

# Let's all make a change for children and young people

---



SCOTTISH  
CHILDREN'S REPORTER  
ADMINISTRATION

A young person's review of research  
on children's views of the  
Children's Hearings System

by Zoie Montgomery, Modern Apprentice, SCRA, April 2012



# Contents

<b>Page 3</b>	<b>Introduction</b>
<b>Pages 3 – 4</b>	<b>Methods</b> <ul style="list-style-type: none"><li>▪ <i>Research reviewed</i></li><li>▪ <i>Approach</i></li></ul>
<b>Pages 5 -13</b>	<b>Findings</b> <ul style="list-style-type: none"><li>▪ <i>Social work</i></li><li>▪ <i>Panel Members</i></li><li>▪ <i>Service providers</i></li><li>▪ <i>Children and young people’s feelings</i></li><li>▪ <i>SCRA offices</i></li><li>▪ <i>Staff behaviour</i></li><li>▪ <i>Staff listening</i></li></ul>
<b>Pages 13 – 15</b>	<b>Issues Found</b> <ul style="list-style-type: none"><li>▪ <i>What are the different issues?</i></li><li>▪ <i>What issues came up across the topics?</i></li></ul>
<b>Pages 15 -16</b>	<b>Recommendations</b>

**Thank you to:** SCRA’s Information & Research Manager, Gillian Henderson, for supporting me throughout this review. I would also like to acknowledge all the existing research which helped me carry out this review, and I would like to thank all the children and young people who were involved with the original research.

## **Introduction**

In 2010/2011 41,825 Children's Hearings were held in Scotland. Due to the significant number of children and young people who come to Children Hearings, a lot of research on how to make things better for them, has been carried out. The same topics are explored with children and young people and the same issues continue to be reflected in all of this research. However, nothing seems to change.

No-one has looked at this research altogether and no-one has looked at it from a young person's view. This is why I have pulled five pieces of research together to highlight the messages that children and young people say over and over again, and I have made recommendations on how to make changes to help children and young people.

## **Methods**

I used the 'Framework'<sup>1</sup> method to look across five research reports to find the issues that came up most for children and young people.

## **Research reviewed**

I decided to look at five pieces of research published in the past few years. These were:

1. Fit for us - Making our System fit for children and young people. Modern Apprentices, SCRA (2011).
2. Children's Hearings Reform - The views of children. Children's Parliament (2010).
3. Hearing Scotland's Children. Who Cares? Scotland (2011).
4. Young people's views on decisions, services and outcomes. SCRA (2011).
5. The views and experiences of children and families involved in the Children's Hearings System in Scotland. SCRA (2009).

---

<sup>1</sup> 'Framework' is a thematic research approach developed by the National Centre for Social Research .

## Approach

After choosing the research I was going to review, I began to read through each report. After doing so, I began to identify themes that showed up in the research documents. I then used these themes to make the 'Framework' for my review. The themes were:

1. Social work
2. Panel Members
3. Service providers
4. Children/young people's feelings
5. SCRA offices
6. SCRA staff behaviours
7. SCRA staff listening to children and young people

I then went through each document and put the comments children and young people made under each theme. Afterwards, I could see the clear issues that were emerging under each theme, and over all the themes. These were:

1. Listening and being respectful
2. Trust
3. Contact with family
4. Attitudes and behaviour
5. Language used
6. Privacy/confidentiality

I colour coded these issues and then went through each comment and colour coded them with these issues. This made the messages from children and young people stand out. I could see where the issues lay and with whom more easily. I then went through each topic to see what issues were raised and how often. I then looked at why this was the case and made recommendations on each area.

## Findings

### Social work

These three things were the issues children and young people have most with social work:

1. Being **listened to** and being respectful to them and their family.
2. Being able to **trust** their social worker with their information also was a concern for children/young people.
3. Social workers' **attitudes** about the issues children and young people face.

Children and young people felt they are not **listened to** by their social workers and their views are not taken on board. This is when talking about placements or when social workers are writing their reports for Children's Hearings.

*"I think it's a bit unfair 'Cos the report comes from social work and stuff...it's unfair it's just from the social work"*

This suggests children and young people are not getting their say on the social work report that goes to a Children's Hearing. It's essential that the Panel Members get the child/young person's views to make a fair decision.

Being respectful to children/young people and their parents/family members was something children and young people felt social workers could do better.

*"Spend more time talking to me than someone else"*

Being listened to is a part of social workers respecting children and young people. This is by taking in their views and feelings, then acting on them (if possible). Also children and young people felt that if their social worker didn't turn up to their

meeting on time with no notice, this was disrespectful. They felt they should be given notice if possible.

*“I was really cross my social worker brought someone, I didn’t know who it was. I didn’t want to speak about my feelings or not staying at my carers. I wanted to tell the panel, I didn’t want to stay there but I didn’t know if the person was trustworthy.”*

This is about respecting children/young people’s information and respecting that they may not want someone they don’t know, knowing their information. The social worker should have told the child/young person they were going to bring someone else along, this may have helped the child/young person feel a bit better about speaking freely to Panel Members. This is important to gain the **trust** of a child/young person because if they knew what was happening and who the other person was, the issue may have been avoided. The child or young person should also have the choice if this person was to come. This will also help social work to gain the trust of the young person.

**Attitudes** to children/young people and their parents can be for the wrong reasons.

*“I had gotten home with mum and social work said I had to go back into crisis care - the panel agree that it would have been better, if I had another chance on a trial period”*

The actions of social work may have been because they had strong concerns for the child/young person’s wellbeing, but the Panel Members decided that the child/young person should go home so they could have a chance. This shows the child/young person that the social worker doesn’t trust them or, in this case, their mum.

*“My social worker never explained anything to me. I knew nothing about what will happen”*

This is about social workers perhaps assuming that children and young people will understand what is happening and what could happen when going to a Children's Hearing. Children and young people have the right to know what could happen.

### Panel Members

There were more comments on Panel Members than any other topic. Although there were more comments on Panel Members, there were still common issues that arose.

There were four issues that came up for children and young people when talking about Panel Members in a Children's Hearing:

1. Being **listened** to by Panel Members and others that attend. Panel Members and others being respectful to them and their parents/family members.
2. Panel Members' **attitudes to** the child/young people
3. The **language** Panel Members use.
4. The **trust** of the child/young person with the Panel Members.

*"It was my first time getting asked my views but they never done really anything about it...well nothing changed...and they never really took what I said into consideration."*

This suggests children/young people views are still not being **listened to** in their Children's Hearings and Panel Members are missing the point of asking for their views if they don't take them into account. If the views of the child/young person could not be taken on and put into the decision this should be explained to the child/young person so they can understand why, for example, they are not allowed contact with their mum.

Being respectful is taking on, and considering what children and young people have to say and giving them a chance to speak on their own if that's what they want.

*"I spoke once all the adults had been sent out of the room but they didn't do anything with what I said"*

If the child/young person gives their views when everyone is sent out the Hearing their views should still be heard and taken into account when Panel Members make the decision.

*“They said I was on an S/R order and I was about to ask a question but then the Hearing was finished and I didn’t know how long I’m on it eh?”*

Panel Members shouldn’t just assume children/young people know what they mean because, in fact, they won’t know what an ‘S/R order’ is if they haven’t been on one before. Children and young people should be allowed to ask questions if the decisions of the Hearing have not been explained to them. This also comes on to the **language** used by Panel Members. This can be a very confusing time for children/young people and to use jargon or words that they won’t know is unfair.

*“Panel Members should try to use different language that children and young people will understand.”*

The Panel Member decisions should be written in a way young people can read and understand.

Some Panel Members **attitudes and behaviour** to children and young people needs to be improved. Children and young people want their say, but can’t understand everything that is happening because jargon is being used and not explained. This is why children and young people can’t always give their views because they don’t understand what’s going on.

*“Listen...Listen to what people have to say and I take notice. Treat them as people no matter how old they are”*

This is a really important message from a child/young person. It’s clear to say they feel they are not listened to and feel unsupported. It’s also about being



**trusted**, as they feel no-one wants to listen to them. It's also about their **attitude** towards children and young people, on how to support them and body language when talking to them. Children and young people won't open up if Panel Members are cold towards them and if they keep bringing up the past and only looking at the negatives.

*"The Panel Members should stop looking at the negatives"*

### **Service Providers**

The service provider is anyone from social work to any other professional (e.g. teachers, police, Reporters, etc.) that may be involved in a child/young persons life throughout their time going through the Hearings System. These four issues came up for children/young people when talking about service providers:

1. Listening and being respectful
2. Language
3. Privacy/confidentiality
4. Attitudes/behaviours

**Listening** and being respectful to children and young people is important, they need to feel comfortable with the information that is being shared and feel that the decision hasn't been made before the Hearing has taken place.

*"They have made their decision before they talk to the kids; they've decided by the papers, they're just listening to get paid"*

*"Every time you speak they write it down. It makes you feel anxious - you don't have any privacy, if you cough or rub your eyes it goes down. I feel annoyed because I don't get to see what the Reporter writes down"*

This is about giving children and young people respect, telling them before the Hearing starts you are going to take notes to make it feel a bit easier and

so the child does not feel that they shouldn't say something because the Reporter is going to write it down.

This is also about the **privacy and confidentiality** of the information and the understanding of the child/young person. It is important that a child/ young person knows that the information the Reporter writing will only be comments or notes and they will get the information in their Hearing papers (if over 12) and it is nothing to worry about.

The **language** used is also really important because speaking in a way children/young people can understand will help a child/young person speak freely to you. This also counts for written communication.

*"Be able to read all written comment"*

I think it's important so that the young person knows what is going to happen and what the reasons were for the Panel Members making their decisions. Some children and young people suggested that written comments or big documents should be done in colour paper to break up the writing.

Children and young people felt that people who went to their Children's Hearing were there to judge them and their family. The **attitudes/behaviour** of professionals can be the reason why children and young people feel they are being judged. It's a very scary time for children and young people and they need to feel comfortable with who is attending their Hearing.

*"They don't need that many. There was at least 10 people in the room, I felt everyone was against me"*

Children and young people are the most important person in their Hearing and their voice/views should be the focus throughout. Professionals, unless

there to support the child or young person, should also take on board what the child/young person has to say and have their turn after them.

### Children and young people's feelings

Children and young people expressed throughout the five research reports that they have a lot of issues with different parts of the Children's Hearings System. The main issues were:

1. Listening and respect
2. Attitudes and behaviour
3. Contact with family
4. Trust

Children and young people thought that Panel Members should speak to them first and not judge them. Contact with their parents and other family members was an issue for children and young people. The information on what was going to happen at the Hearing was not always clear.

*"Panel Members should automatically talk to the young person first in their Hearing."*

Being **respectful** to children and young people would be to talk to them first as they are the most important people at the Hearing and it is their Hearing. Even to greet them and ask who do they want to talk first so they have a chance to say anything they want to say first.

*"Uncomfortable feel judged - feel like I'm not being listen to"*

Children and young people felt they were being judged by professionals and Panel Members and that they were not being **listened to** throughout their Hearings. This means that if a child/young person had an issue, they could feel that it wasn't getting dealt with. There needs to be more understanding of

children's and young people's views and how important they are. It needs to be a more open discussion throughout a Children's Hearing where all parties' views are heard with the "child/young person being at the heart of the conversation".

**Contact** was also a main concern for children and young people not getting to see their family. There needs to be more of a priority to let children and young people get contact with their brothers, sisters, parents and any other family members they had frequent contact with.

*"Usually upset, sad because I am not allowed to see my mum - if it's a good meeting it's good meeting then I is happy"*

I think Children Hearings are a really scary experience and are really hard for children and young people at the best of times, worse not to be told what can happen or what social work want. I think there needs to be more done to tell children and young people what could happen so they understand the process of a Children's Hearing.

*"I'm scared I would get taken away"*

### **SCRA Offices / SCRA Staff Behaviours / Staff listening**

Although there was a lot of comments on SCRA offices there wasn't a lot that came under the topics that I identified. The one issue that came up was:

#### **Privacy/confidentiality.**

This was based on Waiting and Hearing rooms that aren't always that well sound proofed.

*"Make the rooms more sound proof"*

SCRA staff behaviours had the least amount of comments, but issues still came up.

These were:

1. Privacy/confidentiality
2. Trust

This was based on asking for ID because of the information SCRA holds on children and young people. They need their information stored securely. So SCRA staff must follow SCRA's security policies so we can keep all the information safe.

Children and young people felt that at SCRA offices privacy and confidentiality was an issue for the waiting rooms. This is where you could hear what was getting spoken about in the waiting room. As this is a very personal time for children/young people and their family, they don't want other families hearing what's going on.

There were no comments about SCRA staff listening, I think this is because children and young people don't have much contact SCRA staff.

### Issues Found

This review shows that some of the issues were more important in one topic than others, while others came up across all the topics.

### What are the differences in issues?

The clearest message that came out from this research was that children and young people felt that they need to **trust** their **social worker** with their information and for them to be reliable with what they say and do. I think it is clear from the research that children and young people are asking for the same social worker so they can form a trusting relationship with them, and who can explain what their options are and still take the child's/young person's views on board and present them to the Children Hearing. Equally as important as trust, children and young people felt that

the attitude towards them and their family has to be improved. Children and young people felt that social work had to be more respectful and more understanding. From **Panel Members**, children and young people want to be **listened to** and not feel like they aren't being asked what they want from THEIR Hearing. After all it's all about the child or young person. It's about letting children/young people speak when they feel comfortable and have something to say and making sure you use child-friendly words unless you explain what you mean. It is very important for children and young people to feel a part of their Hearing to understand what everyone is saying and get to have their say. In a way children and young people need to trust Panel Members as they are making a decision which they might not agree with, so Panel Members must get the child/young person's views on everything they can to make the best decision for the child/young person.

#### **What issues came up across the topics?**

**Language** came up through four of the topics, but it came up most in the service provider topic. This is everyone (from corporate parents/social work/SCRA/police/etc) who have involvement with a child/young person going through the Children's Hearings System. Children and young people felt that they were not getting all the information they needed before, or after their Hearing. They felt that the information given was also upsetting and was confusing for them. Children and young people felt that the information they got could be explained better so they could understand fully. Also that the information used in their Children's Hearing shouldn't be jargon and if they do, explain in a way they understand (this came up through all topics).

**Attitudes and behaviour** came up throughout all topics as children and young people felt they were getting judged by professionals and Panel Members and that they were only there to get paid. Children and young people also felt that the professionals were treated as the most important people in their Hearings and their views were heard more than theirs. This is maybe because they were asked to carry

out a piece of work with the child/young person but the child/young person's views must be heard equally and be listened to fully.

## ***Recommendations***

### **Recommendations for SOCIAL WORK**

- 1. Try to keep your own case load to build a trusting relationship with the child or young person*
- 2. Give children and young people a chance to have their say and help them present what they want to the Children Hearing.*
- 3. Stick to meeting times to build a trusting bond with a child/young person*
- 4. Be more understanding and listen to children young people and their family*
- 5. Use language children and young people will understand and if jargon is used make sure it is explained properly*

### **Recommendations for PANEL MEMBERS**

- 1. Speak to children and young people first in their Hearings*
- 2. Make sure that children/young people get to have their say throughout their Hearings*
- 3. Use language children and young people will understand and if jargon is used, make sure it is explained properly*
- 4. Make sure children and young people know you have taken their views on board by summarising what has been said*
- 5. Give reasons to children and young people if something they wanted can't happen so they can understand why.*

### Recommendations for SERVICE PROVIDERS

1. *Use language children and young people will understand and if jargon is used make sure it is explained properly*

Remember this is everyone who is involved with a child/young person throughout their time in the Hearings System.

### Recommendations for EVERYONE ON CHILDREN'S AND YOUNG PEOPLE'S FEELINGS

1. *Give children/young people all the information they need in a way they will understand*
2. *Listen and take on board what children and young people have to say*
3. *Let children and young people know if you are bringing someone and who they are to their Children's Hearing*
4. *Use language children and young people will understand and if jargon is used make sure it is explained properly*
5. *Always try to provide sibling contact and explain why it can't happen as a child wants*

These five recommendations apply to everyone that works with children and young people throughout their time in the Hearings System.

### Recommendations for SCRA

1. *Make waiting and Hearing rooms more sound proof*





Scottish Children's Reporter Administration  
Ochil House  
Springkerse Business Park  
Stirling  
FK7 7XE



Tel: 0300 200 1555  
Fax: 0300 200 1541

[communications@scra.gsi.gov.uk](mailto:communications@scra.gsi.gov.uk)

[www.scra.gov.uk](http://www.scra.gov.uk)