requested.

## **Reporting to the Northern Ireland Assembly**

3.5 The Minister is answerable to the Northern Ireland Assembly for all matters concerning the Agency and will deal with questions of policy and enquiries from MPs, MLAs and Members of the European Parliament (MEPs) who specifically seek a ministerial response. However, all will be encouraged to communicate directly with the Chief Executive on day-to-day operational matters. The Minister may ask the Chief Executive to draft responses to letters and the Minister's replies to Assembly Questions will be published in the Official Report.

## **The Assembly Ombudsman for Northern Ireland**

3.6 The activities of the Agency fall within the jurisdiction of the Assembly Ombudsman for Northern Ireland. The Permanent Secretary remains the Principal Officer of the sponsor Department for this purpose, but has delegated to the Chief Executive responsibility for replying where a complaint relates to matters within the Chief Executive's area of authority.

## **Agency Management Board**

3.7 The Management Board is the top management group for the Agency. It will focus on the following:

- Corporate performance monitoring;
- service delivery;
- planning, financial management and priority setting;
- the development of best practice;
- strategy; and
- Risk Management/ Corporate Governance.

3.8 The Board will be chaired by the Chief Executive or his nominee. Other members will be the Executive Directors. The Chief Executive may appoint additional members from within the Agency as required.

3.9 Non-Executive Members who can bring particular skills and an external, independent perspective to the Agency will be appointed by the Minister on the advice of the Chief Executive, to assist in the effective management of the Agency. The Minister may consult with such members on a personal basis.

3.10 The purpose of the Management Board is to support the Chief Executive but ultimate responsibility for decision making rests with the Chief Executive.

3.11 An Independent Board Member should chair the Audit and Risk Committee of the Agency in accordance with the Terms of Reference of the Committee.



## **The Department**

3.12 Departmental officials will be the source of advice to the Minister with responsibility for the Agency, and to the Chief Executive to ensure that:

- the Minister is advised effectively on the strategic direction of the Agency in the context of wider departmental or cross-governmental objectives; and
- the Chief Executive has all the necessary information to direct the Agency's activities so that they most effectively support the delivery of government objectives.

3.13 The Chief Executive should alert Departmental officials to any problems that the Agency may be experiencing in achieving its key targets and seek advice on the most appropriate way to handle any such problems. The Minister may seek input from Departmental officials when considering submissions from the Agency on any issues but particularly in respect of:

- annual Business Plan;
- strategic objectives;
- quality and rigour of the performance targets;
- performance, progress and results;
- appointment of the Chief Executive and Independent Board Members;
- policy advice; and
- financial impacts of the Agency plans upon Departmental resource budgets and accounts.

3.14 Departmental officials will therefore have access to relevant papers and to Agency officials as required. These arrangements will not affect the Chief Executive's direct accountability for the Agency.

## **Chief Inspector of Criminal Justice**

3.15 In accordance with the provisions of the Justice (Northern Ireland) Act 2002, the Chief Inspector of Criminal Justice has wide powers to carry out inspections and reviews. The Agency will be required by law to co-operate fully with the Chief Inspector in any inspection or review.

## **Independent Inspection and Review**

3.16 The Chief Executive is required to facilitate independent inspections of the Agency's services, and co-operate fully with independent bodies such as the Commissioner for Children and Young People, and the Human Rights Commission. The Chief Executive must also facilitate visits by bodies operating under International Conventions to which the United Kingdom is a signatory. The Minister will ask the Chief Executive to respond to any recommendations made.

## **Other Youth Justice Services**

3.17 The Chief Executive may make arrangements for partnership working with statutory, community and voluntary bodies or other agencies providing related services in order to provide more effective services that better match the needs of young people. These will include:

- Education & Library Boards;
- Health & Social Care Boards and Trusts;
- Probation Board for Northern Ireland;
- Police Service for Northern Ireland; and
- Other Northern Ireland Departments.

## **Complaints Procedure**

3.18 The Agency operates in accordance with its published complaints procedure which is clear and accessible to all users and includes an independent element. Members of Parliament and the Northern Ireland Assembly have the right to refer complaints from the public to the Assembly Ombudsman for Northern Ireland where an individual claims to have suffered injustice through maladministration.

## **Health and Safety**

3.19 The Agency shall establish arrangements for compliance with all relevant Health and Safety legislation including the development of appropriate policies, the appointment of competent persons to manage and control risk and ensure appropriate training for staff. Reports shall be provided to the sponsoring Division on performance and incidents. The Agency will consult with staff and their recognized trade union representatives on health and safety matters.

## **Information Assurance**

3.20 The Agency must, as a minimum, apply and operate the Information Assurance and Security Standards and policies of the DOJ. These policies and processes are applicable to all information including paper records, computers, communication systems and the information stored and processed on them as well as other information assets in the Agency. These will also apply to the Agency's delivery partners.

## **Chapter 4 –Finance, Planning and Control**

### **Financial provision**

#### **Funding and Financial strategy**

4.1 The Agency will be subject to normal Public Expenditure controls. A more detailed Financial Memorandum is attached at Annex B. This may be amended separately without the need to amend the Framework Document.

#### **Financial and Contractual Delegations**

4.2 The Agency is free to conduct its affairs within an approved Corporate and Business Plan and the Executive's Budget.

4.3 Delegated financial limits of the Agency will be agreed in writing with the sponsor Department and may be reviewed and updated as necessary (set out at Annex B).

4.4 The Chief Executive will ensure that appropriate appraisal of all projects is carried out, taking account of such guidance as the sponsor Department and DFP may issue from time to time. Major capital expenditure decisions will be considered in the context of discussions leading to the approval of the Corporate and Business Plans

#### **Assets and Investment**

4.5 The Agency will retain, maintain and renew only the assets it needs for its business. The requirement for new assets will be determined by the planning process and approved by the sponsor Department. Appraisals for all major investments will be undertaken in line with Departmental and DFP guidance.

## **Intellectual Property Rights**

4.6 The Agency's intellectual property is vital to the delivery of its strategic objectives. Loss of intellectual property rights would undermine the Agency's ability to maintain the quality of its databases or invest for the future.

## **Planning**

### **Corporate and Business Plans**

4.7 The Agency will prepare a Corporate and Business Plan aligned with that of the sponsor Department. The Corporate Plan will cover strategic issues over the three or four years of the budget period and will be reviewed as required, but no less than annually.

4.8 The Business Plan will be prepared in consultation with Departmental officials submitted to the Minister annually and it will be published as close as possible to the start of the financial year to which it applies. The plan will set out:

- The Agency's mission, vision and strategies for carrying out the Agency's remit;
- the Agency's key performance targets and development objectives;
- the operating and planning assumptions upon which the objectives and strategies are based;
- a comprehensive risk management plan, explaining how risk might best be managed;
- a forecast of anticipated resources needs, including staff;
- the Agency's proposed capital expenditure requirements;

- efficiency objectives, strategies and plans; and
- such additional information as the Agency may be required or decide to provide

## **Approval**

4.9 The Chief Executive will submit the Business Plan to the Minister for approval each year following consultation with the sponsor Department and within agreed timescales. The Business Plan will be published on the Agency website.

## **Annual Reports and Accounts**

4.10 After the end of the financial year the Chief Executive will submit an annual report and accounts for income and expenditure for the Agency to be laid before the Northern Ireland Assembly. The Agency accounts will be prepared in accordance with the Accounts Direction issued by DFP and will be subject to audit by the Comptroller and Auditor General. In accordance with Departmental and DFP guidance, the Accounts and Annual Report, which reviews the operations of the Agency and provides information on future strategy, will show how it has performed against targets, and will be published as a single document and submitted through the Departmental Sponsor for approval by the Minister before being laid in the Assembly, prior to the summer recess. The Annual Report will not present information the disclosure of which may be commercially prejudicial to the Agency or its partners. The Chief Executive is required to provide relevant information to the principal Accounting Officer for the preparation of the sponsor Department's Resource Accounts.

## **Performance Targets**

4.11 The Agency's performance targets will be reviewed and set each year by the Minister and will be published. Within the Agency a range of

performance targets will be monitored. At the highest level the Annual Report and Accounts will form the public reporting to demonstrate to stakeholders that the Agency provides value for money and is delivering efficient, effective services in line with customer requirements.

## **Control**

### **Audit**

4.12 The Chief Executive, as Accounting Officer, is charged with organising internal audit in accordance with the objectives, standards and practices set out in the Government Internal Audit Manual. The Chief Executive is also required to make arrangements for, inspection and review of services.

4.13 An Agency Audit Committee is required which provides assistance and advice to the Accounting Officer on the adequacy of corporate governance, audit and risk management arrangements. The Committee shall be chaired by a non-executive director and operate in accordance with the standards contained in the Government Internal Audit Manual (GIAM) and the companion Government Information Systems Audit Manual (GISAM). The sponsor Department's Internal Auditor has a right of access to the Agency in order to provide an independent assurance to the Permanent Secretary. The Agency is subject to external audit by the Comptroller and Auditor General for Northern Ireland who has the right to conduct value for money studies relating to the Agency's activities.

4.14 All internal and external audit reports must be issued to the sponsor divisions in the Department and the Department's Head of Internal Audit as soon as possible.

### **Risk Management**

4.15 The Chief Executive is responsible for developing and implementing a comprehensive risk management plan for the Agency. This dovetails with the

sponsor Department's risk management process. The Agency Management Board will be responsible for monitoring the implementation of the risk management plan.

### **Programme and Project Management**

4.16 Programmes and projects taken forward by the Agency as part of the Corporate and Business Plan will be managed within appropriate Northern Ireland Civil Service (NICS) guidance. All programmes and projects will be considered for Gateway Reviews. The Agency will undertake Post Project Evaluations (PPEs) to determine whether programmes and projects have achieved their objectives.

### **Enhanced Service Delivery**

4.17 The Chief Executive is responsible for delivering better quality services cost effectively. The Chief Executive will arrange for the Agency's services and activities to be reviewed as necessary and appropriate, to decide how best to improve value for money.

### **Information Technology**

4.18 The Chief Executive is responsible and holds the budget for the provision of the Agency's line of business Information Technology services. These services will be compatible with IT Strategy and Standards of the sponsor Department and delivered by the ICT and Network NI Shared Services Centre. However, line of business applications may be delivered by the Agency, subject to the approval of the sponsor Department and DFP if appropriate and the ICT Shared Services Centre.

### **Support Service**

4.19 See Annex C.



## **Reviewing the Agency**

4.20 The Chief Executive is responsible for the efficient, effective, economic and equitable management of the Agency and also for keeping under continuous review the structures, staffing levels, business processes and other specialist services for the Agency in accordance with agreed procedures under which such delegated authority is operated.

## **Chapter 5 – People**

5.1 A detailed Personnel Management Framework is attached, at Annex D. This may be amended separately without the need to amend the main Framework Document.

## **Chapter 6 – Review and Variation of Document**

### **Review and Amendment**

6.1 The Minister, the sponsor Department and/or the Chief Executive may at any time propose changes to this framework in the light of the Agency's operational experience or any change of circumstances.

6.2 Where the Chief Executive sees the need for flexibility in relation to the Agency's arrangements with the sponsor Department as outlined in this framework, the sponsor Department will consider proposals accompanied by an appropriate business case. Any changes will be subject to consultation with staff and their recognized trades union representatives and to approval by the Minister and DFP.

### **Publication**

6.3 Copies of this Framework Document and of any subsequent amendments will be placed in the libraries of the Northern Ireland Assembly and on the Agency website. Hard copies will be made available from the Agency on request.

**ADDRESS AND CONTACT DETAILS**

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**EXPENDITURE, BUDGETARY FLEXIBILITIES AND FINANCIAL DELEGATIONS**

Expenditure

The budget of the Agency will be broken down as follows:

Resource DEL (Ring-fenced and Non Ring-fenced)

Capital DEL

Resource AME

Financial Delegations

The Chief Executive has, subject to periodic review, delegated authority:

- to incur expenditure, within approved budgets, on individual items within limits specified by the Sponsor Division and in accordance with Departmental and DFP guidance.

## Areas requiring DFP approval regardless of amount

Details	Footnote
Fraud – any departure from immediate reporting (FD 10/10 and FD 10/08 and further DFP Guidance at: Fraud Management Guidance (FMG): FIAP Publications   AASDNI)	1
Estimates – form and content of Main and Supplementary Estimates, Vote on Account, Statement of Excess and virement	
Banking – Proposals to open foreign currency accounts.	
Banking – Requests for indemnities from a bank other than “formal undertakings”	
Economic appraisals for spending proposals above delegated limits in line with FD 20/09.	
Assets - Transfer of assets at less than best consideration reasonably obtainable	
Assets – to appropriate any sums realised as a result of selling an asset	
Assets – to allow an NDPB to retain receipts arising from the sale of assets funded by grant or grant-in-aid	
Insurance – decision to use commercial insurance	
Payments – advance payments	
Receipts – repayment of CFERs from the Northern Ireland Consolidated Fund	
Interdepartmental Transactions – where the transaction may require legislative procedures or where DFP agreement is required under statute	
Chargeable Services – as set out in existing guidance on fees and charges.	
Loans – proposals to make voted loans.	
Loans – on borrowing from the Northern Ireland Consolidated Fund	
Loans- write offs	
Loans – premature repayment.	
Borrowing on terms more costly than those usually available to government.	
Borrowing – foreign borrowing.	
Liabilities – Depts seeking statutory authority to accept liabilities should consult DFP.	
Letters of comfort & general statements of support.	

<b>Details</b>	<b>Footnote</b>
Reporting a contingent liability in confidence	
Reporting a liability outside Assembly sessions	
Uninsured losses – where expenditure to replace or repair an asset or meet a claim falls outside the department's delegated limits	
Banking – Any proposed changes to Banking pool arrangements.	
Banking – Proposals to open accounts with commercial banks other than approved UK clearing banks.	
Any proposals to negotiate contracts in foreign currencies other than the euro, yen or US \$.	
Recoupment of overpayments of grants	
Losses due to failure to make adequate charges for the use of public property or services.	
Waiving recovery of a collective overpayment.	
All PFI/PPP projects.	
Appointment of an Accounting Officer for a trading fund (TF).	
Appointment of an Accounting Officer for a departmental estimate, Additional Accounting Officers for RfRs and any Accounting Officer for “joined-up government” operations.	
The letter of appointment to posts which will carry the responsibilities of an agency Accounting Officer.	
Accounts Directions on form & content of statement of accounts and annual reports for NDPBs	
All Management Statements and Financial Memorandums (MSFM)	
The termination of an NDPB	
Agency framework documents and the methods of financing an agency	
Remuneration and Allowances of an assessor	2
The establishment and operation of a Trading Fund	

1) FD 10/10 and FD 10/08 and further DFP Guidance at: [Fraud Management Guidance \(FMG\): FIAP Publications | A A S D N I](#)

2) Schedule 12(7) of the Criminal Justice Act 1988

## Areas requiring approval with delegated limits in place

Details	Delegated Limit (£)
All gifts	100
Non-statutory guarantees and liabilities	0
Foreign Exchange transactions, where these are to be channeled through any institution other than the Northern Bank.	0
Use of consultants by departments.	50,000
IT projects	100,000
Extra Statutory and extra-regulatory payments.	0
Recoupment of overpayments of pay, pensions and allowances.	10,000
Waived or Abandoned claims.	10,000
Individual extra-contractual and ex-gratia payments.	0
Individual compensation claims settled out of court unless legal advice is that the department will not win the case if contested in court.	10,000
Individual compensation claims settled out of court where the legal advice is that the department will not win the case if contested in court.	10,000
Individual compensation payments made as a result of court decision.	10,000
Consolatory Payments.	500
All expenditure under the EU Programmes for which the Special EU Programmes Body is responsible – currently Peace II and Interreg IIIa.	0
Consultancy assignments co-sponsored by the Strategic Investment Board.	0
All other losses, write offs and special payments not covered elsewhere in this letter.	50,000
All other capital projects (non IT) including purchase of land & property	100,000
Legal Fees	50,000
Financial support to bodies not covered by a specific delegation.	100,000
Contract Variations	The lower of 5% and £25,000



**SUPPORT SERVICES**

The Department will continue to provide the following support services:

(i) For staff:

- Training & Development
- Arrangements for the payment of staff\*
- Pensions & Superannuation \*
- Staff Welfare services

(ii) For the Agency:

- IT systems advice & facilities
- Business consultancy
- Statistics and central research facilities
- Legal support
- Public relations advice and support
- Health & Safety
- Advice on security
- Occupational Health Services\*

\* For staff with Civil Service terms & conditions

**DEPARTMENT OF JUSTICE**

**PERSONNEL MANAGEMENT FRAMEWORK  
YOUTH JUSTICE AGENCY**

**EFFECTIVE FROM NOVEMBER 2012**

**CONTEXT**

The Youth Justice Agency (YJA) is an executive agency of the Department of Justice (DOJ) which was established as a new Northern Ireland Civil Service (NICS) Department on devolution of the justice function on 12 April 2010. The Department of Justice and its executive agencies are staffed by NI Civil Servants and are subject to NICS personnel management arrangements as determined by the Department of Finance and Personnel (DFP).

**TERMS AND CONDITIONS**

2. There are two distinct groups of staff within YJA, both of whom are NI civil servants:

- (i) general administrative grades employed on full NICS pay and non-pay terms and conditions of service (henceforth referred to as general service grades); and
- (ii) grades specific to YJA who were appointed prior to devolution on JNC/NJC pay and non-pay terms and conditions of service and NILGOSC pensions and DENI pensions (henceforth referred to as YJA specific grades).

3. TUPE protections apply to both general service grades and YJA specific grades as follows and are retained until an individual is substantively promoted.

- (i) The protections that apply to YJA general service staff are the same as those agreed for other staff transferring from NIO to DOJ. For those staff that opted to retain their former NIO grade as part of these arrangements, any decision to move to an NICS grade rests with the individual.
- (ii) JNC/NJC Pay and non-pay terms and conditions of service will remain in place for those YJA specific grades appointed prior to devolution until DFP led consultations with TUS on the protections that will apply to this group of staff post devolution are complete and agreed protections defined. It is noted that where JNC/NJC terms and conditions of service are not specific, NICS terms and

conditions will apply, for example, in relation to management of sickness absence, conduct and discipline.

All new appointments post 12 April 2012 will be on NICS pay and non pay terms and conditions and pensions as determined by DFP. NI Civil Service terms and conditions of service are agreed centrally by DFP and apply to all NI civil servants. Should YJA wish to seek a variation on any of these terms and conditions for YJA staff, a case must be made via DOJ HR for DFP approval (Corporate HR, CHR).

This Personnel Management Framework sets out the overarching principles governing the personnel management arrangements for all YJA staff.

## **ROLES**

4. The Chief Executive of YJA is responsible for the overall personnel management of YJA staff within the parameters defined by DFP for personnel management across the NICS and the principles set out in this Personnel Management Framework.

5. The DOJ HR Director will be the Deputy Director in Personnel and Office Services Division (POSD) and the Establishment Officer will be the HR Operations Grade 7 in POSD.

6. The YJA Grade 7 with responsibility for HR will be a member of the DOJ HR Forum, chaired by the DOJ HR Director.

## **PAY, GRADING AND STAFFING LEVELS**

7. Pay awards, including performance and special bonuses, for all YJA staff, will be determined by DFP as follows:

- (i) YJA specific grades – YJA will provide a business case setting out the pay remit for those staff on JNC and NJC pay. Such pay awards will require the approval of DFP;
- (ii) The pay award for general service staff will be part of the wider NICS pay award.

8. The case for any new allowances or changes to existing allowances paid to YJA staff, including changes arising from JNC/NJC national agreements, must be made to DOJ HR who will seek the approval of DFP.

9. The grading of YJA general service staff will be in line with NICS grades and subject to the Cabinet Office grading guidance (JEGS). If a new YJA general service grade is deemed to be necessary, the case for this must be made to DOJ HR who will seek the approval of DFP.

10. For YJA specific grades, a decision on the grade/grade title that will apply longer term will be a matter for DFP. If a new YJA specific grade is deemed to be necessary, the case for this must be made to DOJ HR who will seek the approval of DFP. The grading will be subject to JEGS.

11. The Chief Executive is responsible for establishing and keeping under review YJA staffing levels. The Chief Executive has responsibility, within available resources and subject to NICS and/or departmental headcount control and approval arrangements (i.e. business case approved by DOJ Sponsor Division and Director) to change the number and grades of posts up to and including Grade 7 and equivalent YJA specific grades, subject to Northern Ireland Civil Service grading standards (i.e. JEGS).

## **RECRUITMENT, PROMOTIONS AND TRANSFERS**

12. The Chief Executive has delegated responsibility under the Personnel Management Framework to fill all YJA posts up to and including Grade 7 and equivalent levels in accordance with the NICS Vacancy Management Policy, subject to the requirements of any departmental and/or NICS embargo relating to the grade to be appointed being met and any headcount control not being breached. DOJ HR should be consulted on the appropriate method by which to fill any post and, where appropriate, DFP approval will be sought.

13. The organising and running of competitions to fill all posts within YJA, including promotion boards, rest with HR Connect. Eligible YJA staff will be considered for promotion through departmental promotion boards or through other machinery operated within NICS. Eligibility of YJA specific grades for all competitions will be determined by DFP.

14. The Chief Executive has the responsibility to employ temporary staff in accordance with departmental and NICS guidelines. DOJ HR should be consulted on the appropriate method to fill both general service and YJA specific grade posts on a temporary basis.

15. The Chief Executive will be responsible for ensuring that the employment of staff recruited to temporary posts is terminated in accordance with NICS guidelines.

16. The NICS core competence framework will apply to any competitions being run for YJA posts. Agency specific competences may be included for YJA specialist grade posts.

17. The Chief Executive may move YJA staff within the Agency in accordance with NICS HR policy relating to transfers.

18. Corporate HR in DFP is responsible for the management of Senior Civil Service (SCS) posts in the NICS. Any matter relating to SCS posts in YJA, including the filling of any vacancies that arise, will be taken forward by DOJ HR working with Corporate HR in DFP.

## **SECONDMENTS**

19. The Chief Executive has delegated responsibility to second staff from outside the DOJ to YJA posts up to Grade 7 level, subject to such appointments being permitted under any recruitment embargo and/or headcount control in operation. DOJ HR should be consulted before the secondment process is launched.

20. The NICS secondment policy will apply to the arrangements to appoint someone on secondment and to any extension of such arrangements. DOJ HR should be consulted before any secondment is extended.

21. All YJA staff may apply for secondments in line with the NICS secondment policy.

## **CONDUCT AND DISCIPLINE**

22. NICS HR policy and procedures in relation to conduct, discipline, grievance and appeals apply to all YJA staff. These procedures will operate as follows:

- (i) general service grades – DOJ HR lead on case management and decision-making;
- (ii) YJA specific grades – YJA HR lead on case management and decision-making for all actions short of dismissal.
- (iii) Dismissal decisions for all YJA staff can only be taken by DOJ HR (Establishment Officer or HR Director).

## **PERFORMANCE MANAGEMENT**

23. The NICS performance management arrangements, including the appeals procedures, apply to all YJA staff. In cases of unsatisfactory performance, i.e. Box 4/5, the NICS HR policy and procedures related to inefficiency performance and appeals will apply to all YJA staff.

24. YJA HR will draw cases of unsatisfactory performance of general service staff to the attention of DOJ HR at an early stage. DOJ HR will lead on case management and decision making of unsatisfactory performance, including for probationers. YJA HR will lead on case management and decision making for YJA specific grades, in consultation with DOJ HR where appropriate.

25. For YJA specific grades YJA HR will be responsible for managing the processes relating to their decisions on unsatisfactory performance and implementing the outcome of such hearings in accordance with the NICS policy and procedures.

26. For general service grades DOJ HR in conjunction with YJA HR will be responsible for managing the processes relating to decisions on

unsatisfactory performance and implementing the outcome of such hearings in accordance with the NICS policy and procedures.

## **SICKNESS ABSENCE**

27. NICS HR policy and procedures in relation to monitoring and management of sickness absence and inefficiency sickness absence apply to all YJA staff. This will operate as follows:

- (i) General Service Grades – DOJ HR will be responsible for case management and decision making (both intermittent and long-term absences) in consultation with YJA HR where appropriate.
- (ii) YJA specific grades – YJA HR will be responsible by case management and decision-making (both intermittent and long-term absences), in consultation with DOJ HR where appropriate.

28. DOJ HR will provide YJA HR with monthly NISRA reports on sickness absence levels for YJA. YJA HR will provide NISRA with sickness absence data for YJA specific grade on a monthly basis in order to facilitate reporting requirements.

29. YJA HR will provide the Chief Executive of YJA and DOJ HR with monthly reports on Agency specific grades sickness absence cases and actions taken.

30. The Chief Executive will be responsible for giving strategic direction to the management of sickness absence within the Agency and will be accountable for the achievement of any Agency sickness absence target set by the Departmental Board.

## **DIVERSITY AND EQUALITY**

31. The NICS dignity at work policies and procedures including appeals procedures apply to all YJA staff. DOJ HR will manage dignity at work matters for all YJA staff, including cases brought by staff and appeals, in accordance with NICS dignity at work policy and procedures. YJA HR will be consulted as appropriate.

32. The DOJ Diversity Strategy and Action Plan, which reflects the NICS equal opportunities policy and practice, will apply to YJA staff. The DOJ Diversity Strategy and Action Plan will be taken into account in any Agency Strategy and Plan. The Agency will adhere to and positively promote equality and diversity.

33. Monitoring data relating to YJA staff will be collated by YJA HR and supplied to DFP for reporting purposes.

## **GRIEVANCES**

34. YJA HR staff manage grievances in line with the NICS grievance policy and procedures.

35. DOJ HR will manage the outcome of grievance investigations in conjunction with YJA HR.

## **STAFF RELATIONS**

36. YJA will operate Whitley machinery and have in place an Agency Whitley Constitution that aligns with the Departmental Whitley Constitution.

## **TRAINING AND DEVELOPMENT**

37. The Chief Executive is responsible for ensuring that all YJA staff are provided with appropriate training and development opportunities in line with the DOJ Skills Strategy. Plus line of business training for all YJA staff.

## **WELFARE, EMPLOYEE ASSISTANCE PROGRAMME AND OCCUPATIONAL HEALTH**

38. All YJA staff have access to the NICS welfare service and employee assistance programme.

39. YJA has separate occupational health services for YJA specific grades. These will remain in place and will be reviewed, if necessary, when TUPE protections referred to in paragraph 3 above have been agreed.

## **HR SYSTEMS, DATA AND REPORTING**

40. The HR and pay records of YJA specific grade staff in post at 12 April 2010 are not held on the NICS HR and payroll system (HRConnect) but on the YJA HR and payroll system. The DOJ Departmental Board will agree the approach to aligning all parts of DOJ with NICS HR systems.

41. YJA will work with NISRA and DOJ HR to provide the necessary HR data relating to Agency specific grades so as to set up and maintain a DOJ database that can be used for corporate reporting purposes.

42. DOJ HR will require input from YJA on Agency specific grade staff to facilitate the provision of management information for reporting to DFP and to the Departmental Board on areas such as headcount monitoring, sickness absence management and actions taken on discipline/dismissal. It will be for YJA to sign off such data in terms of accuracy.

43. The HR and pay records of YJA general service grade staff and those appointed to YJA specific grades post 12 April 2010, are held on the NICS HR and payroll system (HR Connect). This data will be used for departmental and corporate monitoring and reporting purposes.

44. YJA HR will take whatever steps are necessary to ensure YJA structures and data changes are kept up to date and that YJA staff and line managers keep personal data up to date and take timely action to input absence related data and line manager changes.

45. DOJ HR will provide the YJA Chief Executive with management information for general service staff on headcount and any YJA specific HR casework being managed by DOJ HR on a quarterly basis.

**REVIEW**

46. This Personnel Agreement will be reviewed annually.

**SIGNED**



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Youth Justice Agency Chief Executive



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DOJ HR Director