

ANGUS COUNCIL

SCRUTINY AND AUDIT COMMITTEE – 16 JUNE 2020

CHILDREN, FAMILIES AND JUSTICE SERVICE RESPONSE TO COVID-19

REPORT BY KATHRYN LINDSAY, DIRECTOR OF CHILDREN, FAMILIES AND JUSTICE

ABSTRACT

This report presents and update on interim changes to service delivery arrangements in the Children, Families and Justice Directorate as a result of the Covid-19 pandemic.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) Note the ongoing delivery of statutory social work duties in line with revised legislation and guidance.
- (ii) Review and scrutinise the service approach to Covid-19 in accordance with the Council's corporate parenting duties and human rights considerations.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Children are given the best start in life;
- Physical, mental and emotional health and wellbeing is improved;
- There are more opportunities for people to achieve success.

3. BACKGROUND

3.1 This paper highlights the impact of Covid-19 on work being undertaken by the Children, Families and Justice Directorate to support and protect children and families in Angus.

3.2 There have been significant changes to legislation, regulation and guidance which impacts the services delivered by Children, Families and Justice Services. We have taken account of these changes in adapting our practice and ensuring minimal interruption to the provision of support during this period to ensure the continued safety, dignity and human rights of people who already have support in place and for those who may come to need it.

3.3 The most significant changes have been laid out in the following:

- [Coronavirus \(Scotland\) Act 2020](#) relaxed timescales in respect of Children's Hearings, for example extending the timescale for post emergency transfer Hearings from 3 days to 7 days and extending review of emergency Secure Care placement from 72 hours to 96 hours. The Act dispensed with the need for personal appearance at Children's Hearings and new digital engagement methods are now in place. The Act also removed the maximum limit on foster placements recognising the potential increase in demand for placements. In respect of the criminal justice system there are new powers to enable the emergency release of prisoners.
- [Supplementary Child Protection Guidance 2020](#) enables flexibility in conducting child protection multi-agency decision making and review.
- [Coronavirus Safe and Ethical Social Work Practice](#) offers guidance on assessing safe and essential contact with people using services.
- [Coronavirus Residential Child Care Guidance](#) for children's houses, residential schools and secure care.

4. SUMMARY OF SERVICE RESPONSE

4.1 Child Protection

- 4.1.1 Child protection continues to be a priority across the council during the pandemic. Child protection is always a challenging and complex area of work and the current situation has led the service to introduce some different ways of working with children and families. Amendments made through the legislation and guidance referenced above have allowed some flexibility in our arrangements.
- 4.1.2 Social workers and their managers continue to assess and review individual cases on an ongoing basis to ensure that the frequency and type of contact needed by families takes place. We have introduced digital calls to supplement our ongoing engagement with families on occasions where a direct face to face visit is not necessary. In cases where direct face to face visits are required, staff have access to the necessary range of personal protective equipment (PPE) to ensure that they can do so safely.
- 4.1.3 The service has been coordinating a weekly data return to Scottish Government relating to vulnerable children and this forms part of the wider Covid-19 COSLA Data Dashboard. The information provided includes:
- Number of children on the Child Protection Register
 - Number of children subject to a Child Protection Plan seen by a professional in the previous fourteen days
 - Number of children with a multi-agency plan
 - Number of children with a multi-agency plan who have had contact with a professional in the previous seven days
- 4.1.4 The full data return is scrutinised operationally within the service and overseen by the local multi-agency protecting people Chief Officer Group. The data shows that a high percentage of children on the child protection register in Angus continue to be seen face to face by a professional and there is ongoing and regular contact with children who have multi-agency plans.
- 4.1.5 Multi-agency planning and decision making for looked after children and child protection has continued to take place virtually with the use of technology. The service continues to explore ways that this can become more inclusive for children and families whilst physical distancing requirements continue.
- 4.1.6 Numbers of children on the child protection register and looked after children and young people have reduced slightly over the last 8 weeks. Communication with key partners, communities and families continues to encourage people to ask for help and support early or report any concerns they have about anyone they think may be vulnerable or at risk. Services continue to be available to respond to child protection concerns with the safety of children and young people our highest priority.

4.2 Domestic Abuse

- 4.2.1 In communities across Scotland, women, children and young people experiencing violence, coercion and exploitation are at significant increased risk of harm during the Covid-19 pandemic. Evidence from other epidemics and disasters suggests that the risk of harm from all forms of violence against women and girls will increase during the response and recovery phases.
- 4.2.2 In the short-term, it is recognised that home is not a safe place for many women, children and young people. Perpetrators of domestic abuse may increase levels of control, surveillance and violence during periods of lockdown whether or not they live in the family home. Evidence is emerging that women also face increased risk of economic dependency due to economic crisis.
- 4.2.3 Services in Angus continue to offer support at full capacity. Services have adapted their provision to include web-chat options, online activities and outreach visits. Most specialist services have provided smart phones for the women they are working with to enable video and voice calls for support. Face-to-face contacts are provided in the most high risk situations with on-going assessment and review of risk being undertaken to ensure that support and protection plans are in place.

- 4.2.4 The Justice Service is maintaining contact with perpetrators, women and children and are working with third sector colleagues to develop safety plans as appropriate. A promotional video has been developed jointly with Angus Women's Aid, to highlight the range of support available. The Justice Service has introduced a helpline offering confidential support to any man wishing to discuss and address their harmful behaviour. Court mandated work with convicted perpetrators also continues with risk assessment and management plans in place and intervention delivered face-to-face or by virtual means as required to support behaviour change.
- 4.2.5 The full infrastructure of multi-agency meetings related to gender-based violence, including Multi-Agency Risk Assessment Conferences and Multi-Agency Public Protection Arrangements (MAPPA) continue to be held using virtual means.

4.3 Management of Offenders

- 4.3.1 In respect of MAPPA, the increased isolation brought about by lockdown arrangements is identified as a potential risk factor for offenders. Assessments are being undertaken on a case by case basis to determine the need for face to face contact. Direct contact is prioritised with those assessed as posing the greatest risk of serious harm, or where circumstances indicate an increased potential for non-compliance with risk management arrangements. At present there are 117 individuals subject to MAPPA in Angus, criminal justice social work is the responsible authority in respect of 39 of these individuals.

4.4 Shielding and Humanitarian Aid Angus Response Team (HAART)

- 4.4.1 The Children, Families and Justice Service have taken a direct role in supporting the design and delivery of support to shielded patients and others supported via HAART. The skills of professional social work staff, together with partners from within and outwith the Council, have enabled a trauma informed and whole family approach to identifying and responding to people in need. There have been clear benefits to staff from being involved in this work with a high level of satisfaction being reported from staff involved in helping people directly affected by the pandemic.

4.5 Support to Children, Young People and Families

4.5.1 Interim Changes to Contact Arrangements

The Children, Families and Justice Service have a requirement to facilitate, and often directly supervise, contact between separated family members. Such contact is often mandated by a Children's Hearing or the Court and plays a critical role in the assessment of parenting capacity, as well as providing an essential opportunity for family members to maintain or build their relationships. One of the early impacts of the social distancing measures was the issuing of national guidance from Children's Hearing Scotland and Scottish Children's Reporter Administration relating to contact expectations.

- 4.5.2 In accordance with the national position, the service has developed and implemented temporary operational instructions outlining the responsibility of social workers in relation to the supervision of contact between family members where there is a legal measure placing this duty on the local authority.
- 4.5.3 In all such cases, families have been written to by the relevant team manager to explain the current restrictions and that in line with public health advice, it may not be possible for such contact to take place in full accordance with the legal measure. Families have been assured that any suspension or variation of contact due to Covid-19 is without prejudice and will not be considered a negative factor in any assessment prepared by the social worker.
- 4.5.4 Where physical contact has not been possible, social workers have engaged with families to identify alternatives such as video recordings and calls and in some cases we have supported families financially to ensure they have the mobile data allowance to engage in this way. The interim measures have been effective in facilitating ongoing support to families and we are grateful for the forbearance of all those concerned.
- 4.5.5 This is an area of service delivery which is included in Phase 1 of the national route to recovery. Work has therefore commenced on preparing for an incremental re-introduction of contact across a range of locations in Angus. This area of work is being given a high level of

priority due to the negative impact on the individuals involved and in recognition of the human rights aspect of the interim position.

4.5.6 Attendance at Childcare Hubs

Members will be aware that a number of childcare hubs are open across Angus delivering support for the children of key-workers and also vulnerable children. Vulnerable children have been identified through collaboration between Head Teachers and locality social work teams. There is an ongoing mechanism for children newly identified as vulnerable to access a place if required. Social work staff continue to actively encouraged the families of vulnerable children to take up a place at hubs where this would be a helpful addition to the multi-agency child's plan. Whilst attendance is not compulsory, it has been a helpful component of support for a number of children and young people with attendance at hubs by vulnerable children having gradually increased throughout the COVID-19 period.

4.6 Residential and Community Child Care

4.6.1 At the outset of the pandemic, plans were developed and implemented in accordance with public health guidance, to protect the young people living in our children's residential houses. Most significantly, this involved changes to staff working patterns to reduce unnecessary staff footfall and promote continuity of care.

4.6.2 Residential respite services for children with multiple and complex needs have been reduced in line with individual risk assessments and public health advice. The service continues to operate for some children with enhanced environmental cleaning and safety measures in place.

4.6.3 A temporary Outreach Respite Service has been established to support children and young people who would usually receive respite, or who are assessed as requiring this form of support, in their own homes and communities where this is safe to do so.

4.6.4 Fostering, Kinship and Permanence Panels have continued to meet virtually which means that we continue to have a mechanism to consider applications to become (or continue as) foster and kinship carers and consider applications from prospective adoptive parents. Using technology to facilitate panels has allowed us to continue progressing work to support children who have been assessed as requiring permanent alternative care arrangements. Whilst there is a limit to how far this can progress whilst Courts remain under special arrangements, we are working to avoid unnecessary future delay in the process once Court business is re-established.

4.7 Support and Protection of Staff

4.7.1 Access to Personal Protective Equipment

A key line of protection for staff (and people using services) was the early decision taken to close offices and reduce unnecessary face-to-face contact. The majority of staff undertaking fieldwork roles are currently home-based with access to technology to support the continuation of business and access to PPE for essential visits. This has been instrumental in minimising the absence rate due to Covid-19 within the service.

4.7.2 A number of activities however, still require staff to work in environments where physical distancing and ordinary measures (such as hand washing) are not possible. Personal Protective Equipment (PPE) is necessary to protect the workforce undertaking a range of essential caring roles. This includes delivering personal care, conducting home visits or critical office appointments, supporting contact arrangements, providing transportation and carrying out child protection investigations.

4.7.3 Guidance on risk assessing contact and safe use of PPE specific to the roles undertaken across the Children, Families and Justice Service is available to all staff. Significant work has been undertaken to ensure that an adequate stock of PPE is available in all of the children's houses and in identified locality hubs to ensure access for fieldwork staff. Fortnightly stock reports are in place to monitor PPE levels and track the adequacy of scheduled deliveries. Arrangements are in place to enable personal assistants and unpaid carers to access PPE directly through the Angus Carers Centre supported by the Health and Social Care Partnership.

4.7.4 Maintaining Safe Staffing Levels

At the outset of the Covid-19 period, immediate action was taken to advertise and recruit additional residential care staff. We increased capacity through a range of full-time, part-time and sessional appointments. A redeployment register and plan is in place for Angus Council which includes an assessment of which of our current staff would be available to provide cover in our critical services such as residential childcare if required. So far, minimal redeployment has been necessary and successful fast track recruitment of new staff has enabled the service to meet staffing demands during this time. Staff absence levels are monitored daily and Children, Families and Justice staff (and members of their household) have access to Covid-19 testing through the local HSCP arrangements which has minimised the impact of precautionary periods of self-isolation.

- 4.7.5 Following Scottish Government guidance and in line with amended regulations, arrangements are in place to enable General Teaching Council or Scottish Social Services Council registrants who are also employees of Angus Council, to be considered as temporary foster carers. It has not been necessary to invoke this procedure as yet, however, it remains in place as part of our contingency plans to ensure our ability to secure a sufficiency of suitable placements for children and young people.

4.8 Recovery Planning

- 4.8.1 The Service is working with partners to develop recovery plans as the current situation progresses. This will necessitate swift decision making and changes to usual (or recently agreed) ways of working to ensure that we continue to balance staff safety and wellbeing, statutory requirements and the needs and rights of those we work with and for.

- 4.8.2 Practice and operational guidelines in respect of safe practice with children, families and those using justice services continue to be revised in line with Scottish Government guidance and are currently being revised in light of the recent announcement on Phase 1 planning.

- 4.8.3 A Children, Families and Justice recovery plan is being developed and includes arrangements for mitigating the anticipated impact of the pandemic on the safety, health and wellbeing of people as we move into the next stage. Themes include managing increased child protection demand, reunification assessments for families, assessing the impact of delays on decision making (for permanence, those involved with Children's Hearings and the Courts) and mental health and wellbeing.

4.8.4 Community Payback - Unpaid Work

Unpaid work may be specified by the Court as part of a Community Payback Order (CPO). In normal circumstances, the Justice Service facilitates and supervises an average of 1400 hours of unpaid work per month across Angus with a mixture of individual and small group activities.

- 4.8.5 Due to movement restrictions, all unpaid work is currently suspended. Emergency powers have been enacted at national level to extend all CPOs by 12 months, in effect giving those subject to an order additional time within which to complete the required hours.

- 4.8.6 The Justice Service is working to develop arrangements to support the safe resumption of unpaid work once restrictions permit. Plans will require to accommodate the existing backlog of hours, alongside meeting the requirements of new orders imposed as the Courts start to resume normal activity.

5. FINANCIAL IMPLICATIONS

There are no specific financial implications arising from this report. The service is recording additional Covid-19 related expenditure in accordance with the financial guidance issued to services. Any additional expenditure is being charged to financial codes set up specifically to monitor additional costs incurred by the Council which have arisen due to the Covid-19 pandemic. Scottish Government has earmarked additional resources for local authorities to help them fund the additional expenditure relating to the Covid-19 response.

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

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