



EAST AYRSHIRE CHILD PROTECTION COMMITTEE

FRIDAY 3 JUNE 2011

NATIONAL GUIDANCE FOR CHILD PROTECTION IN SCOTLAND

1. PURPOSE

- 1.1 To advise of the proposed implementation arrangements for the new national guidance on child protection in East Ayrshire.

2. BACKGROUND

- 2.1 The Scottish office guidance, 'Protecting Children – A Shared Responsibility', was published in 1998. The document provided guidance for all professionals working together to protect children.
- 2.2 Since this time the child protection landscape in Scotland has developed considerably. New legislation, improved standards of practice and enhanced partnership approaches have shaped activity both nationally and locally.
- 2.3 In December 2010, the Scottish Government issued new national guidance on child protection in recognition of the changes in child protection practice (National Guidance for Child Protection in Scotland: 2010). The guidance has been developed by practitioners for practitioners and is aimed at setting a common standard of service for children across Scotland.

3. PURPOSE OF GUIDANCE

- 3.1 The guidance provides a national framework within which agencies and practitioners at local level, individually and jointly, can agree processes for working together to safeguard children. Improving outcomes for children and young people is a fundamental objective for all services and organisations.

3.2 The guidance sets out:

- expectations for strategic planning of services to protect children and young people and highlights key responsibilities for services and organisations, both individual and shared.
- common standards for child protection services, providing clarity on how all agencies should work together where appropriate to

respond to concerns early and effectively, ensuring practice is consistent and of a high quality.

3.4 The guidance replaces 'Protecting Children – A Shared Responsibility: Guidance on Inter-Agency Cooperation, 1998' and incorporates the Scottish Government guidance, 'Protecting Children and Young People: Child Protection Committees; 2008'.

3.5 The guidance is in four key parts:-

- Part 1: The context for Child Protection – addressing the definition, principles, standards and legislative framework underpinning the approach to keep children safe and protecting their welfare.
- Part 2: Roles and responsibilities for Child Protection – addressing the core responsibilities of services and organisations, and their role in protecting children.
- Part 3: Identification and response to concerns – providing a framework for identifying and managing risks.
- Part 4: Child Protection in specific circumstances – offering additional information on dealing with specific circumstances which may impact adversely on children.

4. KEY ELEMENTS

4.1 The main changes incorporated into the National Guidance include:-

- Greater protection for unborn babies - ensuring that any child who needs a plan pre-birth is placed on the child protection register.
- Moving away from categories on child protection registration when placing a child on the register in order to encourage greater recognition of all the needs and risks involved.
- Ensuring a level of independence and seniority relating to decision making at child protection conferences.
- Revision of data collection on child protection.

5. THE NATIONAL GUIDANCE – LOCAL CONTEXT

5.1 The changes set out in the guidance presents challenges and opportunities to all stakeholders involved in the protection of children and young people in East Ayrshire. The proposed approach to the key changes in East Ayrshire are highlighted as follows:-

- **GREATER PROTECTION FOR UNBORN BABIES**

5.2 In East Ayrshire, it is recognised that multi-agency assessment and support planning with pregnant women maximises the potential for a healthy pregnancy / child (Vulnerable Pregnancy Protocol).

5.3 In some circumstances, the risks to the unborn child will be significant and this will trigger the need for a pre birth case conference. It is therefore proposed that the pre-birth child protection case conference should take at the earliest appropriate date. The conference should take place no later than at 28 weeks of pregnancy, or in the case of late notification of pregnancy, as soon as possible from the concern being raised (and no later than 21 days of the concern being raised).

5.4 Based on the assessment of risk, need and protective factors the conference will require to consider:

- whether it is safe for the child to go home;
- whether there is a need to apply for a child protection order at birth;
- whether the child's name / details should be placed on the child protection register

5.5 If the child's name / details are placed on the register, the conference requires to prepare an inter-agency plan in advance of the child's birth.

5.6.1 Within East Ayrshire, it is proposed that when the unborn child's name is placed on the child protection register, a core group be formed to implement the plan. The core group will meet within 15 days of the pre-birth conference.

5.7 Following the birth of the baby, a review case conference will be held when it is ready to be discharged from hospital to ensure that the plan for the baby remains appropriate and to review any key decisions if required. The conference will also review the need for registration.

- **CATEGORIES OF REGISTRATION**

5.8 The existing categories of registration will be removed. The guidance proposes that a wider list of risk factors specific to the child are identified. One or more factors can be used.

6.2 The proposed list of risks include domestic abuse; parental alcohol misuse; parental drug misuse; non-engaging family; child affected by parental mental health; child placing themselves at risk; sexual abuse; child exploitation; physical abuse; emotional abuse; physical neglect; other concerns. It is proposed that this is fully adopted in East Ayrshire.

- **CHAIRING ARRANGEMENTS**

- 7.1 The new National Guidance recommends that child protection conferences should be chaired by senior members of staff who are experienced in child protection and competent, confident and able to carry out the roles and responsibilities for the post. The guidance highlights the need for the chair to have a level of seniority within the authority and retain a level of independence to allow for the ability to challenge their own and other agencies lack of progress in implementing plans for children.
- 7.2 East Ayrshire Council currently employs an independent chair of child protection conferences. There are however challenges as the current arrangements are dependent on this one post, and given the scale of child protection work in East Ayrshire, this is not sustainable. In addition, the operational demands of the role do not allow scope for robust independent scrutiny of plans, collation of performance / management information, analysis etc.
- 7.3 The recommendation is therefore to take forward the national guidance by bestowing the responsibility for all pre-birth and initial conferences to the service managers (localities) who would consider the need for child protection registration and develop a child protection plan. Thereafter, all review conferences would be chaired by the independent reviewing officer. The independent reviewing officer does not have operational responsibility for staff and would be well placed to ensure that plans are being implemented. To allow for scrutiny and challenge, the post holder is now managed directly by a senior manager.
- 7.3 This approach ensures that all three aspects of the national guidance is met i.e. seniority; independent scrutiny and independent scrutiny at a senior level (where required in respect of potential disputes). The guidance asks that wherever possible the Chair has no direct involvement or management responsibility for the case. Given the context describes above, this is not achievable in East Ayrshire.

8. IMPLEMENTATION PLAN

- 8.1 In order to take forward and implement the national guidance on a single and multi-agency basis, an implementation plan is attached at Appendix 1.

9. RECOMMENDATIONS

- 9.1 The Child Protection Committee is asked to
- i) approve the proposed approach set out at section 5;
 - ii) approve the implementation plan attached as appendix 1.

Susan Taylor
Chair of East Ayrshire Child Protection Committee
31 May 2011

Report prepared by Celia Gray, Senior Manager (Locality Services), Children & Families

RECOMMENDATION	TIMESCALE FOR IMPLEMENTATION	ACTION REQUIRED	PERSON(S) RESPONSIBLE	PROGRESS
Provide single-agency briefings to all staff on the main changes in the National Guidance.	June 2011	Use of presentation from Scottish Government.	Lead Manager/Training Manager	Completed by 20/05/2011
Incorporate National Guidance into the West of Scotland Child Protection procedures	May 2011		Child Protection Coordinators (West of Scotland)	
Extend the use of East Ayrshire Child Protection Register to include unborn babies.	1 August 2011	<ul style="list-style-type: none"> • Consider the identification of risk factors. • Ensure admin staff support the extended use of core groups. • Provide briefings to all staff. 	Senior Managers Service Managers Team Managers	Implementation group set up to take this forward.
Implement new timescales set out within the National Guidance. (...)	August 2011	Ensure admin and system requirements in place to fulfil National Guidance.	National Guidance Implementation Group	

**National Guidance on Child Protection
Implementation Plan**

RECOMMENDATION	TIMESCALE FOR IMPLEMENTATION	ACTION REQUIRED	PERSON(S) RESPONSIBLE	PROGRESS
Implement new timescales set out within the National Guidance. <i>(cont...)</i>		Ensure management information system is set up to report on compliance with National Guidance timeframes.	SWIFT Team Performance Manager	
Strengthen chairing arrangements of case conferences.	July 2011	Resource service Managers to undertake initial and pre-birth conferences. Ensure admin staff available to support Service Managers.	Senior Manager Admin staff	
Data collection:- Ensure systems are in place to accommodate change in data collection.	August 2011	Ensure IT system is able to generate information required.		