

# CEL 29 Health Board Change Managers Implementation of Getting It Right For Every Child (GIRFEC) in the Health Sector

15 March 2018

Conference room 1, VQ

Note of Meeting

Annex A – agenda

Annex B – attendee list

[redacted text] - welcomes and introductions with colleagues.

[redacted text] – update on work for the GIRFEC team

[redacted text] - update on Code of Practice and information sharing bill.

[redacted text] provided an update from the Statutory Guidance Framework Reference Group and advised they are composing their final report (currently in draft).

[redacted text] provided an update on comms– agreement in principle to co-develop an engagement programme with National Parent Forum Scotland. GIRFEC Comms team also exploring new comms channels to share good practice

[redacted text] from Health provided an update on Health Visitors and Health Visitor funding.

## Questions or comments from colleagues

[redacted text] – Request a list of the members of the statutory guidance reference group be shared with the CEL29 group - suggested that the school nurse pathway may be of interest

- advised that [add her area] has developed a flow chart on info sharing

[redacted text] – Suggested that guidance should be made available to education practitioners on how to engage with health information as some practitioners may be less familiar with this.

[redacted text] the link between dental (child smile) and education is important and supports prevention and early detection.

Fife has adopted a multi-agency approach & is undertaking multi agency training. They are also developing a case study on info sharing which will unfold over time.

## Workshop session – Asks and Offers – top 3 important highlighted yellow

Asks and Offers	Comments from Group 1	Comments from Group 2
Ask 1 – Continue to support the development and embedding of practice	<ul style="list-style-type: none"><li>Funding to endorse implementation person in each of the 14 boards</li></ul>	<ul style="list-style-type: none"><li>Positive message – GIRFEC from SG give us the</li></ul>

<p><i>to support the delivery of the Getting it right for every child approach across children and families services.</i></p> <p><b>Offer 1</b> – <i>what help can the Scottish Government provide.</i></p>	<ul style="list-style-type: none"> <li>• A GIRFEC module (education)</li> <li>• Named person requires additional training</li> <li>• Communication reinforcing message – GIRFEC alive but lacking and keep embedding ( 7 minute briefing for all boards)</li> <li>• Education materials CPD for health visiting (once Bill comes out)</li> </ul>	<p>unequivocal backing/support</p> <ul style="list-style-type: none"> <li>• Investment to release staff for the training/support of Named Person Service and/or support for the trainers</li> <li>• Clarity around information sharing – Big shout for interim guidance</li> <li>• Supervision/support for Named Person Service and other health professionals – a robust guide/steer on this from the SG and support to implement</li> <li>• Keep communicating with us re progress – in between CEL 29 Meetings</li> </ul>
<p><b>Ask 2</b> – <i>Support the GIRFEC Practice Development Panel in its work</i></p> <p><b>Offer 2</b> - <i>How can Scottish Government help the group and boards to engage/inform/communicate with the Panel</i></p>	<ul style="list-style-type: none"> <li>• Implementation lead 14 boards (couldn't across board for every level)</li> <li>• Implementation document (multi-tiered) training different groups</li> <li>• GDPR data protection have an impact on information sharing (data, what consist of, storage and who has access)</li> <li>• Twitter named person for each board</li> <li>• Newsletter ( high level points) clear who producing for – different levels multi-tiered)</li> </ul>	<ul style="list-style-type: none"> <li>• Invite members of the panel to speak to other national groups/professional bodies</li> <li>• Joint meeting with the panel not just for health but Local Authorities and third sector. (Meeting/workshop)</li> <li>• Continue to communicate with re the panel. Minutes on line</li> </ul>

<p><b>Ask 3</b> – support preparedness, introduction and embedding of practice to support delivery of new statutory duties detailed in parts 4 and 5, secondary legislation, Code of Practice, Statutory Guidance and Practice Guidance</p> <p><b>Offer 2</b> – how can Scottish Government help Boards prepare for introduction of the legislation, what may be required to support introduction and what could support embedding and delivery of the legislative duties</p>	<ul style="list-style-type: none"> <li>• Implementation person for each of the 14 boards</li> <li>• NES need money for training of implementation goods. (embedding delivery)</li> <li>• IT Admin support to help administer across to police etc.</li> <li>• Clear governance to create feedback</li> <li>• Evaluation at a national level, systems etc.</li> <li>• More health visitors, test impact of extended role – work load analysis.</li> <li>• On-going training for GP’s, police, CAMS, including nursing and midwifery, medical, psychic programmes etc.</li> <li>• Financial support for the named person service</li> </ul>	<ul style="list-style-type: none"> <li>• refresh the national policy/ interim policy on how to prepare for and have a named person service before commencement of part 4 ( Link to interim information sharing guidance)</li> <li>• something that helps us communicate on a national basis – the resourcing of a national function to communicate with named person services ( as per legal information sharing) for ambulance services etc.</li> <li>• communication <u>again</u> re what is happening now, before commencement, clarity and consistency is required for parts 4 and 5. Practitioners need reassurance.</li> </ul>
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AOB

[redacted text]



**Getting it right for every child Lead Officers Meeting  
Note of meeting**

**Annex A – Agenda**

**Annex B – Actions to be followed**

**Annex C – Attendee List**

**Thursday 19<sup>th</sup> April 2018**

**10:30-12:30**

**St Mary's Parish Church**

**Annex A**

Children and Young People (Scotland) Act Parts 4 and 5 – **[redacted text]**

**[redacted text]** (GIRFEC Team Leader) provided an update to colleagues on the Getting it right for every child policy and proposed work streams.

**[redacted text]** spoke to the Information Sharing Bill presentation to give an update to colleagues. The group were informed on the work of the Practice Development Panel including the remit of the group and its membership.

**Questions or comments from colleagues:**

- Relating to the Practice Development Panel
  - Membership - local authorities representation– Jennifer King (ADES) and Mike Burns (Social Work – Glasgow)
  - Plans for engagement
  - Member of Panel to be invited to the next Lead Officers meeting
  - Timescales of Panel's work was questioned
- Some concerns around current proposal for interim information sharing Code of Practice to be made available. Relating to the implementation of Pts 4 & 5
  - Touch points – these were useful to organisations to help assess readiness. Request that this be revisited.
  - Suggestion to share practice materials & guidance produced locally

**Framework for Statutory Guidance Short Life Working Group – [redacted text] -**  
(member of Statutory Guidance Framework Group)

**[redacted text]** presented the final report that was developed by the short-life Statutory Guidance Framework Group. **[redacted text]** member of the GIRFEC Lead officer group and Statutory Guidance Framework group gave a brief background to the group. **[redacted text]** also gave an input.

<b>Asks and Offers</b>	<b>Colleagues comments</b>
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<p><b>Ask 1</b> – <i>continue to support the development and embedding of practice to support the delivery of the GIRFEC approach across children and families services...</i></p> <p><b>Offer 1</b> – <i>what help can the Scottish Government Provide</i></p>	<ul style="list-style-type: none"> <li>• Need to get back to basics with staff</li> <li>• Touch points were helpful, something similar for support, evidence and auditing progress</li> <li>• National message that reinvigorates the core principles etc of “ Getting it right”</li> <li>• An update of the July 2017 policy update</li> <li>• differences in practice across organisations because they insist they comply national POS – needs to be stated clearly to all organisations</li> <li>• Primary needs to be a national priority – engagement with GPs, dentists etc</li> <li>• Third sector interface – how this fits in with assessments/NPD</li> <li>• GIRFEC on-going despite bill</li> <li>• Streamlining policy “wellbeing” vs “ health and wellbeing”</li> <li>• Momentum</li> <li>• Clarity</li> <li>• Require a robust policy for home educated children in line with GIRFEC</li> </ul>
<p><b>Ask 2</b> – <i>Support the Getting it right for every child Practice Development Panel in its work</i></p> <p><b>Offer 2</b> – <i>How can the Scottish Government help you to engage/inform/communicate with the panel</i></p>	<ul style="list-style-type: none"> <li>• Develop forums to hear the voices of practitioners across the country – 4/5 road shows</li> <li>• Request from health boards/local authorities/ CPP’S – examples of existing guidance and consider use of these</li> <li>• Do a pre-formal consultation on guidance and code etc. before public consultation</li> <li>• Visit local authorities – meet with key GIRFEC leads groups in person</li> <li>• Feed in through ADES or any connection to panel</li> <li>• There should be practitioners on the practice development panel i.e. Named Person, lead professional</li> <li>• Invite Ian Welsh ( Chair of panel) to the lead officers group</li> <li>• Clarity on GIRFEC including Named Person for children and families and the community.</li> <li>• National communication re GIRFEC aimed at children, young people, parents and public etc.</li> <li>• Panel road show – what do they want to ask/know</li> </ul>

	<ul style="list-style-type: none"> <li>• Could act as a forum of consultation ( is/would this e duplication)</li> <li>• What about existing forums – strategic groups with Local Authorities etc.</li> </ul>
<p><i>Ask 3 – support preparedness, introduction and embedding of practice to support delivery of new statutory duties detailed in parts 4 and 5, secondary legislation, Code of Practice, statutory guidance and practice guidance.</i></p> <p><i>Offer 3 – How can the Scottish Government help you prepare for introduction of the legislation, what may be required to support introduction and what could support embedding and delivery of the legislative duties.</i></p>	<ul style="list-style-type: none"> <li>• Regular communication – official statements at each stage</li> <li>• Advanced information about planned financial support preferably in advance of implementation.</li> <li>• Continue the support which is currently being provided on-going.</li> <li>• Statutory guidance which is generic to support development of practice materials locally</li> <li>• Revisit touch points</li> <li>• Robust national comms</li> <li>• Revision of guide to GIRFEC – good practice examples etc.</li> <li>• National guidance, key messages, case studies to put into local training.</li> <li>• Funding to implement Named Person Service. Admin, training, resources, engagement with children, young people and their families.</li> <li>• Clarity on connections between different policies and legislation e.g. governance review carers, domestic abuse, GIRFEC etc.</li> <li>• 16-18 year olds – clarity on named person</li> <li>• Financial multi-year offer – update on this</li> <li>• Communication (public, organisations, practitioners)</li> <li>• Clarity on how different Plans fit together e.g. Co-ordinated support plan, child's plan, young carers statement.</li> <li>• Key messages</li> <li>• National guidance power points</li> <li>• GIRFEC master class ( last one was very useful.</li> </ul>

**Annex B – Actions to be followed:**

- Send out all papers to attendee's including the Statutory Guidance Short Life Working Group final report 2018.
- Consideration to be given to updating GIRFEC policy

- Inform Ian Welsh ( Chair of Panel) of the ask from colleagues to be invited to the next meeting to provide and update and discuss the panel with colleagues at the next panel meeting – Tuesday 24<sup>th</sup> April 2018





**Getting it right for every child Third Sector Engagement Group  
Note of Meeting**

**Annex A – Agenda**

**Annex B – Actions to be followed**

**Annex C- Attendee List**

**Tuesday 17<sup>th</sup> April 2018**

**10:30-12:30**

**St Mary's Parish Church**

**Children and Young People (Scotland) Act Parts 4 and 5 – [redacted text]**

[redacted text] spoke to the Information Sharing Bill presentation to give an update to colleagues. The group were informed of the work of the Practice Development Panel including the remit of the group and its membership.

Questions/ comments from colleagues:

- **Who represents third sector on the Panel?** [redacted text] informed colleagues of who represented third sector at the panel, Sally Anne Kelly – Chief executive at Aberlour, Joanna Murphy - National Parent Forum Scotland, Juliet Harris – Together Scotland, Chris Creegan – Scottish Council For Learning Disabilities and Ian Welsh (Chair of panel) – Health and Social Care Alliance.
- Colleagues asked to be provided with the links to panel minutes and reports etc. these are listed at the end of this note.
- Colleagues also asked who decided panel membership and commented on a lack of communication about its membership and remit. Colleagues were advised that membership was decided by the Deputy First Minister, in collaboration with the independent chair.
- Colleagues suggested that the chair of the panel should be invited to their next meeting to discuss the work of the panel with colleagues in order that the 3<sup>rd</sup> sector can contribute to that..

**Framework for Statutory Guidance Short Life Working Group – [redacted text] / [redacted text] (Crossreach and member of Statutory Guidance Framework Group)**

[redacted text] presented the final report that was developed by the short-life Statutory Guidance Framework Group. [redacted text] gave brief reflections on and the background to the work of the group.

Comments from colleagues:

- Ensure we make the best use of the national practice model, focus on improving outcomes for children and young people.

- Face to face meeting should continue.
- Meeting dates for the next year should be arranged and issued to all, rather than ad hoc meetings taking place with varying periods of notice.
- The agenda and any papers should be issued to all at least two weeks in advance of each meeting and that meeting notes should be issued by the Scottish Government team as soon as possible after each meeting.
- An indicative programme of discussion for subsequent meetings should always be considered at each meeting.
- 3<sup>rd</sup> sector colleagues requested that the Chair of the GIRFEC Practice Development Panel be invited to meet with the group at its next meeting.
- 3<sup>rd</sup> sector representatives thought that subsequent meetings should be arranged around October and December 2018.
- Representatives suggested that engagement on the further development of the Draft Statutory Guidance, and on their suggestion that GIRFEC policy and practice guidance/ materials should be updated, and that a proactive GIRFEC communication plan should be developed and implemented, should also feature in future meetings.

### Getting it right for every child - Third Sector (Workshop)

Asks and Offers	Colleagues comments:
<p><b>Ask 1</b> – <i>Continue to support the development and embedding of practice to support the delivery of the Getting it right for every child approach across children and families services</i></p> <p><b>Offer 1-</b> <i>What help can Scottish Government provide?</i></p>	<ul style="list-style-type: none"> <li>• Communicating(2 way) /consult/list</li> <li>• What does Scottish Government expect/want from us (third sector)</li> <li>• Usual gap in the intention of policy and putting it into practice, 32 varieties</li> <li>• Gather information on implementation of good practice and share – review need for panel</li> <li>• Sharing of information about implementation across the sector</li> <li>• Clarity on next steps, processes and information. Also timescales</li> <li>• Assessment doesn't appear to have been streamlined in third sector</li> <li>• Clarify expectations for practitioners and operational managers between policy areas e.g. Getting it right, care inspectorate standards etc.</li> <li>• Disappointed that work mentioned by team leader in November on refreshing policy – this has not begun.</li> <li>• Communications strategy ( heads up in advance )</li> </ul>

	<ul style="list-style-type: none"> <li>• Give third sector partners a heads up on comms plan to avoid playing “catch up”</li> <li>• Please can Scottish Government provide a policy update</li> <li>• Please refresh GIRFEC policy</li> <li>• More proactive messaging – key messages</li> <li>• Resource to enable organisations (Third Sector) to deliver training.</li> <li>• Support resource to enable multi-agency training</li> <li>• Realign National Practice Model to achieve outcomes and less risk focus</li> <li>• Concern that practice across country is not implementing practice model, so any discussion of information sharing needs to realign itself with overall GIRFEC practice.</li> <li>• There is a need for a consistent approach/ process in terms of information of training and provision of consistent materials. Scottish Government requires to resource this.</li> <li>• lack of consultation regards makeup of the panel and communication about the process between meetings</li> <li>• My creative journey</li> <li>• Embedding training about the Getting it right for every child approach within training documents e.g. from within the care inspectorate</li> </ul>
<p><b>Ask 2 – Support the Getting it right for every child Practice Development Panel</b></p> <p><b>Offer 2 – How can Scottish Government help you to engage/ inform/ communicate with the Panel</b></p>	<ul style="list-style-type: none"> <li>• Need to know the remit of the panel and each group – organogram would be useful</li> <li>• Ensure that the panel will engage pro-actively and the mechanics advised to the Third Sector</li> <li>• Publish minutes to the group here and ask for comments back</li> <li>• CEL29, third sector and local authorities and the panel interface</li> <li>• How do we incorporate the improvement methodology from the collaborative in this area.</li> <li>• Development of a “you said, we did” model of feedback</li> </ul>

	<ul style="list-style-type: none"> <li>• Dedicated “online space” to enable a place for engagement – emails can get lost easily – useful for small and large organisations</li> <li>• Clarify the purpose of this group – what are we seeking to influence/achieve.. does anyone know we exist?</li> <li>• Consideration of smaller organisations with limited resource – how do they feed in ?</li> <li>• Third sector interfaces online opportunity. Local events?</li> <li>• Clearer direction/ information in advance, a work plan, clear advice about what is required from members of the group.</li> <li>• Clarification of the best way for organisations to proactively engage with the panel.</li> <li>• Panel should be pro –active in communicating with network channels to allow partners to feed in effectively</li> <li>• Invite chair of panel along to meet third sector groups- needs to be timely to inform networks</li> <li>• Engage with opposing/oppositional views ( The panel should do this) can the third sector group read into this also</li> <li>• Garner evidence form wider organisations – e.g. autism network Scotland = “Positive Partnership” interface with individual families and grass roots practitioners from private to health and social care partnerships. Evidence from GIRFEC transitions and adult outcome focus assessments.</li> <li>• Clarity about the role of the group in relation to the panel</li> <li>• Use third sector interfaces in a more effective (formal) way to feed in</li> <li>• Could there be more co-ordination between how this group feeds knowledge alongside health and local authorities.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Can we see early drafts of the code. Can this be fed back to the Practice development panel on behalf of the third sector group.</li> </ul>
<p><b>Ask 3</b> – <i>Support preparedness, introduction and embedding of practice to support the delivery of new statutory duties detailed in parts 4 and 5, secondary legislation, Code of Practice, Statutory Guidance and Practice Guidance</i></p> <p><b>Offer 3</b> – <i>How can Scottish Government help you prepare for introduction of the legislation, what may be required to support introduction and what could support embedding and delivery and of the legislative duties</i></p>	<ul style="list-style-type: none"> <li>• PR needed – clear comms aimed at children and families</li> <li>• Needs resourced – how and what will that look like?</li> <li>• PR – aimed at young people, website/portal</li> <li>• Tools needed to communicate regularly for organisations</li> <li>• Concerns about not having additional resources there to engage the third sector around the principles of GIRFEC after the delays and politics.</li> <li>• Resources available to the third sector, needs access to consistent information – distributed for parents, families etc.</li> <li>• Clearly linking third sector in at early stages of the code of practice and guidance – so that we can comfortably say to statutory bodies/partner bodies that what they need to do is fulfil legal duties is easily explained in guidance and that it meets the needs of the specific groups we work with ( protected characteristics)</li> <li>• Information on when each engagement/consultation stage is expected for each document, even if vague such as a small summary. This helps the third sector plan our resources and policy year.</li> <li>• Focus on how information should be passed on securely – i.e. are non-engaged email systems acceptable IF NOT how do we carry out this duty.</li> <li>• More regular third sector meeting groups – schedule for the rest of the year</li> <li>• Need to help us re-engage staff in a clear and timely way (following years of uncertainty)</li> <li>• Clarity is crucial – scenarios for staff</li> </ul>

	<ul style="list-style-type: none"> <li>• Time to integrate this into practice, learning, training on how to use the code, build confidence re “ duty to consider” sharing information. – alleviate the fear that exists.</li> </ul>
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**Comments on the way forward**

- Face to face meeting should continue.
- Meeting dates for the next year should be arranged and issued to all, rather than ad hoc meetings taking place with varying periods of notice.
- The agenda and any papers should be issued to all at least two weeks in advance of each meeting and that meeting notes should be issued by the Scottish Government team as soon as possible after each meeting.
- An indicative programme of discussion for subsequent meetings should always be considered at each meeting.
- 3<sup>rd</sup> sector colleagues requested that the Chair of the GIRFEC Practice Development Panel be invited to meet with the group at its next meeting.
- 3<sup>rd</sup> sector representatives thought that subsequent meetings should be arranged around October and December 2018.
- Representatives suggested that engagement on the further development of the Draft Statutory Guidance, and on their suggestion that GIRFEC policy and practice guidance/ materials should be updated, and that a proactive GIRFEC communication plan should be developed and implemented, should also feature in future meetings.

**Annex B – Actions to be followed:**

- Inform Ian Welsh (Chair of Panel) of the ask from colleagues to be invited to the next meeting to provide and update and discuss the panel with colleagues at the next panel meeting – Tuesday 24<sup>th</sup> April 2018
- links to panel minutes and slideshows etc. these are listed at the end of the minutes. – <https://beta.gov.scot/groups/girfec-practice-development-panel/> - the legal subgroups that were discussed have not yet been published but will be in the future. This will be circulated to the group once they are published.
- Consider an online source to share information between organisations.
- Consider response to comments on the way forward set out above.

**Annex C  
Attendee List**

**Attendee's**

Surname	Forename	Organisation
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[redacted text]	[redacted text]	
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### Also Attended

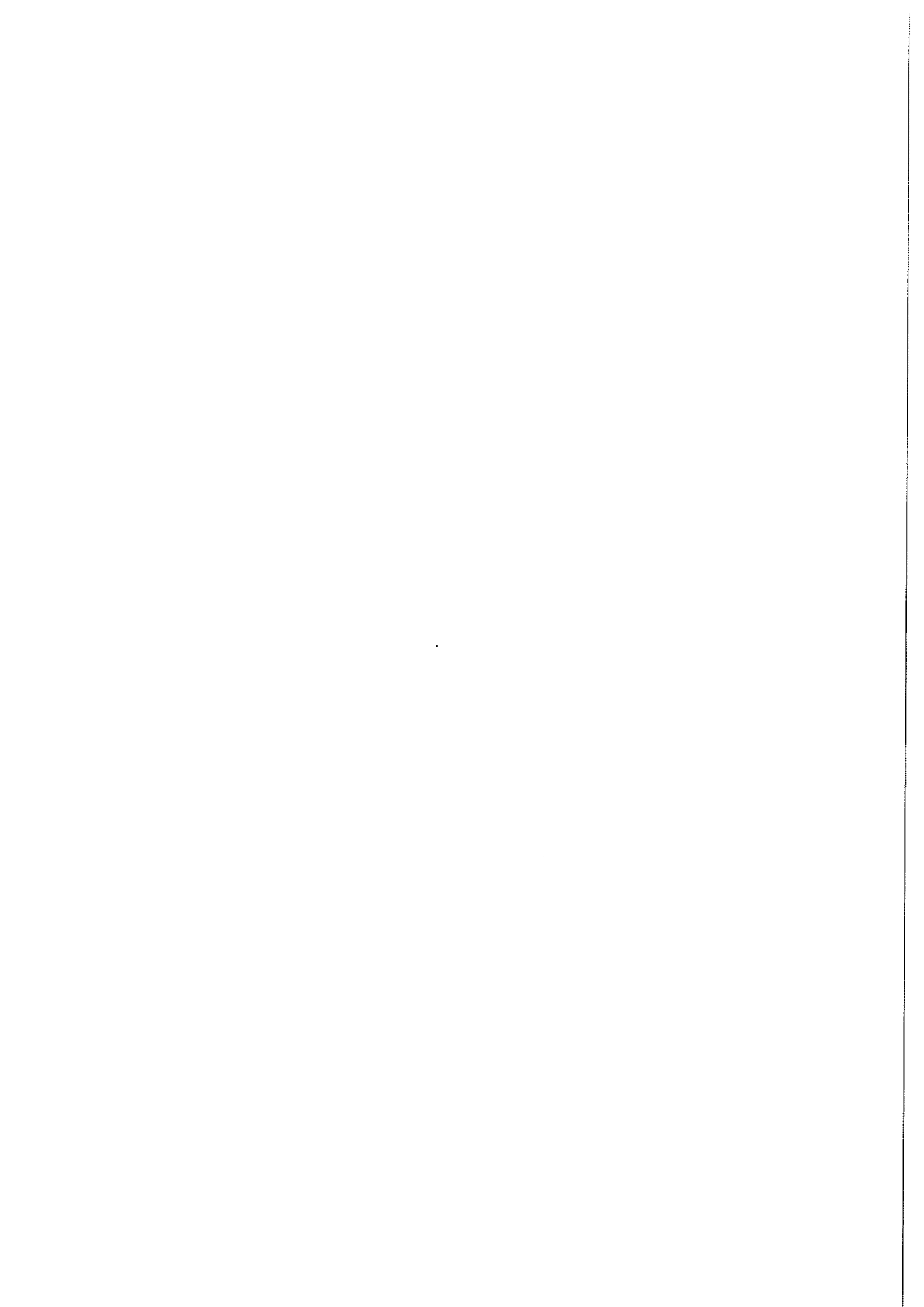
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### Declined/Apologies

Surname	Forename	Organisation
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NISG(18)01st meeting - 14 February 2018

Action Points

No	Discussion/ Decision	Action Point	Status/ Date	Completion	Lead
1	<p><b>Welcome &amp; Introduction</b>                      The Chair welcomed [redacted text] as a new member, replacing [redacted text] from COSLA and [redacted text], Getting it right for every child Team Leader.</p> <p>The Chair noted apologies from [redacted text].</p> <p>[redacted text] advised NISG that he would be retiring shortly and this would be his last NISG.</p>	No actions arising			
2	<p><b>Minutes of the meeting on 7 December</b></p> <ul style="list-style-type: none"> <li>• Previous minutes were circulated in advance.</li> </ul>	No actions arising			
3	<p><b>Update on Bill and Getting it right for every child Practice Development Panel</b></p> <ul style="list-style-type: none"> <li>• Update was provided to the group about the Panel's first meeting which took place on 13 February 2018 and explained the Panels remit.</li> </ul>	Circulate presentation that was given to the Panel on 13/02 and link to its ToR and minutes	Complete		[redacted text]

4	<p><b>Role and Purpose of the Group</b></p> <ul style="list-style-type: none"> <li>• NISG provides strategic leadership to ensure effective implementation of GIRFEC and provide advice to Ministers.</li> <li>• NISG highlighted a need to reaffirm GIRFEC and raise its profile.</li> <li>• NISG as key connector with between national and local delivery partners drawing in knowledge and experience, identifying barriers and recommending ways forward.</li> <li>• Communication and workforce were identified as key priorities of the Group</li> </ul>	ToR of NISG to be reviewed and updated	To be tabled once new co-chair identified	[redacted text]
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5	<p><b>Workplan going forward</b></p> <ul style="list-style-type: none"><li>• The group discussed the draft logic model presented by the GIRFEC team.</li><li>• NISG felt this offered a useful strategy to guide their work.</li><li>• A clear overarching narrative, setting GIRFEC within wider Government policy, would be beneficial.</li><li>• Metrics to be identified</li></ul>	NISG to forward suggestions of useful metrics to help inform further development of logic model	ongoing	[redacted text]
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6	<p><b>Workforce – [redacted text]</b></p> <p>A small group has been established to explore workforce development issues. [redacted text] provided an outline of some initial thinking by the group to develop a proposal for a collective leadership programme and asked NISG members if this could be incorporated into the NISG workforce workstream.</p> <p>NISG agreed in principal and requested a fuller proposal be submitted for consideration.</p>	<p>NISG requested that the subgroup submit a worked up proposition for consideration</p>	ongoing	[redacted text]
7	<p><b>AOB</b></p> <ul style="list-style-type: none"> <li>• [redacted text] introduced a paper on behalf of [redacted text] on GIRFEC and Public Health. NISG requested that the paper be tabled at a future meeting for a more substantive discussion about the bridge between ACES and GIRFEC as well as links with adult services.</li> <li>• The group thanked [redacted text] for his contribution to and chairmanship of NISG .</li> </ul>	<p>GIRFEC and Public Health paper to be added to table at future NISG.</p>	Ongoing	[redacted text]

**Attendees and apologies**

Attendees:	
[redacted text]	Perth and Kinross (Chair)
[redacted text]	Education Scotland

[redacted text]	Highland Council
[redacted text]	Police Scotland
[redacted text]	National Parent Forum Scotland
[redacted text]	Social Work
[redacted text]	Children in Scotland
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<b>Apologies:</b>	
[redacted text]	North Ayrshire
[redacted text]	Scottish Government
[redacted text]	Director for Children and Families
[redacted text]	Care Inspectorate
[redacted text]	NHS Lanarkshire
[redacted text]	Children in Scotland
[redacted text]	Care Inspectorate

**To: GIRFEC Practice Development Panel**  
**From: Statutory Guidance Reference Group (SGRG)**

**Framework for Statutory Guidance required to support Part 4 and Part 5 of the Children and Young People (Scotland) Act 2014**

**FINAL REPORT**

**Purpose**

1. The purpose of this Report is to:
  - propose a framework for the revised Statutory Guidance to support implementation of Part 4 and Part 5 of the Children and Young People (Scotland) Act 2014 ('the Act')
  - offer additional recommendations on the development of practice guidance materials and other supporting resources, including for training and communication to help improve public and professional understanding of these parts of the Act and the proposed amendments under the Information Sharing (Scotland) Bill 2017 ('the Bill').

**Background**

2. The SGRG is a short life working group, which was established in October 2017 to provide advice on the proposed framework and content of the Statutory Guidance to support delivery of Parts 4 and 5 of the Act.
3. The SGRG comprised of senior practitioners and managers from across the Public Sector and who would have duties under Parts 4 and 5 of the Act and a small number of individuals from key partner organisations, including from the voluntary sector. A list of members is attached at Annex A.
4. The SGRG met 3 times, with the final meeting taking place on 20 February 2018. This Report reflects feedback from participants on behalf of their organisations at these meetings and in correspondence.
5. The SGRG unanimously agreed that the intentions and principles underpinning Getting It Right For Every Child (GIRFEC) and Parts 4, 5 and 18 (sec 96) of the Act remain important and that their comments and suggestions with respect to the Statutory Guidance and other recommendations are aimed to help ensure the smooth implementation of this important policy, with the confidence and support of practitioners and children and families.
6. The group discussed that in some places interim processes for information sharing have been put in place and some areas felt confident about sharing information within and between services and were familiar with the law. Others reflected that there was confusion amongst some practitioners about what information could be shared and some were finding that there was a more cautious approach to sharing information. It was reported that practice is varied across the country. Others highlighted concerns about the implications of future changes to the law and about misinformation about the Named Person service being presented to children and families.



7. The SGRG highlighted some specific examples of current good practice and recommended further examples be identified from across Scotland –
- The pan-Ayrshire GIRFEC website<sup>1</sup> provides Guidance and tools to assist all GIRFEC partners, parents carers and young people. This includes an Information Sharing Flowchart and a practitioners helpline for advice and support, to enable them to share information proportionately and appropriately.
  - Partner agencies across Aberdeen City Council, Aberdeenshire Council, Moray Council, Police Scotland and NHS Grampian have also produced interim guidance which provides overarching practice principles around information sharing and sits alongside agency specific guidance<sup>2</sup>. SGRG suggested that the Panel could consider whether these could provide useful templates to ensure a national consistent approach to information sharing under the current legislative framework.

### **Proposed Framework for Draft Statutory Guidance**

#### Purpose & Audience

8. The SGRG recognised that the purpose of this Statutory Guidance is to interpret parts 4, 5 and 18 (section 96) of the Children and Young People (Scotland) Act 2014 and to set out the legislative requirements of those with duties set out in those parts of the Act. Therefore the primary audience for the Statutory Guidance is strategic leaders and managers. Other organisations such as scrutiny or regulatory bodies, third sector organisations may also find the Statutory Guidance helpful.

9. The Group also recognised that children, young people and families may wish to read the guidance to help them understand the key elements of this legislation and their rights and entitlements. The Group agreed that the Guidance should be written in plain English to ensure that it can be as accessible as possible however this must not compromise the need for the Guidance to reflect and accurately explain the law and the steps service providers must take to comply with it.

10. The Group agreed that the starting point for the development of any communications or practice material should be to consider what practitioners and children and families need in order to implement and understand these parts of the Act.

#### Structure

11. The SGRG members recommended that the Statutory Guidance should follow the sequence of the provisions set out in the legislation. It should also set out how the secondary legislation relating to Provision of Named Persons, Child's Plan and Complaints, are to be interpreted. The SGRG considered it essential that the relationships and interaction between the law, the Code of Practice for information sharing, practitioners' guidance on Parts 4 and 5 and on the assessment of wellbeing should be set out clearly. The

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<sup>1</sup> <http://girfec-ayrshire.co.uk/>

<sup>2</sup> <https://www.aberdeencity.gov.uk/sites/aberdeen-cms/files/2018-02/Practitioners%20Guidance%20on%20Information%20Sharing%20Consent%20and%20Confidentiality.pdf>

SGRG considered what a draft contents page may look like. **A Framework for the contents and flow of the Statutory Guidance is provided at Annex B.**

### **Members also discussed**

#### Content

12. The SGRG emphasised the importance of taking a rights- based approach to the implementation of these parts of the Act in line with the United Nations Convention on the Rights of the Child (UNCRC) and other human rights conventions. It also advised that it should be clear from the outset that the child is at the centre and should provide a high level of clarity on the links between Getting It Right For Every Child, the data protection legislation and the GDPR and clarify how the Statutory Guidance and Code of Practice will work together.

#### Tone

13. The SGRG advised that the Statutory Guidance should have a positive tone and that it should support a rights-based approach to offering support for children, young people and parents. This means that that guidance should adequately ensure that the Named Person service is able to operate in a way which empowers, supports and protects children and their families in line with the UNCRC and other human rights treaties. It should also make clear that the Named Person service will be available as an entitlement with no obligation for children and young people or parents to accept any offer of advice or support unless there are exceptional circumstances such as Child Protection issues.

### **National Practice Resource**

14. The SGRG recommended that the Statutory Guidance should be accompanied by robust and clear national practice resource that is available in one single document. This document should contain practical materials and tools such as case studies/ examples, flow charts/ decision trees, graphics, illustrations and check lists etc.

15. The development of a national practice resource is aimed directly at supporting practitioners who work with children and families. Importantly this should address the needs of practitioners who will, through their organisations, have formal responsibilities in relation to Parts 4, 5 and 18 (Sec 96) of the Act, and also those practitioners whose organisations will not have formal duties but who will still have a role in supporting children, young people and families, including those in the third sector.

16. The national practice resource should set out how the Named Person Service will operate, including the assessment of wellbeing, and how the Child's Plan will be offered and delivered in practice. While it would allow the flexibility required by local authorities to develop practice that suits the needs of each individual local authority and the children and families within it, it would also aim to achieve a consistent approach to delivering the services outlined in Parts 4 and 5 as envisaged in the original intentions of the Act.

17. Such a national practice resource should link back to the Statutory Guidance and present as a clear and concise demonstration of how Parts 4 and 5 can be delivered on a practical basis, in the wider context of GIRFEC. This will allow the drafting of the Statutory Guidance to focus solely on the interpretation of the Act. The practice resource would then

have the flexibility to cover other issues (such as Information Management) and the option to be regularly updated to reflect emerging best practice.

18. It is clear from the broad support for practice resource among practitioners, from both the public and third sector, that there is a wealth of experience that the Scottish Government can draw from to ensure the practice resource meets its desired purpose.

#### **Other Supporting Materials and update of GIRFEC Guidance**

19. The Group considered that the Scottish Government, local authorities, health boards, the third sector and other organisations may wish to develop other supporting materials in addition to the Statutory Guidance and national practice resource.

20. In particular, the Group is aware that the GIRFEC National Implementation Support Group has identified a need to reaffirm the Getting It Right for Every Child policy. The SGRG welcomes this, and believes that it is important that practitioners and children and families are able to access clear information about GIRFEC.

#### **Additional Recommendations**

21. The SGRG discussed the need to ensure that practitioners, children, young people and families understand what is currently happening and are clear what existing information sharing processes and data protection law is. They also considered that it would be helpful to be clear about existing best practice relating to GIRFEC. The Group is aware that some areas are delivering the Named Person Service on a policy basis. The Group therefore makes three clear recommendations:

- Firstly, the Group recommends the production of Interim Guidance to be issued to all those with duties under Parts 4, 5 and 18 (Sec 96) of the Act to ensure those working in the system are clear about their roles, responsibilities and current procedures while the Bill completes its passage through parliament. This guidance should clearly set out the current legal framework relating to information sharing and data protection. Some local authorities and health boards have already issued material which could be highlighted as 'good practice examples' (see para 7).
- Secondly, the Group recommends that accessible information is made available to help children, young people and families to understand the core elements of Parts 4, 5 and 18 in a variety of formats in advance of the commencement of Parts 4 and 5. To provide clarity about the Named Person Service, it is vital that children and families are able to access clear, concise and accurate information about the service, including how to access advice, support and assistance. It should be emphasised that parents retain control of their relationship with universal services and the Named Person in particular, unless under exceptional circumstances such as where Child Protection issues arise (in line with the current draft Statutory Guidance). This work should inform communication activity to raise the profile of the Getting it right for every child approach.
- Thirdly, the Group recommends that a plan is put in place to ensure all eventualities are prepared for in advance relating to the passage of the Information Sharing Bill

and potential ways forward. The priority of this Group is the effective implementation of the core elements of Parts 4, 5 and 18 (Sec 96) as soon as possible with the confidence and support of practitioners and children and families and we therefore advise the production of plans and communication approaches to ensure the continued success of Getting it right for every child.

### **Training Materials**

22. The group advised that in their view a centrally administered national training programme is not required. National learning and development materials should be developed by the Scottish Government and partners in advance of commencement of Parts 4 and 5. These materials would be used by local organisations to support staff learning and development in their areas and organisations, and drive national consistency.

### **Next Steps**

23. The initial remit of the group has been fulfilled. SG GIRFEC officials and SGRG members are currently considering how they will continue to engage with this work.

### **Conclusion**

24. The GIRFEC Practice Development Panel are asked to consider -

- The feedback from the SGRG contained in this report
- The proposed framework for the revised Statutory Guidance attached at annex B
- The recommendations made by the Group, specifically:
  - The development of national practice resource to accompany the Statutory Guidance
  - The production of interim guidance/ sharing of current good practice
  - The development of communications materials to provide clarity on the policy
  - The development of forward plans and communications

### **List of Annexes:**

Annex A – Membership of Statutory Guidance Reference Group

Annex B - Draft Framework for Statutory Guidance

## Annex A – Membership of Statutory Guidance Reference Group

First Name	Surname	Organisation
[redacted text]	[redacted text]	Aberdeenshire Council
[redacted text]	[redacted text]	Health Improvement Scotland
[redacted text]	[redacted text]	NHS Lothian [redacted text]
[redacted text]	[redacted text]	NHS - Western Isles
[redacted text]	[redacted text]	NHS Dumfries and Galloway
[redacted text]	[redacted text]	South Ayrshire Council
[redacted text]	[redacted text]	Aberdeen City Council
[redacted text]	[redacted text]	NHS 24 – [redacted text]
[redacted text]	[redacted text]	NHS Lanarkshire
[redacted text]	[redacted text]	East Ayrshire Council
[redacted text]	[redacted text]	Scottish Government - [redacted text]
[redacted text]	[redacted text]	Angus Council
[redacted text]	[redacted text]	NHS Orkney/ Orkney Council [redacted text]
[redacted text]	[redacted text]	NHS Fife [redacted text]
[redacted text]	[redacted text]	NHS GG&C
[redacted text]	[redacted text]	CrossReach and Educating Through Care Scotland [EtCS]
[redacted text]	[redacted text]	West Dunbartonshire
[redacted text]	[redacted text]	Social Work Scotland (also West Dunbartonshire)
[redacted text]	[redacted text]	Children 1st
[redacted text]	[redacted text]	SCIS Scottish Council of Independent Schools
[redacted text]	[redacted text]	Scottish Guidance Association
[redacted text]	[redacted text]	Community Practitioner and Health Visiting Association
[redacted text]	[redacted text]	Head Teacher [redacted text]

[redacted text]	[redacted text]	Education Scotland
[redacted text]	[redacted text]	Scottish Prison Service
[redacted text]	[redacted text]	Police Scotland
[redacted text]	[redacted text]	Police Scotland
[redacted text]	[redacted text]	Scottish Government - [redacted text]

**Annex B – Draft Framework for Statutory Guidance on Parts 4 and 5 and section 96**  
**Contents**

**Foreword**

- Summary of purpose and contents
- High level ambitions and commitments – Best place to grow up...UNCRC
- Tone, positive, plain English and focus on children and young people
- Key messages – call to action, partnership with children, young people, parents and communities and between services

**Introduction**

- Purpose and format of the statutory guidance (clarify relationship between Statutory Guidance, Code, Practice Guidance/materials)
- Who this guidance is for
- The Act in context (related policy and legal context)
- Background to and key elements of the GIRFEC approach (emphasise a rights based approach, UNCRC)
- The GIRFEC Principles
- References and links to legislation cited in the document and other relevant legislation

**Wellbeing**

➤ Part 18 (section 96) - Assessment of wellbeing	<b>Section 96</b>
➤ Purpose of section 96	
➤ Taking a holistic view of wellbeing	
➤ Wellbeing and children’s rights	
➤ Wellbeing and welfare clarify interaction between wellbeing and Child Protection processes	
➤ Indicators of wellbeing (includes description of wellbeing)	
➤ Assessing wellbeing	
➤ Who should contribute to an assessment of wellbeing	
➤ Wellbeing of (specific) groups of children retaining current groupings (e.g. gypsy travelling community, home educated etc) and consider adding e.g. pre-birth, 16 to 18 year olds.	

**Named Person**

Summary of Part 4		sections 19-32
Making a Named Person service available		Section 19
	➤ To whom is the Named Person service made available	
	➤ Which organisations should make the Named Person service available	
	➤ Summary of what the Named Person service means (emphasise the duties of Named Person service to support the NP)	

	➤ Identifying an individual to exercise the Named Person functions ( <i>including where there is more than one named person/ service providers</i> )	
	➤ Requirements to fulfil the Named Person functions	
	➤ Cross border considerations	
	➤ Functions of the Named Person	
	➤ Named Person and the reserve forces	
	➤ Continuity of Named Person service	
Responsibilities of Health Boards		Section 20
Named Person service provider for children from age five, or school entry, until their 18th birthday. <i>This includes children who are home schooled, the gypsy travelling community and children who leave school at 16 and children in secure care or YOI.</i>		Section 21
Continuity of Named Person service for young people on a school roll beyond their 18th birthday.		Section 22
Communication when Named Person service provider changes		Section 23
Communicating and publishing information about the Named Person service		Section 24
Duty on service providers and relevant authorities to respond to the Named Person service provider		Section 25
Appropriate and proportionate sharing of information by the Named Person and others <i>Section 26 (as amended)</i>		Section 26
Limitations on provision of information <i>Section 26 A (as amended)</i>		Section 26 A
Code of Practice in relation to provision of information <i>Section 26 B (as amended)</i>		Section 26 B
Statutory guidance – compliance and future revisions		Section 28
Directions by Scottish Ministers – compliance and future revisions		Section 29
Complaints		Section 30
Relevant authorities		Section 31
Interpretation of terms used in Part 4		Section 32

### Child's Plan

➤ Part 5 – Child's Plan	
➤ Purpose of Part 5	
➤ Summary of part 5 ( sections 33 – 45)	Sections 33 - 45
➤ Requirement for a Child's Plan (and how it differs from a wellbeing assessment)	Section 33
➤ Content of a Child's Plan and order making power	Section 34
➤ Duty to prepare a Child's Plan (make clear the difference between assessments of wellbeing and making a Child's Plan)	Section 35
➤ Responsible authority for a Child's Plan (and the role of the Lead Professional as set out in the Child's Plan order)	Section 36
➤ Responsible authority in special cases	Section 37



➤ Duty on relevant authorities in relation to delivery of a targeted intervention to meet children’s wellbeing needs	Section 38
➤ Management and review of Child’s Plan	Section 39
➤ Duties on relevant and listed authorities to comply with requests for assistance	Section 40
➤ Limitations on provision of information <i>Section 40A (as amended)</i>	Section 40 A
➤ Code of Practice in relation to provision of information <i>Section 40B (as amended)</i>	Section 40 B
➤ Compliance and consultation on statutory guidance for Part 5	Section 41
➤ Directions by Scottish Ministers – compliance and consultation	Section 42
➤ Complaints: Child’s Plan	Section 43
➤ Authorities listed or described in Schedule 3	Section 44
➤ Definition of terms used in Part 5	Section 45

#### Information Sharing Code of Practice

- Reference to the Code of Practice (development of this section to be informed by the work of the panel)

#### Orders

- Guidance on each order to support implementation
  - The Named Persons (Training, Qualifications, Experience and Position) (Scotland) Order
  - The Child’s Plan (Scotland) Order
  - The Children and Young People (Scotland) Act 2014 (Part 4 and Part 5 Complaints) Order

#### Annexes A-C

- **A Glossary of terms** - Succinct, plain English

*Further areas for consideration include B&C below*

- **B Named Person service for the new-born wellbeing of pregnant women**
- **C Content of the Child’s Plan**