

Agenda Item	10.
Report No	COG 08/17



BRIEFING PAPER

Disclosable under FOISA 2002		YES	
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Date Created	12 th September 2017	Telephone	01463 720276
Attachments: Appendix 1 – CPIP Recommendations Appendix 2 – HCPC Chair Report 07/03/2016			

National Developments

Impact on Highland Chief Officer Group structure

1. Purpose

- 1.1 The purpose of this document is to provide an overview of national policy developments across Child protection and Adult Support & Protection and specifically how they relate to the role and function of the Chief Officer Group structures in Highland.
- 1.2 This Briefing Note should be read in connection with Appendix 2.

2. Background

- 2.1 On 25th February 2016, the then Cabinet Secretary for Education and Lifelong Learning, Angela Constance MSP, announced a National Child Protection Programme for Scotland (CPIP) intended to further embed and strengthen Scotland's unique approach to child wellbeing: *Getting it Right for Every Child* (GIRFEC).
- 2.2 This programme included existing ongoing commitments on child sexual exploitation (CSE) and internet safety; the following areas were identified as new areas of work:-

- Review of practice in the Children's Hearing system
- Agreeing steps to promote and support leadership
- Refreshing the role of inspection agencies
- Improving data and evidence
- Agreeing further action to address the impact of neglect on children & young people
- Review how the child protection system currently works and what could be improved across Scotland

2.3 A Child Protection Systems Review Group was established, led by independent review chair Catherine Dyer and consisting of a range of professionals at a local and national level. Ministers tasked the Group to consider the formal operation of the child protection system in Scotland including:-

- neglect
- child sexual exploitation
- trafficking
- data and evidence
- systems
- children's hearings
- leadership and workforce development
- inspections
- internet safety

to recommend what changes or improvements might be needed to protect children and young people more effectively.

2.4 Throughout the review period, Review Group members consulted via their own organisations and national networks. Highland Child Protection Committee contributed to the CPIP Systems Review via background paper consultations on a number of the operational strands.

2.5 In March 2017, the Minister for Early Years, Michael MacDonald announced the final report from Ms. Dyer as per:

[Protecting Scotland's Children and Young People: It is Still Everyone's Job Child Protection Systems Review: Commissioned by the Scottish Government](#)

2.6 The report found that '...the child protection system in Scotland works well and that the components that the Group were asked to review are capable of delivering the support needed for these vulnerable children and young people....'

2.7 The report recognised the complex and challenging issues dealt with within the child protection systems in Scotland and identified '...three overarching and cross-cutting themes as critical to continuing to

improve processes and structures in order to protect children and young people more effectively...’ –

- Leadership, Governance and Accountability
- Developing a Learning Culture
- Shared values

2.8 A list of twelve recommendations to support the three key themes were published within the report, as per Appendix 1.

2.9 This briefing note will focus on the over-arching theme of *Leadership, Governance & Accountability* as six of the twelve recommendations support this theme and are anticipated to have an impact on the function and structures around child protection governance in Highland. In particular the first three recommendations in this theme focus on the functions of the Chief Officer Group.

3.0 Leadership, Governance & Accountability

3.1 It is evident that there will be a clear focus on this theme in future Inspections of children’s services/ child protection systems. Recent Care Inspectorate inspection reports from other Areas have indicated a focus on the linkage between Child Protection Committees and Chief Officer Groups with evidence of robust governance being sought specifically around how Chief Officers are reassured that sustainable improvements in the protection of children are being made.

3.2 The following recommendations specifically focus on this element of the Systems Review Report.

3.3 Recommendation 1

A National Child Protection Leadership Group should be established in order to further support, strengthen and improve, from a national perspective, activity on child protection across Scotland. This group should report and account to Scottish Ministers.

Key tasks of the Leadership Group in Year 1 should be:-

- Oversight of implementation of the recommendations of this report
- Review of the arrangements for child protection across current planning and service delivery processes, including Integration Joint Boards (IJB) and in relation to the duties set out in the Children and Young People (Scotland) Act 2014.

The National Child Protection Leadership Group has been now established and is chaired by the Minister for Childcare and Early Years; the membership is representative of national public sector organisations, national networks and key strategic child protection representatives and reports to Scottish Ministers.

3.2 Recommendation 2

Chief Officers should be supported by the National Child Protection Leadership Group and Child Protection Committees Scotland to strengthen delivery of their responsibilities, as set out in the [National Guidance for Child Protection in Scotland](#) (2014), and to identify areas where further work may be required, such as:-

- Clarity of reporting mechanisms between Child Protection Committees and Chief Officers' Groups;
- Descriptions of the roles and responsibilities of Child Protection Committees (including that of Chairs of Child Protection Committees) and Chief Officers' Groups; and
- Supporting Child Protection Committees to carry out their roles and functions in line with the requirements set out in national guidance.

Chief Officers should pro-actively engage with and report to elected members and other local scrutiny bodies as the local representatives of their communities and provide opportunities to listen to community concerns and hold learning events at a local level.

The Scottish Government should resource a number of regional leadership events via the Leadership Group for all Chief Officers' Groups and Chairpersons of Child Protection Committees to network, share good practice and collectively horizon scan for new risks facing children and young people.

This will likely be a key element in future Service Inspections; as demonstrated by the recently announced Joint Thematic Inspection of Adult Support & Protection Arrangements which will take place in six Local Authority areas including Highland in late 2017.

This Inspection will be conducted by the Care Inspectorate and HMICS and has indicated in preparatory paperwork that the role, function and policies of the Chief Officer Group in Highland will be a focus of the Inspection team.

The approach and methodology for the above Inspection appears similar to the 2015 Joint Thematic review of MAPPA across Scotland and may be an indicator of how future inspections of Children's Services/ Child Protection may look following the CPIP Systems Review Report.

3.3 Recommendation 3

It is critical that the Chief Executive of each local authority, working with the Chief Officers' Group, ensures that Chief Social Work Officers have

sufficient support to provide professional leadership, advice and scrutiny across all public protection matters (including child protection), given their key statutory responsibilities within the local authority.

- 3.4 The remaining six recommendations focus primarily on Initial and Significant case Reviews refreshing the Care Inspectorate role and function in terms of becoming the central repository for all Initial and Significant case Reviews. Ministerial instruction on this new process has now been issued; on Significant Case Review methodology and skill sets of reviewers; continuous improvement by Child Protection Committees; and seeking views and experiences of children, young, parents/ carers on child protection systems to improve and strengthen practice.

4.0 Relevance for Highland Public Protection Partnerships

- 4.1 The impact of this national systems review report on Highland will undoubtedly focus on the Leadership, Governance and Accountability of the Highland Child Protection Committee and work is already underway in the Committee to strengthen the strategic structures and frameworks of the Committee in terms of Membership, Reporting, Function, Terms of Reference and priorities including consultation with children & young people and practitioners during 2017.
- 4.2 Integration of the Systems Review Report into Highland Child Protection Committee policy and improvement planning is also underway with priorities reflecting a number of the recommendations already in place.
- 4.3 The current Chief Officer arrangements in Highland will come under scrutiny and while the Safer Highland model is in place; these arrangements do not accurately reflect the Systems Review recommendations, recent Care Inspectorate Inspection comments from other Areas and the indications within the Joint Thematic Inspection of ASP arrangements in relation to:-
- Robust scrutiny and governance of Child Protection and Adult Support & Protection Committee improvement plans, self-evaluation, impact on standard improvement/ outcomes and learning from reviews by all Chief Officers collectively
 - Clear and formal reporting lines from Committee Chairs to all Chief Officers
 - Formal plans, structures and policies to support the operation of the Chief Officer group as it relates to the governance of child and adult protection
 - Evidenced formal reporting/ scrutiny from child and adult protection committees to all Chief Officers in a minuted forum

5. Recommendation

- 5.1 It is recommended that Highland Chief Officers consider and review the current Chief Officer Group structures within the Community Planning Partnership model as they relate to Leadership, Governance and Accountability of public protection thematic groups specifically child protection, adult protection, domestic abuse (VaW) and management of offenders (MAPPA).
- 5.2 It is recommended that Highland Chief Officers consider development of a Public Protection-specific Chief Officer Group for Highland within the Community Planning Partnership Model to enable visible lines of accountability to thematic public protection leads and robust scrutiny of arrangements to drive sustainable improvements in the protection of Highland communities.

6. Financial Implications

- 6.1 A full financial implication assessment will require to be completed as part of any review process; however it is considered that other than costs associated to attendance and administration of a Safer Highland Public Protection Chief Officer Group there are unlikely to be any significant costs to the Community Planning Partnership.

7. Equality & Diversity

The recommendations are not considered to involve detrimental impact towards any particular group or section of the community but are considered as evidence of the commitment within Highland partnerships to continuous and sustainable improvement of services delivering protection to the most vulnerable members of our communities.

8.0 Conclusion/ Action

8.1

Highland Chief Officers consider the content of this Briefing Paper and the recommendations contained within with regards to formation of a formal Safer Highland Public Protection Chief Officers Group.

Vincent McLaughlin
Detective Chief Inspector
Public Protection
N Division
(Highland Child Protection Committee Chair)

END

Appendix 1

Protecting Scotland's Children and Young People: It is Still Everyone's Job

List of Recommendations:

Recommendations on Leadership, Governance and Accountability

Recommendation 1

A National Child Protection Leadership Group should be established in order to further support, strengthen and improve, from a national perspective, activity on child protection across Scotland. This group should report and account to Scottish Ministers.

Key tasks of the Leadership Group in Year 1 should be:

- Oversight of implementation of the recommendations of this report
- Review of the arrangements for child protection across current planning and service delivery processes, including Integration Joint Boards (IJB) and in relation to the duties set out in the Children and Young People (Scotland) Act 2014.

Recommendation 2

Chief Officers should be supported by the National Child Protection Leadership Group and Child Protection Committees Scotland to strengthen delivery of their responsibilities, as set out in the [National Guidance for Child Protection in Scotland](#) (2014), and to identify areas where further work may be required, such as:

- Clarity of reporting mechanisms between Child Protection Committees and Chief Officers' Groups
- Descriptions of the roles and responsibilities of Child Protection Committees (including that of Chairs of Child Protection Committees) and Chief Officers' Groups
- Supporting Child Protection Committees to carry out their roles and functions in line with the requirements set out in national guidance.

Chief Officers should pro-actively engage with and report to elected members and other local scrutiny bodies as the local representatives of their communities and provide opportunities to listen to community concerns and hold learning events at a local level.

The Scottish Government should resource a number of regional leadership events via the Leadership Group for all Chief Officers' Groups and Chairpersons of Child Protection Committees to network, share good practice and collectively horizon scan for new risks facing children and young people.

Recommendation 3

It is critical that the Chief Executive of each local authority, working with the Chief Officers' Group, ensures that Chief Social Work Officers have sufficient support to provide professional leadership, advice and scrutiny across all public protection matters (including child protection), given their key statutory responsibilities within the local authority.

Recommendation 4

The Scottish Government should review both the measures available to protect 16 and 17 year olds and whether the Children's Hearings (Scotland) Act 2011 should be amended to allow any young person aged 16 and 17 years old to be referred to the Principal Reporter where there is a need for compulsory measures.

Recommendation 5

When a Child Protection Case Conference is held, whether or not a child is placed on the Child Protection Register and at any subsequent points when the child protection plan is reviewed, a referral to the Reporter should be considered and the decision on referral should be clearly recorded.

Recommendation 6

The development of a National Child Protection Register that can be securely accessed by all appropriate professionals should be explored. In the short term, it should be ascertained whether it is possible for Police Scotland to use a flagging system on the National Police Vulnerable Persons Database to identify all children placed on a local Child Protection Register.

Recommendations on Developing a Learning Culture

Recommendation 7

The Care Inspectorate should become the central repository for all Initial and Significant Case Reviews and should explore the development of a 'Community of Practice' portal on the Care Inspectorate website to enable secure access to all Reviews by child protection professionals in all relevant organisations.

Recommendation 8

The Scottish Government should explore a new tiered approach to and methodology for Initial Case Reviews and Significant Case Reviews, based on the 'Child Practice Review' model used in Wales.

Recommendation 9

A set of National Standards should be developed setting out the skills and competences required of those reviewers undertaking Initial Case Reviews and Significant Case Reviews. Appropriate involvement of the child or young person and their family should be a key component of training for reviewers and a Good Practice Guidance Note should be developed on how to engage with children, young people and families involved in child protection processes. This should ensure all Reviews are timely, proportionate and contribute to an on-going learning culture.

Recommendation 10

The National Child Protection Leadership Group and Child Protection Committees Scotland should support local areas to deliver robust continuous improvement programmes. This should include working with relevant organisations to synthesise and share learning from different sources including inspection, research, reviews and local practice.

The Data and Evidence work stream of the Scottish Government Child Protection Improvement Programme should develop a strategic programme to deliver robust data sets to support child protection improvement. The Scottish Government should develop a national resource for advice on using child protection data for local planning and service development.

Recommendations on Shared Values

Recommendation 11

The Children and Young People's Commissioner Scotland should be invited to work with partners to develop a programme of work to understand children's experiences of formal child protection systems in Scotland. This work should include the further development of accessible tools and information directly for

children to support their participation in decision-making and events held to support front-line practitioners working with children. This work should include the development of a Good Practice Advocacy Guide for child protection.

Recommendation 12

Child Protection Committees should ensure children, parents and wider families are part of the decision-making processes and explore a range of strengths-based participatory approaches to Child Protection Case Conferences to achieve this.

Chief Officers, Heads of Service and senior management should support front-line professionals to participate in all stages of Case Conferences, Core Group meetings and Children's Hearings.

Appendix 2

Report to: Chief Officers Group Highland

- **Elaine Mead, NHS.**
- **Steve Barron, HC.**
- **Julian Innes, Police Scotland**

Agenda Item	(2)
Report No.	1

Report Title: Conducting a Significant Case Review Guidance – Role of the COG

Action Required:

Consideration of options provided to identify preferred method of Chief Officer ratification of Child Protection Committee ICR/ SCR decision making in light of new national guidance document.

1. Background:

Following the introduction of new Scottish Government Guidance to Child Protection Committee Chairs in 2015 on the conduct of Significant Case Reviews, clarity is sought in respect of the method of Chief Officer Group ratification of CPC decision making around ICR / SCR within Highland.

Specifically the stated guidance explains the role of the Chief Officer Group in this process, as follows:

- National Guidance for Child Protection Committee: Conducting a Significant case review (2015).

Page 11 of the guidance states: “Step 5: Ratification of decision (ICR) – The CPC should report the outcome of an ICR to the Chief Officers Group for full ratification”.

The above statement references Step 5 in a 6-step ICR process whereby:

- Step 1 (Potential significant case notified to CPC Chair);
- Step 2 (Agencies gather information and submit reports to CPC or mandated sub-group);
- Step 3 (The CPC or mandated sub group meets to consider the

information);

Step 4 (CPC or mandated sub-group decide whether or not to proceed to SCR);

Step 5 (The CPC should report the outcome of an ICR to the Chief Officers Group for full ratification).

Step 6 (Notification and recording of decision).

Once the Chief Officer Group considers the case for full ratification, the final document set is notified and forwarded to the Care Inspectorate as part of a national process to understand more about the rationales being applied across the country in determining whether SCRs are carried out.

In discussion with Chief Officer Steve Barron, it is apparent there are two options open to Chief Officers in Highland; given the wider membership of the COG in Highland, it is considered inappropriate to share the content or nature of ICRs with other agencies not currently within the membership of the CPC or data sharing partnerships for child protection or indeed other areas of public protection across Safer Highland. These two options are:

1. Submission of the ICR/ SCR document set to the Chief Officer Group by the HCPC Chair for inclusion in the COG agenda in a protected period for consideration by Chief Officers of Highland Council, NHS and Police Scotland only; or,
2. Submission of the ICR/ SCR document to a nominated representative of the COG by the HCPC Chair for consideration on behalf of the other COG members and individual reporting to NHS and Police Scotland COG members if issues were identified.

Of note, there are currently two ICR document sets requiring Chief Officer Group consideration at time of writing and also two SCRs at various stages of the process which will ultimately require to be reported to COG; it is also noted that the above options are equally applicable to other Safer Highland groups under the auspices of the Safer Highland SCR protocol document which remains current.

The above information is forwarded for the attention and consideration of Chief Officers.

2. Proposal:

On reflection and consideration of the National Guidance, Option 1 may be the preferred option initially for Chief Officers given the potential scrutiny being applied to this new process across Scotland and to test the application of this new ICR/ SCR process to practice in Highland.

Author: DCI Vincent McLaughlin.
Highland CPC Chair

Date: 7th March 2016

END