

REPORT NO 604/97

ANGUS COUNCIL

SOCIAL WORK COMMITTEE 27 MAY 1997
EDUCATION COMMITTEE.....3 JUNE 1997
HOUSING COMMITTEE.....12 AUGUST 1997
RECREATION & CULTURAL SERVICES COMMITTEE ... 29 MAY 1997

IMPLEMENTATION OF CHILDREN (SCOTLAND) ACT 1995

**JOINT REPORT BY THE DIRECTOR OF SOCIAL WORK, DIRECTOR OF
EDUCATION AND DIRECTOR OF HOUSING**

ABSTRACT

The purpose of this report is to inform members of the progress made by Angus Council in preparing for the implementation of the Children (Scotland) Act 1995. Key issues facing the Council in 1997/98 are outlined. Recommendations are made for further action.

1. RECOMMENDATION

It is recommended that the Social Work, Education and Housing Committees:

- (i) note the progress made by Angus Council in preparing for the full Implementation of the Children (Scotland) Act 1995.
- (ii) note the contents of the attached report 'Working with Children and Families in Angus' and the implementation plan for 1997/98.

2. BACKGROUND

- 2.1 The Children (Scotland) Act 1995 came into force on 1 April 1997. It is the new child care legislation for Scotland and largely replaces the Social Work (Scotland) Act 1968 for children's services. Based on principles of children's rights and partnership with parents, the 1995 Act brings together aspects of private, public and adoption law affecting children.

The 1995 Act, although primarily social work legislation, refers to a local authority as a corporate body. Many of the duties and powers contained within the Act also apply to other Council departments. The principles underpinning the Act and some of the provisions contained within it will also have a significant influence on the work of other statutory and voluntary agencies. A summary of the main duties and powers are outlined in Appendix 1.

- 2.2 Preparation for the implementation of the 1995 Act commenced in February 1996 when a seminar was held by the Director of Social Work for the members of the shadow Council. Following this an inter-departmental and inter-agency Children Act Implementation Group was formed in April 1996. The remit of the group was to consider the draft rules of court, regulations and guidance issued by the Scottish Office for consultation.

The group, which included representatives from Social Work, Housing, Education and the Department of Law and Administration within the Council, Tayside Police, Tayside Health, Angus NHS Trust, Children's Reporter for Angus and the Angus Children's Panel prepared responses to 26 documents issued by the Scottish Office and by the Sheriff Court Rules Council (refer to report no 666/96).

- 2.3 Following an agreement by the Social Work, Education and Housing Committees (refer to report no 659/96) in August and September 1996, the group was formally reconstituted as the Council's key strategy group for the planning and review of children's services.
- 2.4 The Committee also agreed the proposed framework for inter-agency and inter-departmental planning and co-ordination of services. The planning structures are overseen by the Children's Services Advisory Group. The Advisory Group held its first meeting on 26 March 1996.

3. PREPARATION FOR IMPLEMENTATION

- 3.1 The Children Services Planning Group has been meeting fortnightly since October 1996. It has undertaken a range of tasks to prepare for the full implementation of the Act.

3.2 An action plan was developed to assist the relevant Council departments in considering the implications of the Act on the provision of their services, and to ensure that the corporate aspects of the planning for the implementation are co-ordinated within the Council's strategic aims.

3.3 The major achievements of the past year include:

- the establishment of strategic planning structures which bring together a number of council departments, and other statutory agencies;
- responding to a number (26) of draft documents issued for consultation by the Scottish Office and the Sheriff Rules Council;
- beginning the process of joint policy development in terms of the adoption of the UN Convention on the Rights of the Child and the preparation of other joint committee reports submitted during the past year;
- analysing training needs of the key personnel within the Council and developing and implementing an authority wide training programme to provide training on the Children (Scotland) Act 1995;
- considering the resource implications for the implementation of the Act;
- achieving an understanding of the corporate and departmental responsibilities in respect of the Act;
- operationalising some of the new key responsibilities outlined in the Act.

4. KEY ISSUES FOR 1997/98

4.1 There are a number of tasks to be progressed by the Children's Services Planning Group during the coming year.

4.2 The key tasks for 1997/98 are the following:

- continue the process of operationalising the new responsibilities placed on the Council, in terms of departmental procedural guidance to be produced, protocols for joint working to be finalised (eg referral, screening and assessment of children in need etc) and mechanisms to be established for prioritisation of requests for services;

- continue the process of joint policy development in all key areas of the Children (Scotland) Act 1995;
- develop and implement stage two of the training strategy to assist relevant departments and agencies to meet their responsibilities under the Act;
- develop systems for collating information on services requested and the level of unmet need;
- prepare, consult upon and publish a Children's Services Plan;
- consider service developments in conjunction with the preparation of the Plan;
- continuously record and keep under review resource implications of the new legislation.

4.4 The Children's Services Advisory Group considered the progress made to date in implementing the Act and the key issues facing the Council. The advisory group made the following recommendations:

- (i) there is a need to review the planning structures in the light of the final guidance issued by the Scottish Office, with a view to greater involvement of the independent sector, and parents and children in the planning process;
- (ii) the question of how parents, children and the wider family can be consulted upon should be addressed;
- (iii) there is a need to keep under review the resource implications of this new legislation, through regular reporting to the Policy and Resources Committee and the service department committees;
- (iv) ongoing training needs of staff and fostercarers must be addressed;
- (v) monitoring and recording of the services provided under the new legislation, and any apparent deficiencies in meeting the assessed needs must be recorded.

5. FINANCIAL IMPLICATIONS

There are no financial implications for Angus Council arising directly from this report.

6. CONSULTATION

The contents of the attached report 'Working Together with Children and Families in Angus' have emerged from discussions undertaken within the Children's Services Planning Group, including representatives from the Departments of Social Work, Education, Housing, Cultural Services, Recreation and Leisure and Law and Administration with the Council, Tayside Police, Tayside Health, Angus NHS Trust, Children's Reporter for Angus and the Angus Children's Panel.

In addition the Chief Executive, Director of Law and Administration, Director of Finance, Director of Education, Director of Housing, Director of Recreation and Leisure and Director of Cultural Services have been consulted in the preparation of this report.

7. CONCLUSION

This report has informed members of the programme of implementation of the Children (Scotland) Act 1995. Key issues facing the Council in 1997/98 have been outlined. The report recommends that the Directors of Social Work, Housing and Education take forward the recommendations made by the Children's Services Advisory Group, as outlined in section 4.4 of this report.

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J Anderson
Director of Education

K Fenwick
Director of Housing

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.

