Introduction

Outlined below is a summary of Scottish Government policy developments and relevant information regarding child protection. It covers developments that have taken place since the last update.

Update on Workstreams of Interest to Child Protection

*Child Protection Improvement Programme*

Work continues on delivering the recommendations which emerged from the first Phase of the Child Protection Improvement Programme (CPIP). See specific updates below on: the first Leadership Group meeting; Trafficking; Child Sexual Exploitation; Child Internet Safety and Neglect.

If you would like to discuss further, please contact Philippa Brosnan on 0131 244 0046/ philippa.brosnan@gov.scot or Katherine Hudson on 0131 244 5912/katherine.hudson@gov.scot
The National Child Protection Leadership Group

The National Child Protection Leadership Group met for the first time on Thursday 22nd June and is due to meet again on the 21st September. Two working groups were established from the first meeting in June: one group is taking forward planning for Regional Events and the other is looking to establish a specific short life project team for Joint Investigative Interviews. The Leadership Group discussed links with CPC Scotland and agreed that the September meeting agenda will include an item on the role and purpose of CPC Scotland.

If you would like to discuss further, please contact Leona Solley on 0131 244 5480 or Leona.solley@gov.scot

Implementing the Children's aspects of the Human Trafficking and Exploitation (Scotland) Act 2015

Strategy

Scotland’s first Trafficking and Exploitation Strategy was published on 30th May 2017. It sets out how the Scottish Government and partners will work together to provide support to victims and make Scotland a more hostile place for traffickers.

The Strategy sets out 3 main action areas:

• Identify victims and support them to safety and recovery;
• Identify perpetrators and disrupt their activity; and,
• Address the conditions, both local and global, that foster trafficking and exploitation.

In addition, the Strategy has a 4th section which brings together the specific children’s actions in the preceding sections and sets out actions where the situation for children who are, or who may be victims of human trafficking and exploitation, differs from that for adults.

The Strategy was developed alongside the Child Trafficking Strategy Group which comprises children’s services stakeholders and includes representation from CPC Scotland. This group is acting as the vehicle through which the children’s actions within the Strategy are monitored and progressed. Liz Taylor is the CPC Scotland representative.

Included in the children’s actions, are ones specific to CPCs on partnership working, the provision of training and ensuring relevant local policies, procedures and guidance are in place and accessible by services. To assist CPCs in considering how these actions can be taken forward locally, a short checklist was developed which extracted the recommendations specific to CPCs, broken down into a series of questions.

Media Campaign

On 29th August, the Cabinet Secretary for Justice launched the human trafficking awareness raising campaign for Scotland.
There will be six different digital banner adverts running across various online channels including Facebook and news sites throughout the duration of the campaign.

A hard-hitting 60 seconds film has been produced by STV to support the campaign. It features Bronagh Andrew, Operations Manager at Trafficking Awareness Raising Alliance (TARA), discussing the realities of human trafficking and the fact that it is closer to home than many people think. The signs of human trafficking are highlighted along with information on how those who have concerns can report the crime. The film will run on the channel during the following weeks:

- 31 August – 6 September
- 14 September – 20 September
- 28 September – 4 October

For further information, please contact either Belinda McEwan on 0131 244 7159 or belinda.mcewan@gov.scot or Katrina McDonald on 0131 244 1648 or Katrina.mcdonald@gov.scot

**Child Sexual Exploitation**

The implementation of actions from The Update of the National Action Plan on Child Sexual Exploitation (2016) continues to be overseen by the National Child Sexual Exploitation Group, which last met on 28 August 2017. A further meeting will take place on 27 November 2017, and will discuss a draft progress report, due to be published in March 2018.

If you would like to discuss further, please contact Katrina McDonald on 0131 244 1648 or Katrina.mcdonald@gov.scot

**Child Internet Safety**

Internet Safety for Children and Young People

Work is continuing to implement actions within the National Action Plan on Internet Safety for Children and Young People.

If you would like to discuss further, please contact Louise McCue on 0131 244 7137 or louise.mccue@gov.scot
**Neglect**

**Section 12 amendments**

As previously outlined, the Scottish Government is planning amendments to s12 of the Children and Young Persons (Scotland) Act 1937 in this Parliamentary session. As such, we will run a formal public consultation on the scope and wording of amendments to s12 later this year.

In order to help frame the consultation, we have held two events – one in July and one in August - with a wide range of stakeholders to seek input into the shaping of the consultation. These have proved enormously helpful in understanding not only the current limitations of the offence, but also in identifying some of the key issues that need to be given careful consideration in any revision of the offence.

Members of the CPC Scotland Neglect Sub-group have taken part in each of the sessions.

Our intention is that the formal consultation will run from October to the end of the year.

For further information please contact Sandra Aitken on 0131 244 7131 or Sandra.aitken@gov.scot

**Domestic Abuse (Scotland) Bill**

The Domestic Abuse (Scotland) Bill was introduced to Parliament by the Cabinet Secretary for Justice, Michael Matheson MSP, on 17 March 2017. The Bill is currently at Stage 1, and the Justice Committee heard evidence from interested parties throughout May and June 2017.

The Committee’s Stage 1 report is due to be published in September.

Further discussion around the impact of domestic abuse on children is likely as the Bill progresses.

For further information please contact Sandra Aitken on 0131 244 7131 or Sandra.aitken@gov.scot

**The Children and Young People Improvement Collaborative (CYPIC)**

The Children and Young People Improvement Collaborative (CYPIC) brings together the Early Years Collaborative and the Raising Attainment for All Programme to deliver quality improvement (QI) throughout a child’s journey. This aims to reinforce the link between children having positive experiences in the early years and educational attainment.
The CYPIC remains closely aligned with the Maternity and Children Quality Improvement Collaborative where the focus is on maternity, neonatal and paediatric healthcare settings.

This year’s CYPIC learning session – Working Together to Improve Outcomes - will take place on 21 and 22 November 2017 at the SEC in Glasgow. Registration opened on the 28 August 2017 and will close on 6 October 2017. For further information go to http://www.cypic.co.uk/learning-session/

On 15 November 2016 we held our first Quality Improvement Awards ceremony in partnership with Healthcare Improvement Scotland. Following the success of these inaugural Awards, we are again, in partnership with Health Improvement Scotland, hosting the 2017 Quality Improvement Awards. The awards will celebrate and showcase the fantastic range of quality improvement practice that is taking place across the length and breadth of Scotland to make services the best they possibly can be for babies, children, young people and their families in all aspects of their lives. Entries for the 2017 Quality Improvement Awards opened on 8 May 2017 and closed on 28 June 2017. Announcement of the shortlist will take place early September 2017. The Awards ceremony will take place at the Science Centre in Glasgow on the evening of 21 November 2017. For further information, including stories from the 2016 shortlist go to www.qiawards.co.uk.

If you would like to discuss further contact Steven Fogg on 0131 244 0423 or Steven.Fogg@gov.scot / Katie Hislop on 0131 244 1460 or Katie.Hislop@gov.scot

Equally Safe

The Equally Safe Joint Strategic Board, which is co-chaired by the Equalities Secretary and CoSLA Community Wellbeing Lead, last met on 23 March 2017. Governance structures for the implementation of Equally Safe and the remit of the work streams are under review.

A public consultation on the draft delivery plan was run from 23 March to 30 June 2017. It received 79 responses which are being analysed together with findings from two participation projects, one with women and one with children and young people, with a view to publishing the revised plan towards the end of the year.

The consultation responses are available here: https://consult.scotland.gov.uk/violence-against-women-team/equally-safe/

If you would like to discuss further, please contact Leonie Stone on 0131 244 7543 or leonie.stone@gov.scot
Scotland’s National Action Plan to Prevent and Eradicate Female Genital Mutilation (FGM) was published 04 February 2016. Since publication, a range of activities have taken place to progress actions.

The FGM National Action Plan Implementation group held its inaugural meeting in November 2016 and has met on a quarterly basis over the course of 2017. Membership is drawn from a broad range of stakeholders from statutory and third sector, and community-based organisations who are able to give practical assistance and strategic oversight to the work required to realise our ambitions for this agenda. It is this inclusive, partnership based approach that will allow us to progress the full range of actions and objectives set out in the plan.

Funding

To support this action plan investment of over £271,620 for the period 2017/18 has been made to progress actions. This funding supports interventions aimed at preventing FGM, supporting those affected and collaborative working amongst partners in the statutory and third sectors to develop understanding and change attitudes in affected communities. We will continue to invest a similar amount over the period 2018-20. This funding aligns directly with the objective under the theme of Prevention (Individuals and Communities recognise the implications and are able to challenge FGM). It demonstrates the Scottish Government’s on-going commitment to increasing capacity in affected communities to challenge the practice of FGM.

Multi-Agency Guidance

A writing group has been established and is working on the completion of FGM Multi-Agency Guidance. The guidance sets out how agencies, individually and together, can protect girls and young women from FGM, and how to respond appropriately to survivors. It describes ‘best practice’ and the main elements of a sensitive and suitable response. The best way to make sure that women and girls are protected and supported, sooner rather than later, is for agencies to work together. This multi-agency guidance will be published later in 2017.

This work recognises the need to ensure that statutory organisations equip their workforce with the necessary skills, knowledge and understanding to effectively identify and respond to FGM, identify risk and follow local procedures for reporting child and adult protection concerns.

FGM Statements

An action within the FGM National Action Plan is to reprint the Scottish Government statement opposing Female Genital Mutilation (FGM). The purpose of the statement is to allow a person who may be at risk to show it to family friends and or relatives when travelling abroad to remind them that FGM is a serious offence in Scotland and the UK and that there are severe penalties (up to 14 years in prison) for anyone found guilty of the offence.
Stakeholders have reported that the statement has been well received by affected communities and is being used as intended. We have updated signatures from Cabinet Secretary for Communities Social Security and Equalities; Cabinet Secretary for Justice; Cabinet Secretary Health and Sport; Cabinet Secretary for Education and Skills; Lord Advocate and Chief Constable of Police Scotland, the statement has now been reprinted and is available online. The statement is also now available in Tigrinya.

If you would like to discuss further contact Bruce Sutherland on 0131 244 7097 or bruce.sutherland@gov.scot

**The Children and Young People (Information Sharing) (Scotland) Bill**

Subsequent to the conclusion of the engagement process, The Children and Young People (Information Sharing) (Scotland) Bill (“the Bill”) was developed. The Bill and accompanying documents were presented to the Scottish Parliament on 19 June and published on 20 June 2017.

The aim of the Bill is to bring consistency, clarity and coherence to the practice of sharing information about children’s and young people’s wellbeing across Scotland. It seeks to ensure that the rights of children, young people and parents are respected when:

- information is shared with or by the Named Person service under Part 4 of the Act, by amending sections 23, 26 and 27, and in connection with
- discussing the need for, formulating or delivering a Child's Plan under Part 5 by amending section 40 of the Act.

**How will the Bill change the information provisions in the Act?**

The Bill introduces a duty to consider if sharing information with or by the Named Person service will promote, support or safeguard the wellbeing of a child or young person. This changes the Act which has a duty to share information that may affect a child or young person’s wellbeing with or by the Named Person service.

The Bill introduces a duty to consider whether the information can be shared in a way that is compatible with the Data Protection Act, any directly applicable EU law relating to data protection and any other enactment or rule of law. This is to help ensure that practitioners understand what legal requirements must be complied with before information can be lawfully shared, including data protection law, the ECHR and the law of confidentiality.

The Bill then provides the power to share relevant information with or by the Named Person service and in connection with a Child’s Plan when the above conditions are met and as long as the person providing the information does not consider that its provision would prejudice the conduct of a criminal investigation or the prosecutions of any offence. This differs from the Act which has a requirement to share information.
The Bill also introduces a duty on Scottish Ministers to issue a Code of Practice about the provision of information (including the consideration of the provision of information) by persons exercising functions conferred by Part 4 of the Act, or by, or under Part 5 of the Act. A person exercising functions conferred by Part 4 of the Act, or by, or under Part 5 of the Act must do so in accordance with such a Code of Practice. An illustrative draft Code of Practice accompanies the Bill. The illustrative draft Code of Practice sets out:

(a) safeguards which need to be considered in order that information sharing is lawful and proportionate, and

(b) a description of the relevant law which must be complied with when sharing information for the purposes of Parts 4 or 5 of the Act.

What is happening now?
The Bill and Illustrative draft Code of Practice was introduced to the Scottish Parliament and published on June 19.

The Education and Skills Committee issued a call for evidence in relation to the Bill and a call for views on the illustrative draft Code of Practice using a short survey. The call for evidence on the Bill closed on August 25.

The Finance Committee issued a call for evidence on the financial memorandum which closed on August 8.

The Committee will begin its call for evidence on September 6.

During the process of the Bill through Parliament, and as we strengthen implementation of the Getting it right for every child policy, the Scottish Government will continue to engage with stakeholders to ensure that every opportunity is taken to improve the quality of service which children, young people and families experience from public services across Scotland.

Subsequent to completion of the Bill’s Parliamentary process, there will be a formal public consultation on the revised statutory guidance for Parts 4 and 5 of the 2014 Act and the Code of Practice on information sharing.

There will be work at national and organisational levels to identify what may need to change in current and developing practice to support the amended legislative provisions when they are commenced. This will include;

- national support to strengthen Getting it right for every child practice
- national and local communications to inform and engage parents, children and young people and practitioners

If you would like to discuss further, please contact Sindra Jung on 0131 244 4238 or sindra.jung@gov.scot
Realigning Children’s Services (RCS)

RCS is the Scottish Government programme to improve the strategic planning and commissioning of children’s services, supporting a number of local community planning partners via

- the creation of an evidence base via a strategic needs analysis covering health, wellbeing, service use and nature of current service provision and costs
- the strengthening of partnership working aided by improvement/implement methodologies.

The aim of the programme is to support the implementation of *Getting It Right For Every Child* by having available the right services at the earliest opportunity for children and their families.

The programme has now received approval to extend for another three years 2018-2021.

If you would like to discuss further, please contact Isabella de Wit, RCS Programme Manager, at 0131 244 1664 or isabella.dewit@gov.scot

Child Protection and Disability Issues

The Scottish Government has committed to developing a Framework to Support Disabled Children, Young People and their Families. This stems from SNP 2016 manifesto commitments to ensure disabled children have the best start in life.

It is currently in the early stages of development. A consultation will be launched in late 2017, with the final Framework published in Summer 2018.

The Framework will aim to be a dynamic document and tool that can set out key expectations for services, highlight good practice, and share information and will be based around three priority strands:

1. Information Provision and Signposting: Children, young people and their parents will be more aware of services available nationally and locally, and will understand their rights and entitlements and how to realise them

2. Accessibility of Services: access to support and services will be easier and more efficient. Providers will work with children, young people and parents to ensure their needs are identified quickly and they receive support that is right for them

3. Transitions: support and services for children and young people at key points of transition will be better aligned and more responsive to the needs of young people. Services available and transition processes will be more clearly understood by children, young people and their parents.

We recognise that effective solutions to the problems and barriers faced by disabled children and young people must be drawn from their lived experience. The format
and development of the framework is currently being considered in conjunction with the Disabled Children and Young People Advisory Group. We will also create a Young Disabled People’s Forum, to better involve disabled and deaf young in policy development across Scottish Government.

With the 2018 Year of Young People on the horizon this is an ideal time to increase our direct engagement with disabled children and young people.

We will be hosting a number of events in local communities right across Scotland, to hear views from a diverse range of voices.

For further information please contact Gillian Heavie on 0131 244 6383 or Gillian.heavie@gov.scot

Children’s Services Planning

Part 3 (Children Services Planning) of the CYP (Scotland) Act 2014 places a duty on each local authority and the relevant health board, to jointly prepare a children’s services plan for the area of the local authority covering a 3 year period. A range of other relevant local and national bodies are expected to be either consulted with, or obliged to participate, at various stages of the development of the plan. It also requires the local authority and relevant health board to jointly publish an annual report detailing how the provision of children’s services and related services in that area have been provided in accordance with the plan.

The intention of children’s services plans is to ensure that local authorities and health boards, with the assistance of other service providers, work together to jointly plan and deliver their services to ensure that they focus on improving children and young people's wellbeing in their area. The intended effect will be that those bodies responsible for expenditure, planning and delivery of services will work together in considering how to improve the whole wellbeing of all children and young people in their area. In addition, it is anticipated that children’s services plans will help to support the wider shift to prevention and early intervention as well as promote more integrated service planning within the local authority area.

If you would like to discuss further, please contact Catrina Steenberg on 0131 244 4078 or catrina.steenberg@gov.scot
Scottish Child Abuse Inquiry

The Scottish Child Abuse Inquiry’s first phase of public hearings started on 31 May 2017 and ended on 12 July. This phase included hearing evidence from expert witnesses, Scottish Government, survivor groups and care providers.

On Tuesday 31 October the Inquiry will resume hearing evidence relating to Phase 1 of its investigations. This will include further expert evidence from Professor Norrie – (Professor of law at Strathclyde University) and from Professor Kendrick (School of Social Work & Social Policy, University of Strathclyde).

Phase 2 of hearings will begin on Tuesday 28 November 2017. During Phase 2 the Inquiry will examine evidence it has gathered, researched and analysed relating to residential child care establishments run by Catholic Orders. This phase will start with a case study about residential child care establishments run by the Daughters of Charity of St Vincent de Paul, with a particular focus on:

- the establishment known as Smyllum Park in Lanark, and
- the establishment known as Bellevue House in Rutherglen

More information can be found on the Inquiries website - www.childabuseinquiry.scot/

For queries relating directly to the Inquiry, please contact information@childabuseinquiry.scot

Preventing Child Deaths

Officials are working towards setting up a system that will use evidence to help prevent child deaths wherever possible. We are looking to use all available information to prioritise prevention activity whilst simultaneously improving our understanding and data through the universal implementation of child death reviews for children up to the date of their 18th birthday and for care leavers in receipt of aftercare or continuing care at the time of their death, up to the date of their 26th birthday.

If you would like to discuss further, please contact Mary Sloan on 0131 244 4089 or Mary.Sloan@gov.scot.

If you have any significant work underway that you think would be relevant to the Scottish Government, please feel free to share this information with us at any time.

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