

REPORT NO 1011/97

ANGUS COUNCIL

SOCIAL WORK COMMITTEE7th October 1997

REPORT BY THE DIRECTOR OF SOCIAL WORK
SECURE PLACEMENT REVIEW PANEL**ABSTRACT**

The Secure Accommodation (Scotland) Regulations 1996 which came into force on 1st April 1997 require a Local Authority having an establishment providing secure accommodation situated in its area to set up a Secure Placement Review Panel.

1. RECOMMENDATION

It is recommended that the Committee

- (i) Delegate authority to the Director of Social Work in Consultation with the Director of Law and Administration to establish and thereafter administer a secure placement review panel as laid down in the Secure Accommodation (Scotland) Regulations 1996 and The Children (Scotland) Act 1995 Regulations and Guidance Volume 2 Children Looked After by Local Authorities.
- (ii) Accept the scale of expenses payable to independent panel members which is analogous to the scheme of reimbursement operated for Children's Panel members (Appendix 1)
- (iii) Note the list of panel members (Appendix 2)

2. Introduction

This report informs the members of the authority's responsibilities under the 1996 regulations to set up and administer a secure placement review panel.

3. Relevant Legislation

The 1996 regulations require a local authority with secure provision in its area to review the cases of all children detained or committed and kept in secure accommodation under sections 43, 44, 51(1)(a)(ii),

51(4)(b) and 216(7) of the Criminal Procedure (Scotland) Act 1995. 'Secure Accommodation' as defined in the Children (Scotland) Act 1995 means accommodation provided in a residential establishment approved by the Secretary of State in accordance with regulations made under section 60(1)(bb) of the Social Work (Scotland) Act 1968 or under paragraph 4(2)(i) of Schedule 4 to the Children Act 1989 for the purpose of restricting the liberty of children. The local authority is not required to review the cases of children committed and kept in secure accommodation under Section 208 of the Criminal Procedure (Scotland) Act 1995, that is children detained under the direction of the Secretary of State.

4. Secure Placement Review Panel Function

A secure placement review panel should be established by the local authority responsible for the management of a residential establishment or in the absence of such, any local authority with such an establishment in its area. The purpose of a secure placement review panel in line with the 1996 regulations is to consider the case of a child placed in secure accommodation under the relevant sections of the Criminal Procedure (Scotland) Act 1995 and specifically:

- the necessity for such a placement
- whether such a placement is in the child's best interests
- whether the particular placement is appropriate to the child's needs
- the implications of the above for the current placement

The panel's consideration of a child's case is to be informed by all the relevant facts of the case provided by the chief social work officer of the placing authority and the person in charge of the secure provision.

It is the duty of the secure placement review panel having considered all the available information to give informed advice to the relevant chief social work officer and person in charge on the matters identified earlier as bullet points.

The panel is therefore an advice giving rather than a decision making body with regard to the placement under consideration.

5. Panel Composition

The 1996 regulations define a panel as consisting of 3 persons:

- (a) none of whom may be the chief social work officer or the person in charge; and

- (b) one of whom must be an independent person who is neither an office holder nor an employee of a local authority or the residential establishment.

It is proposed that the panel be chaired by a Head of Service of Angus Council Social Work Department with a 'pool' of seven other members available to serve consisting of five independent persons and two members of staff from Rossie School, Montrose , a provider of secure accommodation.

6. Financial Implications

It is difficult at this stage to project the financial implications of the Secure Placement Review Panel, since the need for meetings is not predictable, and there is not sufficient trend information available.

The cost of each meeting has been estimated at £225. This sum includes the cost of staff time (£160) and direct expenditure relating to travel costs etc of £65.

Members will be aware of the under-funding of the Children (Scotland) Act 1995, which is the subject of ongoing discussions at a national level. There is no provision within the Social Work budget for 1997/98 for expenditure in relation to the Secure Placement Review Panel. It is therefore proposed that any direct expenditure incurred is separately identified and monitored by the Director of Social Work, and the Director of Finance with a further report brought to the Social Work Committee when the situation is clearer.

7. Consultation

The Director of Law and Administration and the Director of Finance have been consulted in the preparation of this report.

8. Conclusion

The setting up and administration of the secure placement review panel is a new requirement placed on Angus Council by the Secure Accommodation (Scotland) Regulations 1996.

The Committee are therefore requested to approve the recommendations of this report

W B Robertson
Director of Social Work

Note: The following background papers, as defined 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 this report:

“Scotland’s Children - The Children (Scotland) Act 1995 - Regulations and Guidance - Volume 2 - Children Looked After by Local Authorities.”

APPENDIX 2**List of Members of Angus Secure Placement Review Panel**

Name	Address
Gordon McIntosh	Chair, Social Work Department County Buildings, Market Street Forfar DD8 3WS
Alan Baird	Deputy Chair Social work Department County Buildings Market Street Forfar DD8 3WS
Lis Hill	Douglasmuir by Arbroath DD11 4UN
Frankie Claridge	Douglasmuir by Arbroath DD11 4UN
Sylvia Brewer	Rossie School by Montrose
Robbie Roberts	Rossie School by Montrose
Alan Dallas	73 Gotterstone Drive Broughty Ferry Dundee DD5 1QX
Joe Morrow	Braidwood, Glamis DD8 1RS
Alan Draper	The Old School Kingoldrum DD8 5HW

Appendix 1

Financial Loss Allowance as from 1 April 1996

Claims may be made for loss of earnings or additional expenses (other than travelling or subsistence) necessarily suffered or incurred to perform approved duty up to the following limits:

Period up to 4 hours	£22.30
Period over 4 hours up to 24 hours	44.60

Actual financial loss claimed should represent in the case of loss of earnings the net loss suffered after deductions of Income Tax, National Insurance and other deductions.

Subsistence Allowance as from 1 April 1996

Breakfast Allowance (more than 4 hours away from place of residence or where the authority permit, a lesser period, before 11.00 am) £4.14

Lunch Allowance (more than 4 hours away from place of residence or where the authority permit, a lesser period including the lunchtime between 12.00 pm and 14.00 pm) £5.70

Tea Allowance (more than 4 hours away from place of residence of where the authority permit, a lesser period, including the period 15.00 pm to 18.00 pm) £2.25

Dinner Allowance (more than 4 hours away from place of residence or where the authority permit, a lesser period, ending after 19.00 pm) £7.06

The rates specified above shall be reduced by an appropriate amount in respect of any meal provided free of charge by an authority or body during the period to which the allowance relates.

Travel by members own private motor vehicles as from 1 April 1996

Where substantial savings of members time can be achieved, it is in the interest of the Council or is otherwise reasonable any member may travel by private car in preference to public transport and may at his own option be paid either:

- Equivalent rail fair (ordinary or cheap day as appropriate) or the rate per mile
- Engine Capacity 501-999cc 1000 -1199 cc over 1199 cc
- Rate per mile 30.6p 34.3p 42.7p
- A claim may be made for each authorised passenger up to a maximum of 4 at a rate of 1.0p per mile for carriage of each additional person to whom travelling allowance would otherwise have been payable.