

<b>item:</b>	<b>6</b>
<b>report:</b>	CYP34/08

## **CARE COMMISSION REPORT ON CHLD PROTECTION IN RESIDENTIAL CARE by Bill Alexander**

### **Summary**

This report introduces a report by the Care Commission, 'Protecting children & young people in residential care: are we doing enough?' It identifies current policy issues in Highland, and makes recommendations with regard to further actions.

### **1. Introduction**

- 1.1 The Care Commission report, 'Protecting children & young people in residential care: are we doing enough?', was published in March 2008. It is available at: [www.carecommission.com](http://www.carecommission.com).
- 1.2 The report recognises that young people who live in residential care services are among the most vulnerable people in Scotland. It provides a national picture of three important areas of practice in residential services for young people:
  - protecting children
  - planning for their care
  - using physical restraint.
- 1.3 The report highlights what the Care Commission has learned from the regulation of the quality of practice in these three areas. Inspections have found that a number of services use good practice in protecting children, planning for their care and using physical restraint. However, it is stated that over 50% of services need to improve aspects of their practice in one or more of these areas.
- 1.4 The report makes recommendations for improvement in care practice and management, which are attached as appendix 1.

### **2. Summary of report**

- 2.1 The Care Commission report states:

*"Staff need to build positive relationships with young people and understand the unique needs of the young people they are caring for. They also need to have confidence and skill in finding ways that will work for individual young people to help calm situations down and avoid the need for physical restraint. Staff need to work in an environment where both they and the young people are valued and respected.*

*The people who provide services, together with senior managers of the organisations running the service, have a vital role in setting the tone and culture of residential care services. Local authorities who place young people in residential care need to ensure that accurate assessments and care plans are in place for young people. Local authority staff should work with residential care staff to keep care plans up to date and to review situations where physical restraint has been used.*

*Services are not legally obliged to record physical restraint in a standard format. This can make it difficult to collate an accurate picture of the extent to which physical restraint is used. The Care Commission will continue to promote the use of the recording format set out in 'Holding Safely'. An accurate national picture of the use of physical restraint would be more easily achieved if all service providers used this system.*

*We need to continue to ensure that inspectors are knowledgeable about best practice in calming situations down and trying to avoid physical restraint. We need to continue to monitor and report on the national picture and on how individual services are performing.*

*Local authority staff responsible for placing young people in residential care services and care service staff need to make better assessments of young people's needs before they are placed in residential services, to ensure services are able to deal with challenging behaviour without excessive use of restraint.*

*Care services need to consider and respond to the recommendations to improve practice in child protection, care planning and the use of physical restraint.*

*The Scottish Government, the Convention of Scottish Local Authorities, appropriate professional organisations, service providers and the Care Commission should work together to promote the use of a standardised system for recording when physical restraint is used and to consider the merits of introducing a national accreditation system for training in de-escalation (calming situations down) and the use of physical restraint.*

*The Care Commission will continue to encourage care service providers to improve their practice in these three areas of work, and to involve young people, their families and advocates in doing so."*

### **3. Commentary**

- 3.1 In Highland there are six local authority children's units, which includes a long term unit for children with disability at the Orchard in Inverness. There is one emergency refuge provision.
- 3.2 There are also two privately run children's units, and an emergency time-out provision run by NCH Scotland as part of the Intensive Support Service.
- 3.3 There are three local authority units that provide respite care for children affected by disability.

- 3.4 The authority also purchases placements in around 20 residential schools across the country.
- 3.5 Neither the Care Commission report nor any individual inspections make explicit the performance of any of these units against the criteria set out in the three areas of practice highlighted above.
- 3.6 The inspection reports of the local authority units in Highland are generally positive, and recommendations are appropriately followed up. The annual report of the Highland Child protection Committee includes standard comment on any child protection issues in residential care. In addition, all incidents, including of violence or allegations of bullying, are reported, managed and monitored as part of a clear process.
- 3.7 There are also ongoing practice developments in some of the areas identified in the Care Commission report:
- There has been a review of child protection training for all staff groups.
  - Getting it Right for Every Child' has introduced the common assessment framework and child's plan.
  - There has been consideration of the roles and responsibilities of Who Cares? Scotland and the Children's Rights Officer in the management and monitoring of child protection for all of Highland's children who are in residential care.
  - There has been consideration of the use of the current approved physical restraint technique, which is 'CALM' (Crisis, Aggression, Limitation & Management) which provides widely endorsed physical restraint measures, but has a less well developed approach to de-escalation.
- 3.8 However, the report provides a helpful further vehicle to evaluate and improve practice, and the following recommendations are therefore made.

## **Recommendations**

Members are asked to agree that:

- i. All of the recommendations of the report are relevant to private and voluntary sector establishments within Highland, and we should bring the report and the recommendations to the attention of these providers, and ask them to undertake an audit.
- ii. Officers should bring the report to the attention of residential schools where we have placements, and ask them what actions they are taking with regard to the recommendations.
- iii. The authority should audit practice in our own units against the relevant recommendations, and include any performance improvements in Unit Quality Improvement Plans
- iv. In particular, the authority should
  - explore the enhancement of personal plans for children in residential care within the new Child's Plan framework.

- review current approved techniques for physical restraint, including the application of the care Commission's 'Holding Safely' guidelines.
- formally review the respective roles and responsibilities of Who Cares? Scotland and the Children's Rights Officer in the management and monitoring of child protection for children in residential care.

**Bill Alexander**

Head of Children's Services

## Appendix 1

### What services need to do to improve

This study focused on child protection, care planning and restraint, including de-escalation. We identified that improvements were needed in at least one aspect of these areas in 52% of the services inspected.

#### To improve child protection, services need to:

- improve child protection policy and practice
- have and use child protection guidelines approved by the local authority where the service is based
- make appropriate child protection referrals to the local authority responsible for placing the young person in the residential care service and any other relevant authority such as the police
- provide training and staff development in child protection
- improve young people's awareness of how to raise concerns.

#### To improve care planning, services need to:

- develop personal plans for young people
- make sure these plans include care, health and well-being, and educational needs, and that they are implemented
- confirm personal plans within one month of a young person being admitted to the service and review them every six months, or more often if required
- get young people, carers and social workers more closely involved in developing, acting on and reviewing personal plans
- ensure up-to-date assessments of the risks that a young person might face are carried out as part of personal plans.

#### To reduce the need for physical restraint, services need to:

- use the Holding Safely guidelines
- apply effective methods for de-escalation and adopt suitable physical restraint procedures
- train staff in de-escalation, physical restraint and Holding Safely
- record incidents of restraint in line with Holding Safely
- analyse and evaluate their own practices.