

## **Minutes of the Child Protection Meeting on Thursday, 20 April 2006 at the Menzies Belford Hotel, Edinburgh**

**Meeting Of:**           **Child Protection Committee Chairs**  
                          **Child Protection Committee Lead Officers**  
                          **The Crown Office**  
                          **The Scottish Children's Reporter Administration**  
                          **Services for Children Unit**  
                          **and The Scottish Executive**

### **Item 1 – Welcome and Introduction**

Claire Monaghan welcomed attendees and explained she had taken over that week from Maureen Verrall as Head of Children and Families Division who was now on adoption leave.

Claire had returned from secondment to the Scottish Police Information Service where she held the post of interim director. With the Executive's Justice Department her responsibilities had included family law policy and legislation, including the law on physical punishment of children and with Police Division she had responsibility for disclosure issues, including Bichard. She looked forward to working with the CPCs and welcomed today's opportunity to share their thoughts on the current challenges surrounding child protection.

Mary Fegan briefly summarised the discussions that had taken place at that morning's meeting of the National CPC Chairs Forum. Meetings of the forum provided a welcome vehicle for Chairs and Lead Officers to share experience and best practice and helped alleviate the isolation that could sometimes accompany their role. They had considered a shared way forward in providing the assurances requested in Ministers' Letter of 22 March (the 'Letters of Assurance 2' Exercise) and discussed matters surrounding the conclusion of the Child Protection Reform Programme and developments on Getting It Right For Every Child (GIRFEC.)

### **Item 2 – Minutes of the Meeting held on 17 November 2006 and Matters Arising**

The minutes were agreed.

#### Matters Arising

Item 2 of the Minutes of 14 June 2005 – NHS 24 – Proposed Meeting between Mary Austin of NHS 24, Irene McGugan and Helen Hammond of the Child Protection Action Team and Rosie Ilett, Head of SE Health Department, Child and Maternal Health Department

Irene, Helen and Rosie had met with NHS 24 on 22 March to explore possible linkages with work of CPCs and other areas of common interest.

### **Item 6 of the Minutes of 17 November 2005 – Updates – Western Isles Report**

In response to a point raised by Iain Macaulay, it was explained that the Executive acknowledged that responding to recommendation 27 was a complex task with several strands. There was some further work to be done on mapping of existing models of support used in different agencies – not just in respect of child protection. Discussions had taken

place with CoSLA with a view to establishing a co-ordinating post to look at the issues, in respect of social work. There would be linkages with the work of the Child Protection Strategic Training Group. Implementation of the recommendation would have implications for the work of CPCs but could also go beyond their remit and certain strands would fall to other agencies and organisations. This work was being taken forward under the direction of the Child Protection Reform Programme Steering Group.

### **Item 3 – Integrated Framework for Assessment, Recording and Planning**

Vijay Patel gave a power point presentation on the Integrated Assessment Framework. Recent developments included a ‘unique identifier’ – a Scottish Candidate Number which will be allocated to all primary one pupils at the end of this academic year. This will increase efficiency in transferring records of children who move school and reduce the risk of them falling through the net and going missing from education. An emergency care summary had been set up. This would enable paramedic and accident and emergency staff to gain immediate access to relevant data. Current work included linking with the GIRFEC pathfinder projects, the development of a children’s dataset, issuing a final revised framework paper and facilitating learning across localities. Copies of the slides Vijay used in the presentation can be obtained by contacting [shona.montgomery@scotland.gsi.gov.uk](mailto:shona.montgomery@scotland.gsi.gov.uk).

The following points were made in discussion:-

- The concept of one plan for each child was highly desirable but it would be important to engender the necessary culture change for health and other colleagues to feel able to participate. There would be significant work to be done to make educational records compatible with a unified record.
- In order to develop a single universal plan for each child it would be necessary to develop a common language and culture and build these into professional training.
- Against a background of being continuously expected to implement initiatives CPCs would welcome fast tracking of the introduction of an Integrated Assessment Framework and the safeguards universal record keeping might provide.

Vijay explained that the required culture change should be achievable through appropriate training and training materials. Local investment in personnel and IT systems would be essential to the establishment of a sustainable Integrated Framework.

### **Item 4 – Second Letters of Assurance and Children of Drug Misusing Parents**

- In introducing this item Mary outlined CPCs’ and agencies’ concerns regarding the assurances sought in the letter of 22 March from the Ministers for Education and Young People, Justice and Health and Community Care. To some extent it was perceived that this exercise overlapped with information required in connection with CPC’s Annual Reports and Joint Inspection and placed additional demands on workloads that were already stretched. Particular concerns centred on the assurances sought regarding children affected by drug abuse.

The following points were raised in discussion:-

- Thresholds for defining risk might vary geographically as might the amount and quality of information CPCs could readily provide.
- The extent of the issues and problems surrounding children affected by alcohol misuse amounted to at least as large a challenge as that posed by children affected by misuse of illegal drugs.
- There might be scope to misinterpret the information being requested, for example, should identification of children adversely affected by drug misuse include those who might be affected by cannabis.
- It was recognised in The Hidden Harm Report and by Drug Action Teams that was an impossible task to identify every individual misusing drugs and those also affected as a result.
- What would be done with the information provided in response to Ministers' letter? Might there be scope for agencies to be informed of this?

Claire explained that at the meeting of the Child Protection Steering Group on 18 April members had been asked whether they considered that an extension beyond 31 May for responses might significantly enhance the quality of information agencies could provide. The view was that the timescale was not the issue. Fundamentally the questions Ministers were asking were to establish whether agencies were taking all reasonable steps to identify those children who were adversely affected and that, in all identified cases, the needs of the children were being met. Claire undertook to consider issuing a further letter to help clarify the information expected.

### **Action Point**

**Consideration to be given to a follow up letter to clarify the information sought.**

### **Item 5 – Duty To Share Information**

Murray McVicar gave a power point presentation illustrating the work on-going in taking forward the First Minister's announcement in February that the Executive is to legislate to introduce a duty to share information for child protection. It was recognised that a significant amount of information sharing was currently taking place but there was a need for national consistency and agency governance arrangements around information sharing. There was perception that the Data Protection Act 1998, the Human Rights Act 1998, which enshrines Article 8 of the European Convention of Human Rights in UK Law, and the common law duty of confidentiality prevent the disclosing of data within a child protection context. While the legal position is relatively clear that this is not the case, among some practitioners there was confusion around whether, and in what circumstances they might share personal information. In the absence of consent it had been suggested that it might be helpful to create in legislation powers and/or duties to share information where it was appropriate or necessary to do so.

The Paper *Child Protection: Duty To Share Information*, which had been circulated with the Papers for this meeting set out legislative options currently being considered to achieve this. Briefly summarised these were:-

- A duty on agency Chief Officers to provide the appropriate governance framework within which relevant information could be shared.
- A formal duty for practitioners to share information .

And/or

- A duty on practitioners to co-operate which would include information sharing.

Following discussion in groups attendees reported the following comments/observations:-

- It might be necessary to look at the effects of duty to share information on professional codes of conduct.
- As people move in and out of vulnerability it would be important to be clear on how to define adults at risk for purposes of this legislation.
- In the spirit of *Its Everyone's Job To Make Sure I'm Alright* might this be extended to go beyond the traditional perceptions of a practitioner. Discussion had taken place around the concept of 'citizenship' in relation to child protection.
- There was concern around what might comprise sanctions. It would be essential to have prescriptive guidelines so that agencies and practitioners would know exactly what was expected of them.

## **Item 6 – Any Other Business**

Catherine explained that the Child Protection Reform Programme would formally conclude around the end of June with the departure of the Professional Advisers. This was likely to be marked with a summit, possibly in the autumn, reporting on the child protection reform programme and its moving forward into the wider GIRFEC agenda. Some strands of work would continue beyond June, including the Child Protection Strategic Training Project, the Child Death and Significant Incident Review and evaluation of the CPRP itself. There would be links with GIRFEC and the work on taking forward recommendation 27 of the Western Isles Report. The Child Protection Steering Group would continue to operate to guide the progression and completion of the on-going projects. However, this would transform into the Children's Services Steering Group to guide work on GIRFEC and associated areas. This might require additional membership for that group and this was under consideration.

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**In Attendance**

Claire Monaghan – Scottish Executive - (Joint Chair of Meeting)  
Mary Fegan – North Lanarkshire CPC Chair – (Joint Chair of Meeting)  
Margaret Anderson – Falkirk CPC Chair  
Bill Atkinson – West Lothian CPC Chair  
Alan Baird – Dundee City CPC Chair  
Safaa Baxter – East Renfrewshire CPC Chair  
Malcolm Bell – Shetland Islands CPC Chair  
Eric Byiers – Fife CPC Chair  
Brenda Doyle – South Lanarkshire CPC Chair  
Douglas Dunlop – Argyll and Bute CPC Chair  
Bill Eadie – Stirling CPC Chair  
Nora Fisher – Renfrewshire CPC Chair  
Iain Livingstone – Edinburgh, Lothian and Borders Coordinating Group CPC Chair  
Ian MacAulay – Comhairle nan Eilean Siar CPC Chair  
Gordon McIntosh – Angus CPC Chair  
Moirra McKinnon – Glasgow City CPC Keeper  
Peter Reilly – North East Scotland Staff Officer to Chief Constable, Grampian Police  
Robert Murphy – Inverclyde CPC Chair  
Sandra Paterson – North Ayrshire CPC Chair & Deputy Keeper  
Alan Ross – East Lothian – Head of Children’s Services  
John Scott – Midlothian Council CPC Chair  
Beth Smith – Dumfries and Galloway Chair & Lead Officer  
Pam Smith – City of Edinburgh CPC Keeper  
Douglas Watson – Scottish Borders CPC Chair  
Neil Watson – South Ayrshire CPC Chair  
Adrian Williams – Orkney CPC Chair and Keeper  
Gillian Buchanan – Glasgow City Lead Officer  
Martin Donachy – East Ayrshire CPC Lead Officer & Deputy Keeper  
Myra Frankland – East Renfrewshire CPC Lead Officer & Keeper  
Donald Mackenzie – Dundee City CPC Lead Officer  
Angus Macleod – Comhairle nan Eilean Siar CPC Lead Officer  
Kate Mearns – Angus CPC Lead Officers  
Gillian Nicol – Scottish Borders CPC Lead Officer  
Penelope Rowe – Highland CPC Lead Officer  
Christine Simpson – Stirling/Clackmannanshire/Falkirk CPC Lead Officer  
Liz Strang – Argyll and Bute CPC Lead Officer  
Fiona Swift – North Lanarkshire CPC Lead Officer  
Sandra Thain – Fife CPC Lead Officer  
Helen Watkins – Shetland Islands CPC Lead Officer  
Mike Briggs – Dumfries and Galloway CPC Keeper  
Susan Bell – Renfrewshire Family Support Services Coordinator  
Sheila Foggon – Scottish Executive  
Gillian Garvie – Scottish Executive Child & Maternal Health Unit  
Rosie Ilett – Scottish Executive Head of Child & Maternal Health Unit

Marian Martin – HMIE Services for Children Unit  
Irene McGugan – Scottish Executive  
Neil McKechnie – HMIE Services for Children Unit  
Murray McVicar – Scottish Executive  
Vijay Patel – Scottish Executive  
Tom Philliben – Director of Reporter Operations, SCRA  
Catherine Rainey – Scottish Executive  
Claire Smith – Scottish Executive  
Jennifer Stark – Scottish Executive  
Tim Warren – Scottish Executive  
Shona Montgomery – Scottish Executive (Secretariat)  
Kirsty Butts – Scottish Executive (Secretariat)

## **Apologies**

Alan Blackie – East Lothian CPC Chair  
Deirdre Cilliers – Clackmannanshire Chief Social Work Officer  
Joyce Clark – Perth and Kinross CPC Chair & Deputy Keeper  
David Comley – Glasgow City CPC Chair  
Jackie Donnelly – East Ayrshire CPC Chair  
Roy Jobson – City of Edinburgh CPC Chair  
Tony Keoch – East Dunbartonshire CPC Chair  
Ian Latimer – Highland CPC Chair  
Colin McKerracher – North East Scotland CPC Chair  
Anne Ritchie – West Dunbartonshire CPC Chair  
Eric Brown – West Dunbartonshire Lead Officer  
Dianne Burns – East Ayrshire CPC Lead Officer  
Peter David – Dumfries and Galloway CPC Lead Officer  
June Gardiner – South Ayrshire CPC Lead Officer  
Helen Glassford – Inverclyde CPC Lead Officer  
Maxine Hawthorn – North Ayrshire CPC Lead Officer  
Martin Henry – Lothians CPC Lead Officer  
Rena McCarry – South Lanarkshire CPC Lead Officer  
Gordon McKay – Perth and Kinross CPC Development Officer  
Angela McKinnon – Aberdeen City CPC Lead Officer  
Sara Lovelock – Perth and Kinross CPC Keeper  
Grace Moore – Renfrewshire CPC Lead Officer  
Cathie Shaw – Scottish Borders CPC Lead Officer  
Gordon Sinclair – North East Scotland CPC Vice Chair  
Rikki Sneddon – East Dunbartonshire CPC Lead Officer  
Karen Brady – Scottish Children's Reporter Administration  
Fiona Eadie – Crown Office  
Sarah Corcoran – Scottish Executive Child & Maternal Health Unit  
Lindsay Ferguson – Scottish Executive Health Dept. Lead Nurse Consultant CP  
Boyd McAdam – SE HMIE Services for Children Unit  
Alastair Merrill – SE Police Division  
Ross Drummond – SE Professional Adviser  
Helen Hammond – SE Professional Adviser