

## **DUNDEE CITY COUNCIL**

**REPORT TO: SOCIAL WORK COMMITTEE - 17 September 2001**

**REPORT ON: THE CHILDREN'S RIGHTS OFFICER'S ANNUAL REPORT 2000/2001**

**REPORT BY: DIRECTOR OF SOCIAL WORK**

**REPORT NO: 614-2001**

### **1.0 PURPOSE OF THE REPORT**

- 1.1 To inform members of the changes in the role and responsibilities of the Children's Rights Officer as a result of a Best Value Review carried out in 1998. (Report Number 760/1999)
- 1.2 To inform members of the work of the Children's Rights Officer during the year 2000-2001 for children and young people in need and/or looked after by Dundee City Council.
- 1.3 To describe and outline the use of the service by children and young people and by relevant adults involved, and to identify issues of concern.

### **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that The Social Work Sub-Committee:-
  - 2.1.1 Note the content of this report
  - 2.1.2 Instruct the Director of Social Work to continue to report on the role of the Children's Rights Officer on a regular basis.

### **3.0 FINANCIAL IMPLICATIONS**

- 3.1 Costs involved in maintaining the role of the Children's Rights Officer are provided for within the revenue budget. There are no additional financial implications from this report.

### **4.0 LOCAL AGENDA 21 IMPLICATIONS**

The Children's Rights Service has a specific role in providing access to knowledge and information, for the most vulnerable children in Dundee, which empowers and enables them to participate in decisions that affect them and contributes to an improvement in the quality of their lives

### **5.0 EQUAL OPPORTUNITIES IMPLICATIONS**

The Children's Rights Service promotes the status of children of all abilities for whom the Council has responsibilities as a corporate parent. It ensures that they are treated with equity and fairness and that they are protected from discrimination.

### **6.0 MAIN TEXT**

#### **6.1 Background**

The Best Value review of the Children's Rights Service, carried out in 1998, identified the critical success factors, which were important to users and to the authority. These were access, speed of response, trust and cost. It was noted that consumer satisfaction was extremely high in spite of the service being provided by only one officer. The nature of the independence of the Children's Rights Officer was examined and was seen to be upheld sufficiently, both in the attitude and value base and in respect of the officer's role throughout the department. However it was acknowledged that structural independence from outwith the department could be of considerable benefit, particularly in the field of advocacy.

“Who Cares?” Scotland is a voluntary organisation run by young people for young people who are looked after. “Who Cares?” have recently developed an independent advocacy service for children and young people who are looked after. Dundee City Council Social Work Department entered into a service agreement to fund a full time advocacy worker specifically to provide that service to Dundee children and young people and to assist them to become involved in policy and practice development.

In addition to providing a further degree of independence for children and young people seeking advocacy, it was also intended that this would enable the Children’s Rights Officer to contribute strategically to the work of the Council and to provide an increased service to children and young people with and affected by disabilities.

This report will concentrate on the work of the Children’s Rights Officer.

## **6.2 Annual Update**

During the last year the Children’s Rights Officer has made a contribution to Council policy, planning and practice through membership of the Strategic Planning Group for Children’s Services and other policy groups. He also informed the independent review of residential care in Dundee City. In co-operation with Neighbourhood Services an audit of consultation mechanisms for children and young people in the City was completed. The information gleaned will be included within a larger information site on the Internet. The Children’s Rights Officer has also contributed to staff development and training events, for Council staff and those in voluntary agencies.

The Children’s Rights Officer provides weekly rights drop-in sessions for young people using the Corner and provides consultation on rights issues for Corner staff. He is a member of a national network of Children’s Rights Officers, from local authorities throughout Scotland, and represents their interests on the Rossie School Users’ Group. Independent input is also provided for the NCH Stopover Appeals Panel. Following a debate concerning developments on publicity for children who are in need of permanent substitute families, the Children’s Rights Officer provides an additional safeguard for children who are put forward for publicity which could include potentially identifying information such as a photograph or video-clip.

The Children’s Rights Officer represents the rights of children with and affected by disabilities in regular liaison meetings held with parents which are facilitated by Barnardo’s.

Notwithstanding the shift to a more strategic role, the Children’s Rights Officer continues to provide a direct service to children in need and those parents and professionals responsible for their welfare. He has also continued to contribute to the provision of an advocacy service to some children and young people who have chosen to use his services rather than those of Who Cares? He has retained responsibility for providing a rights and advocacy service for those children and young people placed in residential establishments outside Scotland. A full rights and advocacy service has also been developed and provided in respect of children with and affected by disability.

## **6.3 Services provided during 2000-2001**

### **Service users**

The table below provides details of the age of service users during the year 2000-2001. Figures for 1998/99 are also given.

Children and young people who are users of the service are, in the main, within the 12-16 years age. Although there is representation in the younger age group, the most significant increase has been in the proportion of young people aged 16 and over using the service. Service users are children in need and are either looked after at home or looked after and accommodated in family placements, local authority young people’s units, residential schools or secure units. A small number are placed in residential establishments outwith Scotland.

The Children's Rights Officer's developing role is also to provide a more comprehensive rights and advocacy service for children and young people affected by disabilities and their families. This is reflected in the significant increase in the advocacy and information and advice service provided to this group of children and young people.

#### Age of Child Service Users

Age of Service User	2000-2001		1998-1999	
	No	%	No	%
0-8 years	5	6.2	18	7.2
8-12 years	12	14.8	49	19.6
13-15 years	30	37	127	50.8
16 years and over	34	42	56	22.4
Total	81		250	
Adult and Agency Service Users	91		not recorded	
<b>Grand Total</b>	<b>172</b>			

#### Advice and Information, Advocacy and Complaints

The advice and information service provided by the Children's Rights Officer is open to children and young people and the adults responsible for their welfare. Requests come from children and young people who are in need and are looked after or who have previously been looked after. Requests also come from parents, teachers, youth workers, elected members and others with an interest in children's rights and welfare. The service to adults is important and aims to forestall potential infringements of children's rights. The Children's Rights Officer provides accurate, up to date and relevant information which helps people when making choices. This work can also involve assisting children and young people to access legal and other information sources.

Children and young people, whatever their circumstance or ability, have a basic right to have their views heard and taken into account in matters affecting their lives. However, holding this right can be an empty concept if the child or young person is not informed of this right and not enabled to exercise it. The Children's Rights Officer provides help and advice to children and young people and will assist them to put forward their views in meetings, reviews, children's hearings, other processes and in negotiation with managers. A fundamental prerequisite for advocacy is the independence of the advocate's position and the Director of Social Work continues to provide a direct route for the Children's Rights Officer to raise issues on behalf of children and young people.

The Children's Rights Officer has a responsibility to ensure that children and young people affected by disability have access to independent advocacy. At present he is acting as interim independent advocate for a number of those children seeking individual advocates.

It is an important duty of the Children's Rights Officer to ensure that complaints and concerns raised by children and young people receive proper consideration. This entails listening to the child or young person, clarifying the complaint, discussing possible options and where appropriate, providing support to take the issue forward. His role involves providing mediation in negotiations with all parties in an attempt to find ways of settling the grievance effectively and amicably. When this is not possible, and formal procedures are invoked, the Children's Rights Officer will offer advice and support to the child or young person throughout the process, and will provide representation if necessary.

Members will be pleased to note that of the 23 complaints received 20 were dealt with at first level, 3 went on to more formal processes and all were satisfactorily resolved.

As a new development, the Children's Rights Officer provides an overview in relation to local authority residential units, which will focus on safeguards for and listening to children and young people in residence. This involves an analysis of information, gathered from a variety of sources, and the carrying out of visits on a regular basis to each of the units. (for further details see Report 520-2001)

The following tables provide details of the nature of the service provided by the Children's Rights Officer and a summary of his contacts during the last year. Figures for services provided in 1998/1999 are included in brackets.

#### Nature of Service Provided

Location	Advice Information		Advocacy		Complaint	
	2000/01	1998/99	2000/01	1998/99	2000/01	1998/99
AT home	90	70	29	34	1	2
Family Placement	56	38	32	37	4	3
Dundee YP Units	80	116	44	46	11	13
Residential School	45	44	33	41	5	4
Secure outwith City	16	26	11	28	2	3
Other locations	26	14	8	3	0	0
Child disability	48	27	40	11	0	0
Out of Care	16		3		0	
<b>Total</b>	<b>377</b>		<b>200</b>		<b>23</b>	

#### 7.0 CONSULTATION

7.1 The Director of Finance, Director of Support Services, Director of Education, Director of Neighbourhood Resources and Development, Director of Corporate Planning and the Children's Reporter have been consulted in the preparation of this report.

#### 8.0 BACKGROUND PAPERS

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing the above report.

#### 9.0 SIGNATURE

Acting Director of Social Work \_\_\_\_\_

Date \_\_\_\_\_

5 September 2001