

SCRA response to Children's Hearings Scotland's consultation

Background

The Children's Hearings System is Scotland's distinct system of child protection and youth justice. Among its fundamental principles are:

- whether concerns relate to their welfare or behaviour, the needs of children or young people in trouble should be met through a single holistic and integrated system
- a preventative approach, involving early identification and diagnosis of problems, is essential
- the welfare of the child remains at the centre of all decision making and the child's best interests are paramount throughout
- the child's engagement and participation is crucial to good decision making

SCRA operates the Reporter service which sits at the heart of the system. SCRA employs Children's Reporters who are located throughout Scotland, working in close partnership with panel members and other professionals such as social work, education, the police, the health service and the courts system.

SCRA's vision is that vulnerable children and young people in Scotland are safe, protected and offered positive futures. We will seek to achieve this by adhering to the following key values:

- The voice of the child must be heard
- Our hopes and dreams for the children of Scotland are what unite us
- Children and young people's experiences and opinions guide us
- We are approachable and open
- We bring the best of the past with us into the future to meet new challenges.

Response

SCRA welcomes the consultation paper published by Children's Hearings Scotland on the feedback loop. This was a part of the Children's Hearings (Scotland) Act 2011 that attracted a great deal of debate and discussion during the Act's passage through the Parliament. It offers an opportunity to produce meaningful data on the practical effect of compulsory supervision, which can usefully feed in to the discussions being had on permanence and improving life chances for looked after children.

We agree with the proposal to separate out implementation of the Feedback Loop into two phases. The first focused on implementation of CSOs and the second, considerably more challenging phase, examining the impacts that CSOs have had on children. In particular, we consider that measuring changes in the circumstances that led to the making of orders and the ways in which the "overall wellbeing" of children

who are subject to the orders has been affected by them as per s.181(4) of the 2011 Act will be very difficult.

We wonder if there will be a requirement for each child to have a unique reference number, shared by CHS, SCRA and local authorities to allow comparability of data. This could possibly be linked to other national information databases such as the CHI number, though would need to be set up in a way which ensured appropriate protections and privacy, perhaps via some kind of data linkage framework.

We consider that there needs to be an attempt to ensure education staff are linked in, though maybe that will be by panel members making use of “measure” (i) (implementation authority to carry out specified duties).

We would suggest that the question about the child’s plan more helpfully lies right at the start of the process as presumably it is from the plan that the CSO and all subsequent work flows.

Specific comments on indicators

If indicator 5 marks the point at which the local authority begins to implement the CSO, we question whether there is a need for local authorities to provide data in relation to indicator 3.

In relation to indicator 6, the risk is that local authorities slip into the routine of the person who writes the report (usually the social worker) being automatically being identified as the Lead Professional. In line with GIRFEC principles it would be better if the description attached to the indicator reinforced more explicitly the possibility that other qualified professionals might be the lead. The text says “may be “ a social worker but could helpfully go on to say “or a teacher or health professional”.

Indicator 8 is open to some confusion as currently drafted, as the response may well be dependent on the age and/or development of the child. For example, in relation to a baby or very young child, would the appropriate answer be 1) for “saw baby and discussed Plan with foster carers” or 2) as the Plan was not discussed with the child itself. Some clarity would be useful to ensure that all local authorities are providing data on the same basis.

We would suggest that if local authorities are maintaining chronologies in accordance with good practice then gathering the information for indicators 9 and 10 should not be a problem. However if they are considered alongside indicator 11 it becomes more difficult, as a range of professionals are likely to be visiting in accordance with the child’s plan. Monitoring progress against the plan is likely to be done through case review meetings but lifting information from those minutes into a database is likely to be very time consuming.

We question whether indicator 12 refers to services that are outwith the geography of the local authority or outwith the scope of what it provides? For example, health services may be provided within the same geographical area as the local authority but not by the local authority itself. Again, some clarity is probably needed to ensure consistency of data production.

We agree that indicators 14,15 and 16 will be important to gather, not least to examine different practice by panel members and Chief Social Work Officers across the country in relation to implementation of secure authorisations.

Conclusion

We believe that, subject to the caveats above, the information the National Convener proposes to gather will be extremely useful and would allow a picture to develop of “implementation” which might reassure panel members about what happens when a CSO is made. It will be a challenge for local authorities to gather all of this information however and we think that it may be worth considering whether it is possible to



reduce the number of indicators without losing anything of significant value. Indicators 1,2,4,5,7,10,12(with improved definition)13,14,15 and 16 are in our view the most important to collect.

SCRA
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