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**To:** Renfrewshire Integration Joint Board

**On:** 24 June 2016

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**Report by:** Chief Officer

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**Heading:** Children and Young People (Scotland) Act 2014 – Getting it Right for Every Child (GIRFEC)

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## 1. Summary

- 1.1 The purpose of this report is to advise the Integration Joint Board (IJB) on the progress made within Renfrewshire to comply with the legal duties under the Children and Young People (Scotland) Act 2014, Parts 4, 5 & 18: Getting it Right for Every Child (GIRFEC) by 31st August 2016.

Specific duties and responsibilities include:

- A Named Person made available to every child 0 -18 years (and beyond if still in school)
- A legal requirement to share information with the Named Person as appropriate, and
- A single system for assessment and planning through a Child's Plan.

- 1.2 The duties in the Act fall on organisations and not on individual members of staff. However, the duties will be carried out by practitioners delivering services on behalf of the relevant organisation.
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## 2. Recommendation

It is recommended that the IJB:-

- Note the progress made to implement the Children and Young People (Scotland) Act 2014, Parts 4, 5 & 18, Getting it Right for Every Child (GIRFEC) by August 2016.
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## 3. Background

- 3.1 Statutory guidance has been produced to explain the legal duties in Parts 4, 5 and 18 (section 96) of the Act. These parts are about the Getting It Right for Every Child (GIRFEC) national approach to improving outcomes through public services that support the wellbeing of children and young people.
- 3.2 The Act has put into statute some key aspects of the GIRFEC approach. It sets out a definition of 'wellbeing'. It formalises the role of the Named Person ensuring that a Named Person will be available for every child from birth to 18 (or older if still in school) and it makes provision for a statutory Child's Plan to coordinate support for those children who may require additional help. The Act also provides a framework

for information sharing between professionals to support the functions of the Named Person and the operation of the Child's Plan.

- 3.3 The GIRFEC approach should lead to early and effective intervention at any point in a child's life where it is necessary to improve wellbeing outcomes. By acting to support wellbeing as soon as needs or concerns are identified and well before crisis points are reached, the approach ensures that every child is supported in a timely and proportionate way.

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## Implications of the Report

1. **Financial** – Resource required to be agreed across the wider partnership.
2. **HR & Organisational Development** – none.
3. **Community Planning** – none.
4. **Legal** – Legal duties under the Children and Young People (Scotland) Act 2014, Parts 4, 5 & 18: Getting it Right for Every Child (GIRFEC)
5. **Property/Assets** – none.
6. **Information Technology** – The systems and process change required to implement the duties will require significant ICT and Business Support changes in particular in relation to information sharing to the Named Person, managing and storing of information and the assessment and planning processes for children and young people.
7. **Equality & Human Rights** - 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. 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 & Safety** – none.
9. **Procurement** – none.
10. **Risk** – IT Infrastructure to support.
11. **Privacy Impact** – none.

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## List of Background Papers – None.

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### Briefing Note for Renfrewshire Integration Joint Board

Subject: Children and Young People (Scotland) Act Parts 4,5 &18 : Getting it Right for Every Child (GIRFEC)

#### 1. Summary

- 1.1 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, pre-school education and Getting It Right for Every Child (GIRFEC). The intention of the Act is to bring about transformational changes to working practices across a wide range of public bodies. These changes are in force and other areas will come into force over the next two years. These duties span all partners within the community planning partnership.
- 1.2 GIRFEC is the Scottish Government approach to improving the services that support the wellbeing of children and young people in Scotland. It is an approach that has several principles at its core:
  - puts the wellbeing of the child or young person at the heart of decision making;
  - takes a holistic approach to the wellbeing of a child or young person;
  - works with children, young people and their 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.
- 1.3 The approach underpins the Children and Young People (Scotland) Act 2014, the Early Years Framework, Curriculum for Excellence and a range of programmes to support improvements in services. GIRFEC is being threaded through all existing policy, practice, strategy and legislation affecting children, young people and their families.
- 1.4 The GIRFEC approach should lead to early and effective intervention at any point in a child's life where it is necessary to improve wellbeing outcomes. By acting to support wellbeing as soon as needs or concerns are identified and well before crisis points are reached, the approach ensures that every child is supported in a timely and proportionate way.
- 1.5 The Act has put into statute some key aspects of the GIRFEC approach. It sets out a definition of 'wellbeing'. It formalises the role of the Named Person ensuring that a Named Person will be available for every child from birth to 18 (or older if still in school) and it makes provision for a statutory Child's Plan to coordinate support for those children who may require additional help. The Act also provides a framework for information sharing between professionals to

support the functions of the Named Person and the operation of the Child's Plan.

- 1.6 The Scottish Government believes the Act will provide the impetus required to ensure consistency of implementation of the GIRFEC approach across Scotland.

## **2. Background**

- 2.1 The Children and Young People (Scotland) Act 2014 legislates for the implementation of aspects of Getting It Right For Every Child through Parts 4 (Named Person), 5 (Child's Plan) and 18 (Wellbeing).

- 2.2 The parts of the Children and Young People (Scotland) Act 2014 which put aspects of GIRFEC on a statutory footing are expected to come into force in August 2016, at which time there will be a responsibility to comply with the provisions and resulting duties.

These duties include:

- A Named Person made available to every child 0 -18 years (and beyond if still in school);
- A legal requirement to share information with the Named Person as appropriate; and
- A single system for assessment and planning through a Child's Plan.

- 2.3 The duties in the Act fall on organisations and not on individual members of staff. However, the duties will be carried out by practitioners delivering services on behalf of the relevant organisation. The duties will apply to all services delivered by relevant organisations and hence all practitioners who are in a position to support the wellbeing of a child or young person, whether directly through children's services, or indirectly, as in adult services supporting parents, carers or those who have contact with children in the family setting.

- 2.4 Adult services will have a key role in supporting the duties under the Act. They may become aware of a risk to a child's wellbeing through their engagement with adults. In such circumstances we would expect the adult service worker to consider if this information is relevant to the Named Person functions and ought to be shared with the Named Person. For example this will apply to addiction workers engaging with a parent, housing officers dealing with a family's housing needs, fire officers attending an incident at a family home, and health workers supplying services to a parent or carer.

## **Wellbeing (Part 18)**

- 2.5 The Act provides a common holistic understanding of what wellbeing means and ensures that this underpins everything that we do to support children in the context of the Children and Young People (Scotland) Act 2014. Wellbeing is based on a holistic view of what supports a child or young person needs to grow and develop well, as described by eight, wellbeing dimensions: safe, healthy, achieving, nurtured, active, responsible, and respected. These are often referred to in short hand as SHANARRI.

- 2.6 Adopting the concept of wellbeing and taking a more holistic approach will support the identification of concerns at an earlier stage. The Act seeks to bring about a culture shift by reframing the way services consider the needs of children and young people. The aim of GIRFEC is to support a system that responds appropriately to the needs and risks of any child, based on assessment of their wellbeing. Most children will have their needs met through the typical engagement of families with universal services like health and education. For some, the needs and risks may be intense and require specialist assessments, specific action, extensive planning and longer-term, coordinated support from a range of services. Those needs/risks may arise suddenly or over time. Whatever the nature or intensity of need, the GIRFEC approach provides a framework within which all services can work with the child and parents to improve the child's wellbeing. Specialist assessments will continue to be part of the assessment process, but the results of such assessments will be considered within the context of the child's overall wellbeing which allows for a more holistic approach to support, resulting in better outcomes for the child, and family.

#### **Named Person (Part 4)**

- 2.7 The Named Person service is a term that encompasses everything that needs to be in place in order to ensure that the Named Person functions will be delivered as specified in the Children and Young People (Scotland) Act 2014. The duty to provide a Named Person service sits with health boards, local authorities, directing authorities of independent or grant-aided schools and the Scottish Prison Service, depending on the circumstances of the child. The Named Person service includes the communication infrastructure, professional support, governance framework and the maintenance of local policies, protocols, procedures, guidance and training; plus communication about the role of the Named Person, how the role will be delivered locally, and how to contact a child's Named Person.
- 2.8 The identified Named person will be determined by the child's age and circumstances. From birth until 5 years, or school entry, the health visitor will usually be the Named Person. There may be exceptions where a Family Nurse, or another health professional, will take on the role. For children in school, it may be the Head Teacher, depute head teacher or pupil support/guidance teacher. This will apply in both local authority schools and in independent/grant aided schools. For children of school age, i.e. from 5 years to their 18th birthday, who do not attend school, it will be for the local authority where they normally reside to identify a Named Person. This will generally apply to children who are home educated, some Gypsy/Travellers and those who have left school before their 18th birthday. The Named Person is likely to be a centrally deployed officer of the authority who has responsibility for linking with these groups of children and is in a position to undertake the Named Person functions.

#### **Child's Plan (Part 5)**

- 2.9 The Child's Plan sits within a single planning process and is aimed at addressing the issues that may be adversely affecting the child's or young

person's wellbeing. The Child's Plan will set out the child's and young person's needs, the actions taken to meet these needs, who will undertake those actions and the anticipated outcome. Children/young people and their parents / carers will be involved in the development of the plan which will include their views on the assessment and the plan to improve outcomes.

- 2.10 The GIRFEC approach ensures that a Child's Plan is prepared for a child (up to age 18) when there is a concern about wellbeing which cannot be addressed through the universal services generally available for children, and a targeted intervention is therefore required. The aim is to simplify the statutory planning process so that all services follow the same approach and children, young people and parents are key partners in that process.
- 2.11 Children will continue to have their needs identified and met through the routine operational planning which is carried out by health visitors, teachers, and others but where more specialist and coordinated support is required either from within one of the universal services, or through multi-agency working, then the Named Person will consider whether a Child's Plan is necessary.
- 2.12 Local authorities, health boards, and other public bodies will have to decide which interventions meet the description of a targeted intervention within the terms of the Act, and provide a framework within which decisions about the requirement for a Child's Plan can be made..
- 2.13 The Act also sets out the provision for the complaints process for Named Person and Child's Plan, (i.e. Part 4 and Part 5 of the Act). A consultation was launched in early September 2015 in relation to the *Complaints Concerning Functions Relating to the Named Person and Child's Plan*. The Consultation outlines the intention on Scottish Government to ensure that parents and children know how to make a complaint, what their rights are and what will happen when they make a complaint. At the same time ensuring that every organisation and body involved in a complaint relating to Parts 4 and/or 5 are clear about their role and responsibilities regarding complaints.

## Information Sharing

- 2.14 The Act creates a framework which ensures that public bodies must make a Named Person aware of any matter which is likely to present a risk to a child's and young person's wellbeing in a transparent, fair and proportionate way. Different sections in the Act cover different aspects of this.
  - Section 23 stipulates that when a child's Named Person service provider, (i.e. a health board, local authority) changes, the previous Named Person must share information that is likely to be relevant to any risk to the child's wellbeing, with the new Named Person.
  - Section 26 creates a duty for specific public bodies to share information about any matter which is likely to be relevant to the functions of the Named Person. This is likely to be a concern about an aspect of the child's wellbeing. The Act ensures that the Named Person becomes the person



who should receive this kind of information so that they can build up a picture of the child's or young person's situation in the context of a wellbeing concern and be able to offer appropriate support where necessary.

- 2.15 Awareness raising and training across all sectors is crucial in relation to all aspects of the Children and Young People (Scotland) Act 2014. The delivery of such training is the responsibility of organisations within their Community Planning Partnerships, and the other bodies who have duties under the Act. Additional guidance and support is available from the Information commissioner's Office and the Scottish Government website.
- 2.16 Statutory guidance was published in late 2015 which support's the development of detailed local guidance on information sharing for practitioners.

### **3. Implementation Plan**

- 3.1 Compliance with the legislation will be achieved through significant transformational change supported by systems, practice and culture change across the Community Planning Partnership.
- 3.2 Three workstreams led by Heads of Service in children's services and health have been established to take forward plans for each of the key duties in the Act to lead on local implementation. This is informed by work undertaken in Police Scotland, NHS GGG& and other organisations. Locally, the Steering Group has oversight of the inter agency organisational issues and challenges ensuring all services prioritise the implementation plan and identifying areas of risk. Nationally, key leads are attending regular meetings with the Scottish Government GIRFEC team.
- 3.3 Project management resource is in place to drive forward implementation in the time scale available, and at a senior enough level to challenge any organisational barriers which exist in relation to delivering the change required across all services and organisations. This has been achieved by Steering Board Chaired by the Director of Children's services and includes membership from police, health, SCRA and Council services (Finance and IT, Business support, children's services).
- 3.4 A national group has been established to focus on child protection and GIRFEC challenges. There are significant issues in relation to ensuring that the child protection processes and systems remain robust while building in a process of sharing information with named person where wellbeing concerns are identified.

### **4. Single Point of Contact Hub (pilot)**

- 4.1 A local pilot commenced on 25<sup>th</sup> April to 20<sup>th</sup> May 2016 (with Police, Education, Health and Social Work) to develop and test business processes and procedures to align with legislation relating to the GIRFEC duties in the Children and Young People (Scotland) Act 2014, Parts, 5 & 18: Getting it Right for Every Child (GIRFEC). The test allowed for consideration of the following areas:

- Volume of wellbeing concerns
- Resourcing requirement for single point of contact for named person service
- Changes to process and procedure and working practices
- Training needs
- Communication issues.

4.2 The test supports a 'soft launch' of the GIRFEC duties in particular the information sharing and named services.

4.3 The Heads of Service overseeing GIRFEC Implementation have agreed to the continuation of the pilot. The process and outputs surrounding this will continue to be reviewed and improved if necessary. It is important that we build on the good work and communication that has been established during the initial phase.