

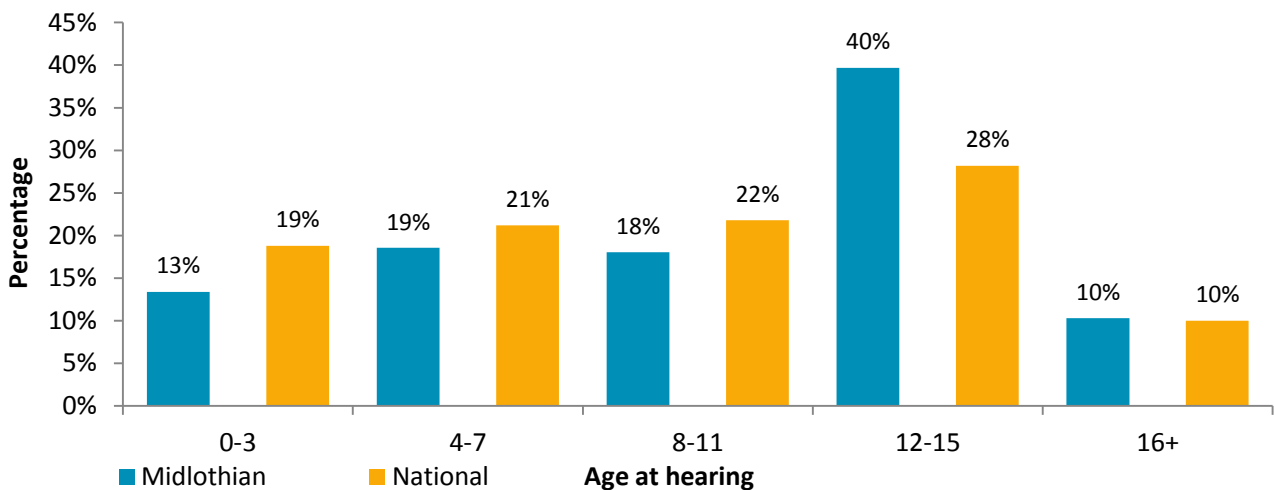


# Children's Hearings Scotland

## Feedback Loop 2015/16 - Midlothian Council

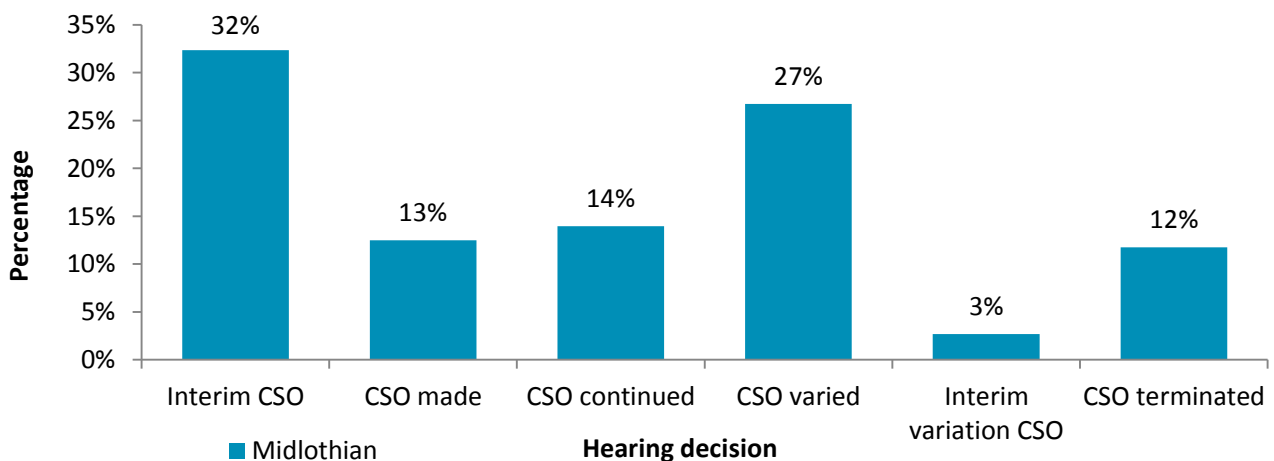
The feedback loop is the name given to section 181 of the Children's Hearings (Scotland) Act 2011. This requires local authorities to report on their implementation of Compulsory Supervision Orders (CSOs) for which they have responsibility. This report relates to the implementation of CSOs in Midlothian Council between 1 August 2015 to 31 July 2016. Please see the notes on counting for details of how the figures within this report have been produced.

There were 185 children and young people subject to CSOs during the reporting period. Of these, 46.5% were female and 53.5% were male. At the date of their hearings, their ages were as follows:



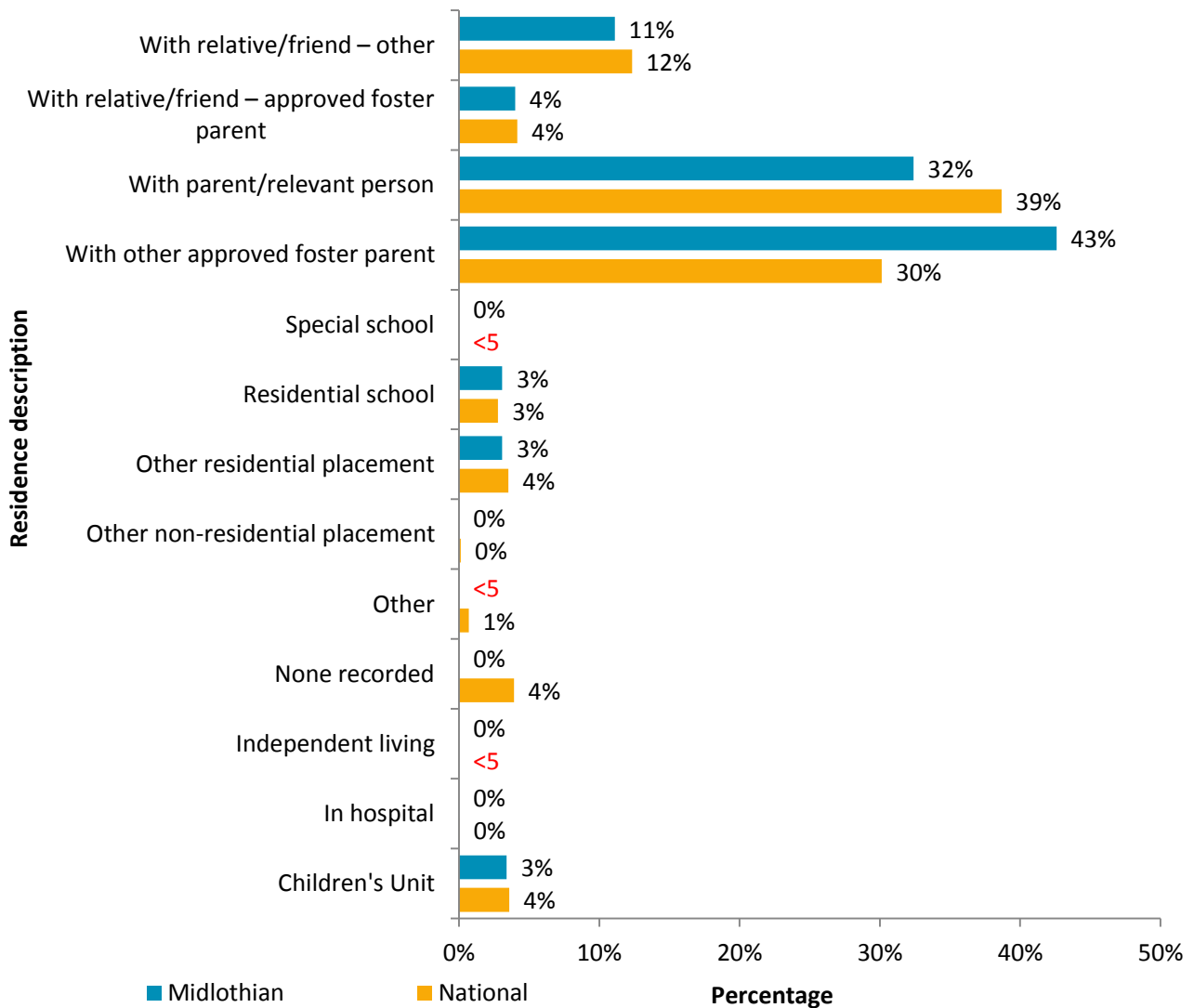
A CSO can be imposed by a Children's Hearing or Sheriff Court. Interim forms of CSO last for a maximum of three weeks and full CSOs last for a maximum of one year. Each CSO must be reviewed before it expires, but may be reviewed earlier if requested.

There were 408 hearings during the reporting period. The decisions made at these hearings were as follows:



The effect of each CSO is set out in the measures contained within the order. Such measures may place any requirement on the child/young person or local authority. The National Convener invited local authorities to provide details of the measures attached to all CSOs within their area where they were able to do so.

Some CSOs specify where a child or young person is required to live, while others do not. The Scottish Children’s Reporter Administration (SCRA) collected the residence codes of children and young people, and provided this information to local authorities for verification. Nationally, the most common residence was 'with parent/relevant person'. In Midlothian local authority, this information was returned for 324 cases. The results for these cases are shown in the graph below:



Where there would be a significant risk of harm if the child or young person’s whereabouts were to be known, SCRA withhold this information. This is called 'non-disclosure'. Non-disclosure can be applied by a measure attached to the CSO or through an administrative procedure applied by SCRA. SCRA collected the non-disclosure status of cases and provided this to local authorities for verification. In Midlothian local authority, this information was returned for 359 cases. Of these cases, 19.5% were non-disclosure (count 70). Nationally, 12.6% were non-disclosure.

The National Convener invited local authorities to confirm whether there was a Care Plan in place for children and young people subject to CSOs within their area. In Midlothian local authority, a Care Plan was in place for 360 cases, was absent in no cases, and 48 returns were blank. Nationally, a Care Plan was in place for 16,760 cases, was absent in 986 cases, and 9,338 returns were blank.

## Secure accommodation authorisations

A child or young person can be placed in secure accommodation under a CSO or through an order imposed by a Criminal Court. The National Convener requires local authorities to provide detailed information for the small number of children and young people with secure accommodation authorisations attached to their CSO. The remainder of this report focusses on this group, which comprises some of Scotland's most vulnerable children and young people.

In Midlothian local authority, there were <5 children and young people with secure accommodation authorisations attached to their CSO during the reporting period. Nationally, there were 152 children and young people with secure accommodation authorisations attached to their CSOs during the reporting period.

The gender of these children and young people was also recorded. Nationally, 40.8% were female and 59.2% were male. Due to standard reporting conventions for figures less than 5, these figures cannot be broken down within the local reports. Due to the small sample size, any inferences taken from this data could be misleading. As a result, it is not possible to say whether any particular local authority is disproportionately favouring any particular gender. A fuller picture will emerge with the benefit of additional years of data.

The ages of these children and young people at the date of their hearings were also recorded. Due to standard reporting conventions for figures less than 5, these figures cannot be broken down within the local reports. Nationally, all children and young people subject to secure accommodation authorisation were between the ages of 10 and 17. As a result, it is not possible to say whether any particular local authority is favouring any particular age and stage of development. A fuller picture will emerge with the benefit of additional years of data.

There were seven secure accommodation authorisations attached to CSOs within the reporting period. A secure accommodation authorisation can be attached to an interim form of CSO, full CSO (which only lasts up to a maximum of three months in these circumstances), or order of a criminal court. Of the secure accommodation authorisations within the reporting period, <5 were as a result of interim forms of CSOs and <5 were as a result of full CSOs.

A secure accommodation authorisation provides permission for local authorities to take action, without placing any obligation upon them to do so. There were seven returns completed around the implementation of secure accommodation authorisations in Midlothian local authority during the reporting period. In all cases, the local authority decided to implement the secure accommodation authorisation. Nationally, 96.6% were implemented.

In addition to a secure accommodation authorisation, every CSO must also contain at least one measure. In most cases, this will specify where the child or young person is to reside in the event of the secure accommodation authorisation not being implemented.

In contrast to secure accommodation authorisations, the local authority has no discretion over whether to implement any measures attached to the CSO, and if any measure cannot be implemented then the local authority is required to bring the case back to a Children's Hearing.

The following measures were also attached to the secure CSOs:

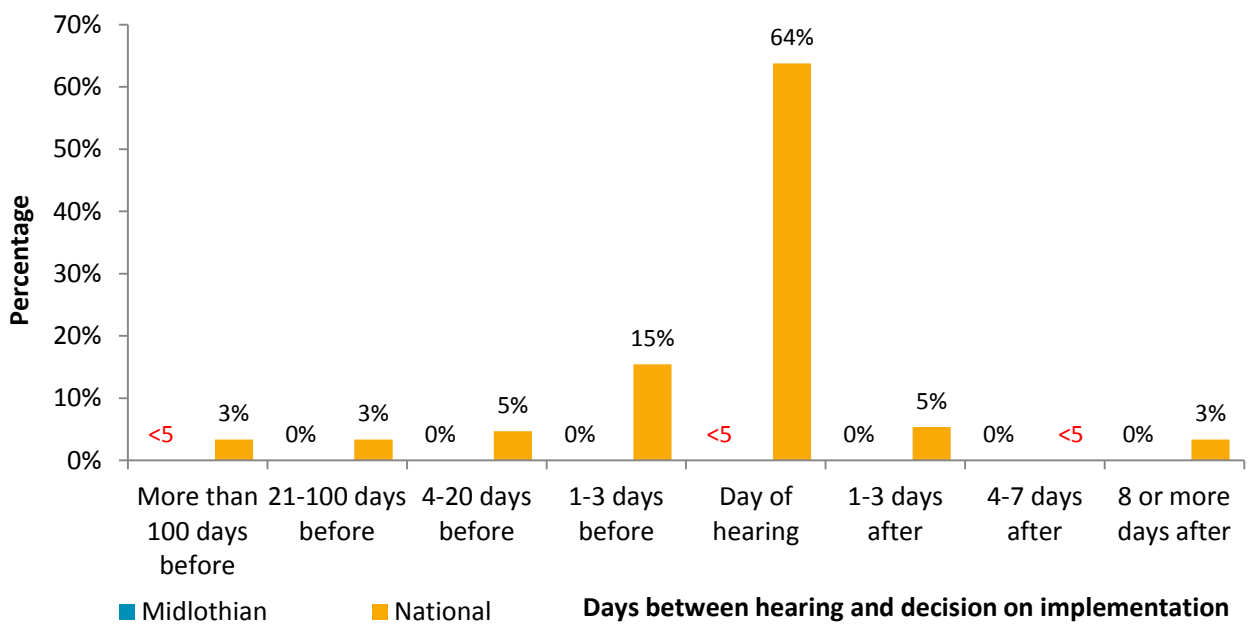
- In all cases, the child or young person was required to reside at a specific place. Nationally, the rate was 98.8%
- There were no cases where the whereabouts of the child or young person was not to be disclosed. Nationally, the rate was 3.6%
- There were no cases where the child or young person was required to have contact with a specific person. Nationally, the rate was 20.5%
- There were no cases where the panel placed restrictions on the child or young person's movement. Nationally, the rate was 0.5%
- There were no cases where the foster carer or unit manager were authorised to restrict the child or young person's liberty. Nationally, the rate was 0%.
- There were no cases where the local authority were authorised to arrange medical examination or treatment for the child or young person. Nationally, the rate was 0%.
- There were no cases where any other condition was placed on the child or young person. Nationally, the rate was 0.7%
- There were no cases where any other duty was placed on the local authority. Nationally, the rate was 1.0%

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

On most occasions, local authorities utilise their powers to move children and young people 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 or young person in secure accommodation.

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 must consult the Unit Manager and decide whether to implement the secure accommodation authorisation within 72 hours.

The reasons for this decision must be recorded, and the child or young person notified of the reasons for the local authority's decision. The date of the local authority's decision was recorded in <5 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 alongside the national profile in the graph below.

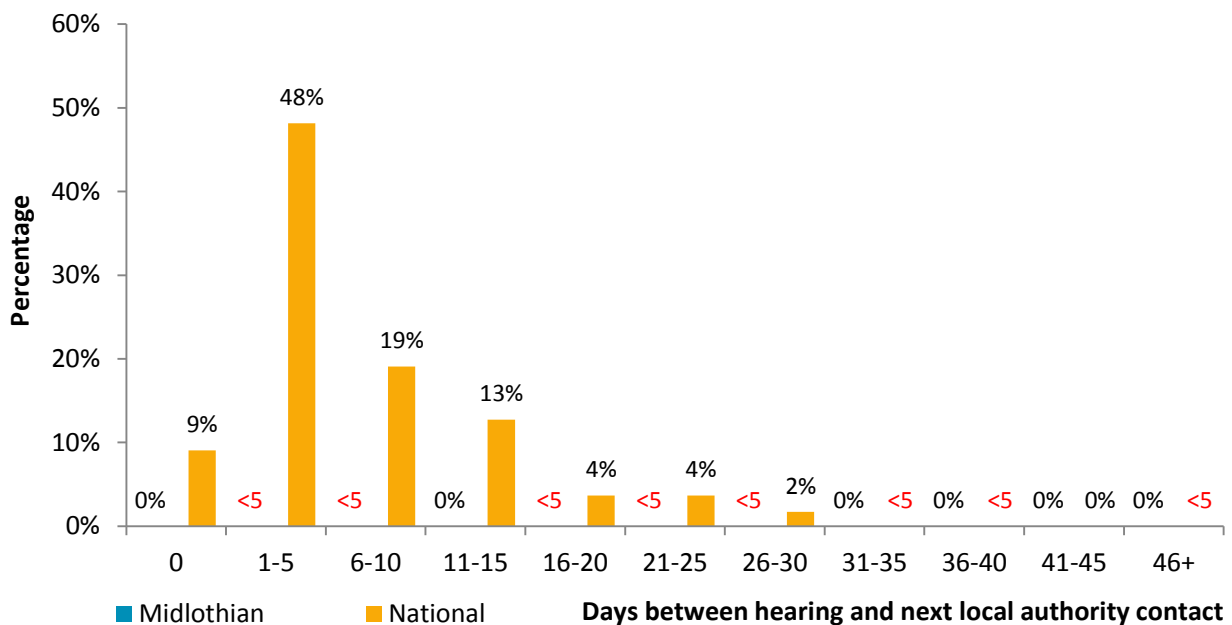


To ensure that any inferences taken from the data were accurate, a number of checks and filters were applied which removed some of these cases from the report.

When a child or young person is placed in secure accommodation, the local authority is required to keep their decision to implement the secure accommodation authorisation under regular review. As part of this review, the local authority is required to consult with the child and take their views into account. The first review of the local authority's decision to implement must be conducted within 7 days of the child or young person being placed in secure accommodation. Thereafter, reviews of the local authority's decision to implement must be conducted on a monthly basis, within one month of each previous review.

So, the actual timescales will vary, dependant on milestones that run separately to the hearing timetable. The maximum period between which would ever be permitted between a Children’s Hearing making a secure accommodation authorisation and the local authority reviewing their decision to implement that authorisation is 31 days. However, for the majority of cases the actual deadlines will fall earlier than this.

The number of days between the hearing and the local authority's next contact with the child or young person was recorded in seven cases. The number of days between the hearing and the next local authority contact with the child or young person is displayed alongside the national profile in the graph below.



**Children’s Hearings Scotland**

Area 2/1/1 Ladywell House | Ladywell Road | Edinburgh | EH12 7TB  
 t: 0131 244 3696 | [www.chscotland.gov.uk](http://www.chscotland.gov.uk) | [Follow @CHScotland](https://twitter.com/CHScotland)



*The Children's Panel – life changing.*



This publication has not been printed to save paper. However, if you require a printed copy or a copy in an alternative format and/or language, please contact us to discuss your needs.