

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE - 25TH AUGUST 2008

REPORT ON: THE CHILDREN'S RIGHTS SERVICE ANNUAL REPORT

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 367- 2008

1.0 PURPOSE OF THE REPORT

- 1.1 To inform members of the work undertaken by the Children's Rights Officer for Children and Young People Looked After by Dundee City Council, for the year 2007-2008.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Social Work and Health Committee:-

Note and approve the annual report on the work of the Children's Rights officer for the period April 2007 to March 2008

3.0 FINANCIAL IMPLICATIONS

- 3.1 None.

4.0 MAIN TEXT

4.1 Background

- 4.1.1 The Children's Rights Service reached its eighteenth year on the 1st December 2007. During this period the service has matured and developed as an advice, information and advocacy service for children and young people looked after by the Council. The service is also available to those professionals and adults with responsibility for their welfare. The service has a positive reputation throughout Scotland and Dundee City Council has a right to be proud for having the foresight to appoint the second Children's Rights Officer in the UK and the first in Scotland. Children's Rights Officers now exist in all but a few Councils in Scotland.

4.2 Update

- 4.2.1 The information covers a period from 1st April 2007 through March 31st 2008. Throughout the past year, the Children's Rights Officer has continued to make a significant contribution to the work of the Social Work Department. This has been achieved through membership of appropriate strategic planning groups, facilitating consultation with young people, contributing to staff, volunteer, carer and Social Work student training events. The Children's Rights Officer also offered an Advice and Information service to all Council departments and other agencies providing services for children looked after.

- 4.2.2 The scope of the service has incorporated Education, Housing and Economic Development. The Children's Rights Officer has stood down from the management boards of Who Cares? Scotland and the Scottish Child Law Centre after seven years service. Strong links remain between these agencies and the service. Through encouragement and support from the service, children and young people from Dundee are represented on the Board of Who Cares? Scotland and have been involved in a number of national consultations. The service has also supported eight Looked After and Accommodated young people to contribute to the recruitment of residential staff which is a meaningful example of service user involvement.
- 4.2.3 Leaflets are now available to service users outlining their rights and responsibilities in various contexts. This information is also available on a website www.dundee.gov.uk/childrensrights. The Children's Rights Officer is working with a national group looking into the human rights issues for young people placed in secure accommodation. Desired outcomes from this will be guidance to inform the inspection process and specific information for young people relating to their rights while they are placed in secure accommodation.
- 4.2.4 The Children's Rights Officer has established close links with the Scottish Commissioner for Children and Young People, Kathleen Marshall. This has ensured children and young people in Dundee have had the opportunity to contribute to the work of the Commissioner's Office. Membership of strategic groups allows the Children's Rights Officer to contribute a Children's Rights perspective to policy development ensuring policies are congruent with the United Nations Convention on the Rights of the Child.
- 4.2.5 An aim of the Children's Rights Service is to promote a culture of rights with those adults who provide services to children and young people who are Looked After and Accommodated. To this end, the Children's Rights Officer has delivered training to social work students, residential staff, foster carers and voluntary organisations. The Children's Rights Officer has recently devised an End of Placement Interview document which was informed by the United Nations Convention on the Rights of the Child. This document captures the views of young people and informs service development and delivery. It also acts as an important safeguard for some of the most vulnerable young people whose corporate parent is Dundee City Council.
- 4.3 **Service Users**
- 4.3.1 Eligibility for the Children's Rights service is those young people who are looked after at home or looked after and accommodated in foster care or residential settings, both within the City and outwith. This includes children with disabilities.
- 4.3.2 Previously, the 12-16 years age bracket represented the predominant age-group who contacted the Children's Rights Service. This remains the case, however, there has been a significant increase in the last two years in the service provided to a younger age group. This increase is sustained in this year's figures. The Children's Rights Officer provided support for 76 children aged pre-birth to 11 years. Contact is maintained with those young people who are placed away from Dundee and have agreed to remain in contact with the Children's Rights Officer. The number of young people placed outside the city has increased this year which has impacted on the service. The service is also available to those people who have, in the past, been looked after by the Local Authority. For a detailed breakdown of referral information see APPENDIX 2.
- 4.3.3 The gender differentiation of the referrals shows that there were almost twice as many girls than boys requested assistance from the Children's Rights Officer. For a detailed breakdown of referral information see APPENDIX 2.

4.4 **Advice and Information Service**

- 4.4.1 The advice and information service is available to both children and young people looked after and those adults with responsibility for their welfare. Requests for this service range from enquiries regarding procedures, to requests for advice and information on complex children's human rights issues. There were 336 requests for advice which is slightly down on last year's figure. Requests came from teachers, youth workers, Children's Panel members, nurses, residential school and secure staff and others with an interest in children's human rights. The service also provides training to voluntary organisations, residential staff, new foster carers and academic institutions. For a breakdown of Referral Sources see APPENDIX 2.

4.5 **Advocacy and Representation**

- 4.5.1 Children and young people have a basic human right to express their views and have those views taken into account, in matters affecting their lives. Like all rights, this can be an empty concept unless young people are informed of the right and empowered to exercise it. The Children's Rights Service provides advice and assistance to children and young people, to express their views in meetings, Looked After Children Reviews, Children's Hearings and other processes. Support is also offered to represent concerns with Social Work staff, other Council employees, and staff in other agencies.
- 4.5.2 An important principle in advocacy is independence. The Children's Rights Officer works in partnership with the young person's worker from Who Cares? Scotland to provide the **Children's Rights and Independent Advocacy Service**. Who Cares? Scotland Offers organisational independence when supporting children and young people through advocacy, while the Children's Rights Officer is independent of operational duties. Working together with Who Cares? Scotland offers children and young people choice in who they approach for support. A new staff member from Who Cares? Scotland has been appointed following a gap of nearly six months. The Children's Rights service has received 30% and 67% increases in the demand for advocacy over the past two years, respectively. This may be due to the appointment of a new Who Cares? Scotland Worker who needs time to establish herself and take up the bulk of the advocacy work.

4.6 **Disability Service**

- 4.6.1 The Children's Rights Officer is responsible for providing advocacy to children and young people affected by disability. The service dealt with 15 more referrals than last year. These children invariably have complex needs and less opportunity to exercise their rights. The work the service provides to these children is often highly complex, sensitive and labour intensive. The Children's Rights Officer works closely with Partners in Advocacy who provide independent advocacy to children and young people with disabilities. The Children's Rights Service offers an advice, information and advocacy service to children and young people who are affected by disabilities. The service is also open to those adults with responsibility for their welfare. The Children's Rights Officer now acts as advocate for 8 individuals on a long-term basis. Access to specialist services and response times are the primary concerns of children with, and families affected by disabilities.
- 4.6.2 Two years ago there was a dramatic increase (370%) in requests to support young people at Children's Hearings. This has been sustained over the last year with only a slight fall in the figures. Young people place great value on this service as it gives them the support required to express their views in a forum that can be intimidating and overwhelming for them. Young people seem to return to the service for support when a Children's Hearing is imminent. Requests to support young people in LAC reviews has shown a marginal increase. Young people value the support given by the service and they recognise the importance of expressing their views. The attendance at Reviews and Hearings are recorded separately to requests from advocacy as these place a significant demand on the Children's Rights Officer's time, given preparation time required as well as attendance, see APPENDIX 1.

4.7 Complaints Service

- 4.7.1 An important duty of the Children's Rights Officer is to ensure those complaints and concerns raised by young people, are given proper consideration by responsible officers. The role of the Children's Rights Officer is to enable and support young people to voice their complaints and offer assistance throughout the process, to resolution. Most complaints are resolved through mediation and negotiation with concerned parties.
- 4.7.2 Following a significant drop last year, the numbers of complaints this year has remained the same. This may, in part, be explained by the willingness of children and young people to resolve issues without the need for formal processes. Complaints recorded included concerns raised in a number of contexts such as Residential Schools, Health, Police, Secure Accommodation as well as service provision within the Social Work Department. The number of complaints supported by the Children's Rights Officer has decreased by more than 50%, which is a significant decrease. This may be explained in part by the increase in advocacy and having concerns addressed without the need to engage formal complaints procedures. It is worth noting that some young people were unhappy with the outcomes of their complaint and found the various processes complicated and not child-friendly. See APPENDIX 1.

4.8 Secure Accommodation

- 4.8.1 When a child or young person is made the subject of a secure order, the Children's Rights Officer is notified. Contact is made within two working days of notification and regular visits are arranged with the agreement of the young person. The Children's Rights Officer ensures that young people understand their rights in relation to their circumstances and gives advice and assistance when it is requested. Staff are made aware of the Children's Rights Officer's powers and the range of assistance offered by the service.
- 4.8.2 There has been a decrease in the numbers of young people requiring secure accommodation. This decrease is likely to be impacted on by the work of the ISMS programme, which offers intensive monitoring and support for those young people who might otherwise be placed in secure accommodation. It remains a concern that four of the eight young people in secure accommodation were young women, which is inconsistent with the national picture. The majority of young people admitted to Secure Accommodation were placed there because of concerns for their welfare rather than offending being the primary concern, another feature that has been consistent through the years see APPENDIX 1.

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

The major issues identified are:

- 5.1 The Children's Rights Officer has a specific role in providing the most vulnerable children and young people in Dundee with access to knowledge, information and support, which will empower and enable them to participate meaningfully in decisions affecting their lives. This creates opportunities to improve the quality of their lives in many social contexts.
- 5.2 This report will further promote the status of children and young people of all abilities looked after by the Council, to give them parity with other service users and safeguard them from discrimination. The work of the Children's Rights Officer has a focus on participatory rights of children and young people who are Looked After, creating equality of opportunity for active citizenship to a group acknowledged as having diminished life-opportunities.

6.0 CONSULTATIONS

The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Head of Finance.

7.0 BACKGROUND PAPERS

None.

Alan G Baird
Director of Social Work

Date: 14th July 2008

APPENDIX 1

Comparative data relating 1st April 2006—31st March 2007 and 1st April 2007—31st March 2008

	06-07	07-08
Request for advocacy	226	335
Request to attend LAC Review	30	32
Request to attend Children's Hearing	37	32
Request to support complaint	22	22
Support for children with disabilities	30	45
Referrals from young people in secure accommodation	91	100
Request for advice	372	336

APPENDIX 2

DATA SHEETS

ADVOCACY	335
COMPLAINTS	22
LAC REVIEW	32
ATTEND HEARING	32
DISABILITY ISSUES	45
ACCESS TO RECORDS	2
TOTAL REFERRALS	468

REFERRALS BY AGE

0-5 YRS	36
6-11 YRS	41
12 YRS	52
13 YRS	108
14 YRS	93
15 YRS	65
16 YRS	61
17 YRS	7
18+ YRS	5
TOTAL	468

REFERRAL SOURCE

YOUNG PERSON	334
SOCIAL WORKER	49
RELATIVE	46
REVIEW OFFICER	12
HEALTH	10
VOL ORGS	6
TEACHER	4
RESIDENTIAL WORKER	3
CARER	2
SERVICE MANAGER	1
OTHER LOCAL AUTHORITY	1
TOTAL	468

REFERRAL BY GENDER

MALE	190
FEMALE	278
TOTAL	468

TRAINING OFFERED

VOL ORGS	5
COLLEGE	2
RESIDENTIAL STAFF	1
FOSTER CARERS	1
TOTAL	9

TOTAL REQUESTS FOR ADVICE	336
----------------------------------	------------

