Safeguarding Scotland's vulnerable children from child abuse

A review of the Scottish system

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Safeguarding Scotland's vulnerable children from sexual exploitation

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Section 1. Remit

1.1 *"In the context of the UK Government's inquiries into historic child sexual abuse, and the desire of the Scottish Government to ensure that the Scottish approach to safeguarding children and young people, not least by promoting their wider wellbeing, is as robust as possible, the Cabinet Secretary is asking Jackie Brock (as Chief Executive of Children in Scotland) to report to him on the matter.*

1.2 *The report will consider the development of the Scottish approach to safeguarding children and promoting their wellbeing, since 1995. It will focus on national strategic policies and how these support community responsibilities, and it may identify areas in which further development and focus is required by the Government.*

1.3 *Specifically, the report should consider (but does not need to be limited to) addressing the recent changes that Scottish Government has implemented to address the safety of children and young people and the safeguards that have been put in place, particularly: the contributions of: the Getting It Right for Every Child (GIRFEC) approach; the Children and Young People (Scotland) Act 2014; developments in tackling child sexual exploitation, and examining whether satisfactory progress has been made in implementing the recommendations from the Shaw Review. This may be based on existing research, legislation and policy and practice documents."*

Section 2. Introduction

2.1 I am grateful for the opportunity to support the Scottish Government's ambition to ensure that the Scottish approach to safeguarding children and promoting their wellbeing is as robust as possible.

2.2 The Scottish context can best be summarised as an overriding belief and understanding that the effective protection and the pursuit of the wellbeing of every child cannot be achieved without integrated partnership working, including parents and carers, at every level and aspect of a child's life. This ethos has characterised Scottish Government policy since the Children (Scotland) Act

1995. One could criticise the speed since then with which this ethos has been supported and there are several areas where progress is not good enough. Nevertheless, the stability and consistency of this approach has served us well and we are seeing in Getting it Right for Every Child (GIRFEC), the Children and Young People (Scotland) Act 2014, together with other frameworks, such as early years and Curriculum for Excellence (CfE), a context and rationale for how we can improve every child's life over the longer-term.

2.3 This has been a 10-day Review and, as such, it is inevitably an outline of the key issues. I have looked back at developments in child protection since 1995 by reviewing the range of relevant national strategic legislation, strategies, policies and reports produced by or on behalf of the then Scottish Executive and Scottish Government. Subsequent to the commissioning of this work, the Fatal Accident Inquiry into the death of Declan Hainey and the Jay Inquiry into child sexual exploitation in Rotherham were published and I have taken relevant findings into account. Other helpful material were Brigid Daniel's Review of Child Neglect in Scotland, the evidence and report by the Education and Culture Committee's Inquiry into decision-making about whether to take children into care, and the 2011 Eileen Munro Review of Child Protection in England. I have followed up several themes with individuals listed at Annex A.

2.4 The format of this Review is as follows:

- **Section 3** provides an Executive Summary of the progress made in Scotland's approach to protecting children, identifies areas for improvement and proposes 12 recommendations for short and longer-term action.
- **Section 4** summarises the areas where I believe Scotland has made best progress and improvements in protecting children.
- **Section 5** sets out my justification for those areas where I believe improvements are required.
- **Section 6** provides a list of 12 recommendations to achieve these improvements.
- **Annex A** provides the list of documents read and meetings held for the purpose of this Review.

Section 3: Executive summary

3.1 Since 1995 Scotland has made significant progress in its ambition to protect children and improve their wellbeing. We now have an integrated approach for how we aim to look after and protect our children, in particular through the introduction and wide support for Getting it Right for Every Child (GIRFEC).

I consider the key factors to be:

3.2 Focussed and consistent national leadership:

- Scotland has introduced a wide range of legislation including the Children and Young People (Scotland) Act 2014, where GIRFEC principles provide the best possible opportunity to intervene early to protect children at risk, and which introduced the Named Person role within our universal health and education services.
- Legislation has created permanence status, extended entitlements to additional support for learning, extended the age of leaving care, and provided a statutory duty to share information.
- The National Performance Framework includes outcomes and indicators to track progress on keeping children safe and improve their wellbeing.
- Multi-agency partnerships have been initiated to develop national improvement in working with children and families subject to domestic violence, youth justice and significant efforts are now underway in early years.

The consistency of risk assessment has been improved by introducing the 2012 National Risk Assessment and Management Framework.

- Foster care standards and training have been introduced and the Scottish Children's Reporter Administration and Children's Hearings Scotland have been reorganised, enabling, among other things, a refreshed approach to the training and development of around 2,700 volunteers.
- The National Confidential Forum has been established, due to begin hearing testimonies shortly, following Tom Shaw's ground-breaking Systemic Review of Historic In-Care Abuse.

3.3 All this has been supported by local leadership and implementation:

- There is now a multi-agency Chief Officers Group (COG) in every local authority area accountable for securing better outcomes for children locally and supporting the work of Scotland's 32 Child Protection Committees (CPCs).
- There are clear local arrangements for information-sharing and local multi-agency assessment and planning.
- There has been a consistent focus on developing and supporting a competent, trained and assured workforce.

3.4 The effectiveness of these local arrangements is supported by Joint Inspection of Children's Services, which provide quality assurance and identify areas where learning and improvement is required at both local and national level.

3.5 Improvement is required in three strategic areas:

3.5.1 Addressing the needs of children who are vulnerable and "on the radar"

Evidence to help us assess the effectiveness of our approach towards child protection and wellbeing is slight. An encouraging sign is that the number of children referred to children's hearings on care and protection grounds halved between 2006 and 2013 from around 40,000 to around 20,000. Similarly, offence referrals fell from around 60,000 in 2006-07 to around 25,000 in 2012-13. However, outcomes remain stubbornly poor for those children who live in the poorest 20% of families, those who are looked after and those who have additional support needs.

There is substantial work underway to improve the wellbeing of looked after children. This is welcome and must continue to be supported. To avoid duplication, this Review does not cover looked after children and young people.

A programme of improvement is required to address the needs of those children who are not looked after, but vulnerable and "on the radar". This group form around two thirds of the children who were victims of child sexual exploitation in Rotherham, the majority of children who died or were the victim of a significant incident (2012 Audit and Analysis of Significant Case Reviews in Scotland), and includes Declan Hainey. These children were vulnerable and at risk of a range of poor outcomes throughout their childhood and adolescence, including at the most extreme, child sexual exploitation. Sustained neglect over their childhood and adolescence is likely to have been a factor for the majority. Scotland's response is early intervention through GIRFEC. Our challenge is to make implementation effective for this vulnerable group of children and young people.

3.5.2 Removing systematically the legislative, funding and policy barriers against effective early intervention.

There is no shortage of legislation, national strategies and policies, which contribute to protecting our vulnerable and at risk children and young people. However, in the round, they add up to a complex picture, which makes it very difficult to provide integrated, early intervention approaches and in turn a clarity in national and local accountability and responsibility, despite the introduction of Joint Inspection of Children's services.

Of immediate concern is the interface between the Children and Young People (Scotland) Act 2014 and the Public Bodies (Joint Working) (Scotland) Act 2014. A new locality model is in place - Health and Social Care Partnerships. Some but not all Health and Social Care Partnerships have a direct responsibility for children's services but all will have responsibility for services for vulnerable adults and family members. Little information is available on whether the 32 CPCs and their COGs are well prepared and supported for this development.

As mentioned above, evidence of the effectiveness of early intervention approaches is patchy as is information on spend and workforce resource. The latest (2011) Scottish Social Services Council (SSSC) workforce data gives a mixed picture on the number of people working in child-related social work activities with an increase since 2008 in childminders, foster care and adoption workers but a decline in fieldwork children's social work officers. The impact on staffing in children's universal services is also unclear but there have been welcome announcements on increasing the number of health visitors and teachers' numbers appear to be stable although there are well-publicised cuts in additional support staff in schools.

3.5.3 Securing effective GIRFEC implementation and achieving wellbeing to meet the needs of vulnerable children.

The next critical phase of our implementation of the principles of the Children and Young People (Scotland) Act 2014 Act is to strengthen the capacity of local child protection systems to respond effectively, with a key goal being to support universal services to have the confidence and capability to understand what they need to act on. Alan Baird, Chief Social Work Adviser, puts it eloquently: "Social workers are only as good as the information they get. The universal services can show up low levels of concern which, in combination, send us the alert that we must investigate. This is critical for those children who haven't quite made the point of formal supervision".

If we can get this phase of GIRFEC implementation right, we will have a framework which strengthens child protection and wellbeing for all children but is also able, within this approach, to target specific areas of concern more effectively, such as child sexual exploitation, including online exploitation.

3.6 Recommendations

3.6.1 Scottish Ministers signal their focus, direction and determination to exercise the levers they have to drive forward improvement for vulnerable children.

3.6.2 Given the wide-ranging Scottish Government landscape which impacts on these children's issues, the Children and Families Directorate should assume overall leadership for securing the progress of this improvement programme.

3.6.3 Each of the 32 COGs receive a report from CPCs on the impact of the Health and Social care Partnerships on child protection and wellbeing and review the impact on frontline workers in children and adult services in this financial year.

3.6.4 The children's services planning guidance now in development should have the specific task of rationalising this national landscape, focusing on early intervention and funding it effectively.

3.6.5 The Scottish Government invites the Improvement Service or Audit Scotland to gather evidence on how much we already spend on supporting vulnerable and at risk children and families at UK, Scottish and local levels. Also, to look at the long-term costs of not intervening early.

3.6.6 There are concerns that the CPCs have varying levels of authority and capacity and the seniority of COGs is variable. Ministers should call a summit of the Chief Officers of the 32 Community Planning Officers, the health and social care partnership leads and the CPC Chairs. The aims and objectives would include confirming lines of responsibility and accountability, including issuing national guidance, if necessary. Also agreeing the prioritisation of early intervention and support for the role of the Named Person, for example with reference to preventing and addressing child sexual exploitation.

3.6.7 While it is relatively early days, the findings from Joint Inspections of Children's services will be tremendously useful to identify improvement and to support local and national accountability. Early intervention is addressed but it is not easy to ascertain from the published reports what the key priorities should be from a national perspective. A thematic report within the

next year would help identify necessary progress, including the tackling of child sexual exploitation.

3.6.8 Substantial progress has been made at local level to support information-sharing and risk assessment and management, supported by a commitment to training and development. In the light of GIRFEC implementation, COGs should review progress and identify priorities in readiness for the Children and Young People (Scotland) Act 2014 coming into force. National agencies such as Education Scotland then need to respond and align their training programmes accordingly.

3.6.9 Specific priority groups should be prioritised for training and development. These must include Chief Officers in order to support their response to recent Joint Inspection findings; the role of Named Person in health services and schools and their handling of risk, for example, in relation to young people and child sexual exploitation.

3.6.10 We need to raise our expectations of the qualifications necessary for child protection. All fieldwork children's social work officers should be able to take the child protection certificate. All eligible social workers with the necessary skills and experience should be supported to secure the Diploma in Child Protection. A funding package should be agreed between Scottish Government, Social Work Scotland and the 32 COGs.

3.6.11 The encouraging progress by CPCs in working with children, young people, youth work and third sector organisations to share experience and understanding of how to respond and tackle child sexual exploitation should become standard across the 32 CPCs. The Scottish Government should lead by convening a best practice event and hear from children and young people about how child sexual exploitation should be tackled. This could be built on in the future to include engagement with children on early intervention.

3.6.12 CPCs' annual reports in 2015 should set out their proposals to raise community awareness and understanding of their work. Scottish Government should facilitate events to support learning and sharing of good practice, possibly with the longer-term aim of coordinating with the CPPs to run a national awareness-raising campaign.

Section 4: Progress

4.1 Since 1995, Scotland has made significant progress in its ambition to protect children and improve their wellbeing. We now have an integrated approach for how we aim to look after and protect our children, in particular through the introduction and wide support for Getting it Right for Every Child (GIRFEC).

GIRFEC can be seen as the culmination of a long period of stability and consistency in how Scotland wants to support and protect children and young people and improve outcomes. The Children (Scotland) Act1995 and the Children's Hearings System exemplified Scotland's child-centred ethos. Thinking and understanding of how we improve outcomes has developed and become increasingly sophisticated with an improved focus on children's rights; the role of

universal services; and integrated service delivery. There has been a considerable shift in emphasis from protecting and safeguarding children, to securing the wellbeing of every child.

There has been considerable progress and below are the key factors considered helpful in the context of this Review and its recommendations.

4.2 Focussed and consistent national leadership:

- Scotland has introduced a wide range of legislation including the Children and Young People (Scotland) Act 2014, where GIRFEC principles provide the best possible opportunity to intervene early to protect children at risk, and which introduced the Named Person role within our universal health and education services.
- Legislation has created permanence status, extended entitlements to additional support for learning, extended the age of leaving care, and provided a statutory duty to share information.
- The National Performance Framework includes outcomes and indicators to track progress on keeping children safe and improve their wellbeing.
- Multi-agency partnerships have been initiated to develop national improvement in working with children and families subject to domestic violence, youth justice and significant efforts are now underway in early years.
- The consistency of risk assessment has been improved by introducing the 2012 National Risk Assessment and Management Framework.
- Foster care standards and training have been introduced and the Scottish Children's Reporter Administration and Children's Hearings Scotland have been reorganised, enabling, among other things, a refreshed approach to the training and development of around 2,700 volunteers.
- The National Confidential Forum has been established, due to begin hearing testimonies shortly, following Tom Shaw's ground-breaking Systemic Review of Historic In-Care Abuse.

4.3 All this has been supported by local leadership and implementation:

- There is now a multi-agency Chief Officers Group (COG) in every local authority area accountable for securing better outcomes for children locally and supporting the work of Scotland's 32 Child Protection Committees (CPCs).
- There are clear local arrangements for information-sharing and local multi-agency assessment and planning.
- There has been a consistent focus on developing and supporting a competent, trained and assured workforce.

4.4 The effectiveness of these local arrangements is supported by Joint Inspection of Children's Services, which provide quality assurance and identify areas where learning and improvement is required at both local and national level.

Section 5: Areas for improvement

5.1 It is right to acknowledge the progress made towards securing the protection and wellbeing of children. However, child protection, early intervention and achieving every child's wellbeing is a process. It is unrealistic to assume there could be an end point at which we can when we can conclude our work is done.

A review of relevant literature identified three strategic areas that I believe require improvement and development. The thought processes behind this are two-fold. Firstly, what are the opportunities and the risks as we move forward in the next phase of implementing Getting it Right for Every Child (GIRFEC)? Second, what help and support does our child protection system need, in particular, to ensure GIRFEC implementation is secure?

5.2 The three areas where improvement is required:

5.2.1 Acting on the evidence from recent reports and inquiries in relation to failures towards those children and families who are "vulnerable", "known" to services and "on the radar" but are falling just below the local thresholds for formal measures.

5.2.2 Eliminating the impact of the current sprawling legislative and organisational landscape. The complexity serves to present unnecessary barriers to effective early intervention for vulnerable children and families. The local systems responsible for child protection struggle to prioritise and act. This has critical implications for local and national accountability as we move forward in responding to current challenges – for example the spotlight currently on child sexual exploitation – and also to longer-term challenges as GIRFEC implementation proceeds.

5.2.3 Aligning all our efforts towards GIRFEC implementation and securing longer-term outcomes. The statutory provisions for GIRFEC are proposed to commence in 2016 but, of course, in many areas GIRFEC principles already guide the planning, delivery and review of children's services. There is confidence that the GIRFEC principles can help achieve improved wellbeing outcomes. However, there are concerns that local systems are not sufficiently resourced or integrated to secure the required smooth path from universal services to multi-agency support, where a child's needs require this. In relation to child sexual exploitation, a good example is whether services for teenagers are sufficient and integrated. We need to ensure that local child protection systems are sufficiently robust as part of our implementation work.

GIRFEC is also seen as part of the solution to tackling the Scottish Government's wider set of outcomes and aspirations in relation to children and young people. This work could be more effective if there is a clearer focus on children and young people who are at risk and where parental engagement is currently insufficient. Raising attainment for all, reducing drug, alcohol and tobacco misuse among young people, youth offending and teenage pregnancy are just a few examples. All of these inequalities impact disproportionately on children and young people who have grown up in challenging family circumstances.

5.3 The evidence for identifying these three priority themes:

5.3.1 Acting on the findings of recent reports and inquiries in relation to failures towards those children and families who are "vulnerable"

The Fatal Accident Inquiry into the death, through neglect, of Declan Hainey highlights a number of important lessons. Declan was not looked after or on the child protection register. In Rotherham, around two thirds of the children and young people abused – just under 1,000 of the 1,400 involved – were living at home. They were not looked after, although many were "known" to services.

The 2012 Audit and Analysis of Significant Case Reviews, by the University of Wolverhampton and Institute for Research and Innovation in Social Services (IRISS), analysed 56 Significant Case Reviews (SCR) since 2007 relating to 71 children and young people, 29 of whom had died. 14% of the 71 were on the child protection register and 20% were looked after. 93% of the families of these children were "known" to social work services.

The analysis showed that in almost two thirds of the cases reviewed, there was a high prevalence of parental substance misuse, and over half of the families had criminal records in relation to violence or drugs.

I understand that around half of the children involved in Operations Cotswold and Dash are not looked after.

Many of these children who were not looked after away from home would have experienced neglect of some kind, probably from their earliest years. The Scottish Government's Review of Child Neglect in Scotland, led by Brigid Daniel of University of Stirling, confirms that: "neglect is highly associated with any, or combinations of, parental substance misuse, mental health problems, domestic abuse and with parental learning disability".

It is important to note that a significant minority of children in these serious cases are looked after. There is a strong programme of work underway with looked after children and care leavers and this must continue to be supported. There are encouraging signs that our services are getting more confident at bringing children into care earlier. Equally, the current focus on permanence is expected to support social work and its partners, such as panel members, to become more decisive and to act earlier to permanently remove children and young people where they are not safe or they are at risk of harm.

However, I want to avoid duplication. My central recommendation is therefore to focus on children who are vulnerable and "on the radar", recognising that the majority of children affected by serious incidents and at risk of very poor outcomes, are living at home but are "known" to children's services.

This is a complex area made more difficult by a range of descriptions of the needs and vulnerabilities of these children. In statute, we have a category of children who are "looked after children at home", and we have "children in need". We also categorise children to help define whether they have a need for additional support for learning. The term "in need" is used in joint inspection reports to reflect the need for early intervention. Children can be experiencing "neglect" (as defined by the Children (Scotland) Act 1995) or judged to be at risk of "severe neglect" in some social work assessments or neglect which will "amount to unnecessary suffering or serious impairment of health or development" to be assessed by the Children's Reporter. Then, of course we have the overlay of local thresholds and categories.

It is a GIRFEC principle to resist categories and there is evidence to suggest that labeling some children too early can almost pre-determine their future poor outcomes. It follows, therefore, that we must be confident that practitioners can make risk assessments at a local level, based on the needs of each child and their family. It also follows that such assessment of risk needs to be based on the child and not on the availability of services and resources.

This is ambitious but it is a call for us to be far more consistent in identifying and addressing the needs of children who are at risk from the earliest possible stage. If we can be clearer about the number of children and families who are at risk of serious neglect, then there will be a far better chance of spending existing resources on effective early intervention than the current arrangements.

5.3.2. The complexity of the legislative and organisational landscape

It is commonplace to criticise the complex national landscape. However, this can be justified by noting the significant organisational restructuring now underway in adult and children's services. It is necessary to highlight the risks this poses for Ministers and their ability to be confident that GIRFEC implementation can succeed in achieving improvements for every child who is at risk or vulnerable. There are five dimensions that require consideration:

A. Restructuring

The next steps in implementing the 2014 Act's provisions are to draft the necessary secondary legislation and guidance. However, significant reform is also underway in health and social care. There are significant concerns being expressed, which are shared by Children in Scotland, about the unintended consequences of the Public Bodies (Joint Working) (Scotland) Act 2014. The structural changes taking place in every Community Planning Partnership area as a result, are changing the way that adult services are delivered, through the creation of Health and Social Care Partnership areas. In many cases new locality boundaries are being drawn up within these areas. Children's services are included in some partnership areas, but not all.

A consistent finding in child protection inquiries is the failure of adult and children's services across health and social care to work together effectively. Declan Hainey's Fatal Accident Inquiry

provides the most recent example. It is a concern that we do seem to be creating organisational barriers to effective early intervention.

B. Secondary legislation as guidance

Within the planned guidance for the Children and Young People (Scotland) Act 2014, there is an opportunity to rationalise a range of children's planning requirements. For example, through the Child's Plan, there is an opportunity to provide far greater clarity around identifying the risks and needs of vulnerable children and families.

The guidance can provide a focus for the Scottish Government to clarify the current sprawling landscape of policies, guidance, funding streams and initiatives. All of these, in themselves, are well-intentioned, good pieces of work, which address an aspect of the challenge of children, young people and families who are vulnerable.

Annex A shows the list of Scottish Government guidance documents considered as part of this Review. Approximately 43 of these documents are live or considered relevant background reading for practitioners. It does not include relevant Curriculum for Excellence (CfE) materials; a wealth of health-related materials on teenage pregnancy, alcohol misuse, family nurse partnerships, etc; relevant community safety and policing documents; or the child poverty strategy and related materials.

This landscape is then replicated 32 times at Community Planning Partnership (CPP) levels with the inevitable overlay of local policy and operational frameworks and protocols.

It is hard not to conclude that GIRFEC implementation and an improved focus on early intervention could be secured if a clearer, more consistent and streamlined framework could be produced.

C. Funding streams

Improving the alignment of existing funding streams to support GIRFEC implementation would also provide helpful leadership particularly in the context of Public Service Reform and it would help safeguard GIRFEC implementation amidst the forthcoming pressures on funding in 2015-16.

With wider commissioning of children's services underway, a clearer evidence base to support decision-making on investment in services to support GIRFEC implementation and also to identify the long-term economic benefits of early intervention, would help local areas make decisions to support implementation rather than potentially diffusing it. A wider impact on the funding decisions and priorities of other funding bodies could also be a consequence.

D. National and local accountability

GIRFEC implementation and securing improved outcomes for children and young people is a central feature of the Scottish Government's programme. In the aftermath of a child death or tragic incident, Ministers will often be held to be responsible at some level.

So, for a range of reasons, the close relationship between national and local responsibilities is impossible to decouple and a clear line of accountability is hard to discern from the child to ministerial level. Ministers are going to be involved at some level if there is a serious child protection incident. It makes sense for them to be confident that the various links in the system are accountable for their improvement and that Ministers have the protection of knowing that if local systems are failing, action will be taken. They need to be confident that the line of sight from national to local accountability is working effectively.

Ministers do not receive a regular or systematic overview of how effective we are at securing progress towards National Outcome 8 – "We have improved the life chances for children, young people and families at risk" – within the National Performance Framework. They are informed of the findings from joint inspections of children's services and can request the Care Commission to conduct a follow-up inspection if they believe there are issues of concern (something which the Care Commission would probably do anyway). Ministers can also receive copies of Significant Case Review reports.

At local level, Scotland's 32 Child Protection Committees (CPCs) have responsibility for ensuring the area can protect children, including those children who are at risk or on the radar but not currently on the child protection register. Each has a quality improvement and a quality assurance function. Relevant guidance makes clear that they should also have effective links with Alcohol and Drug Partnerships and they ought to oversee the area's wider plans to improve the wellbeing and safety of children, through relevant aspects of GIRFEC implementation. A CPC's power to choose to commission a Significant Case Review or an initial enquiry report is a helpful source of learning and review where serious failings have arisen and which may have led to the death of a child or a serious incident against them.

The capacity of the CPC to effectively discharge its functions varies. There are legitimate questions around the reach and penetration of CPCs into the area's wider organisational arrangements for children's services at local and community level and they have a very low profile among their local community. CPC membership has varying levels of seniority and their impact varies.

CPCs are required to submit an annual report to the area's Chief Officers' Group (COG). Again, there are suggestions that the seniority and consistency of the COG varies and accounts differ over the priority and support given by local Chief Officers to regular and consistent attendance.

In addition, relationships between CPCs and CPPs are variable and this is of concern when CPPs are the principal local-level vehicle for achieving cross-organisational local goals on prevention and early intervention.

Changes to the current functions or role of CPCs is not being recommended here, but given the variable picture described above, it seems sensible to give longer-term consideration to whether promoting children's wellbeing might require a better supported and more embedded organisational framework.

In the short-term, the recommendations within this review highlight areas where the Chief Officers of the area and, if necessary, Ministers, need to be satisfied that progress is satisfactory.

E. Joint inspection of children's services

It is only, or principally, via the inspection process that Ministers can objectively 'triangulate' information on whether or not a particular authority area, or particular service, is fit or unfit. Inspection therefore is an accountability tool, as well as a quality assurance tool. It is also the key improvement tool available to the system.

A significant measure of progress in the last two years is the introduction of joint inspections for children's services and the requirement that the published reports are sent to, and should be considered by, the CPP's COG. Children's services leaders appear to have unanimously welcomed this development.

In relation to child sexual exploitation, inspection consideration is now being given to the risks and action to protect children and young people. This has been amended and an East Renfrewshire inspection report, which will be published shortly, will include child sexual exploitation for the first time. East Renfrewshire officers have already offered to share their learning with CPCs nationally.

The generic, catch-all term of "children in need" to address those children in need of multi-agency support is a concern. However, I have been advised that the underpinning Reporting Inspection Findings (RIF) are far more detailed and clear about the extent to which children and families are assessed appropriately, gaining access to services sufficiently early, and whether services are making a difference.

This review only considers published reports, however, it is interesting to note those indicators where inspectors evaluated aspects of the local system, including leadership and direction, as weak or inadequate. Reading Dumfries and Galloway's report or Argyll and Bute's raises questions about how they were received with no interest from the media or even local politicians (judging by the lack of local media coverage, which I could track down). Compare this to the furor that a bad school inspection is likely to receive, e.g Irvine Royal Academy. This shows the challenge we have in demonstrating to the public, and to local councillors, why these inspections matter. There is a case for thinking about the communication of these reports to the public to help them understand the successes and challenges of their children's services.

I understand that Ministers were informed about each of the inspection's findings and that areas of concern, such as local leadership, were highlighted.

5.3 GIRFEC implementation and achievement of wellbeing outcomes

GIRFEC has widespread support but there is a view that the complex area of vulnerable but "known" children and families is not yet satisfactorily addressed in a systematic way at local level. There is unease and a lack of confidence among many children's services practitioners that all those children who are variously described as "vulnerable" will be escalated appropriately from single to multi-agency support when necessary. The pressure on resources, including staffing and cuts in services, reinforces these concerns. In addition to the above points, improvement in the following five areas of activity would help to address these concerns:

5.3.1 Information sharing

This is an area that has dominated child protection and GIRFEC since the Children (Scotland) Act 1995, and is still a live issue in relation to the Named Person. The amount of guidance and legislation in place suggests that it is now an issue of culture change, local leadership, training and development.

Local Data Sharing Agreements and procedures for protecting children are required in every area. It is not clear how systematic local monitoring is and if the arrangements are working effectively across adult and children's services. They will certainly need updating within Health and Social Care partnerships and their localities.

5.3.2. Risk assessment and management

The 2012 National Risk Assessment and Management Framework is comprehensive and provides a clear bridge between GIRFEC, assessing risk and instigating child protection measures. How is this operating in practice and do CPCs believe that the competence and capability of the children's sector to act and intervene early is improving? Is any further guidance necessary? Or is the challenge to build capacity in the system through learning and development, together with improved supervision? A systematic assessment by Care Inspectorate and withScotland is necessary to identify any improvements with particular attention to whether GIRFEC implementation plans require further development.

5.3.3 Training and capability development

The complexity of understanding how to oversee and ensure robust inter-agency children's services cannot be underestimated and recent joint inspection reports show that the leadership and direction in CPPs is challenged. An increasing number of Chief Officers are accountable for child protection and wellbeing but have no experience of children's services. Consideration must be given for how this group could be supported.

There is a welcome development of professional development accreditation at Masters Level for Chief Social Work Officers. The proposal by Social Work Scotland that all fieldwork children's social work officers should be able to take the Child Protection Certificate, and that many should then be

supported to secure the Diploma, seems imperative. This is particularly important if GIRFEC implementation proves effective with the appropriate early identification of children who are at risk, necessitating a complex professional social work assessment.

Child Protection Learning and Development in Scotland 2012 sets out the roles and responsibilities of CPCs and also Chief Officers in developing and promoting learning and development and ensuring this takes place. The Care Inspectorate's Quality Indicators 3.1 and 7.2 are particularly relevant to the area's self-evaluation of Learning and Development. We do not yet seem to be in a position to conclude that the commitment and investment to date has achieved a confident and competent workforce for protecting children. This is an area where the Care Inspectorate, SSSC, withScotland and Social Work Scotland should consider and identify where improvements could be further developed.

It is not immediately apparent how the GIRFEC training programmes underway at national and local levels are dovetailing with the training and development plans and programmes led by CPCs. There is also a range of agencies involved at national and local levels and integration of these appears patchy. Hard information is difficult to find. Anecdotally, there are examples of integrated, multi-agency training events to develop the role of the Named Person and addressing risk. Nevertheless, it is difficult not to conclude that a more integrated programme planned between national agencies, such as Education Scotland and withScotland, and the 32 CPCs and their partners, would be more effective. It is not clear why this is not happening.

5.3.4. Consultation and engagement with children and young people

It is increasingly anomalous that children and young people have such little systematic engagement with the planning and evaluation of a range of children's services. An obvious point is how much more effective services would be if they were.

There is encouraging progress by CPCs in working with children, young people, youth work and third sector organisations to share experience and understanding of how to respond and tackle child sexual exploitation. This needs to become standard across the 32 CPCs and built on for engagement in a wider range of activity.

5.3.5. Consultation and engagement with the community

The lack of community engagement and understanding of their importance in protecting children is troubling. In Declan Hainey's FAI, Sheriff Ruth Anderson QC commented:

"Child protection is not just a matter for parents, family or the various agencies who have statutory duties to meet. It is something which is the responsibility of us all – in our neighbourhood and in our society. It is incumbent on each one of us if we have what we consider legitimate concerns, to report those concerns to the relevant authority. Should those concerns

prove groundless, then no harm will have been done. If they should prove justified, then future harm will have been prevented."

This is an important challenge to address. We need community members to play their part in protecting individual children and young people. We also need their understanding and, in turn, commitment to supporting the range of public services to do their work effectively.

Final Comments

This Review was also asked to provide comment on examining whether satisfactory progress has been made in implementing the recommendations from the Shaw Review.

The Scottish Government accepted the recommendations of the Shaw Review and has made significant progress in implementing these. The establishment of the National Confidential Forum where testimony can be given will begin work shortly. The improvements identified for children and young people in residential care have been put in place and a national advice and support service has been operational and funded by the Scottish Government for several years. Learning by the Scottish Government about involving and engaging survivors more actively in developing the next stage of the support service is encouraging. The InterAction group, convened by the Scottish Human Rights Commissioner and with a number of survivors involved, will no doubt be able to identify further improvements and build on the foundations laid down in the Shaw Review.

Progress on the Child Sexual Exploitation (CSE) National Action Plan.

The last meeting of the Ministerial Working Group on 24 September 2014 agreed some critical updated actions. The intention of this Review is to provide the framework within which the Child Sexual Exploitation (CSE) National Action Plan can be delivered effectively. The more focused and effective our child protection and wellbeing systems for all children and adolescents, the better we are at preventing and intervening early in potential and actual child sexual exploitation.

This review proposes that the next iteration of the CSE National Action Plan will reflect these proposals, and that more detailed expectations of the support provided for the Named Person in health and education are set out. In particular, it is important to acknowledge the strengths of those schools and their partners who work well with young people at risk and focus on how we can build on their approaches to build capacity across all schools, especially secondary schools, to work with vulnerable young people.

Section 6: Recommendations

6.1 Taking into account the range of improvements identified, this Review suggests a programme to implement the following recommendations with a view to securing the GIRFEC approach, in particular for those children who are at risk and vulnerable from, for example, child sexual exploitation.

The first impact of introducing a programme would be to demonstrate the commitment, leadership and focus of the Scottish Government. This is not designed to be a symbolic – there is a track record of success for what can be achieved by such national leadership, such as the child protection reform programme, Curriculum for Excellence (CfE), Early Years Collaborative, the Wood Implementation Programme, youth justice and looked after children/care leavers. All these are areas once considered too big and complex to tackle systematically. However, the conditions now are right to tackle this area of vulnerable children, given how much we understand about who are our vulnerable children, their families and the likely outcomes if we do not act early.

6.2 Specific recommendations are:

6.2.1. Scottish Ministers signal their focus, direction and determination to exercise the levers they have to drive forward improvement for vulnerable children.

6.2.2. Given the wide-ranging Scottish Government landscape impacting on these children's issues, the Children and Families Directorate assume overall leadership for securing the progress of this improvement programme.

6.2.3. Each of the 32 Chief Officers' Groups receive a report from Child Protection Committees (CPCs) on the impact of the Health and Social care Partnerships on child protection and wellbeing and review urgently the impact on front-line workers in children and adult services.

6.2.4. The children's services planning guidance now in development should have the specific task of rationalising this national landscape, to focus on early intervention and funding it effectively.

6.2.5. The Scottish Government invites the Improvement Service or Audit Scotland to gather evidence on how much we already spend on supporting vulnerable and at risk children and families at UK, Scottish and local levels. Also, to look at the long-term costs of not intervening early.

6.2.6. Ministers call a summit of the Chief Officers of the 32 Community Planning Officers, the Health and Social Care Partnership leads and the CPC Chairs. The agenda would address the findings of recent Care Inspectorate reports; reinforce their role as locally

responsible for children's protection and wellbeing; and agree how priority is given to early intervention and the role of the Named Person, for example with reference to preventing and addressing child sexual exploitation.

6.2.7. The findings from Joint Inspections of Children's services will be tremendously useful for identifying improvement and supporting local and national accountability. Early intervention is addressed but it is not easy to ascertain from the published reports what are the key priorities from a national perspective. A thematic report within the next year would help us identify necessary progress, including the tackling of child sexual exploitation.

6.2.8. Substantial progress has been made at local level to support information sharing, risk assessment and management, supported by a commitment to training and development. In light of GIRFEC's implementation, Chief Officers' Groups should review progress and identify priorities in readiness for the Children and Young People (Scotland) Act 2014 coming into force.

6.2.9 Specific training events should be organised for Chief Officers' Groups using the relevant learning from recent Joint Inspection Reports and also Named Persons to ensure they feel confident in recording and referring concerns which could affect the protection and wellbeing of vulnerable children.

6.2.10 Professional qualifications to support social workers assess confidently and effectively the needs of vulnerable children should be more widely available. The Scottish Government and local Chief Officers' Groups should agree proposals for funding this.

6.2.11 Building on local experience, the Scottish Government should convene a best practice event to support learning and development and hear from children and young people about how child sexual exploitation should be tackled, including online. This could be built on in the future to include engagement with children on early intervention.

6.2.12 CPCs' annual reports in 2015 should set out their proposals to raise community awareness and understanding of their work. Scottish Government and withScotland should facilitate events to support learning and sharing of good practice, possibly with the longer-term aim of co-ordinating with the CPPs to run a national awareness raising campaign.

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Annex A

The documents provided by the Scottish Government are listed separately in the below Inventory.

Education and Culture Committee Inquiry: Evidence and Final Report 2013.

Alexis Jay Report of Child Sexual Exploitation in Rotherham 2014.

Fatal Accident Inquiry into the death of Declan Hainey 2014.

Care Inspectorate: Published Joint Inspection Reports 2013-2014.

Meetings held with:

ACC Malcolm Graham, Police Scotland

Mike Burns, Head of Children's Services, Glasgow CC and Convener, Children and Families sub-Committe, Social Work Scotland

Donald Urquhart, Independent Chair, Glasgow Child Protection Committee and Chair of National Child Protection Committee.

Beth Smith and Catriona Laird, WithScotland.

Jennifer Davidson, CELCIS.

Alan Baird, Scottish Government Chief Social Work Adviser.

With thanks to Scottish Government Officials: Deborah Smith, Catherine Duggan, David Blair Phil Raines and Maureen Bruce.

I am grateful for advice and guidance on various aspects of this review from Romy Langeland and Maggie Tierney.

JACKIE BROCK

Chief Executive, Children in Scotland

jbrock@childreninscotland.org.uk

Inventory

Document title	Published by	Date of publication
Child Protection		
National Guidance for Child Protection in Scotland (2010)	SG	2010
National Guidance for Child Protection in Scotland (2014)	SG	2014
National Guidance for Child Protection in Scotland (2014): Additional Notes for Practitioners: Protecting Disabled Children from Abuse and Neglect	SG	2014
Protecting Children & Young People: Interim Guidance for Child Protection Committees for Conducting a Significant Case Review	SG	March 2007
Report of the CSE Short Life Ministerial Working Group	SG	Dec 2013
Getting Our Priorities Right - Updated good practice guidance for all agencies and practitioners working withchildren, young people and families affected by problematic alcohol and/or drug use	SG	2012
National Framework for Child Protection Learning and Development in Scotland 2012	SG	2012
National Risk Framework to Support the Assessment of Children and Young People	SG	2012
National Guidance - Under-age Sexual Activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns	SG	Dec 2010

Safeguarding Children in Scotland who may have been trafficked	SG	February 2009
Audit and Analysis of Significant Case Reviews	SG	October 2012
Children and Young People Act – Policy Memorandum	SG	April 2013

Review of Child Neglect In Scotland	SG	2012
Children and Young People Act – Executive Summary	SG	
Protecting Children and Young People: The Charter	SG	2004
Protecting Children and Young People: The Charter Explanatory Booklet	SG	2004
Protecting Children and Young People: Framework for Standards	SG	2004
Protection of Children (Scotland) Act 2003: Information Note	SG	2003
Protecting Children and Young People: Significant Incident Review: Draft Guidance for Consultation	SG	2006
Protecting Children – A Shared Responsibility – Guidance for Education Staff	SG	2003
Protecting Children – A Shared Responsibility Guidance on Inter-Agency Co-operation	SG	
Online Safety Plan	SG	2013
GIRFEC		
A guide to *Getting it right for every child*	SG	June 2012
Children and Young People (Scotland) Act GIRFEC Guidance Framework	SG	April 2014
An Evaluation Overview of the Development and Early	SG	Nov 2009

Implementation Phases of *Getting it right for every child* in Highland: 2006 – 2009		
GIRFEC *historical documents*		
Report of Action Team on Better Integrated Children's Services – Parts 1 & 2	SG	October 2001
Report of the Child Protection Audit and Review	SG	Nov 2002
Education		
Safe and Well – A handbook for staff, schools, and education authorities	SG	August 2005
Letter from Dr Allan regarding the removal of Safe and Well	SG	June 2013
Safe and well – Policy and resource ready reckoner	SG	
Children Missing from Education (Scotland) Service Service Guidance	SG	
A National Approach to Anti-Bullying for Scotland's Children and Young People	SG	Nov 2010
better relationships, better learning, better behaviour	SG	March 2013
CME flowchart and checklist	SG	March 2013
Guidance on Developing Policies to promote the Safe and Responsible Use of mobile Technology in Schools	SG	Nov 2013

http://www.360safescotland.org.uk/- this can't be reproduced in paper format. It is an online, interactive resource which helps schools to review their e-safety policy and practice. It is available, free of charge, to all schools.	SG	Nov 2013
included, engaged and involved part 1: attendance in scottish schools	SG	March 2011
included, engaged and involved part 2: a positive approach to managing school exclusions	SG	March 2011
Youth Justice		
Early and Effective Intervention for young people who offend (about to be updated)	SG	June 2008
Managing High Risk Young People – Framework for Risk Assessment Management and Evaluation (FRAME) Planning for Local Authorities and partners	SG	September 2011
Reintegration and Transitions - Guidance for Local Authorities, Community Planning Partnerships and Service Providers	SG	Sept 2011
Diversion from Prosecution	SG	June 2011
Alternatives to Secure Care and Custody	SG	June 2011
Supporting Young People in Court -	SG	September 2011
The National Youth Justice Practice Guidance on the CYCJ website but SG good practice –	CYCJ	June 2014
Revised National Youth Justice Standards –	CYCJ	Feb 2012
Summary of Whole System Approach:	SG	

Preventing Offending by Young People – A Framework for action: Progress (2008-2011) and next steps	SG	
Securing Our Future Initiative:	SG	April 2009
National Guidance for the External Management of Residential Child Care Establishments in Scotland:	SG	June 2013
Holding Safely: National guidance on the use of physical restraint in residential child care - with 2013 update	SG	2005
National Standards for Scotland's Youth Justice Services:	SG	2002
Looked After Children		
Time to be heard: A pilot forum An independent Report by Tom Shaw Commissioned by the Scottish Government	SG	2011
Survivors of Abuse		
Consultation on the Creation of a National Confidential Forum for Adult Survivors of Childhood Abuse in Care		July 2012
National Confidential Forum - Scoping Project on Children in Care in Scotland, 1930 - 2005	Celsis	June 2012
Scottish Government National Strategy for Survivors of Childhood Abuse – Summary of Seminar		September 2013
Violence Against Women/Girls		
Safer Lives: Changed Lives - A Shared Approach to Tackling		June 2009

Violence Against Women in Scotland		
National domestic abuse Delivery Plan for Children and Young People		
Scottish Partnership on Domestic Abuse – National Strategy to address Domestic Abuse in Scotland		

Supplementary

Document title	Published by	Date of publication
Children's Social Work Statistics Scotland, 2012-13	SG	2013
Care Inspectorate Inspection Plan 2014 – 15	SG	April 2014
'Advocacy makes you feel brave': Advocacy support for children and young people in Scotland	SG	January 2010
Safer recruitment through better recruitment	SG	2007
National Care Standards – Care homes for children and young people	SG	
National Care Standards – School Care Accommodation Services	SG	
http://www.wecanandmustdobetter.org/ - this is an online resource		
Staying Put Scotland	SG	October 2013

Housing Options Protocol for Care Leavers, Guidance for Corporate Parents: Improving housing and accommodation outcomes for Scotland's care leavers	SG	October 2013
The Standard for Residential Child Care in Scotland	SSSC	January 2013
Peer Mentoring Opportunities for Looked After Children and Care Leavers	SG	March 2012
Claiming, Belonging, Skilling, Caring - Learning Exchange Summit	CELCIS	January 2014
Further developing the model for joint inspections of services for children and young people	Care Inspectorate	2014
Guide to Supported Self-Evaluation	Social Work Inspection Agency	January 2009
National Residential Child Care Initiative Overview report	Scottish Institute for Residential Childcare	2009
Briefing on Shaw's Historical Abuse Systemic Review	SG	2013

Published by:

Children in Scotland
Level 1, Rosebery House
9 Haymarket Terrace
Edinburgh
EH12 5EZ
Tel: 0131 313 2322

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