



Agenda Item 5 (vi) (a)

EAST AYRSHIRE CHILD PROTECTION COMMITTEE: 26 AUGUST 2009

VULNERABLE CHILDREN & YOUNG PEOPLE AT RISK OF SIGNIFICANT HARM GUIDANCE

1. PURPOSE OF THE REPORT

- 1.1 To request that the Child Protection Committee grant final approval for the Vulnerable Children and Young People at Risk of Significant Harm inter-agency staff procedure. (Appendix 1).

2. BACKGROUND

- 2.1 These procedures were drawn up in response to the recognition within East Ayrshire that there are a small but significant number of children and young people, who, through their own behaviour, or as a consequence of others behaviour towards them, are at considerable risk of significant harm. The procedures are intended to give guidance in the assessment, decision making and co-ordination of a multi-agency response to the complex needs of this group of children/young people. It is recognised that often this group may be involved in a number of high risk activities/behaviours, and that managing and supporting children/young people will often be demanding and progress very difficult to measure or achieve.

3. DEVELOPMENT OF THE GUIDANCE

- 3.1 A multi agency working group has been considering the procedures. The procedures were given to the Committee for comment at the Child Protection Committee meeting on 19 May 2009. They have also been distributed to the members of the Practitioners Sub Group and Practitioners Forum.
- 3.2 Following agreement from the Child Protection Committee there will be measures put in place to disseminate the guidance and brief the appropriate staff.

4. RECOMMENDATIONS

- 4.1 The Child Protection Committee is asked to:
 - i) approve the guidance for dissemination.

Susan Taylor
Chair of the Child Protection Committee
18 August 2009

Report prepared by Diane Burns, Child Protection Co-ordinator



Inter-agency Staff Procedure

**Vulnerable Children and
Young People at Risk of
Significant Harm**

[.east-ayrshire.gov.uk/childprotection](http://east-ayrshire.gov.uk/childprotection)

(Draft 6 – 19/08/09)

Date Approved at CPC:

Lead Officer:

Review Date:

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1. INTRODUCTION

- 1.1 These procedures were drawn up in response to the recognition within East Ayrshire that there are a small but significant number of children and young people, who, through their own behaviour, or as a consequence of others behaviour towards them, are at considerable risk of significant harm. The children and young people identified here are NOT at risk through familial responsibility as this would be dealt with through existing local child protection procedures.
- 1.2 Many of these children/young people may not come within the scope of the existing Child Protection Procedures in East Ayrshire, but may have previously been looked after or accommodated and be known to several workers and services. These procedures are intended to mirror and complement our existing Child Protection Procedures. **In any circumstances where there is conflict between the two, the Child Protection Procedures shall take precedence.**
- 1.3 The procedures are intended to give further guidance in the assessment, decision making and co-ordination of an inter-agency response to the complex needs of this group of children/young people. It is recognised that often this group may be involved in a number of high risk activities/behaviours, and that managing and supporting these children/young people will often be demanding and progress very difficult to measure or achieve.
- 1.4 Work with children/young people involved in high risk activities/behaviours should be co-ordinated as part of the multi-disciplinary child protection system. A common procedure is necessary to ensure:
 - key support staff are alerted to vulnerable and dangerous situations for children/young people
 - care, support and protection for young people and others is readily available and timely
 - monitoring of the child/young person's progress and the effectiveness of support plans.
- 1.5 Practitioners have a key role in reducing the risk to the community and in giving children/young people the opportunity to change their behaviour and become positive contributors to society. Meeting the needs of children/young people, in addition to implementing any essential controls necessary to protect individuals and manage the risks they pose, is necessary to safeguard them and their communities. Care for this group should be high quality and approaches and programmes should be effective, therefore, those who work with them need to have a high level of expertise. This promotes the government's aim of giving young people the best start in life and improving the life chances of all children, young people and families, especially those at risk (GIRFEC, 2008).

- 1.6 This procedure will support the existing work of staff in all operational services and should assist all agencies and professionals plan and work together to make best use of their experience and expertise in protecting children. The overall management of this procedure will be the responsibility of Social Work Services and the appropriate Service Manager (Locality).

2. DEFINING THE CHILD

- 2.1 For the purposes of these procedures 'child' means a person under the age of 16 yrs, or under 18 yrs if remaining looked after or accommodated by the local authority, however, these procedures may also be considered for young people out with this definition (see 3.2).
- 2.2 These procedures are underpinned by the principles of the United Nations Convention on the Rights of the Child and the Children (Scotland) Act, 1995 (**Appendix B**).
- 2.3 Where it is identified that a young person will require a transfer into adult services, these procedures should be used to ensure the period of transition from children & family services to adult services is seamless. While such a meeting will be chaired by a children and families manager, adult services should be invited to attend in order that early plans can be made to ensure there is a clear plan for the young person. Staff from both children and families and adult services should attend.

3. CORE PRINCIPLES AND SCOPE OF PROCEDURE

- 3.1 The welfare of children/young people will be the paramount concern in any decision making (Children (Scotland) Act 1995).
- 3.2 These procedures **must** be applied to children and young people under 16 years but **will** also be applied for those young people who are 16 - 18 yrs and who are not on a supervision requirement, but who are considered to be at significant risk and subsequently vulnerable. Consideration should also be given to invoking these procedures for those young people aged 18- 21yrs who have previously been accommodated by the local authority. The Service Manager (Locality) should give careful consideration to the application of these procedures and should respond positively to any requests from Social Workers or other inter-agency practitioners to do so.
- 3.3 Social Work Services have the responsibility for co-ordinating Vulnerable Children/Young Persons' (VYP) Case Discussions. However, it will be necessary that all agencies/organisations coming into contact with vulnerable children/young people acknowledge their responsibilities for sharing information through direct representation or by providing a

written report. **All** agencies/organisations have a key role in identifying and supporting vulnerable children/young people.

3.4 Should a Case Discussion be convened:

3.4.1 The views of children/young people should be ascertained and taken into account. These views should be balanced with the duty to take positive action to ensure their safety and welfare. They should be advised that it is sometimes necessary to share this information with others, but that they will be informed and encouraged to participate in the process.

3.4.2 Consideration should be given to the views of parents/carers and their active involvement in the decision making processes. However, this should not be to the detriment of the child/young person.

3.4.3 Concerns about confidentiality must not obstruct the exchange of information between agencies/organisations which may be essential to the protection of a child/young person from serious harm. The rights of the child/young person should be considered at all times, and the sharing of information should be undertaken sensitively. Where there are child protection concerns, all practitioners have a duty to share information in accordance with their own agency guidance or available Inter-agency guidance. If uncertain whether to share information, practitioners should discuss this in the first instance with their line manager.

4. RISK CRITERIA

4.1 These procedures will apply to children/young people who have been assessed as being highly vulnerable and at considerable risk of significant harm where:

- this harm is out with the realms of parental influence or responsibility, and
- behaviour causes concern under one or several of these vulnerability groups (this list is not exhaustive):
 - a) **Children / Young People who regularly go missing from home or their care placement for more than 24 hours, and where concern has been expressed about their safety and well being**
(Consider regularity of absconding, pattern, possible destinations, absconding with others/alone, level of risk).
 - b) **Children/Young People involved in chaotic/serious drugs, alcohol or substance/other misuse**

(Where there is a clear deterioration in the overall situation characterised by an increase in use of abusive substances, evidence of beginning to inject, cocktail of drugs, poor level of self-awareness, loss of control, health related problems).

c) Children/Young People being Sexually Exploited. This could be through:

- **The exchange of money or other forms of coercion**
(A young person may become involved in prostitution and may find themselves having sex in return for accommodation, food, cigarettes etc. Some children/young people become involved in abusive relationships which can result in serious emotional difficulties or violence)
- **Grooming and targeting of children/young people through new technology**
(Chat rooms, mobile phones, web sites, message boards, etc).
- **Exploitative sexual behaviours**
(The individual will have power over the young person by virtue of one or more of the following – age, emotional maturity, gender, physical strength or intellect).
- **Being Trafficked in the UK**
(This is now recognised as significant in the UK. Trafficking is defined as the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation (UN, 2000)).

d) Children/Young People whose violent, sexually harmful or abusive behaviour places themselves or others in danger

e) Children/Young People whose violent or abusive behaviour or mental health difficulties place themselves or others in danger
(Consideration should be given to psychological issues/mental illness and the effects of either which could increase the child/young person's vulnerability).

f) Children/Young People involved in serious incidents of Self Harm
(Consideration should be given to the nature of the incident, patterns of behaviour, gravity of the incident, level of self-awareness and likelihood of the behaviour being repeated).

5. RISK ASSESSMENT

5.1 Assessment

- 5.1.1 A risk assessment should always be considered in order to highlight the vulnerability of the child/young person there are concerns about.

This is usually completed as part of any risk assessment process through multi agency involvement. A risk assessment grid is attached to support this guidance and should be used to support any current professional assessment processes and must not be used in isolation (**Appendix A**). In East Ayrshire the use of a Risk Assessment Tool is essential in this process and each worker should evidence which tool they have used for each risk assessment.

- 5.1.2 Many children/young people who become involved in high risk activity have been known to Social Work Services and other agencies at some time. Their high risk behaviour may have developed over a period of time, and it is critical that significant changes in behaviour are recognised, and that appropriate action is considered. Practitioners from other agencies/organisations may have significant information regarding a child/young person which may reflect a different set of risk behaviours, therefore effective multi agency communication is essential.
- 5.1.3 Any practitioner from any agency/organisation who is concerned about the vulnerability of a child/young person should liaise with the child/young person's social worker (if already allocated), or the duty Children & Families Team Leader where they are not known to Social Work Services. This referral should be progressed within **24** hours.
- 5.1.4 An assessment will be necessary by those in contact with the child/young person to identify issues of concern and an initial level of risk. All agencies should recognise that children/young people are often unable to accept or comprehend the level of risk they are exposed to, and are therefore unable to accept they are vulnerable.
- 5.1.5 The Service Manager (Locality) will consider the assessed needs of each child/young person with the Team Leader and will advise of any immediate action to be taken or inter-agency consultation required in terms of protecting the young person. **Necessary urgent action must not be delayed while a vulnerable young person's (VYP) case discussion is being arranged.**
- 5.1.6 The West of Scotland Social Work Standby Service should be informed in the event of any concerns being raised out of hours.
- 5.1.7 In reviewing the information the Service Manager (Locality) will make a decision about the need to convene a VYP case discussion. A decision on whether such a meeting should be convened should be conveyed to the referrer within **2** working days, and arrangements made to hold a case discussion (where appropriate) within a further **3** working days.
- 5.1.8 In any situation where Social Work Services and the referrer disagree over the need for a VYP's case discussion, the Service Manager (Locality), in discussion with the referring agency, will discuss and agree an appropriate course of action. Matters which cannot be

resolved will be raised with the appropriate line manager in each agency.

5.2 Vulnerable Young Person (VYP) Case Discussion

5.2.1 Where an agency is concerned about the vulnerability of a young person up to and including the age of eighteen, who is unknown to Social Work Services, initial discussion should take place with the duty Team Leader to agree what action is necessary.

5.2.2 The referrer will complete a report outlining the high risk behaviour which is causing concern and this will be available at the case discussion.

5.2.3 When it is agreed that a VYP Case Discussion should be convened Social Work Services and the referrer will agree:

- Who will inform the young person of the date of meeting
- The purpose of meeting
- Who should prepare/support the young person to attend the meeting
- To inform the young person of their right to have a support person
- To discuss the young person's views if they do not wish to attend

5.2.4 VYP case discussions will be chaired by the Service Manager (Locality).

5.2.5 Social Work Services will record the details on SWIFT.

5.2.6 The VYP case discussion should focus on identifying, assessing and responding to the needs and risks outlined. The agenda should include:

a) Assessment of need

(Consideration should be given to whether a comprehensive, multi agency assessment is required? In what areas of the child/young person's life is he/she experiencing difficulty?, e.g. past history of abuse, current abuse history, personal support systems, involvement with other agencies, for example, Police).

b) Identification and Assessment of Risk

(This may include a description of risk behaviour(s), how/when behaviour commenced, pattern of behaviour, level of risk, escalation of behaviour with subsequent rise in level of personal risk or risk to others, current areas of concern, what changed for this procedure to be considered necessary).

c) Options for supporting and protecting the Child/Young Person

(These may include the use of Child Protection Procedures, intensive community support package, Secure accommodation, accommodation by Social Services, referral for emergency medical assessment).

d) Relevance of the Children's Panel to the Child/Young Person's situation

(If there is a current supervision requirement in place, the Reporter must be kept informed).

5.2.7 Agencies should be included in the VYP case discussion on the basis of their existing involvement with the child/young person, or the potential for them to contribute advice or services which will benefit the child/young person.

5.2.8 All agencies participating in the VYP Case Discussion should be prepared to share appropriate information and be flexible in their approach to providing direct or indirect support to the child/young person. All agencies must agree the level of risk the child/young person may be exposed to, and should collectively agree an integrated action plan which reflects the child/young person's unique situation. All agencies must be able to clearly define what they can offer the child/young person, and be prepared to participate in the core group if this is the decision of the Case Discussion.

5.3 Children's Plan

5.3.1 In most cases an action plan will be agreed, allocating specific roles and tasks to individuals and agencies/organisations. Where a child/young person has not been previously known to Social Work Services, a decision will be taken about the need for the allocation of a worker.

5.3.2 On a multi agency basis, agreement should be reached about the most appropriate person to be the lead professional.

5.3.3 Following all VYP Case Discussions, the Service Manager (Locality) will ensure that a formal minute is recorded, highlighting all risk factors, actions and incorporating the Children's Plan.

5.3.4 The decision from the VYP Case Discussion will be circulated within **1** working day and the minute within **5** working days, setting out tasks and areas of responsibility to be undertaken by individual workers and agencies. The child's action plan will be written up immediately following the discussion using the standard pro-forma and circulated to case discussion participants, the Child Protection Independent Review

Officer and the Manager, West of Scotland Social Work Standby Service.

- 5.3.5 During the VYP Case Discussion a decision will be made about the need for the establishment of a core group of practitioners who will work together, forming the team around the child/young person.
- 5.3.6 Consideration needs to be given as to whether a referral to the Scottish Children's Reporter Administration (SCRA) is necessary. Where it is agreed a referral should be made to SCRA, a copy of the minute along with a letter advising of the referral should be forwarded to the Children's Reporter. Where the child/young person is subject to a supervision order, a copy of the minute should always be forwarded to the Children's Reporter for information.
- 5.3.7 Where a child/young person does not attend their VYP case discussion, the participants will agree who should meet with the child/young person and provide them with feed back in relation to the action plan. In those circumstances, where the child/young person is missing, the action plan will proceed and discussion will take place with the child/young person upon their return.
- 5.3.8 The minutes of all VYP case discussions will be signed by the Service Manager (Locality).

6. CORE GROUP

- 6.1 Where a core group has been agreed, the following will apply:
 - 6.1.1 The first core group should be within **10** days of the VYP Case Discussion and will be made up from the key agencies involved with the child/young person.
 - 6.1.2 The co-ordination of the care plan and action plan will normally be the responsibility of the lead professional as agreed at the VYP care discussion. Communication between members of the core group must be open and prompt.
 - 6.1.3 Frequency of core group meetings will be agreed at the first core group meeting. This will often be determined by the level of the child/young person's risk and whether or not the child/young person is participating and engaging in the process.
 - 6.1.4 These procedures and subsequent reviews should be linked to existing review frameworks. There should be **NO** additional meetings where possible, adhering to the GIRFEC principle of one child, one assessment, one plan and one set of subsequent processes.

6.1.5 All core group meetings will be formally recorded with minutes distributed to all participating agencies and the child/young person (where appropriate) within **5** working days.

6.1.6 The core group can, at any time, request that a review case discussion be convened if circumstances change and there is a need for urgent review. The Service Manager (Locality) will require to give consideration to such a request, and has responsibility for communicating to all agencies if for any reason a case discussion is not convened.

7. REVIEW MEETING

7.1 The Children's plan will be reviewed at regular intervals and at least quarterly. An initial review should take place within **3** months and can be earlier if specified by the VYP Case Discussion. The inter-agency core group will update the review VYP Case Discussion with regard to work undertaken and current concerns.

7.2 At review, if the action plan is not successful in promoting change and the reduction of risk, meetings should continue to be convened to record the level of risk and to review the action plan taking account of statutory responsibilities to the child/young person.

7.3 It is recognised that these meetings may be less frequent. It will be important to monitor the young person's progress even if they are refusing to participate in the plan or work with the core group.

7.4 When it is agreed at a review VYP Discussion that there no longer requires to be ongoing reviews under this procedure, Social Work Services will, clearly record the reasons why the decision has been taken and inform the original referrer of the decision.

7.5 In the circumstances where the young person becomes looked after and accommodated, the Independent Reviewing Officer should assume the chairing responsibilities for the Service Manager (Locality).

8. QUALITY ASSURANCE STATEMENT

8.1 To measure the implementation and effectiveness of this policy a review will be undertaken in accordance with the Child Protection Committees Annual Business Plan and Reporting cycles.

9. Useful Contact Numbers:

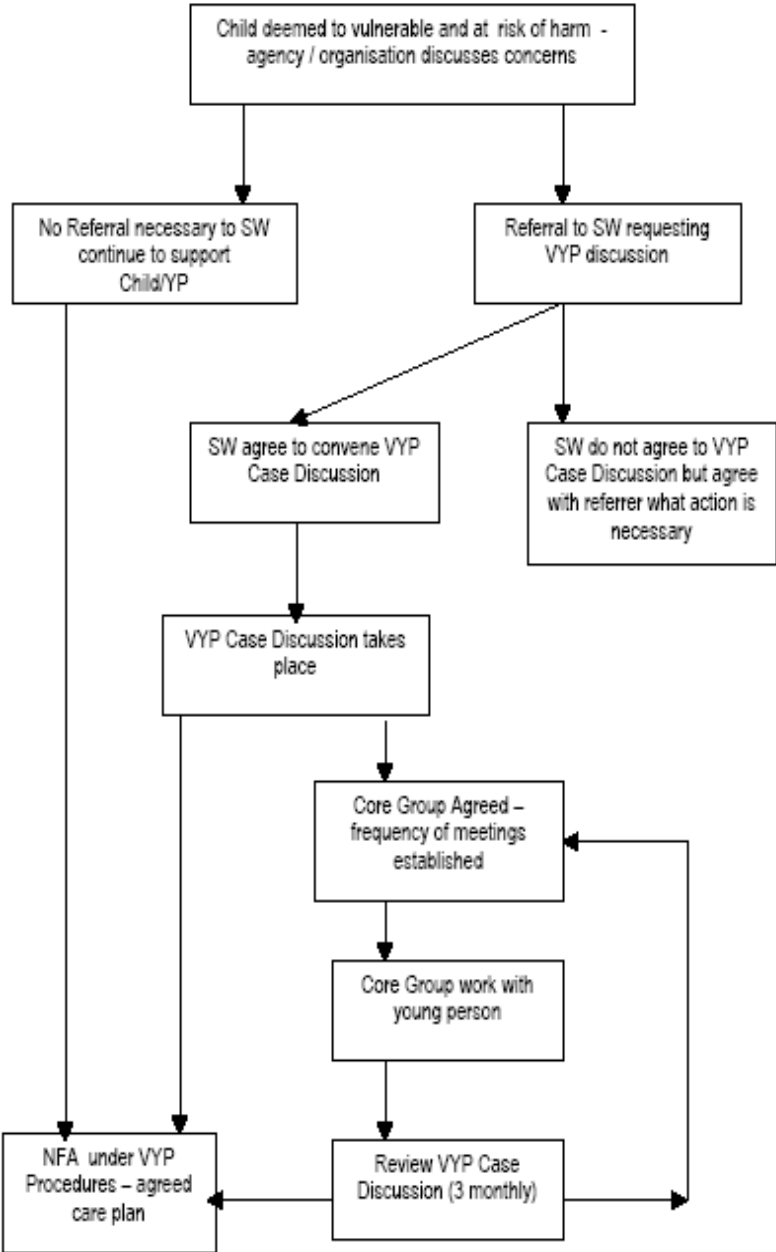
Social Work Office, East Ayrshire Council, (Kilmarnock)	01563 528011
Social Work Office, East Ayrshire Council (Lugar)	01563 554455
Social Work Office, East Ayrshire Council (Galston)	01563 820876
West of Scotland Social Work Standby Service (Out of Hours)	0800 811505
Child Protection Advisor, NHSA&A, East Ayrshire	01290 421194
Police, Kilmarnock	01563 505000
Family Protection Unit, Strathclyde Police, Kilmarnock	01563 505195
Strathclyde Police, Cumnock	01290 420755
Scottish Children's Reporter's Office, (East Ayrshire)	01292 291910
24 hour Child Protection Line	0800 0223222

10. ACKNOWLEDGEMENTS - GOOD PRACTICE LEARNING

During the production of this policy, research on good practice was undertaken. We would like to acknowledge the contribution of the Glasgow Child Protection Committee and the North Ayrshire Child Protection Committee, both of which made available the Glasgow Child Protection Committee Vulnerability Procedure and North Ayrshire Child Protection Committee Good Practice Guidance.

In the development of this procedure the Child Protection Committee would like to acknowledge the work of the multi agency development group and the comments from the Practitioners Forum, which comprises of a mixed skills balance from across the multi-agency sectors.

PROCEDURAL FLOWCHART



The principles of the United Nations Convention on the Rights of the Child and the Children (Scotland) Act, 1995

The principles of the United Nations Convention on the Rights of the Child and the Children (Scotland) Act, 1995, state that each child/young person:

- Has the right to be treated as an individual
- Can form a view on matters affecting him or her and has the right to express those views if he or she wishes
- Has the right to protection from all forms of abuse, neglect or exploitation
- When it is in the child/young person's best interest, they should be raised within their own family environment.