

STATISTICAL ANALYSIS

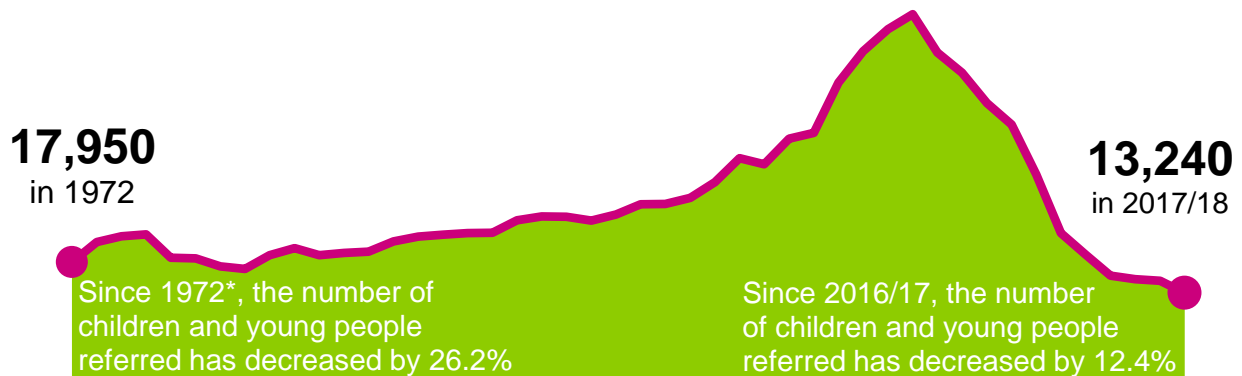
2017/18

Ensuring positive futures for children & young people in Scotland

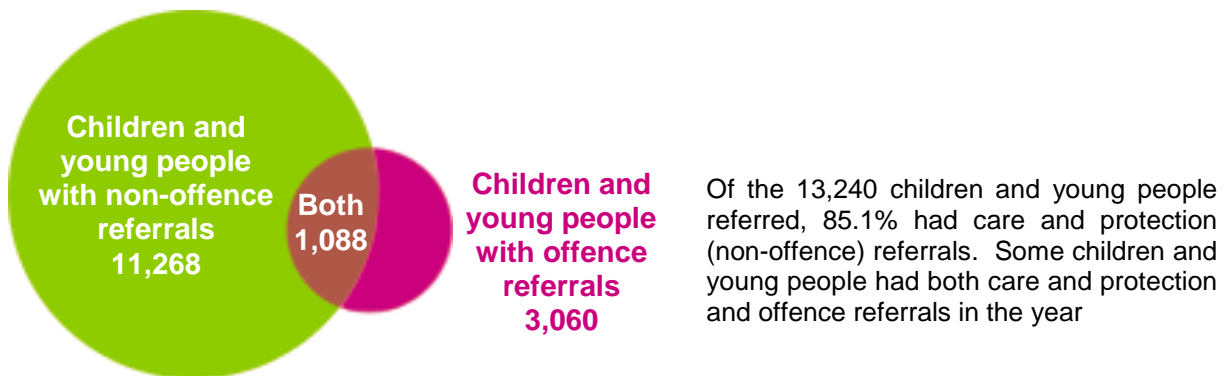


Statistical Analysis 2017/18 - at a glance

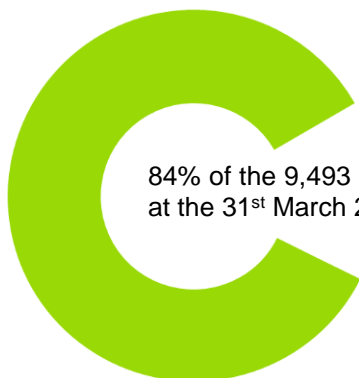
Children and young people referred 1972 to 2017/18



*1972 was the first year of published data for the Children's Hearings System



32,553 Children's Hearings were held for 14,076 children and young people



84% of the 9,493 children and young people subject to a Compulsory Supervision Order as at the 31st March 2018 have only ever been referred on care and protection grounds

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This statistical analysis is supported by our online statistical service which provides more in depth information about individual local authority areas. All the information is available on our website www.scra.gov.uk.

Introduction

What do these statistics include?

This report presents the Scottish Children's Reporter Administration's (SCRA's) full statistical analysis on children and young people involved in the Children's Hearings System between 1 April 2017 to 31 March 2018. This is an Official Statistics publication and the data has been produced using sound, proven and robust methodologies. In general, the children and young people reported on within these statistics are aged between 0 and 15. There are however two exceptions to this:

- Eight years is the age of criminal responsibility in Scotland. Children and young people under eight years cannot be referred to the Reporter for having committed an offence. Such behaviour in a child or young person aged under eight years may be referred under another ground (e.g. 'beyond control of a relevant person'); and
- Young people aged 16 and 17 years can be referred to the Reporter if they:
 - are still subject to Compulsory Supervision Orders;
 - are remitted by a court; or
 - had an open case which started prior to their sixteenth birthday.

This only applies to a small number of young people, therefore age graphs within this report will always show a significant decrease between profiles for children and young people aged under 16 and those over 16. To make this distinction more apparent, young people aged 16 and 17 years are combined to provide an age group of 16+ years in this report.

Information about the changes seen within the Children's Hearings System since 2003 is available through a research report released in 2018. The research aimed to answer the following question: Has child protection in Scotland become more complex over time, and if so, how? It can be found here: <https://www.scra.gov.uk/wp-content/uploads/2018/03/Complexity-in-the-lives-of-looked-after-children-and-their-families.pdf>.

How is this report structured?

This report is designed to follow the process by which a referral for a child or young person is received by SCRA through to a final outcome being made either by the Reporter or by a Children's Hearing. This is based upon the following path:

- Referral for a child or young person received by the Reporter because of concerns about their welfare or behaviour;
- Reporter investigation into the child or young person's case including seeking relevant information from partner agencies;
- Reporter decision as to whether the child or young person requires compulsory measures of intervention based on the information received; and
- Children's Hearing decision on whether compulsory measures of intervention are necessary (in respect of the child or young person) to protect the child or young person and/or address their behaviour. This may also involve:
 - the requirement to convene a Pre-Hearing Panel to consider any special arrangements needed for the Children's Hearing;
 - applications to the Sheriff to determine the grounds of referral; and
 - interim orders granted at Children's Hearings and at court to protect the child or young person during the process.

The process is complex as a child or young person can already be subject to a Compulsory Supervision Order at the point of referral and this will be taken into account within the decision making process. Compulsory measures also only last for specific time periods and as such have to be reviewed. This can be seen through the breakdown of Children's Hearings on page 18.

Finally, children and young people and/or their relevant persons can appeal to the Sheriff against decisions made by Children's Hearings. Applications can also be made to the Sheriff to terminate or vary the conditions on a Child Protection Order.

Children and young people referred

This section presents information about the numbers of children and young people referred to SCRA over the period 1st April 2017 to 31st March 2018 with comparisons to prior years. It looks at the reason for referral and profiles by age and sex of those children and young people referred.

Key facts:



Children and young people referred decreased by 12.4% from 2016/17



25.7% of children with Child Protection Orders were aged under 20 days

'lack of parental care' was the most common ground of referral

Children and young people referred to the Reporter

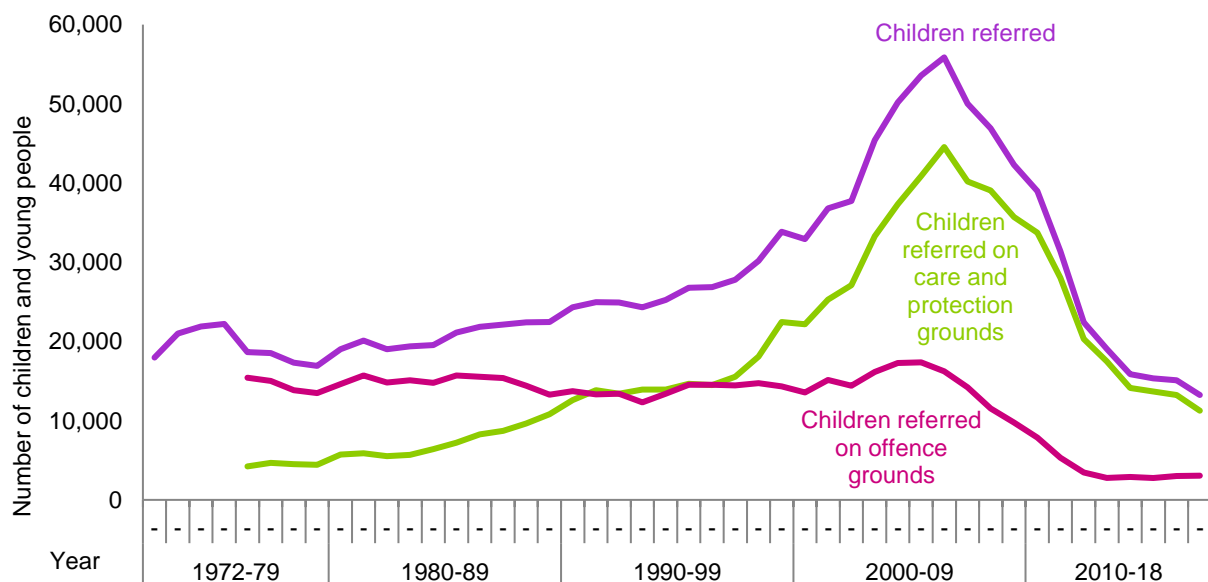
In 2017/18, 13,240 children and young people in Scotland were referred¹ to the Reporter:

- 11,268 on non-offence (care and protection) grounds; and
- 3,060 on offence grounds².

The figure of 13,240 children and young people referred to the Reporter in 2017/18 equates to 1.4% of all children and young people in Scotland³. Within this, 1.2% of all children and young people were referred on care and protection grounds and 0.7% of all children and young people aged between eight and 16 years were referred on offence grounds.

The number of children and young people referred to the Reporter has decreased for the eleventh consecutive year. Figure 1.1 illustrates the changing trends within the system over time. Operational processes and counting methodologies have changed over time but overall trends are broadly comparable. Year-on-year figures from 2003/04 onwards can be seen on the [Online Statistical Dashboard](#) including splits at a local authority level and rates per head of population.

Figure 1.1 Children and young people referred, by year*



* please note that offence and care and protection splits are unavailable prior to 1976.

The 12.4% decrease in children and young people referred from 2016/17 levels was due to 1,878 fewer children and young people being referred. This comprises 1,986 fewer on care and protection grounds (a decrease of 15.0%); and 65 more on offence grounds (an increase of 2.2%).

¹ Reporters decide the category and the grounds of referral at the time of receipt based on information contained within the referral.

² These figures include 1,088 children and young people who were referred on care and protection and offence grounds.

³ % of population aged under 16 years, based on mid-year estimates for 2017 from the National Records of Scotland.

Increasing referral rates were seen in the years leading up to 2006/07. One of the most significant factors in this increase was police referrals for children and young people from families where there had been an incident of domestic abuse.

The volume of such referrals created massive demands within the system and led to concerted efforts by partner agencies to reduce referrals where there was no need for compulsory measures of supervision. It is important to note that there was no suggestion that these children and young people did not require help or support, rather that there was no need for it to be provided on a compulsory basis.

Recent years have seen an increased focus on early and effective intervention, through the prism of the 'getting it right for every child' (GIRFEC)⁴ and Whole Systems approaches. The impact of this is highlighted through the reducing numbers of children and young people referred.

There are certain types of referrals that indicate greater or immediate concern about the child or young person's safety or behaviour. These include Child Protection Orders and Joint Reports.

Child Protection Orders

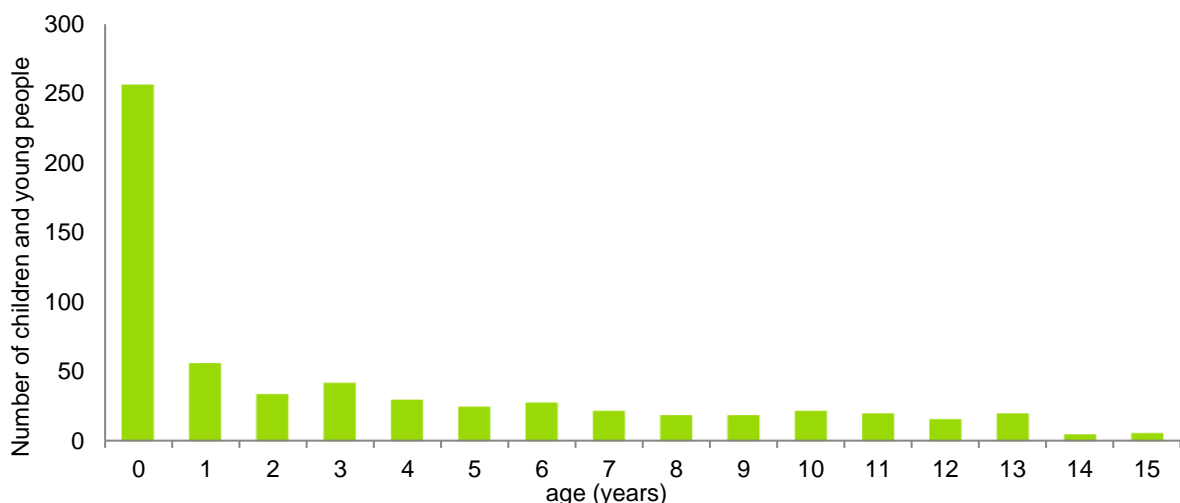
A Sheriff may grant a Child Protection Order to address emergency and/or high risk situations where measures need to be put in place immediately to protect a child or young person. The granting of this order requires the child or young person to be removed to (or kept in) a place of safety away from home. For this to be considered, a child or young person must be at risk of significant harm.

Table 1.1 Children and young people with Child Protection Orders, by year

	2014/15	2015/16	2016/17	2017/18
Number of children and young people	754	595	687	619

The number of children and young people with Child Protection Orders decreased in the year (down 9.9%). The change was most likely due to normal fluctuations around low numbers rather than any specific policy or practice change. Proportionately, more Child Protection Orders are granted for very young children (especially new-born babies), than any other age, reflecting their high risk and vulnerability and requirement for immediate protection.

Figure 1.2 Children and young people with Child Protection Orders received, by age, in 2017/18



Of the 619 children and young people with Child Protection Order referrals received in 2017/18, 159 (25.7%) were aged under 20 days at the date of receipt and 312 (50.4%) were aged under two years.

⁴ More information about GIRFEC can be found here - <http://www.gov.scot/Topics/People/Young-People/gettingitright/what-is-girfec>

Joint reports to the Reporter and Procurator Fiscal

Where a child or young person is alleged to have committed an offence described in the Lord Advocate's Guidelines⁵, the police will make a joint report to the Procurator Fiscal (PF) and the Reporter. Following discussion with the Reporter, the PF will decide whether to deal with the case or refer it to the Reporter.

Joint reports can be categorised into two distinct groups; joint reports where a child or young person has been taken into custody by the police; and joint reports with no custody element.

For children and young people aged under 16, only the most serious alleged offences result in joint reports. As per the note on page 4, some young people aged sixteen and seventeen can be referred to the Reporter under certain circumstances. When the police charge these young people with an alleged offence, they will usually be the subject of a joint report (if it is a very minor offence, the police could report only to the Reporter).

Table 1.2 Number of children and young people with joint reports to the Reporter and PF, by year

Type of joint report	2014/15	2015/16	2016/17	2017/18
Children and young people - not in custody	1,439	1,308	1,158	1,175
Children and young people - in custody	61	63	34	41
Total children and young people with joint reports	1,457	1,328	1,169	1,191

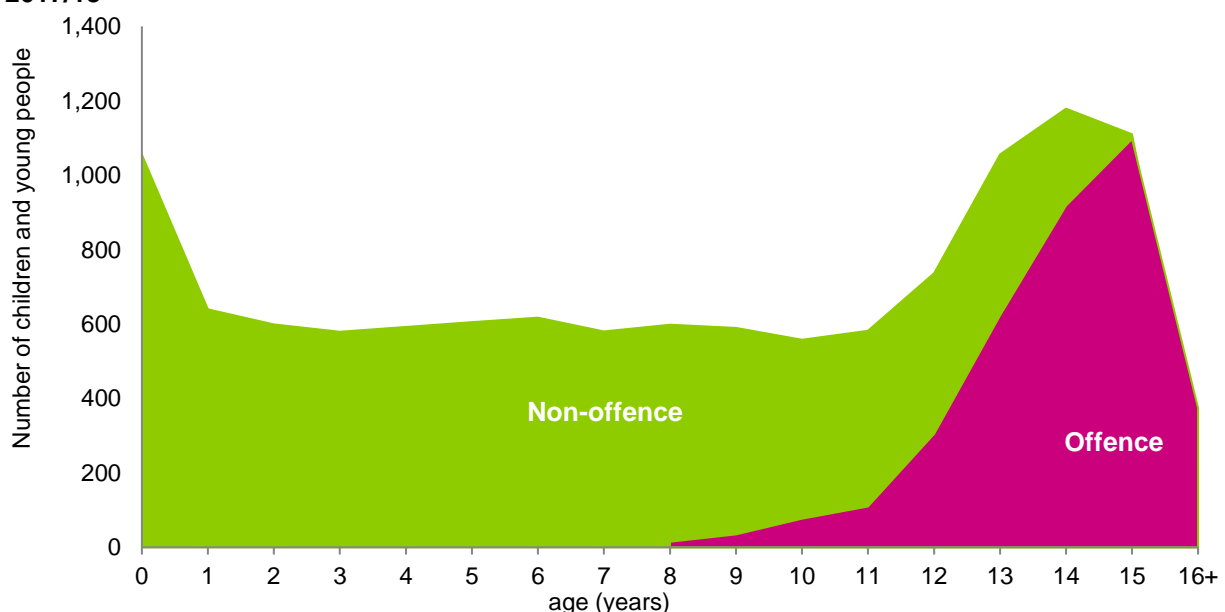
In 2017/18, 1,191 children and young people had 2,620 joint reports to the Reporter and the PF in the year. Of the joint reports received, 51.5% (1,349) were for children and young people aged 16 or over while 48.5% (1,271) were for children and young people aged under 16.

The majority of joint reports were made while the child or young person was not in custody, 1,175 children and young people with 2,569 reports, (several had joint reports on more than one occasion). Of these joint reports where the PF had made a decision, 71.8% of cases were subsequently referred to the Reporter. In addition, there were 51 joint reports made for 41 children and young people in custody. Of those joint reports where the PF had made a decision, 64.7% of cases were retained by the PF.

Age of children and young people referred

The most common ages for children and young people to be referred to the Reporter continue to be 14 and 15 years. This applies to both care and protection and offence grounds.

Figure 1.3 Children and young people referred on offence and non-offence grounds, by age, in 2017/18



⁵ To Chief Constables: Reporting to Procurator Fiscals of Offences Alleged to have been Committed by Children

Sex of children and young people referred

The number of females referred to the Reporter fell by 13.2% (from 6,608 to 5,737) while the number of males referred fell by 11.9% (from 8,510 to 7,501)⁶. These changes were expected due to the decreases seen in care and protection referrals, with the number of males falling slightly less due to the increase in males referred for offending.

Table 1.3 Sex of children and young people referred in 2017/18, by referral type

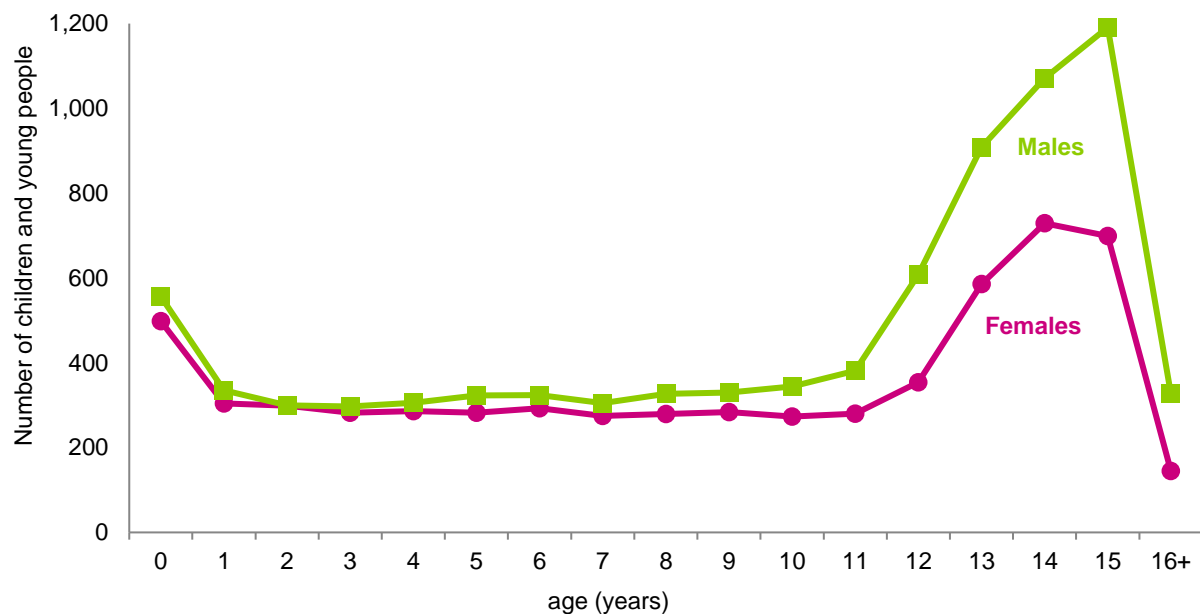
F = Female M = Male	Non-offence*		Offence*		All grounds	
	F	M	F	M	F	M
Number of children and young people	5,367	5,899	700	2,360	5,737	7,501
Proportion by sex	47.6%	52.4%	22.9%	77.1%	43.3%	56.7%
Change from 2016/17	-14.1%	-15.8%	-0.8%	+3.1%	-13.2%	-11.9%

* Some children and young people were referred on both offence and non-offence grounds. These totals count every child or young person referred to the Reporter during the year once

Age and sex of children and young people referred

In line with Child Protection Orders, significant numbers of children and young people were referred in 2017/18 before their first birthday. For the majority of children who were aged under one year, the referral was on grounds of lack of parental care or having close connection with a person who has carried out domestic abuse. Referral rates then remain reasonably consistent before increasing from ages 12 to 15 years.

Figure 1.4. Children and young people referred, by sex and age, in 2017/18



⁶ Two children and young people had no sex recorded on SCRA's Case Management System.

Grounds on which children and young people were referred to the Reporter

The reasons (grounds) on which children and young people are referred to the Reporter are those set out in section 67(2) of the Children's Hearings (Scotland) Act 2011, and are summarised in Table 1.4. The table also includes splits to show whether children or young people were subject to a Compulsory Supervision Order at the point of referral.

'Lack of parental care' was the most common ground of referral followed by 'offence', 'close connection with person who has carried out domestic abuse' and 'child's conduct harmful to self or others'.

Table 1.4 Number of children and young people referred in 2017/18, by section 67 ground and Compulsory Supervision Order status at the point of referral

Section 67 ground	On order	Not on order	Total
(a) Lack of parental care	394	4,264	4,623
(b) Victim of a Schedule 1 offence	161	1,388	1,544
(c) Close connection with a Schedule 1 offender	19	410	429
(d) Same household as a child victim of Schedule 1 offender	33	389	420
(e) Exposure to persons whose conduct likely to be harmful to child	203	1,186	1,381
(f) Close connection with a person who has carried out domestic abuse	208	2,022	2,215
(g) Close connection with Sexual Offences Act offender - Parts 1, 4 & 5	8	98	106
(h) Accommodated and special measures needed	18	78	96
(i) Permanence order and special measures needed	1	10	11
(j) Offence	1,149	2,103	3,063
(k) Misuse of alcohol	39	60	99
(l) Misuse of a drug	46	67	111
(m) Child's conduct harmful to self or others	571	1,177	1,686
(n) Beyond control of a relevant person	188	427	590
(o) Failure to attend school without reasonable excuse	25	1,140	1,162
(p) Pressure to enter into civil partnership (or same household as such a child)	0	0	0
(q) Force to marry (or same household as such a child)**	0	<5	<5
Total children and young people referred*	2,087	11,501	13,240

* A child or young person may be referred to the Reporter more than once in the year on the same and/or different grounds and may be on a Compulsory Supervision Order at the point of referral at one time and not on a Compulsory Supervision Order at another. These totals count every child or young person referred to the Reporter during the year once.

** Due to the low number of referrals on this ground, the numbers here have been anonymised by using a <5 marker.

Children and young people referred on care and protection grounds

The average age of children and young people referred on care and protection grounds are outlined below. Grounds codes (p) and (q) are excluded due to low or zero counts. The grounds codes are described in full in Table 1.4 on page 9.

Figure 1.5 Average age of children and young people referred on non-offence grounds in 2017/18

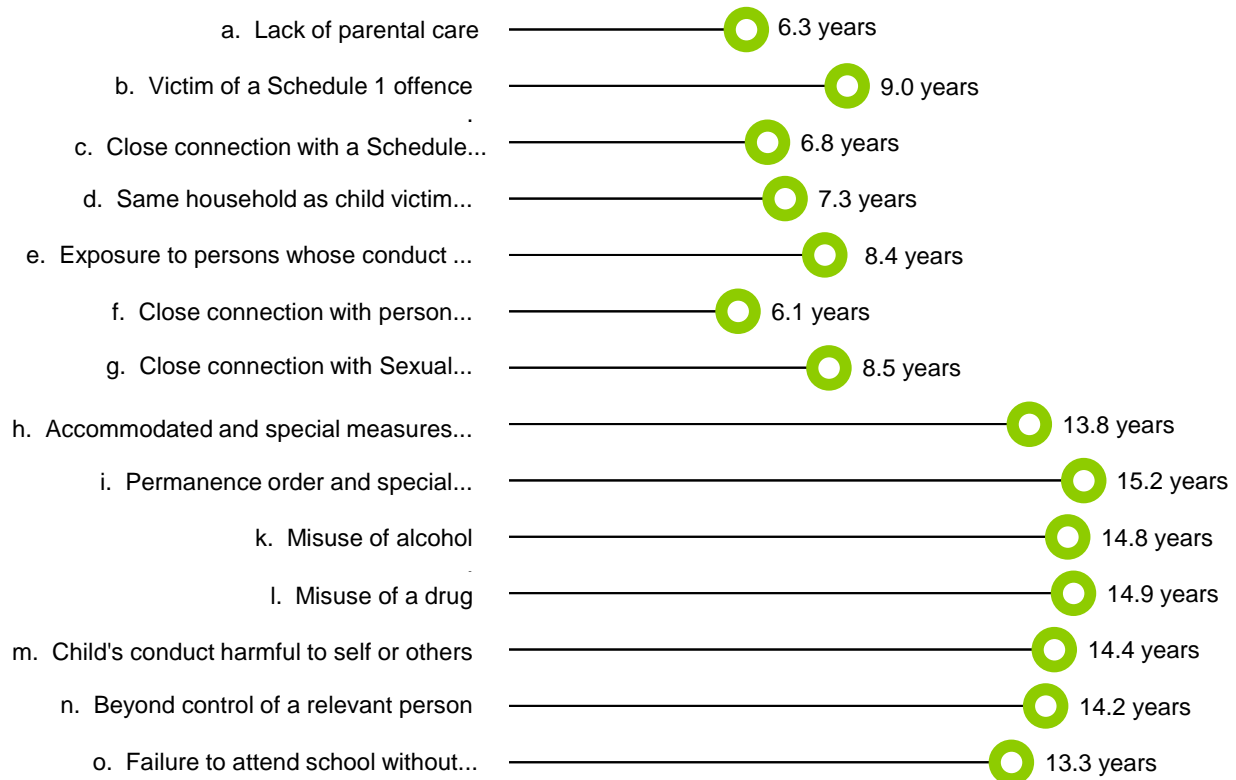


Figure 1.5 shows that there is a clear split in age profiles between a – g grounds which have a younger average age and the other care and protection grounds where the average age is older.

For the most common ground, lack of parental care, children and young people of all ages were referred but numbers generally decreased with age. More children were referred in the first year of their life than any other age (703). This was 15.2% of the children and young people referred on this ground.

The number of children and young people referred under 'close connection with person who has carried out domestic abuse' again generally decreased with age, with very young children more likely to be referred on this ground, with more referred in the first year of their life than any other age (347). This was 15.7% of children and young people referred on this ground.

Other common grounds of referral such as 'victim of Schedule 1 offence' and 'exposure to persons whose conduct likely to be harmful to child' were common throughout the childhood years but were highest for 14 year olds and 13 year olds respectively.

There were notable differences in the ages of children and young people referred to the Reporter on several other care and protection grounds. Older children and young persons were more likely to be referred on the grounds of, 'beyond control of a relevant person', 'child's conduct harmful to self or others', 'misuse of alcohol' and 'misuse of a drug'. The most common ages for referral on these grounds were 14 and 15 years. For children and young people referred on the grounds of 'failure to attend school without reasonable excuse', 13 and 14 years were the most common ages.

Children and young people referred on offence grounds

In 2017/18, 3,060 children and young people aged between eight and 17 years were referred to the Reporter on offence grounds. These children and young people were referred for 14,615 alleged offences on 8,548 referrals. The offences have been mapped to the standard police crime groupings⁷ to provide consistency with other publications.

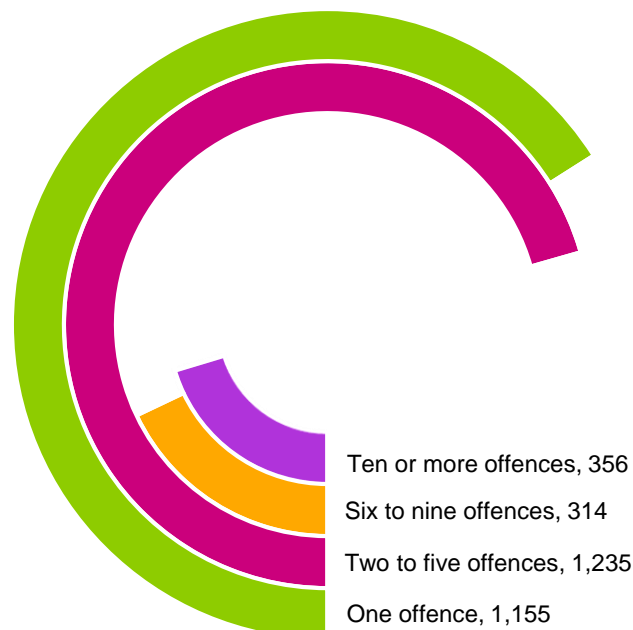
Table 1.5 Number of alleged offences in 2017/18, by police crime grouping

Police offence code group	Count
Non-sexual crimes of violence	215
Sexual crimes	422
Crimes of dishonesty	2,837
Fire-raising, vandalism etc.	2,337
Other crimes	1,355
Miscellaneous offences	7,134
Motor vehicle offences	315
Total alleged offences	14,615

Within these groupings, the most common types of alleged offences were threatening or abusive behaviour, assault and vandalism. The Reporter has the power to change the type of alleged offence based upon information received during the course of an investigation.

Figure 1.6 shows that there was almost an equal split between children and young people with a single alleged offence in the year (37.7%) and those with two to five alleged offences (40.4%) in 2017/18. Similarly, there was an almost equal split between children and young people with six to nine alleged offences (10.3%) and ten or more alleged offences (11.6%)⁸.

Figure 1.6 Number of alleged offences per child or young person referred on offence grounds in 2017/18



⁷ Further detail on crime groupings can be found here: <http://www.gov.scot/Publications/2015/09/5338/318230>

⁸ Some referrals are changed from offence to non-offence and vice versa upon investigation by the Reporter, therefore the number of children and young people with alleged offences will be different from the overall number referred on offence grounds.

Referrals to the Reporter

This section presents information about the numbers of referrals received by SCRA over the period 1st April 2017 to 31st March 2018 with comparisons to prior years. It looks at the types of referral, the source of referrals and whether the child or young person was subject to compulsory measures of supervision when the referral was received.

Key facts:



Referrals received decreased by 6.4% from 2016/17



75.0% of referrals were from the police



68% of referrals received were for children and young people not subject to a Compulsory Supervision Order

Referrals received

In 2017/18, 25,131 referrals were received by the Reporter, this was a 6.4% decrease from 2016/17 levels. Care and protection referrals decreased by 15.7% to 16,583 while offence referrals increased by 19.3% to 8,548.

Care and protection referrals have decreased annually since 2006/07, the exception to this being a slight increase in 2015/16. Offence referrals decreased significantly between 2005/06 and 2012/13, since then, volumes have stabilised, with increases seen in the past two years.

The Principal Reporter chairs the Advancing the Whole Systems Approach group, a multi-agency group responsible for implementing one strand of the Scottish Government's Youth Justice Strategy. As part of the group's work it considers data from SCRA on various matters in relation to offending by children.

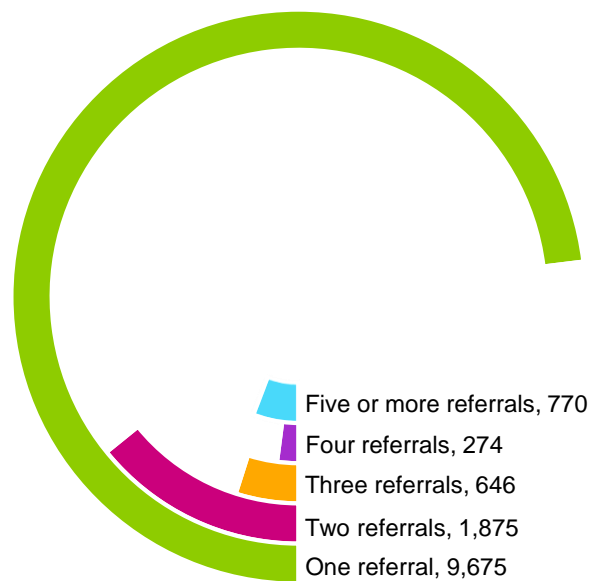
Having noted an increase in the number of children and young people being referred to the Reporter on offence grounds during 2017/18, SCRA began to provide the group with more detailed data showing the number of referrals on a local authority basis. The group is working to better understand and address the causes of this increase at national and local level.

Table 2.1 Numbers of referrals received, by type and year

Type of referral	2014/15	2015/16	2016/17	2017/18
Offence	6,932	6,685	7,168	8,548
Non-offence	20,606	20,655	19,672	16,583
Total referrals	27,538	27,340	26,840	25,131

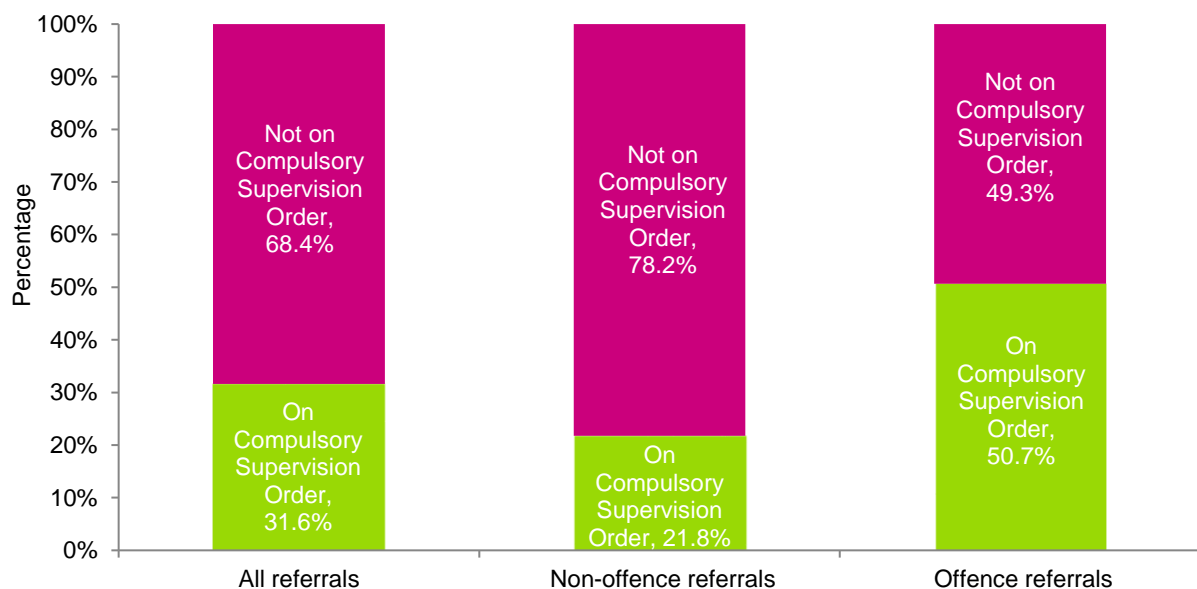
Referrals per child or young person varies depending on the type of referral. For care and protection referrals, 78.8% had a single referral in the year, this compares with 56.4% of children and young people referred on offence grounds having a single offence referral in the year.

Overall, most children and young people (73.1%) were referred only once in the year, with 5.8% referred five or more times. The number of referrals received per child or young person in 2017/18 is shown in Figure 2.1 on page 13.

Figure 2.1 Number of referrals received per child or young person in 2017/18

Referrals received by Compulsory Supervision Order status

In most cases, the child or young person was not subject to a Compulsory Supervision Order at the point of referral, see Figure 2.3. Overall, 31.6% of referrals received (7,942) were for children and young people subject to a Compulsory Supervision Order at the point of referral. This was the case for 21.8% of care and protection referrals (3,610) and 50.7% of offence referrals (4,332). Page 22 contains more information about Compulsory Supervision Orders.

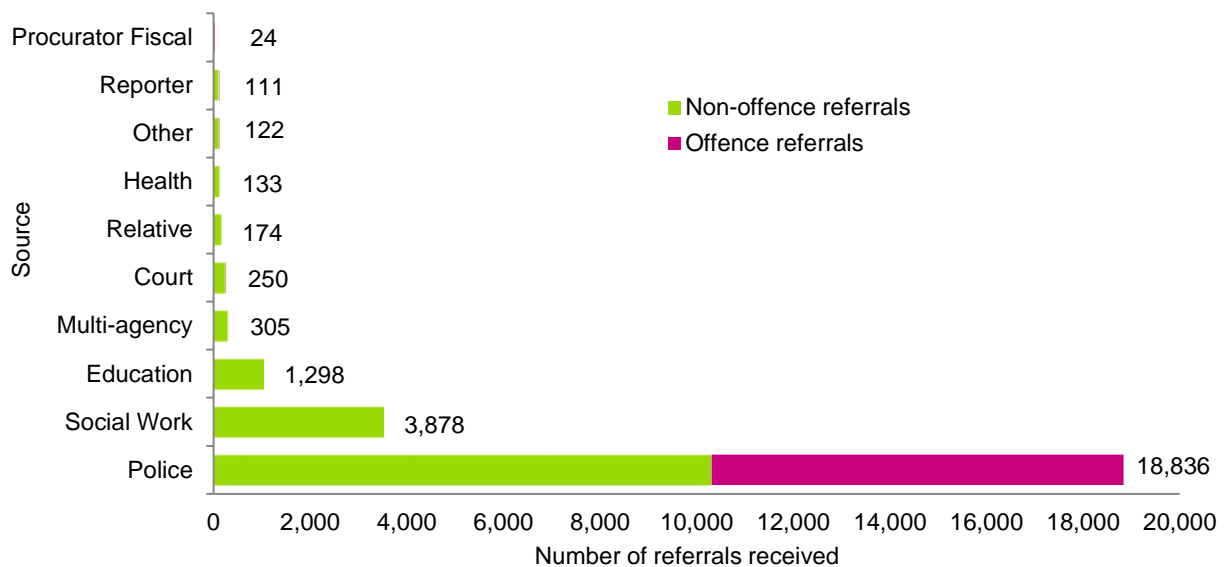
Figure 2.3 Referrals received by Compulsory Supervision Order status at receipt, in 2017/18

Males were more likely to be subject to a Compulsory Supervision Order at the point of receipt of a referral (34.1%) than females (27.7%). Females were however more likely to be subject to a Compulsory Supervision Order at the point of receipt of offence referrals (55.3%) than males (49.5%).

Source of referrals

The police are the main source of referrals, comprising 75.0% of all referrals to the Reporter in 2017/18 - 99.8% of all offence referrals and 62.2% of all care and protection referrals.

Figure 2.2 Referrals received by source in 2017/18



Additional and duplicate referrals

In addition to the referrals reported on above, SCRA also receives referrals which are classified as duplicates or additional. For a referral to be recorded as such, the following criteria should be met:

Duplicate referral

- There is an open referral with any ground;
- It relates to the same incident or similar broad concerns as the open referral; and
- There is no significant additional information.

Additional referral

- There is an open referral which reflects an on-going concern or pattern of behaviour;
- It relates to the similar broad concerns as open referral; and
- It includes significant additional information.

In practice, these referrals still require work and the information in them will be taken into account in Reporter's decisions about whether to arrange a Children's Hearing for a child or young person. Therefore, the decision has been taken to include these within the statistics as a separate table. The split between additional and duplicate referrals is shown below. These counts are not included in the other referral receipt or child and young person counts. A decision on the best way to incorporate them in future publications will be taken in 2018/19.

Table 2.2 Numbers of additional and duplicate referrals received, by type and year

Type of referral	2014/15	2015/16	2016/17	2017/18
Additional	881	1,241	1,572	1,836
Duplicate	1,236	1,350	1,043	840
Total referrals	2,117	2,591	2,615	2,676

Please note that offence referrals should not be categorised as additional or duplicate referrals in line with practice guidance but in reality, some offence referrals are recorded as such.

Reporter decisions on children and young people referred

This section presents information about the investigations Reporters within SCRA undertake with partner agencies to make decisions on children and young person's cases along with the decisions which have been made over the period 1st April 2017 to 31st March 2018.

Key facts:



Communications requested decreased by 2.3%



27%

of children and young people had a Reporter decision to arrange a Hearing

'no indication of a need for compulsory measures' was the most common Reporter decision

Reporter investigations

Reporters investigate where necessary, when a referral is received, to assist them in considering the likely need for compulsory measures. They do so by obtaining information on the child or young person and their circumstances from relevant agencies. Some of this information may now be provided at the point of referral rather than requiring to be requested.

There is a wide network of partner agencies that Reporters can ask for information, with the main agencies outlined in Table 3.1.

Table 3.1 Number of communications requested by the Reporter, by receiving agency and year

Agency	2014/15	2015/16	2016/17	2017/18
Social Work	27,188	24,701	23,404	22,666
Education	10,034	8,823	8,134	8,049
Health	2,963	2,936	2,880	2,943
Restorative Justice	36	72	60	63
Other	466	125	113	79
Total requests*	40,687	36,657	34,591	33,800

* A large proportion of these requests are for information not relating to referrals such as reviews of Compulsory Supervision Orders. A small percentage of requests are also cancelled before being sent.

The level of information required in each report can vary significantly. For social work requests, depending on the report type, the Reporter can request anything from background information about the child or young person referred, to a comprehensive assessment of the child or young person's situation that would involve social work contacting the family as well as any other agencies involved in the child or young person's upbringing.

Education authorities can be asked by the Reporter to provide information about a child or young person's attendance at school or about their behaviour.

Health (utilising information from health visitors, community psychiatric nurses and Children and Adolescent Mental Health Services) can provide relevant information on the impact on the child or young person or family of particular health issues. The information that health visitors provide is especially important as it can indicate if the child or young person is failing to thrive (through growth centiles and developmental measures).

If the child or young person has committed an offence, Restorative Justice reports can be used to assess the suitability and willingness of the young person to engage with the Restorative Justice Service.

The family is invited to provide any relevant information when they are notified that a referral has been received by the Reporter. This allows the family to inform the Reporter of any factors that may affect a Reporter decision on the referral i.e. any changes in circumstances or any measures the family have taken as a result of the referral.

Reporter decision making

Once any required information has been received, the Reporter will analyse the situation and make a decision about whether to arrange a Children's Hearing based on:

- whether a section 67 ground applies in relation to the child or young person i.e. whether there is sufficient evidence such that there is a realistic prospect of the ground being proven in court; and
- whether, if sufficient evidence exists, it is necessary to have compulsory intervention in the child or young person's life.

Where the Reporter has arranged a Children's Hearing, they will, if they have not previously done so, request a report for information about the child or young person from the local authority.

Reporters have other options available to them to find the right help for children and young people. The other decisions that a Reporter may make in relation to a referred child or young person include asking the local authority to provide voluntary advice, guidance and assistance to the child or young person, to take no action because there is insufficient evidence, or to take no formal action because other intervention is more appropriate (e.g. family support or diversion).

Table 3.2 Number of children and young people with reporter decisions in 2017/18*, by decision

Reporter decision	Non-offence	Offence	Total
Arrange a Children's Hearing (on new grounds)	3,476	199	3,600
No indication of a need for compulsory measures	3,172	1,050	4,077
No Hearing - refer to local authority	3,385	745	3,921
No Hearing - measures already in place	1,793	1,330	2,567
No Hearing - insufficient evidence to proceed	920	225	1,133
No Hearing - family have taken action	456	95	537
No Hearing - diversion to other measures	3	37	38
Total	11,521	3,030	13,389

* Data in this table relates to cases decided in 2017/18 as opposed to referrals received in 2017/18.

** The totals do not equal the sums as children and young people can be referred more than once in the year and may have multiple Reporter decisions. The totals count each child or young person once.

In 2017/18, 26.9% of children and young people (3,600) with cases decided had a Reporter decision to arrange a Children's Hearing on at least one referral. For 30.5% of children and young people (4,077), Reporters decided that there was no indication of a need for compulsory measures on at least one of their referrals.

Please note that in previous years, the non-offence offence split has been calculated using the referral category (offence or non-offence). Further analysis has shown that it is more accurate to use the ground of referral, especially for decisions on offence grounds. In many cases, for children and young people who are referred for offending where the Reporter decides compulsory intervention is necessary, the Reporter adds an additional non-offence ground and it is this which is taken to the Children's Hearing. In 2017/18, this changes the number of children and young people with an arrange Children's Hearing decision on offence grounds from 240 to 199.

Children's Hearings and court work

This section presents information about the work undertaken by Children's Hearings and courts over the period 1st April 2017 to 31st March 2018 with comparisons to prior years. It also covers the reasons for Pre-Hearing Panels and Children's Hearings and the outcomes of court work.

Key facts:



Pre-Hearing Panels increased by 0.8% from 2016/17



Children's Hearings decreased by 4.6% from 2016/17



% of applications for proof had the grounds established

Pre-Hearing Panels held

Pre-Hearing Panels are convened before some Children's Hearings to consider any special arrangements needed for the Hearing. These are:

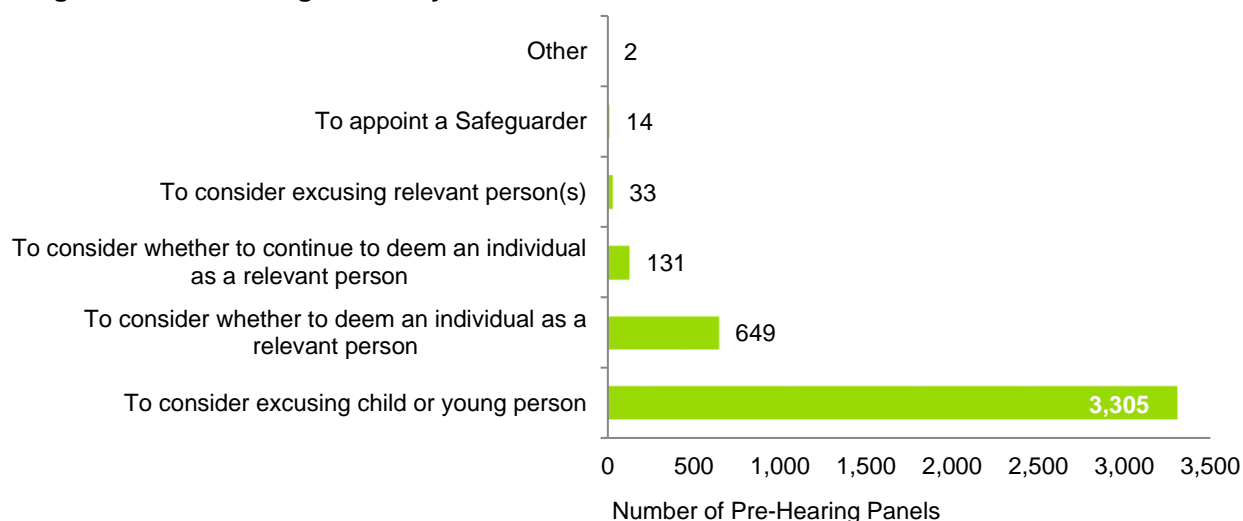
- whether to deem/undeed an individual as a relevant person;
- whether to excuse a child or young person or relevant person from the obligation to attend the Children's Hearing; and
- whether it is likely the Children's Hearing will consider making a Compulsory Supervision Order with a secure accommodation authorisation.

In addition, Pre-Hearing Panels can also appoint a Safeguarder for the child or young person or arrange legal representation for a child, young person or relevant person. As well as the reasons for Pre-Hearing Panels, figure 4.1 shows the instances of Safeguarder appointments within the year.

Table 4.1 Pre-Hearing Panels held, by year

	2014/15	2015/16	2016/17	2017/18
Number of Pre-Hearing Panels	4,305	4,098	3,859	3,888

Figure 4.1 Pre-Hearing Panels by reason* in 2017/18



* Children and young people can have more than one reason considered at a single Pre-Hearing Panel. The totals in Table 4.1 count each Pre-Hearing Panel once.

In 2017/18, 3,888 Pre-Hearing Panels were held for 3,310 children and young people, this is a 0.8% increase from the previous year. This reflects increases in Pre-Hearing Panels arranged to consider excusing a child or young person (up 1.8%) and deeming or continued deeming of relevant persons (up 5.7%) while 'Other' decreased from 94 to two.

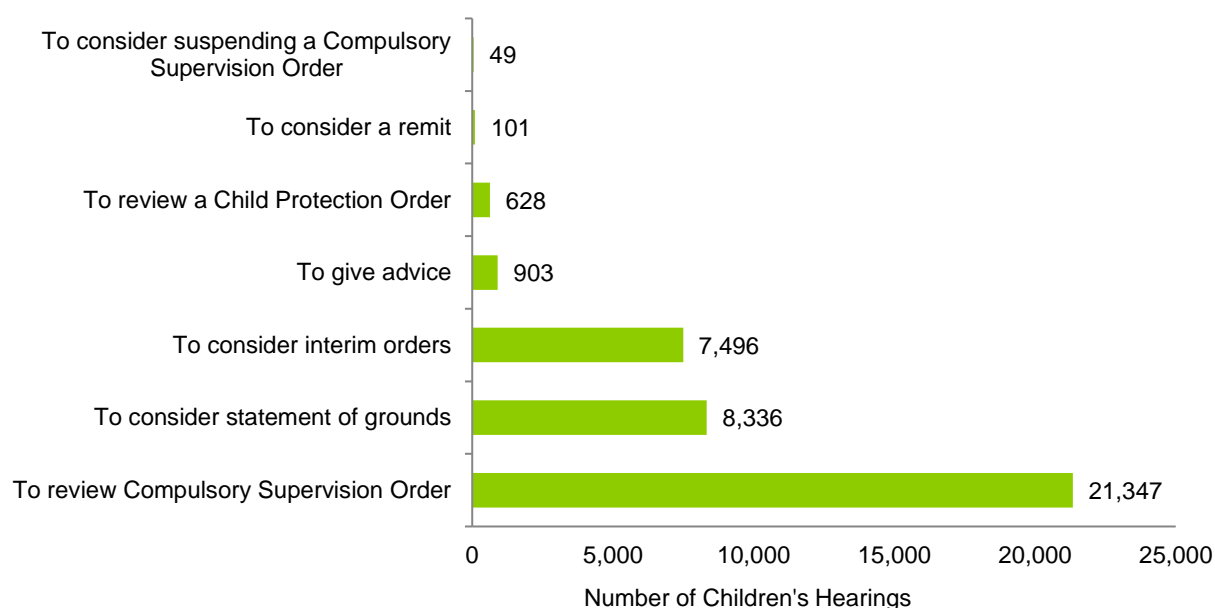
Children's Hearings held

Children's Hearings decide whether compulsory measures of intervention are necessary (in respect of the child or young person) to protect the child or young person and/or address their behaviour. The reasons for Children's Hearings being arranged are shown in Figure 4.2 below. The two most common reasons are: to review an existing Compulsory Supervision Order; or where the Reporter has decided, after investigating a referral, that the child or young person requires compulsory measures of intervention.

Table 4.2 Children's Hearings held, by year

	2014/15	2015/16	2016/17	2017/18
Number of Children's Hearings held	36,904	34,896	34,106	32,553

Figure 4.2 Children's Hearings by reason* in 2017/18



* Children and young people can have more than one reason considered at a single Children's Hearing. The totals in Table 4.2 count each Hearing once.

In 2017/18, 32,553 Children's Hearings were held for 14,076 children and young people. This was a 4.6% decrease from 2016/17. The decreases resulted from the falling number of Compulsory Supervision Orders and hence less reviews (see page 22) as well as fewer grounds Hearings and Hearings to consider interim orders.

Prior to a child or young person attending a Hearing, they are able to express their views either through SCRA's All about me form or through social work's child views form. In 2017/18 SCRA recorded receipt of 2,609 of these forms. This was a 7.5% increase from 2016/17 (183 more forms).

Of the children and young people with Children's Hearings in the year, 43.8% had a single Hearing, with 11.5% having five or more Hearings.

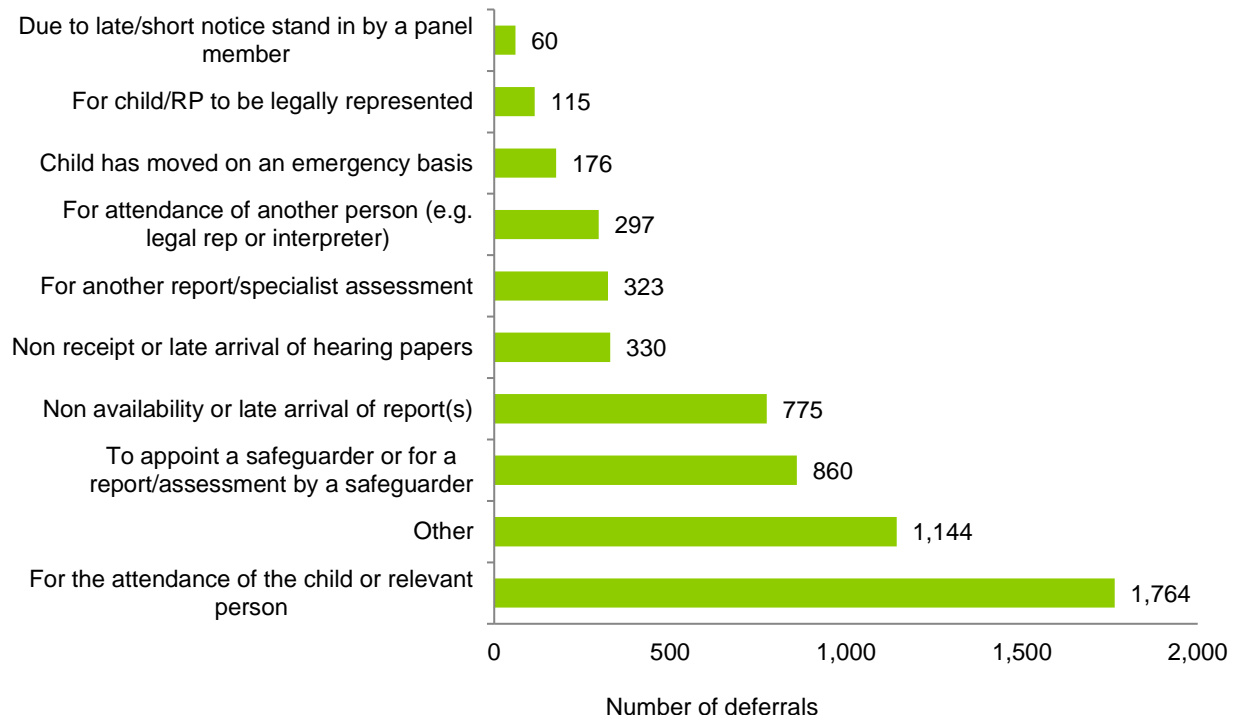
Of the 8,336 Children's Hearings to consider statements of grounds, 44.5% (3,706) related to new grounds while 55.5% (4,630) related to grounds that were not disposed at the initial Hearing stage. The majority of these were due to applications to the Sheriff to establish the grounds for referral. Of the 21,347 Hearings linked to review Hearings for Compulsory Supervision Orders, initial review Hearings made up 70.6% (15,071) of this number with the remainder (6,276) deferred review Hearings. A Compulsory Supervision Order must be reviewed at least once annually.

Of the remaining Hearing types, interim orders were the most common (7,496) followed by advice Hearings (903) and Child Protection Order Hearings (628).

Children's Hearings deferred

In most Children's Hearings, Panel Members can defer (postpone) the Children's Hearing until a later date. SCRA started recording the reasons for deferral in 2017/18 and these will now be included as part of the Official Statistics suite. Figure 4.3 shows these reasons.

Figure 4.3 Reasons for deferral of Children's Hearings in 2017/18



Multiple reasons for deferral can be recorded within a Children's Hearing, equally, not all Children's Hearings which were deferred had a deferral reason recorded on SCRA's Case Management System. Overall, 5,476 Children's Hearings had deferral reasons recorded during 2017/18.

Children's Hearings unable to proceed

At a grounds hearing, the Children's Hearing may decide not to proceed and instead will require the Reporter to arrange another grounds Hearing. This will normally happen if the child or young person has not attended and has not been excused in advance at a Pre-Hearing Panel, or if a relevant person has not attended. The decision to arrange another grounds Hearing is now being captured and in 2017/18, there were 367 such decisions.

Children's Hearings warrants to secure attendance

Section 123 of the Children's Hearings (Scotland) Act 2011 empowers a Children's Hearing to grant a warrant to secure the attendance of a child or young person at a Children's Hearing. In 2017/18, Children's Hearings granted 26 warrants to secure attendance under section 123 for 23 children and young people.

Child Protection Orders and interim orders

Many short-term decisions made by Children's Hearings will be to address emergency and/or high risk situations where measures have to be put in place immediately to protect children and young people or address their behaviour. These may include Children's Hearings arranged as a result of the Sheriff granting a Child Protection Order.

In 2017/18, Children's Hearings considered the cases of 619 children and young people with 633 Child Protection Orders under sections 45 or 46 of the Children's Hearings (Scotland) Act 2011;

Of these Child Protection Orders:

- 309 were continued without variation to the order;
- 298 were continued with variation to the order; and
- 26 were not continued.

Applications can be made to the Sheriff to terminate or vary a Child Protection Order. Seven children and young people had applications to recall/terminate or vary Child Protection Orders in the year.

Children's Hearings also made, varied or continued 6,964 interim orders as defined under sections 86 and 140 of the Children's Hearings (Scotland) Act 2011 for 2,631 children and young people in 2017/18.

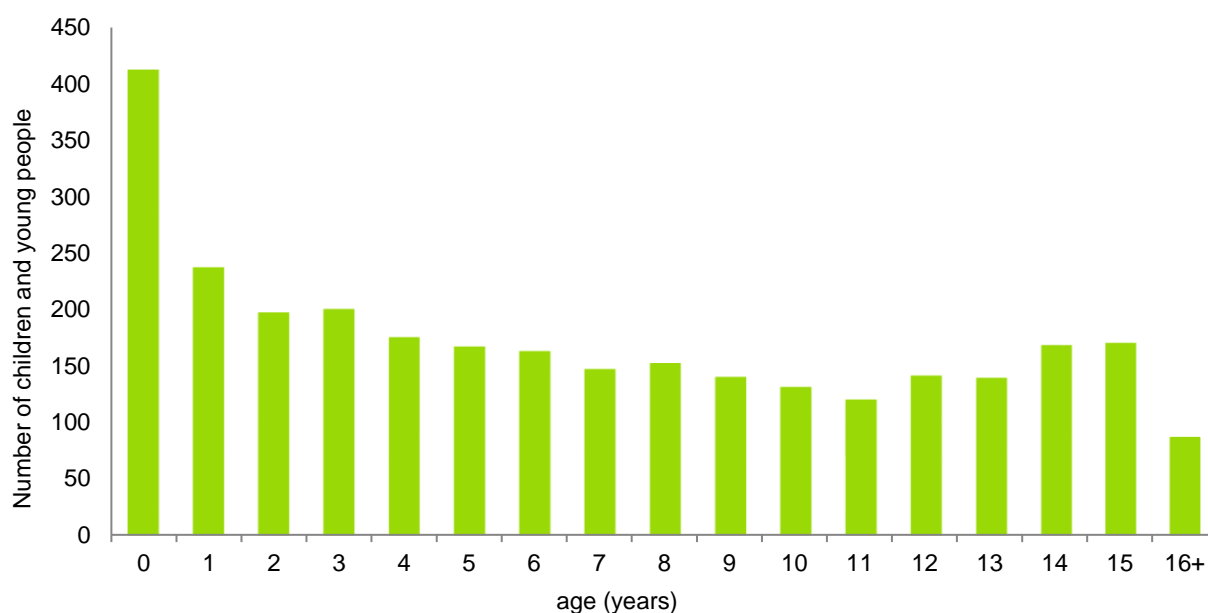
Interim orders in the form of Interim Compulsory Supervision Orders can be used to protect the child or young person whilst grounds for referral are in the process of being determined at proof. Interim Variations of Compulsory Supervision Orders can also be made which can change the measures attached to a current Compulsory Supervision Order.

Table 4.3 Children and young people with interim orders, by year

	2014/15	2015/16	2016/17	2017/18
Number of children and young people	2,670	2,785	2,787	2,631

Interim orders numbers are highest for children aged under one, but are also common for all age groups. Numbers have remained consistent since the implementation of the 2011 Act.

Figure 4.4 Children and young people with interim orders made by Children's Hearings, by age, in 2017/18



Applications to the Sheriff for proof

If the child or young person and/or their relevant persons do not accept some or all of the statement of grounds for referral which form the basis of the Children's Hearing, or the child or young person does not or cannot understand the grounds, the Children's Hearing may direct the Reporter to apply to the Sheriff to establish the statement of grounds for referral (sections 93 and 94 of the Children's Hearings (Scotland) Act 2011). Overall, 2,796 applications were determined for 2,752 children and young people in 2017/18 and 92.1% were held to be established by the Sheriff.

When an application to the Sheriff for proof has been established, the grounds are referred back to a Children's Hearing to decide what/if compulsory measures are necessary.

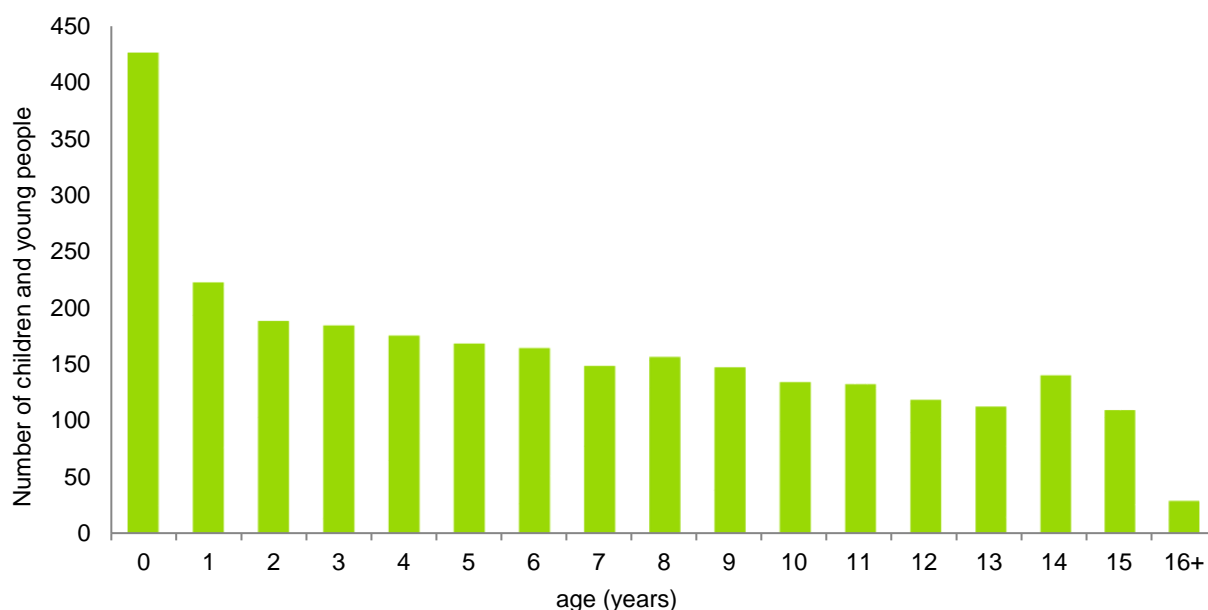
Table 4.4 Applications to the Sheriff for proof determined, by year

	2014/15	2015/16	2016/17	2017/18
Number of applications determined	3,054	3,068	3,189	2,796

The number of concluded applications for proof has decreased by 12.3% after three years of increases.

Applications for proof may require several callings (court dates) before the application is determined. In 2017/18 there were 9,623 callings recorded for the 2,796 determined applications. As with interim orders and Child Protection Orders, numbers are highest for children aged under one. The age at determination of the application for children and young people is shown in Figure 4.5 below.

Figure 4.5 Children and young people with applications determined, by age, in 2017/18



Applications to the Sheriff to consider interim orders

In addition, Sheriffs made, varied or continued 3,819 interim orders in 2017/18. Interim orders in the form of Interim Compulsory Supervision Orders can be used to protect the child or young person whilst grounds for referral are in the process of being determined at proof.

At the conclusion of a proof at which the Sheriff has found the statement of grounds for referral to be established, the Sheriff can also make an Interim Compulsory Supervision Order, or, if the child or young person is already the subject of a Compulsory Supervision Order, can make an Interim Variation of the Compulsory Supervision Order to change the measures attached to the current order. These interim orders last for a maximum of 22 days. These orders related to 1,282 children and young people.

Compulsory Measures of Supervision

This section presents information about Children's Hearings decisions and Compulsory Supervision Orders in force in 2017/18. It also covers the number of secure authorisations and non-disclosure measures put in place by Children's Hearings in 2017/18 with comparisons to previous years.

Key facts:



Compulsory Supervision Orders have decreased for the eighth consecutive year

'with parent/relevant person' was the most common type of Compulsory Supervision Order

Children's Hearings decisions on grounds

Compulsory Supervision Orders are the most common form of compulsory intervention made by Children's Hearings. They are also the only longer-term option available to Hearings. It is the statutory responsibility of local authorities to implement Compulsory Supervision Orders.

At Children's Hearings in 2017/18, 2,918⁹ children and young people had a new Compulsory Supervision Order made on grounds referred, see Table 5.1.

Table 5.1 Number of children and young people with Children's Hearings decisions in 2017/18

Children's Hearing decision	Non-offence	Offence	Total
Grounds accepted/established and new Compulsory Supervision Order made	2,868	99	2,918
Grounds accepted/established and considered in review of existing Compulsory Supervision Order	74	50	122
Grounds discharged	315	56	367
Total*	3,237	177	3,349

* The totals do not equal the sums as children and young people can have more than one Hearing decision on different grounds contained within a referral or may have more than one referral on new grounds sent to a Hearing during the year. The totals count each child or young person once.

Children and young people subject to Compulsory Supervision Orders

At 31 March 2018, 9,493 children and young people were subject to Compulsory Supervision Orders. This is 1.0%¹⁰ of all children and young people in Scotland.

Table 5.2 Number of children and young people with Compulsory Supervision Orders in place at 31 March, by type and year

Types of Compulsory Supervision Orders	2015	2016	2017	2018
With parent/relevant person	4,751	4,522	4,486	4,262
With other approved foster parent	3,106	3,018	2,873	2,679
With relative/friend - other	1,294	1,345	1,257	1,202
With relative/friend - approved foster parent	661	615	586	557
Children's unit	352	332	314	329
Other residential placement	234	243	216	235
Residential school	247	229	203	184
Other	35	45	41	25
Other non-residential placement	19	17	11	17
None recorded	34	13	9	3
Total	10,733	10,379	9,996	9,493

⁹ A further 17 children and young people not included in Table 5.1 also had orders made as a result of remits from the criminal court under Section 49 of the Criminal Procedure (Scotland) Act 1995.

¹⁰ % of population aged under 16 years, based on mid-year estimates for 2017 from the National Records of Scotland.

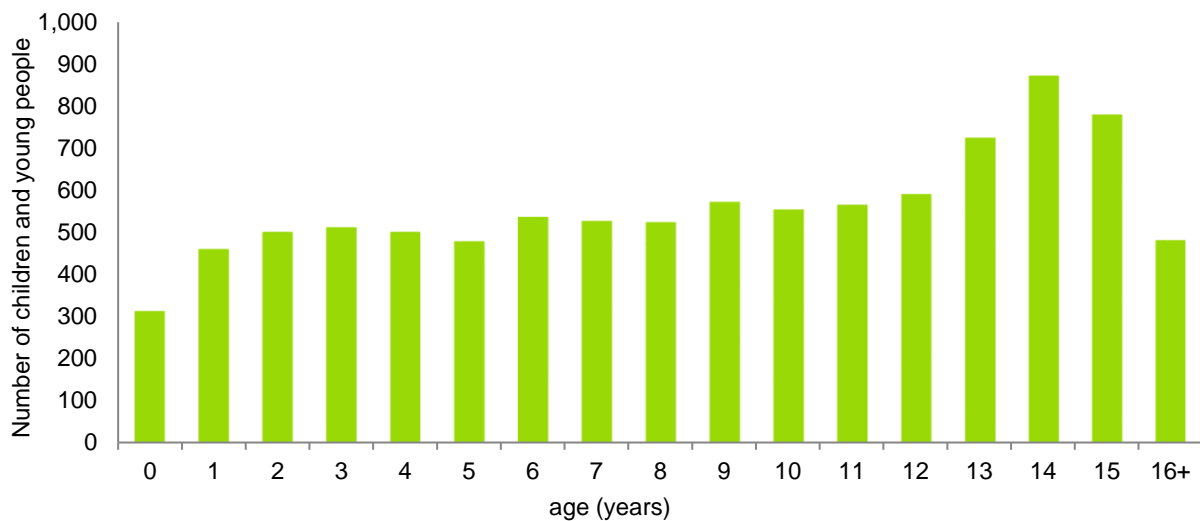
The number of children and young people subject to Compulsory Supervision Orders has decreased for an eighth consecutive year. 'With parent/relevant person' continues to be the most common type of Compulsory Supervision Orders. The types of orders in place at 31 March 2018 are shown in Table 5.2.

Children and young people aged under eight subject to Compulsory Supervision Orders at 31 March 2018 decreased by 6.5% to 3,829, while children and young people aged eight and over decreased by 4.0% (to 5,664).

Compulsory Supervision Orders by age

The most common ages of children and young people subject to Compulsory Supervision Orders continue to be 14 and 15 years. Figure 5.1 shows the number of Compulsory Supervision Orders by age at Compulsory Supervision Order made.

Figure 5.1 Children and young people with Compulsory Supervision Orders in force, by age, at 31 March 2018



Length of time subject to Compulsory Supervision Orders

The link between decisions made at Children's Hearings and the number of Compulsory Supervision Orders is shown in Table 5.3. This shows that the most common length of time to be subject to a Compulsory Supervision Order is under one year but that many children and young people have been on supervision for a longer period of time. This means that Compulsory Supervision Orders have been reviewed at Children's Hearings on at least one occasion.

Table 5.3 Number of children and young people with Compulsory Supervision Orders in place at 31 March 2018, by length of order

Length of Compulsory Supervision Order	Count
Under 1 year	2,791
1 – 2 years	2,078
2 – 3 years	1,399
3 – 4 years	857
4 – 5 years	569
5+ years	1,799
Total	9,493

For the majority of children and young people subject to Compulsory Supervision Orders, the reasons which they came into the Children's Hearings' System was as a result of concerns about their care and protection. Of the 9,493 children and young people subject to a Compulsory Supervision Order as at the 31st March 2018, 84.1% have only ever been referred on care and protection grounds.

Compulsory Supervision Orders terminated

When a Children's Hearing decides that a child or young person no longer needs to be on supervision they will terminate the Compulsory Supervision Order. If not before, a Compulsory Supervision Order must end on or shortly before a young person's 18th birthday. Alternatively, Compulsory Supervision Orders can end if a court grants a Permanence Order following a request from a local authority.

Table 5.4 Number of children and young people with Compulsory Supervision Orders terminated in 2017/18

Compulsory Supervision Order terminations	2017/18
Compulsory Supervision Order terminated	2,866
Permanence Order granted	534
Compulsory Supervision Orders terminated	3,397

Secure Authorisations made by Children's Hearings

Secure Authorisations can be included in interim orders or Compulsory Supervision Orders. The criteria by which they can be made are set out in sections 83(5) and 83(6) of the Children's Hearings (Scotland) Act 2011.

Table 5.5 Number of children and young people with Secure Authorisations made by Hearings, by year

Secure Authorisation measure	2014/15	2015/16	2016/17	2017/18
Within interim orders	135	127	120	114
Within Compulsory Supervision Orders	127	128	99	98

Children and young people with Secure Authorisations included in interim orders and Compulsory Supervision Orders decreased by 5.0% and 1.0% respectively. The decrease between 2015/16 and 2016/17 was caused at least in part by improved quality checking of secure authorisations. This is as part of SCRA's internal data quality procedures but also to support the Children's Hearings Scotland Feedback Loop data set.¹¹

Non-disclosure Measures

A non-disclosure measure is a special provision attached to a child or young person's order in instances when it is considered necessary to protect the address at which a child or young person is required to reside by virtue of the order, due to significant concerns about their safety.

Table 5.6 Number of children and young people with non-disclosure measures in place at 31 March, by type and year

Order type measure attached to	2015	2016	2017	2018
Interim order	118	114	100	92
Compulsory Supervision Order	1,153	1,105	1,013	805
Total non-disclosure measures¹²	1,260	1,207	1,098	882

As at the 31st March 2018, 805 children and young people had non-disclosure measures attached to Compulsory Supervision Orders and 92 children and young people had non-disclosure measures attached to interim orders. Overall, 216 fewer children and young people (19.7%) had non-disclosure measures in place at the year-end as a result of interim orders or Compulsory Supervision Orders than was the case at the 31st March 2017. This is part of SCRA's continuing work with partner agencies to ensure that non-disclosure is only used where absolutely appropriate as well as internal work to review all current non-disclosure cases.

¹¹ Secure accommodation data is also available through the Children's Social Work Statistics Scotland publication:

<http://www.gov.scot/Publications/2018/03/6242>.

¹² Some children and young persons had both Compulsory Supervision Orders and interim orders in place at the year-end with non-disclosure measures attached to both.

Appeals to the Sheriff

This section presents information about appeals to the Sheriff against decisions made by Children's Hearings in 2017/18 with comparisons to previous years.

Key facts:



Children and young people with appeals concluded decreased for the third consecutive year



% of children and young people with appeals had an appeal refused (Children's Hearing decision upheld) in the year

Appeals

Children and young people and/or their relevant persons can appeal to the Sheriff against decisions made by Children's Hearings and Pre-Hearing Panels. In 2017/18, 668 children and young people had appeals concluded. The 9.7% decrease from 2016/17 was the third consecutive drop.

Table 6.1 Number of children and young people with appeals to the Sheriff

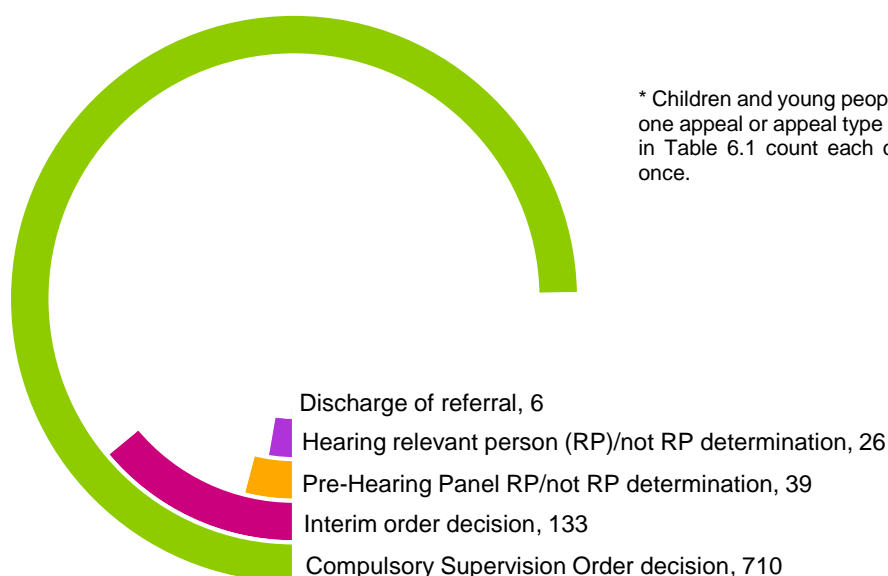
Appeal outcomes	2014/15	2015/16	2016/17	2017/18
Number of children and young people*	860	777	740	668
% with Hearings' decisions upheld (appeal refused)	65%	64%	61%	61%

* Please see the note on error margins within appeals on page 28.

At appeal, 61.1% of children and young people had Children's Hearings decisions upheld (the appeal was refused) by the Sheriff on at least one appeal in the year. For these 668 children and young people, there were 914 appeals in total. Where a decision wasn't upheld, the most common outcome was for the Sheriff to require the reporter to arrange a Hearing (for any purpose for which a Hearing can be arranged).

The types of appeals against Children's Hearings decisions are displayed in Figure 6.1. The most common type of appeal is in respect of Compulsory Supervision Orders, either in terms of the review of the order or the ground outcomes leading to the order being made. This is expected in the context of Compulsory Supervision Orders being the most common outcome of Children's Hearings.

Figure 6.1 Number of appeals against Children's Hearings decisions in 2017/18*



* Children and young people can have more than one appeal or appeal type in the year. The totals in Table 6.1 count each child or young person once.

Performance

This section presents information about operational performance within SCRA during 2017/18, with comparisons to previous years. Detailed performance against targets contained within our Corporate and Business Plans will be reported through SCRA's Annual Report 2017/18. It will also include commentary around performance as well as wider progress against SCRA's plans and will be published on the 25th October 2018¹³.

Key facts:



Performance improved
in two of the four time
interval standards

117 days
care and
protection

average working days
from referral receipt to
Hearing decision

69 days
offence

Time taken to progress referrals through the Children's Hearings System

The Time Interval (TI) Standards for the Children's Hearings System were published in 2001¹⁴. There are 14 standards covering various aspects of the process within the Hearings System and the different agencies involved. Those of most relevance to SCRA are shown below.

Table 7.1 Performance against Time Interval Standards in 2017/18

Time Interval (TI) Standard	Total number	Number on time	% on time
Standard TI4 – The Reporter will make a decision about a referral within 50 working days of receipt	25,320 referrals	19,282 referrals	76%
Standard TI6 – Hearings will be scheduled to take place within a maximum of 20 working days of the Reporter's decision	4,613 referrals	3,492 referrals	76%
Standard TI8 – All relevant people, information and resources will be available to Hearings to ensure that continuations are kept to a minimum	16,790 Hearings	13,366 Hearings	80%
Standard TI14 – The child and family will be sent written notification of the outcome of a Hearing within 5 working days of the Hearing.	31,407 Hearings	30,202 Hearings	96%

Performance against the Time Interval Standards has improved against 2016/17 for TI6 and TI8 as a result of continuing work throughout SCRA to improve performance. TI4 has dipped slightly while TI14 is unchanged. TI8 and TI14 are at their highest levels in recent years.

Table 7.2 Performance against Time Interval Standards, by year

Time Interval (TI) Standard	2014/15	2015/16	2016/17	2017/18
TI4	67%	76%	78%	76%
TI6	68%	71%	75%	76%
TI8	78%	77%	77%	80%
TI14	87%	94%	96%	96%

The Time Interval Standards within the Blueprint are currently being reviewed by a multi-agency group as part of the Children's Hearings Improvement Partnership. New standards may therefore be in place for the 2018/19 Statistical Analysis report.

¹³ SCRA's publications can be accessed here: <https://www.scra.gov.uk/resources/>.

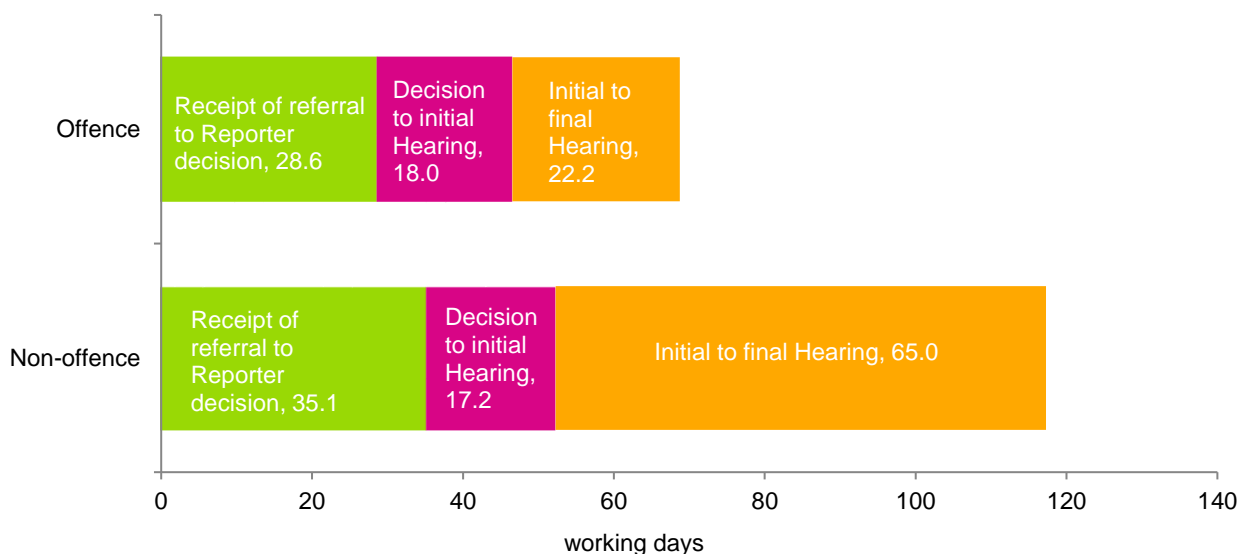
¹⁴ Scottish Executive (2001) Blueprint for the Processing of Children's Hearings Cases. Inter-agency Code of Practice and National Standards.

Working days from referral receipt to Hearing decision

Of the 3,237 children and young people with care and protection based Hearing decisions and the 177 children and young people with offence based Hearing decisions (Table 5.1), the average working days from referral receipt to Hearing decision were 117 and 69 days respectively, see Figure 7.1.

Working days are split by the main stages in the process. The differences in profiles between care and protection and offence referrals reflect the added complexities that can occur in making Reporter decisions and establishing grounds for care and protection referrals.

Figure 7.1 Average working days from referral receipt to Children's Hearing decision in 2017/18



The median for offence referrals was 58 days against an average of 69 days, while the median for care and protection referrals was 109 days against an average of 117 days.

The difference between the average and the median (11 days for offence referrals and 8 days for care and protection referrals) illustrates the effect that prolonged cases have on the overall performance on this measure.

SCRA's performance against targets in 2017/18

Performance against the Key Performance Indicators (KPIs) contained in the 2017-20 Corporate Plan has remained positive, with five of the ten reportable indicators met for the year. Improvements have been seen against Hearing scheduling and initial Hearings to disposal. Table 7.3 shows the performance against targets with the change from the previous year expressed as percentage points (pp).

Fuller information around performance is included in SCRA's 2017/18 Annual Report.

Table 7.3 SCRA's performance against targets in 2017/18

Outcomes for Children and Families	Target 2017/18	Performance 2017/18	Change from 2016/17
The percentage of Hearings scheduled to take place within 20 working days.	76%	76%	up 0.4pp
The percentage of decisions on referrals made within 50 working days of receipt	78%	76%	down 1.9pp
Outcomes for Panel Members, Partners and Staff	Target 2017/18	Performance 2017/18	Change from 2016/17
The degree to which SCRA core properties comply with SCRA property standards	90%	90%	unchanged
The percentage of initial Hearings proceeding to disposal	76%	80%	up 2.3pp
Organisational Efficiency Outcomes	Target 2017/18	Performance 2017/18	Change from 2016/17
Variance in annual revenue spends as a percentage of the available revenue budget	Within 1%	0.8%	n/a
Variance in annual capital spends as a percentage of the available capital budget	Within 5%	27%	n/a
The Scottish Government efficiency savings target will be met	0.9%	Target met	n/a
The percentage of revenue savings achieved in the year	2.5%	3.5%	n/a
The percentage of working days lost to absence (long term)	2%	3.7%	up 0.2pp
The percentage of working days lost to absence (short term)	2%	2.2%	up 0.2pp

For enquiries or feedback about this publication please contact:

Donald Lamb,
SCRA Quality and Performance Team,
Telephone: 0131 244 8578,
e-mail: donald.lamb@scra.gsi.gov.uk

We are also continually seeking to improve our Official Statistics and would be grateful if you could fill in the following short survey [here](#).

Appendix 1 - error margins

In line with Official Statistical guidance, error margins around the key areas within this report are included below.

Referral data

Referral receipt based data has been impacted by the processing to decision of cases which are not categorised as standard referrals. The non-standard ground issue has largely been resolved so referrals are unlikely to be over-counted. It is most likely that they are under-counted due to the exclusion from the count of non-standard referrals. This has led to a maximum potential undercount within the report of **5.3%**. This is why page 14 provides counts of additional and duplicate referrals and the notice that consideration will be given to including these in standard referral counts in future years.

Reporter decisions

Similarly to referral receipt data, reporter decision data has been impacted by the use of non-standard grounds within a referral and also the processing to decision of cases which are not categorised as standard referrals. Reporter decisions count all referrals with a valid decision. If non-standard referral categories were excluded, there may be a potential **1.4%** decrease within the report.

Pre-Hearing Panels and Children's Hearings

For Pre-Hearing Panels, there are issues with multiple Pre-Hearing Panels for a child or young person recorded on the same day. At a data level, it is difficult to tell whether these are valid meetings or recording issues. For Hearings, there have been issues around the removal of cancelled Hearings from the system, in addition there are some cases where children or young people have multiple Hearings on the same day. Removing multiple meetings leads to a potential decrease of **0.4%** within the report.

Compulsory Supervision Orders

Some Compulsory Supervision Orders are still awaiting the updating of the Hearing decision, this will lead to an undercount as the new Compulsory Supervision Order start and end dates are not on the system. The error margin for this is minimal (**0.1%**).

Appeals

Appeals have been under-recorded from 2013/14 onwards due to issues around recording some appeal types under the 2011 Act. This was a particular issue in 2013/14 but the recording of short-notice appeals remains problematic due to the timescales within which they require to be processed. The appeal count of 914 in this report for 2017/18 should be an accurate record of appeals but it may be the case that some short notice appeals are still not recorded.

Please note that all error margins calculated above have been done so using national data, data at a local level may be affected to a greater or lesser extent, also, within different categories of data, such as joint referrals or specific care and protection grounds, the error margin level may deviate from the overall referral value.

