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BRIEFING PAPER

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Attachments: Appendix 1 - Protecting Scotland's Children and Young People: It is Still Everyone's Job - List of Recommendations Appendix 2 – Diagram – Proposed CPP structure including Public Protection Chief Officer Group			

1. Purpose

- 1.1 The purpose of this document is to document a proposed Highland Public Protection Chief Officer structure.
- 1.2 This Paper is submitted following Highland Chief Officer considerations post 'Briefing paper – National Developments; Impact on Highland Chief Officer Group structure (17/08/17)'.

2. Background

- 2.1 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](#)

This Report has instigated a wide-spread review of Child protection committee structures and governance in Scotland.

- 2.2 The impact of this Review has reverberated across other Public protection structures with Leadership & Governance being a clear focus of the recent Thematic Inspection of Adult Support & Protection partnerships in Scotland (2017) including Highland in November 2017.

- 2.3 It is recognised that Leadership & Governance and in particular the links and reporting to Chief officer Group structures from Public Protection thematic groups will be a key focus in Inspection Frameworks going forward in Scotland. This was the experience for Moray in their 2017 Children's Services Inspection in which there was a specific focus on governance and scrutiny from Chief Officers in both the Inspection and improvement actions.
- 2.4 This Briefing paper will provide a summary of the drivers for each of the key Public Protection thematic groups; a summary of the current Safer Highland structure; and a proposed structure for a Highland Public Protection Chief Officer Group structure.

3.0 Public Protection Thematic Group Drivers - Summary

3.1 Child Protection Committee

The National Guidance for Child Protection Committees (2014) issued by the Scottish Government sets out the functions for Chief Officer Groups and is detailed in the descriptions of functions and responsibilities for Chief Officers in relation to Child Protection.

The following points are considered relevant main drivers:-

- Chief Officers across Scotland are individually and collectively responsible for the leadership, direction and scrutiny of their respective child protection services and their Child Protection Committees.
- Chief Officers are responsible for overseeing the commissioning of all child protection services and are accountable for this work and its effectiveness.
- Chief Officers are responsible for determining the most appropriate child protection arrangements for their respective area(s).
- Chief Officers' Groups have strategic responsibility for their Child Protection Committees
- Chief Officers' Groups must be properly constituted so as to discharge their individual and collective strategic responsibilities.
- Chief Officers should agree and disseminate a clear vision, shared values and aims that promote the protection of all children and young people. That vision should clearly highlight the desired outcomes for child protection and be linked to the key processes required to achieve those outcomes.
- Chief Officers will determine their own local membership and business arrangements. They will ensure that they are transparent and accountable to elected members and Scottish Ministers.
- Their partnership working will focus on providing better outcomes for vulnerable children and families.
- They will set up arrangements for gathering and presenting performance management and monitoring information that is

relevant to achieving these outcomes in their areas and taking appropriate action in response to unsatisfactory performance.

- They will ensure that there is an interface with adult protection, offender management/Multi-Agency Public Protection Arrangements (MAPPA), Alcohol and Drug Partnerships and other planning fora.

CELCIS (2018) report that 29 of 29 Chief Officer Groups have CPCs in their line of accountability in Scotland.

3.2 Adult Support & Protection

The Adult Support & Protection (Scotland) Act 2007 sets out the statutory functions of Adult Protection Committees.

Section 42 (2) of the Act states:-

“In performing its functions, an Adult Protection Committee must have regard to the desirability of improving co-operation between each of the public bodies and office-holders to which this section applies for the purpose of assisting those bodies and office-holders to perform functions in order to safeguard adults at risk present in the council's area.”

CELCIS (2018) report that 21 of 29 Chief Officer Groups have Gender Based Violence groups in their line of accountability in Scotland.

3.3 MAPPA (Offender Management)

The Multi-Agency Public Protection Arrangements (MAPPA), are a set of statutory partnership working arrangements introduced in 2007 by virtue of Sections 10 and 11 of The Management of Offenders etc. (Scotland) Act 2005 (the 2005 Act).

This places a statutory duty on the responsible authorities in a local authority area to jointly establish arrangements for assessing and managing the risk posed by certain categories of offenders.

Strategic Management is set out in the MAPPA Guidance (2016) as a MAPPA Strategic Oversight Group (SOG) with representation at Chief Officer level; in reality across Scotland this is at senior management level within Responsible Authorities and structures/ membership have been subject to positive review in the Thematic review of MAPPA in Scotland in 2015.

CELCIS (2018) report that 22 of 29 Chief Officer Groups have MAPPA in their line of accountability in Scotland.

3.4 Drug & Alcohol Partnerships

Frameworks set out by the Scottish Government for Alcohol & Drug partnerships clearly state that structures should be such that Alcohol &

Drug partnerships are fully embedded in local community planning arrangements, can effectively support the consideration of alcohol and drugs issues within the development of LOIPs, and otherwise effectively enables the local authority to express its responsibility to account to the Scottish Government, other partners and the public.

CELCIS (2018) report that 14 of 29 Chief Officer Groups have ADPs in their line of accountability in Scotland.

3.5 Violence Against Women Partnerships

The local and national structures for Violence Against Women Partnerships are considered in the: Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women and Girls (2014, revised 2016), which states:-

“Some Community Planning Partnership (CPP) activities already reflect a strong focus on violence against women and girls and CPPs may wish to link to their VAW Partnership, as the key partnership through which to plan and co-ordinate this work. While the context will not be the same in any two local authority areas, some key partnerships that VAW Partnerships may wish to strengthen links with, include: Health and Social Care Integration Joint Boards, Public Protection Committees (i.e. Adult/Child Protection/ Offender Management Committee), Community Safety Partnerships, Community Justice Partnerships and Alcohol and Drug Partnerships”.

CELCIS (2018) report that 16 of 29 Chief Officer Groups have Gender Based Violence groups in their line of accountability in Scotland.

4.0 Safer Highland Structure

- 4.1 Safer Highland sits within the Community Planning Partnership between strategic and tactical level and brings partners together to ensure that the Highland area achieves its commitments to safer and stronger communities and reducing reoffending.
- 4.2 The structure comprises 10 multi-agency public protection thematic groups whose remit it is to ensure that Highland realises joint ambitions for the area as set out in the Single Outcome Agreement between the Community Planning Partnership and the Scottish Government.
- 4.3 Public service providers working together in this way also makes sure that there is no duplication of work, that key partner agencies are working together and fully understand each other's roles and functions.
- 4.4 The current membership of Safer Highland includes – CPC, MAPPA, ASPC, HADP, N Division Contest Board, Highland Road Safety Group, Anti-Social Behaviour Strategy Group, Youth Justice Strategy Group and the Hate Incident Steering Group.

- 4.5 This Group is Chaired by a single Chief Officer and attended by Chairs of the described groups. A strategy is in place but no constitution.
- 4.6 In current Community Planning Partnership structures, the Safer Highland is one of many groups who report to the Chief Officer Group (senior officers from the named statutory organisations within the Community Empowerment (Scotland) Act 2015) with partners from other organisations and sectors together. This Group in turn sits below the Community Planning Board
- 4.7 There is currently no direct constituted Chief Officer Governance of each of the five key Public Protection thematic groups i.e. CPC, ASPC, MAPPA, HADP and VAWP other than through the current Safer Highland structure which would satisfy the drivers in Section 3 and in particular the National Guidance for Child Protection in Scotland (2104).
- 4.8 There is currently no scope within the current Safer Highland structure to accommodate requirements in relation to ICR/ SCR other than through separate bespoke Chief Officer SCR-specific events. The nature of SCRs require that Chief Officer presentations are provided solely to Police/NHS/ Local Authority Chief Officers as oppose to the membership of the CPP Chief Officer Group.

5.0 Proposed 'Highland Public Protection Chief Officer Group' structure

5.1 In order to meet the requirements of the drivers detailed previously within this Briefing paper, the following proposed structure is described for consideration:-

- Current Safer Highland structure to be superceded with a constituted Highland Public Protection Chief Officer Group.
- New Group to be Chaired by a Chief Officer on a rotational basis (annual or biennial)
- Chief Officer Group constitution/ Terms of Reference to be drafted and agreed in principal pending national developments.
- Title of Group i.e. Safer Highland Chief Officer Group/ Highland Public Protection Chief Officer Group; requires to be confirmed.
- Secretariat to be agreed to support minuted meetings and associated agenda planning with rotational Chair.
- Chief Officer Group to meet on a quarterly basis with additional four annual dates to be scheduled for the financial year ahead to support ICR/ SCR requirements and Chief Officer Development sessions.

- Thematic Group membership of Chief Officer Group to be revised to initially include only Public Protection Groups – CPC, ASPC, MAPPA & VAWP.
- Other Safer Highland thematic groups i.e. Context Board, Youth Justice, Hate Crime, and Road Safety & ASB to be realigned within Integrated Children's Services and / or CPP routes; or,
- Consideration of wider Public Protection representation and accountability for Chief Officer Group in terms of
 - Community Safety Partnership; Community Justice Partnership; Suicide Prevention Partnership; and Multi-Agency Risk Assessment Conference (MARAC) – 3 COGs.
 - Children's Services Executive Group; Refugee Strategic Partnership; Youth Justice Group; Road Safety Group; Domestic Violence Group; Serious Organised Crime Group; Hate Incident Group; and Antisocial Behaviour Group – 1 COG.
- Membership of the Chief Officer group to include the Chair of each thematic Public Protection group.
- Membership of the Chief Officer Group to include consideration of representation from COPFS, SFRS, Thematic group Lead/ Development Officers, Chief Social Work Officer, NHHSH Lead Child Protection Clinician, to provide expert guidance to Chief Officers.
- Attendance at Chief Officer Group to be considered compulsory with nominated deputy attendance in the absence of Group member.
- The Chief Officer Group is supported by coherent structures i.e. CPC, ASPC that provide them with well-evidenced information, self-evaluation, improvement plans and performance data.

5.2 It is proposed that the future constitution of the Highland Public Protection Chief Officer Group has the following key functions:-

- The Chief Officer Group will provide clear direction and oversight of the work of the thematic public protection groups.
- Clear strategic vision across public protection partnership.
- Scrutiny and leadership on Performance data, performance improvement frameworks, management information, self-evaluation findings, and progress of plans.
- Service, practice and other local developments
- Initial Case Reviews (ICRs) and/or Significant Case Reviews (SCRs) – from all thematic groups.

- Scrutiny of legislation and policy developments (national and/or local) with consideration of the implications at the local level
- Strategic Leadership in highlighted areas of risk and concern.
- Funding/resource requirements or challenges across public protection partnership.
- Requests, proposals, recommendations on basis of governance of thematic groups
- Strategic Leadership of adverse events, high risk cases, 'high profile' child protection issues (such as child sexual exploitation)
- Reporting to Community Planning Board on public protection matters impacting on local communities.
- Clear and formal reporting lines from Committee Chairs to all Chief Officers

5.3 In terms of supporting the development of the Highland Public Protection Chief Officer Group reference can be made to the recent CELCIS report "Analysis of Child Protection Committees structures and functions- Alignment with the National Guidance for Child Protection in Scotland (2014)' (2017). This document was produced following a national scoping exercise and provides an overview of current Chief Officer Structures across Scotland – some references included in this document.

5.4 Of note, the national landscape for future Chief Officer Group structures in terms of public protection is unclear with National Leadership Summits ongoing led by Scottish Government Ministers under the auspices of the National Child Protection Improvement programme. As such, any Highland proposal for change may well require to be dynamic.

6.0 Recommendation

5.1 It is recommended that Highland Chief Officers consider the proposal to review and realign the current Chief Officer Group structures within the Community Planning Partnership model to a Highland/ Safer Highland Public Protection Chief Officer group model as described.

5.2 It is recommended that as part of this piece of work Highland Chief Officers consider development of the wider Community Planning Partnership structure as it relates to this proposal (see attached proposed structure diagram).

7.0 Financial Implications

7.1 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/ Highland Public Protection Chief Officer Group there are unlikely to be any significant costs to the Community Planning Partnership not already recognised in the current Safer Highland format.

8.0 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 key services delivering protection to the most vulnerable members of our communities.

9.0 Conclusion/ Action

1. Highland Chief Officers consider the content of this Briefing Paper in relation to the Safer Highland/ Highland Public Protection Chief Officer group structure.

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N Division
(Highland Child Protection Committee Chair)

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

Diagram – Proposed CPP structure including Public Protection Chief Officer Group

