

EAST AYRSHIRE COUNCIL

SOCIAL WORK COMMITTEE : 6 NOVEMBER 2003

CHILD PROTECTION NATIONAL IMPLEMENTATION TEAM – CONSULTATION ON NATIONAL STANDARDS AND ON THE ROLE AND RESPONSIBILITIES OF CHILD PROTECTION COMMITTEES

Report by the Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 To seek elected members' approval to submit a response to the Scottish Executive consultations on National Standards for child protection and on the role and responsibilities of Child Protection Committees.

2. BACKGROUND

- 2.1 On 25 November 2002, the Scottish Executive published the report of its audit and review of child protection services in Scotland, entitled *It's Everyone's Job to Make Sure I'm Alright*. The Executive had commissioned the review in response to the enquiry into the death of the child Kennedy McFarlane in Dumfries and Galloway.
- 2.2 The review made 17 recommendations, focusing on 7 areas for improvement :
 - Better information;
 - Developing quality standards and strengthening monitoring and inspection arrangements;
 - Strengthening the role of child protection committees, particularly in respect of information provision and quality assurance;
 - Better knowledge about effective practice, staff training and competence;
 - Promoting the rights of all children to life decency and development and tackling the needs of the most vulnerable children as early as possible;
 - Ensuring resources follow need;
 - Reviewing the grounds of referral to the Children's Reporter.
- 2.3 Following publication of the review, a national implementation team was established to support local agencies in improving child protection arrangements. A follow –up review will take place in 3 years time, with annual reports on progress being made in the interim period.

3. CONSULTATION PROCESSES

- 3.1 The initial focus of the national implementation team's work has been to draw up National Standards to define what children in need of protection can expect from agencies. Managers and frontline practitioners from agencies on the Child Protection Committee have already participated in a local day of workshops on the standards led by members of the national implementation team and the Child Protection Committee sent a representative to a national consultation event on the standards held on 23 October 2003. It is anticipated that the standards will be finalised in December 2003.
- 3.2 On 16 October 2003, the Scottish Executive wrote to interested parties, attaching draft National Standards and inviting comments by 31 October 2003. In view of the short timescale for responding on a matter of such importance, officers requested an extension to the consultation period to allow Committee to consider draft comments and agree on the response to be submitted. Draft comments are attached as Appendix 1 to this report.
- 3.3 A further focus of the national implementation team's work has been to review the role and responsibilities of Child Protection Committees. On 20 October 2003, a letter was received from the Scottish Executive, attaching initial ideas on the core characteristics, activities and responsibilities of Child Protection Committees and inviting comments by 28 October 2003. Again, in view of the very short timescale for responding on a matter of such importance, officers requested an extension to the consultation period to allow Committee to consider draft comments and agree on the response to be submitted. Draft comments are attached as Appendix 2 to this report.
- 3.4 Copies of the draft National Standards and the consultation paper on the role and responsibilities of Child Protection Committees are lodged in the Members Information Point.

4. POLICY/LEGAL/FINANCIAL IMPLICATIONS

- 4.1 There are no immediate policy, legal or financial implications arising from this report. Such implications may arise as the National Standards and the role and responsibilities of Child Protection Committees are finalised and implemented. Any such implications will be subject to separate reports to Committee at the relevant time.

5. RECOMMENDATIONS

- 5.1 Committee is requested to:

- a) approve the response to the consultation on National Standards, as attached as Appendix 1 to this report;
- b) approve the response to the consultation on the role and responsibilities of Child Protection Committees, as attached as Appendix 2 to this report;
- c) note that the report will also be considered by the Education Committee at its meeting on 11 November 2003;
- d) authorise the Director of Educational and Social Services to submit the responses to the Scottish Executive; and
- e) otherwise, note the content of the report.

John Mulgrew
Director of Educational and Social Services
28 October 2003

For further information, please contact John Alexander, Principal Officer (Quality and Planning) (Tel. 6978)

IMPLEMENTATION OFFICER : JACKIE DONNELLY, HEAD OF SOCIAL WORK

APPENDIX 1

SCOTTISH EXECUTIVE CONSULTATION ON CHILD PROTECTION NATIONAL STANDARDS

RESPONSE BY EAST AYRSHIRE COUNCIL

1. Introduction

- 1.1 The Council welcomes the opportunity to comment on the draft national standards for child protection. However, it is not considered helpful or reasonable to seek comments on a matter of such importance within a 15 day timescale.
- 1.2 The Council believes that local Child Protection Committees should also be given the opportunity to comment on the draft standards before they are finalised and published for implementation.

2. General Comments

- 2.1 The standards are framed in terms which are open to interpretation. There is a need to define the terms being used to ensure that there is minimal risk of misinterpretation.
- 2.2 The standards are statements of aspiration and it is difficult to envisage how performance against them might be measured. It would be helpful to sharpen and make more specific the level of performance expected in measurable terms, using the SMART approach (specific, measurable, achievable, reality-orientated, time-limited).
- 2.3 The language used is not child-friendly. It is appreciated that the standards will be used by different audiences and it would be important to produce the standards in different formats and presentations to maximise their accessibility and comprehensibility without distorting or changing the basic message.
- 2.4 In order to meet the aspirational statements contained in the draft standards, there will be significant resource implications for local authorities and other agencies involved in child protection. The process of making the standards "SMART" would help to quantify the scale of additional resources required and enable costed proposals for additional funding to be drawn up.
- 2.5 There would be merit in phasing in the implementation of the standards, just as the implementation of National Care Standards has been subject to phasing.

3. Specific Comments

3.1 In response to the specific questions posed in the letter which accompanied the draft standards, the following points are made:

- **What are the significant gaps?**

There needs to be greater reference to the responsibilities of parents and carers. There also needs to be a clearer focus on the needs of those children whose needs are greatest because of their vulnerability.

- **How might we improve the standards so that they are both accessible for children and parents and useable by professionals?**

See comments at 2.3 above.

- **How might they be developed into a self-assessment tool?**

See comments at 2.2 above.

- **What will need to be done to implement the standards and by whom?**

Apart from phasing of implementation (see comments at 2.5 above), there will need to be greater specification of expectations from Scottish Executive and the opportunity for local agencies to prepare realistic implementation plans, taking account of local circumstances, including resource availability.

4. Any enquiries about this response should be directed to :

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APPENDIX 2

SCOTTISH EXECUTIVE CONSULTATION ON ROLE AND RESPONSIBILITIES OF CHILD PROTECTION COMMITTEES

RESPONSE BY EAST AYRSHIRE COUNCIL

5. Introduction

5.1 The Council welcomes the opportunity to comment on the national implementation team's initial thoughts on the core characteristics, activities and responsibilities of Child Protection Committees (CPC's). However, it is not considered helpful or reasonable to seek comments on a matter of such importance within a timescale of 8 days.

5.2 The Council believes that local Child Protection Committees should also be given the opportunity to comment formally on the proposals before they are finalised and implemented.

6. Specific Comments

6.1 In response to the specific questions posed in the letter which accompanied the draft proposals, the following points are made:

- **Do you agree with the statements above? If not, why and would there be an alternative you would suggest?**

The statements made are agreed in broad terms. However, a number of points and qualifications must be recognised, as set out below.

- **Would you suggest any particular priority for these?**

The increased emphasis for CPCs on strategic planning of child protection service delivery should be balanced by a reduction in child protection emphasis in Children's Service Plans to avoid duplication and confusion of responsibility.

- **What would be the 3 key changes/outputs you would want to see from this review of CPCs?**

1. CPCs should be placed on a statutory footing, with mandatory membership from all local statutory agencies at senior/decision-making/resource committing level.
2. CPCs should be resourced appropriately by the Scottish Executive.
3. CPCs should have the power to compel the sharing of information where failure to share could impact severely on the welfare of a child.

- **What decision-making powers should they have?**

CPCs should be responsible for deciding on strategic priorities for inter-agency practice development, inter-agency training and staff development activities and quality assurance of inter-agency child protection service delivery.

7. Any enquiries about this response should be directed to :

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