

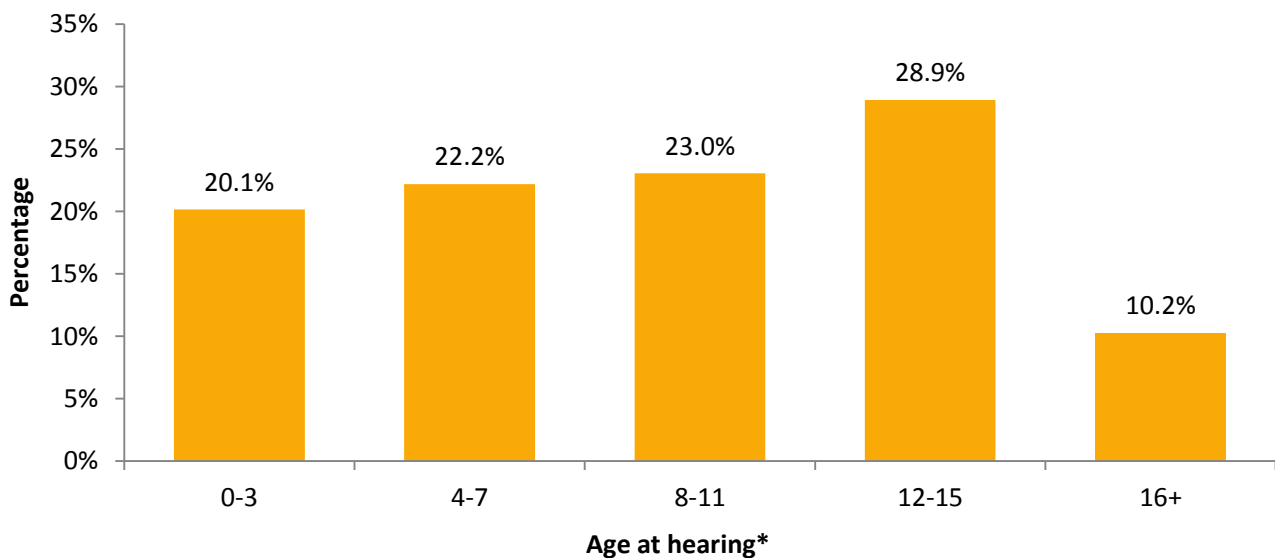


Children's Hearings Scotland

Feedback Loop 2014/15 - National Summary

The feedback loop is a legislative requirement under section 181 of the Children's Hearings (Scotland) Act 2011. It requires the National Convener to report on the implementation of Compulsory Supervision Orders (CSOs) by local authorities within their area and nationally. This report presents information about the numbers and nature of CSOs nationally from 1 August 2014 to 31 July 2015.

There were 13,977 children subject to CSOs, nationally, within the reporting period. Of these children, 46.6% of the children were female and 53.4% were male. The ages of these children are shown in the graph below.



Hearings are held prior to the expiry of each CSO, but may be convened earlier if requested by the child, relevant person, local authority or previous children's hearing. There were 29,825 children's hearings and court meetings, for these children, within the reporting period.

A hearing can make an interim form of CSO (which lasts for a maximum of three weeks) or a full CSO (which lasts up to a maximum of one year). The decisions** recorded against these children's hearings and court meetings were as follows:

Interim CSO - 8,874

CSO made - 3,086

CSO continued - 5,664

CSO varied - 7,830

Interim variation CSO - 1,954

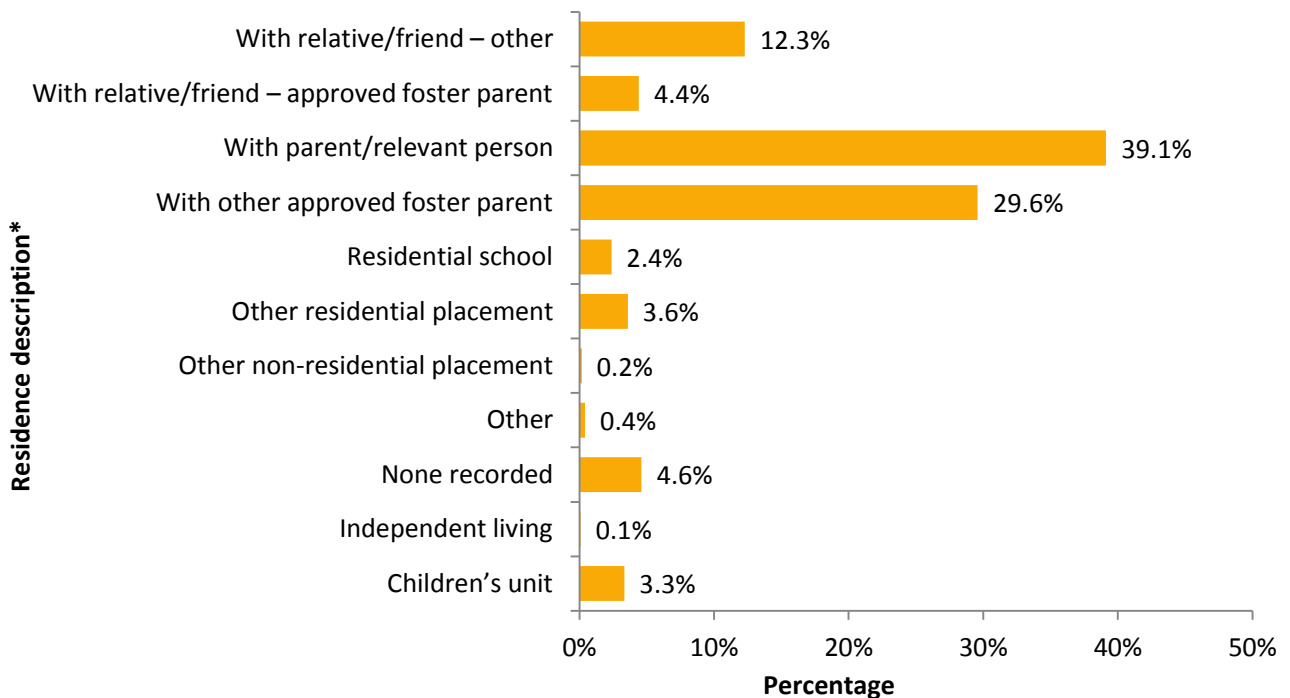
CSO terminated - 2,979

* Please note that as a child can have a hearing at more than one age in the year, there will be double counting of children within the graph.

** Where a CSO is not made, or a hearing is deferred, this will not be included in the graph above. Where our partners' systems are not yet aligned with the new orders under the Children's Hearing (Scotland) Act 2011, multiple decisions may require to be recorded against the one hearing, in order to fully to reflect the decision of the children's hearing. Therefore, the number of hearings and the number of decisions will not match up.

The measures attached to CSOs set out what requires to be implemented, and may regulate where the child resides, or place any other requirement on the child or local authority. The National Convener invited local authorities to provide details of the measures attached to all of the CSOs within their area. Of the 32 local authorities, only six reported on all the measures attached to all of the CSOs for the children within their area. The other 26 local authorities returned details of the following two measures only: residence and non-disclosure.

- On residence, SCRA recorded the residence codes of children subject to CSOs, and provided these to the local authorities for verification. Thirty local authorities verified and returned this information for 16,072 cases. The most common living arrangement was that the child reside 'with parent / relevant person', as shown in the graph below.



- In relation to non-disclosure, this is where the whereabouts of the child are withheld, as there would be a significant risk of harm to the child if this were to be disclosed. SCRA recorded the non-disclosure status of cases and provided a list of the non-disclosure markers to the local authorities for verification. Thirty local authorities verified and returned this information, for 25,564 cases. In 14.8% of these cases, non-disclosure measures were attached to the CSO (count 3,784).**

In the absence of greater detail around the measures, the National Convener asked local authorities to confirm whether there was a Care Plan in place for all children subject to CSOs within each local authority area. Thirty local authorities returned this information, for 23,404 cases. In 98.7% of returns (count = 23,106), the local authorities reported that there was a Care Plan in place for the child.

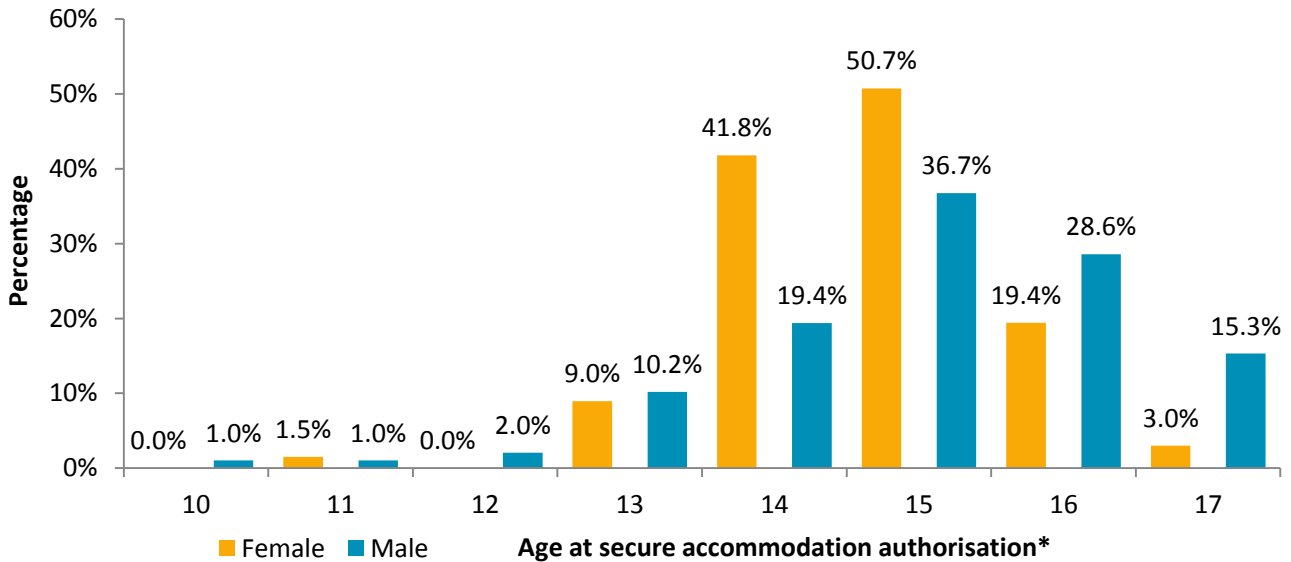
* Please note that, where our partners’ systems and processes are not yet fully aligned with the data definitions for the feedback loop, these figures may include the residences of some children, who are not legally required to reside at that place as a result of a measure attached to their CSO.

** SCRA have the power to withhold the whereabouts of the child prior to the hearing taking place. When this type of case goes before a hearing, the hearing considers whether to incorporate a measure of non-disclosure into the order. Similarly, when the CSO is terminated, the non-disclosure measure attached to the order ceases to exist. In this situation, SCRA have the power to withhold the whereabouts of the child following the termination of the CSO. These types of situation are not included within these figures, which relate to measures attached to a CSO only.

Secure accommodation authorisations

The National Convener also required local authorities to provide more detailed information for the small number of children who were subject to secure accommodation authorisations within their area during the reporting period. The remainder of this report focusses on this group, which comprises Scotland's most vulnerable children.

There were 448 secure accommodation authorisations recorded in the period for 165 children. Of these children, 40.6% were female and 59.4% were male. The ages of these children are shown in the graph below.



A secure authorisation can be attached to an interim form of CSO (which lasts for a maximum of three weeks) or a full CSO (which lasts up to a maximum of three months in these circumstances). Of the secure accommodation authorisations within the reporting period, 46.4% were a result of interim forms of CSOs and 53.6% were as a result of full CSOs. The following measures were reported to be attached to the different forms of CSOs:

- In 95.8% of cases (count = 429), the child was required to reside at a specific place.
- In 1.8% of cases (count = 8), the whereabouts of the child was not to be disclosed
- In 19.0% of cases (count = 85), the child was required to have contact with a specific person.
- In 0.9% of cases (count = 4), the panel placed restrictions on the child's movement.
- In 0.2% of cases (count = 1), the foster carer or unit manager were authorised to restrict the child's liberty.
- In 1.1% of cases (count = 5), the local authority were authorised to arrange medical examination or treatment for the child.
- In 2.7% of cases (count = 12), any other condition was placed on the child.
- In 0.7% of cases (count = 3), any other duty was placed on the local authority.

Where no other measure exists, a measure that 'the implementation authority must provide supervision and support for the child' is attached.

* Please note that as a child can have a hearing at more than one age in the year, there will be double counting of children within the graph.

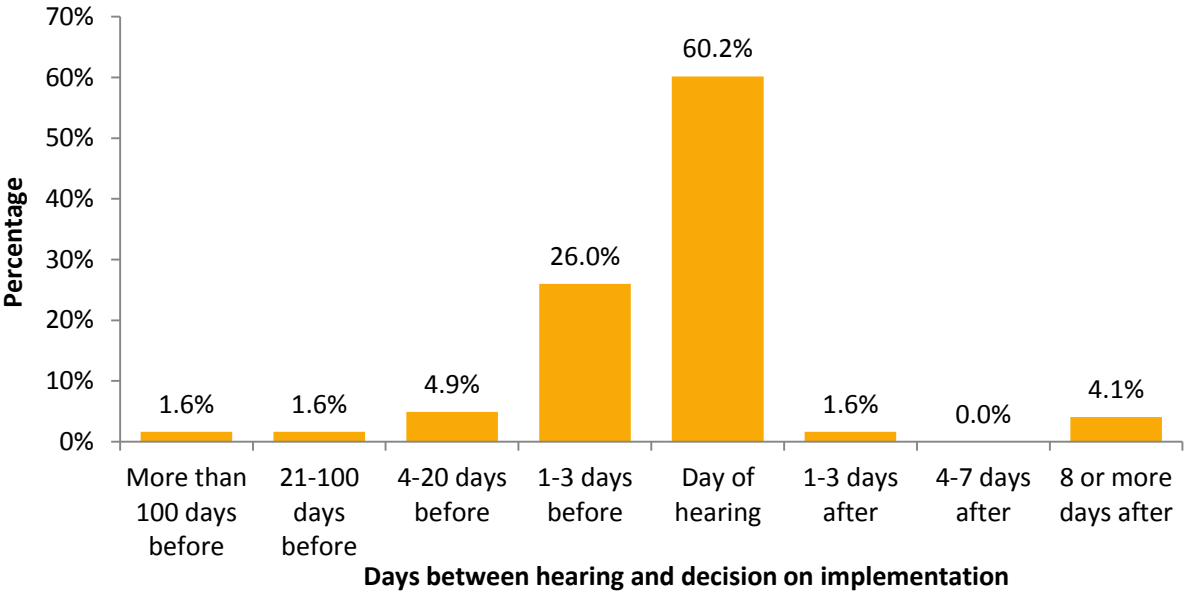
** Please note that these figures will not include any secure authorisations which were not implemented.

A secure authorisation issued by a hearing is different from any other measure attached to a CSO, in that it provides authorisation for local authorities to take action, without placing any obligation upon them to do so. There were 439 returns completed around the implementation of secure accommodation authorisations. In 96.1% of cases (count = 422), the local authorities decided to implement the secure accommodation authorisation.

If the Chief Social Work Officer and Unit Manager agree to implement the secure authorisation, then the reasons for this decision must be recorded, and the child notified of the reasons for the local authority's decision. The local authority's decision whether to implement a secure authorisation may be taken before or after a children's hearing, depending on which process is followed, as described below.

- On most occasions, local authorities utilise their powers to move children to secure accommodation on an emergency basis. When this occurs, a hearing must be held within 72 hours, to obtain authorisation for the continuing placement of the child in secure accommodation. This explains why a local authority decision may precede the hearing date.
- On other occasions a hearing may make a secure accommodation authorisation on their own initiative, without this having been previously recommended or considered by the local authority. Where this takes place, the Chief Social Work Officer of the local authority must then decide whether to implement the secure accommodation authorisation within 72 hours.

The date of the local authority's decision whether to implement the secure accommodation authorisation was recorded in 123 cases. The number of days between a secure accommodation authorisation being issued by a hearing, and the local authority's decision whether to implement that authorisation, is displayed in the graph below.

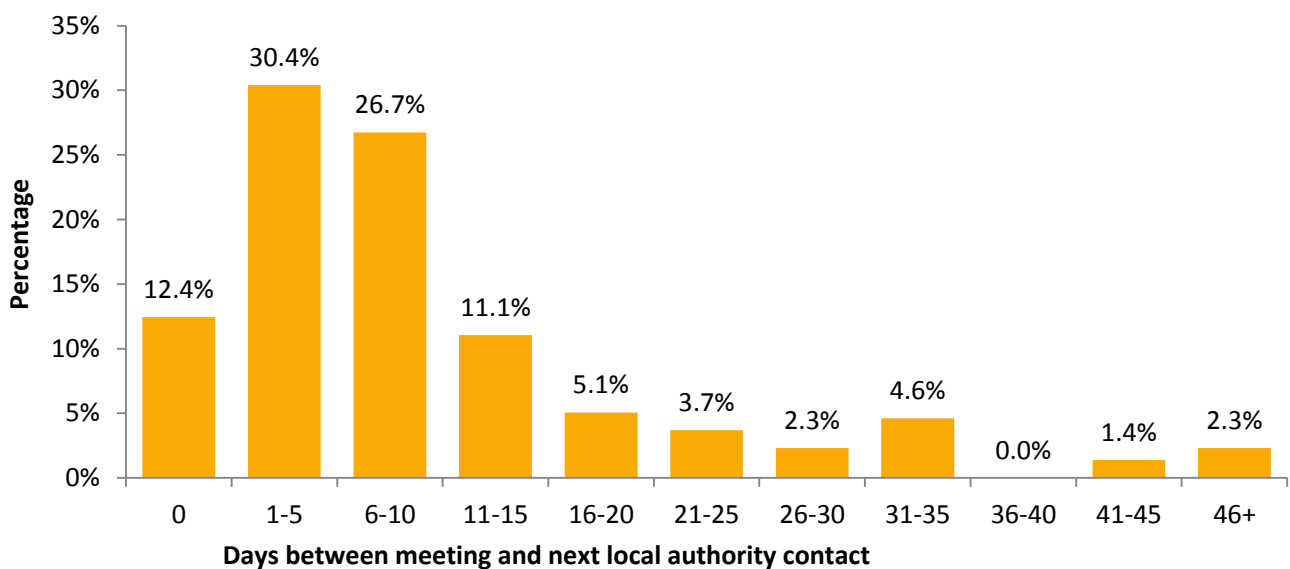


* Please note that this graph excludes any secure authorisations which were not implemented.
 ** Please note that this graph excludes any figures over + or - 300, which are presumed to be an error.
 *** This graph excludes any children with hearings in August to October, as they may have had decisions to implement made in the previous reporting year.
 **** Where children had multiple hearings in a short space of time, the dates of any subsequent hearings were excluded, as a working assumption was made that the date of the local authority decision was the date of the first hearing.

When a child is placed in secure accommodation, the local authority are required keep the placement under regular review. As part of this review, the local authority are required to consult with the child and take their views into account. The maximum timescales for these reviews are as follows:

- The first review must be conducted within 7 days of the child being placed in secure accommodation.
- Thereafter, reviews must be conducted on a monthly basis, within one month of each previous review.

So, the maximum period between a children’s hearing and the next local authority review, which would ever be permitted under the regulations in any circumstances, would be 31 days.* The number of days between the hearing and the local authorities’ next contact with the child was recorded in 217 cases. The results are displayed in the graph below.**



The information contained within this report was provided by our 32 local authority partners, with the assistance of SCRA.

* This is on the assumption that the local authority could conduct a review on the same day as the hearing, before the hearing takes place, at the very latest.

** Please note that in most cases, the regulations will require that the local authority conduct their review within a shorter period (accordingly to the individual circumstances of each young person).

Children’s Hearings Scotland

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Notes on counting within the report

Some children had the same information (meeting date, outcome etc.) returned multiple times. The duplicates have been excluded from this report.

If a child has multiple returns relating to a meeting on the same day, these will be counted as one meeting. The reason for this is that a meeting may have more than one decision and as such can appear on more than one row of the return. The overall assumption is that a child will only have a single meeting on any given day.

Only cells with values in them are counted. Blank cells are excluded, rather than being interpreted as a return in the negative.