
To: Education and Children Policy Board

On: 12 May 2015

Report by: Director of Children's Services

Heading: The Children and Young People (Scotland) Act 2014 -
Named Person Service and Child's Plan

1. Summary

- 1.1. The Children and Young People (Scotland) Act 2014 (the Act) was passed by the Scottish Parliament on 19 February 2014 and received Royal Assent on 27 March 2014. Underpinned by the Scottish Government's commitment to the United Nations Convention on the Rights of the Child 1989 (UNCRC) and Getting it Right for Every Child (GIRFEC) the Act also establishes a new legal framework within which services are to work together in support of children, young people and families.
- 1.2. The Act places in statute key elements of GIRFEC. These are:
 - every child and young person in Scotland to have access to a Named Person
 - a statutory Child's Plan should be prepared for every child or young person who requires one as a result of their wellbeing needs
 - a holistic explanation of wellbeing, which is set out in the Act
- 1.3. The Scottish Government consulted nationally on Statutory Guidance in relation to parts 4 (Named Person) 5 (Child's Plan) and 18 (Wellbeing) of the Act between 6 February 2015 and 1 May 2015.
- 1.4. Renfrewshire Children's Services Partnership is currently preparing a GIRFEC implementation plan to ensure readiness for the GIRFEC elements of the Act coming into force in August 2016.

- 1.5. Engagement with education staff about the role of the Named Person service has begun and a Named Person reference group of practitioners has been set up to work towards implementation.
 - 1.6. Children's services have been working on implementation of an electronic Child's Plan which incorporates the core data set as set out in the Act.
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2. Recommendations

- 2.1 Members of the Education and Children Policy Board are asked to:
 - a) note that the GIRFEC elements of the Children and Young People (Scotland) Act 2014 will come into force in August 2016
 - b) note the ongoing work to develop an implementation plan for the Named Person service
 - c) note the progress made towards achieving a single Child's plan across Children's Services
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3. Background

- 3.1 The Children and Young People (Scotland) Act 2014 is a wide- ranging piece of legislation, containing 18 parts and spanning policies that have developed over a number of years in relation to kinship care, care leavers, integrated services, early learning and childcare, and GIRFEC. With respect to GIRFEC, the Act provides the legislative impetus to bring about transformational changes to working practices across a wide range of public bodies.
- 3.2 GIRFEC is the national approach to improving the wellbeing of children and young people in Scotland. Through policy and delivery of services at both national and local level the approach:
 - puts the best interests of the child at the heart of decision making
 - takes a holistic approach to the wellbeing of a child
 - works with children, young people and families on ways to improve wellbeing
 - advocates preventative work and early intervention to support children, young people and their families: and
 - believes professionals must work together in the best interests of the child
- 3.3 The wellbeing of children and young people is at the heart of the GIRFEC approach. Recognising when a child needs support and being able to respond when a parent asks about any aspect of their child's wellbeing is important if services are to be timely, appropriate and effective in a child's life. For that reason, GIRFEC uses eight indicators of wellbeing. It focuses professionals and families attention on how safe, healthy, achieving, nurtured, active, responsible, respected and included a child feels.

- 3.5 The GIRFEC approach recognises that at different stages of their life each child will have different needs. Services need to be responsive to how these needs differ between children, how they change as they get older and whether they can be met with the universal support available to all children.

4. Named Person Service

- 4.1 The Named Person service refers to the organisational arrangements put in place to support the functions of the Named Person. The Named Person service, as set out in the duties of the Act, provides a structured way to ensure that a child-focused approach persists through a child's life into adulthood. Through children and families knowing who to contact, their access to help is made easier.
- 4.2 Part 4 Section 20 of the Act places a duty on a health board to make available a Named Person service for each pre-school child living in the area.
- 4.3 Part 4 Section 21 of the Act places a duty on local authorities to provide a Named Person service for children from five years, or school entry, until their 18th birthday whether in school, or otherwise educated, or having left school.
- 4.4 The Named Person is a professional in the universal services of health and education, most often known to the child and parents/carers, and available to support children and families when there is a need, and to act as a point of contact for other practitioners who may have a concern about the child. This approach means that a network of support can be developed efficiently and quickly around the child and family if extra support is needed.
- 4.5 For children aged 5 - 18 the Named Person for children and young people attending school in a local authority area is expected to be a registered teacher who holds a promoted post in the school the child or young person is at, and who holds, or has held, a post which gives them experience in relation to pupil support, pastoral care/guidance.
- 4.6 The person who takes on the role of Named Person for a child should be the person who has the overview of the child's well-being and the responsibility for co-ordinating any single agency support which a child may require. When a child's needs become more complex, then the Named Person role would give way to the Lead Professional role, as set out in the *Getting it Right for Every Learner* (GIRFEL) policy (Education and Leisure Services 2014).
- 4.7 It is anticipated that the Named Person will not have to do anything more than they normally do in the course of their day-to-day work. If there are concerns about the way a child is progressing, the Named Person will take action to help the child, or arrange for someone else to do so. This will be recorded in a single-agency plan and chronology.
- 4.8 There is no legal liability on an individual with regards to them taking on the role of Named Person. Legal responsibility lies with the local authority (service provider) and not the individual Named Person.

- 4.9 Section 23(3) of the Act places an obligation on the Named Person service to share information with any other service provider if they consider it affects or may affect the wellbeing of the child or young person. The concern may arise directly from the child or parents or anyone else who knows the child, or from observation or assessment by a professional.
- 4.10 It will be important for the Named Person, in considering which service provider or relevant authority it is appropriate to share information with under this section, to have a general awareness of what support is available, who supplies it, and how to access it.
- 4.11 Section 26 of the Act provides a framework to support proportionate and appropriate sharing of information by the Named Person and others in support of the exercise of their functions under the Act.
- 4.12 In Renfrewshire, work has begun to raise awareness of the Named Person service and engage with staff about the role and functions of a Named Person. An input was made to all head teachers at the Education and Leisure service meeting in May 2013. Awareness raising sessions took place with school staff during January and February 2014. Further engagement has taken place with head teachers during 2015 and a Named Person reference group has been set up involving representation from the primary and secondary sectors. Schools in Renfrewshire have been asked to consider which designation of staff within their establishment are best placed to carry out the Named Person role.
- 4.13 Ongoing liaison is taking place with teacher's trade unions locally and the local authority in relation to the implementation of Named Person in Renfrewshire schools.
- 4.14 The Renfrewshire Children's Services Partnership (RCSP) is considering the multi-agency implications for the implementation of the Named Person service in Renfrewshire. The following arrangements and systems will require to be addressed before full scale implementation:
- How the local authority will make provision for the Named Person service in relation to the following circumstances:
 - during school holidays
 - for young people 16-18 who have left school
 - for children educated at home
 - for any child experiencing interrupted education
 - for gypsy traveller children
 - Publishing information about the Named Person service including how to contact Named Persons

- The setting up of secure systems for sharing, transferring and storing information including the development of business processes for these
- Training for all Named Persons on their role and function including clear direction on information sharing and recording processes
- Training for all relevant agencies and service providers on their duties in relation to complying with requests from and sharing information with the Named Person
- The provision of a local directory of all support services and support pathways
- Business support arrangements for all of the above

5. Child's Plan

- 5.1 The aim of Part 5 of the Act is to improve outcomes in relation to children's wellbeing by ensuring that a single statutory plan, the Child's Plan, is prepared for every child who needs one. Streamlining the planning process aims to ensure that there is a single planning framework in operation across children's services to make good use of resources and to avoid unnecessary duplication for the child, their parents, and practitioners.
- 5.2 There are two main considerations in deciding if a child requires a Child's Plan. The first is based on an assessment of wellbeing, as defined in section 96(2) of the Act. The second relates to the support judged necessary to meet the identified wellbeing need. A Child's Plan is required only when the wellbeing need cannot be met without the provision of a 'targeted intervention' which is support not generally available within a school setting e.g. support from specialist teachers such as those providing support for English as an additional language, sensory issue or looked after children; support from additional support needs assistants; support from specialist authority education provision; support from health and social work services.
- 5.3 The Named Person has a key role in promoting, supporting and safeguarding the wellbeing of the child. In most circumstances the Named Person, acting on behalf of the responsible authority, will be involved in deciding if a child requires a Child's Plan.
- 5.4 The required content of a Child's Plan is described in Section 34 of the Act. The Child's Plan has been designed to help all staff working with children and families to think about the wellbeing needs of a child and what can be done to improve their outcomes. The Child's Plan should be clear and succinct and should refer to needs that have been identified and will be addressed through the provision of targeted intervention. The Child's Plan should replace all other plans whether the child is being supported on a single or multi-agency basis, on a voluntary or a statutory basis.

- 5.5 The Getting it Right for Every Learner (GIRFEL) policy was approved by the education policy board in March 2014. It sets out the basis for how education services will progress with the requirement to provide a Child's Plan for those children who need one. It sets out a planning framework which delineates how education staff should plan to meet the learning and wellbeing needs of all children through a staged intervention approach.
- 5.6 The education Child's Plan was developed in conjunction with a number of pathfinder education establishments who agreed to work with the children's services support team and social work staff in designing and trialling the Child's Plan. The Child's Plan uses the same format as the paperwork currently utilised to complete an integrated assessment on a child requiring support from more than one agency. Going forward, the paperwork will be known as the Child's Plan across agencies.
- 5.7 The education Child's Plan was rolled out as an interactive PDF document across all education establishments, following training, in October 2013. Ongoing support has been provided in relation to the use of the new documentation. Issues which have arisen during the first phase of implementation are being addressed and further training is being delivered to education staff during May 2015.
- 5.8 The RCSP is in the process of reviewing the Child's Plan, its functionality, format and processes to ensure that it will be fully compliant with the requirements set out in section 5 of the Act by August 2016.
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Implications of this report

1. Financial Implications

£16,000 has been made available from the Scottish Government to the Renfrewshire Community Planning Partnership on a one off basis to support implementation of the Act. This will be used to support training requirements.

2. HR and Organisational Development Implications

Business support processes and functions require to be identified and provided to support the implementation of the Act

3. Community Plan/Council Plan Implications

Children and Young People

- The implementation of sections 4, 5 and 18 of the Act aims to improve outcomes for children and young people by focussing on improving their wellbeing

Community Care, Health and Well-being	- Children and young people will have their wellbeing needs met and get the help they need when they need it
Empowering our Communities	- Implementation of the GIRFEC approach involves all agencies, including the 3 rd sector, and the community.2014
Safer and Stronger	- The GIRFEC approach has a clear focus on the safety and wellbeing of all children particularly the more vulnerable.

4. Legal Implications

The Children and Young People (Scotland) Act sections 4,5 and 18 places legal duties on the local authority to provide the services outlined in this report

5. Property/Assets Implications

None.

6. Information Technology Implications

None.

7. Equality and Human Rights Implications

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. Health and Safety Implications

None.

9. Procurement Implications

None.

10. Risk Implications

None.

11. Privacy Impact

None.

List of Background Papers

- (a) Background Paper 1: Consultation on the draft statutory guidance for Parts 4, 5 and 18 (section 96) of the Children and Young People (Scotland) Act 2014 (Scottish Government)
- (b) Getting it Right for Every Learner in Renfrewshire – A Partnership Approach (March 2014 Renfrewshire Council)

The foregoing background papers will be retained within ELS for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Susan Bell, Education Manager (GIRFEC) Tel 618 7221.

SB/LG/JT
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