

Public Document Pack



To: Councillor Stewart, the Depute Provost, Convener; Councillor Graham, Vice Convener; and Councillors Allard, Lesley Dunbar, Greig, Henrickson, Houghton, MacGregor and Wheeler.

Town House,
ABERDEEN 30 November 2021

PUBLIC PROTECTION COMMITTEE

The Members of the **PUBLIC PROTECTION COMMITTEE** are requested to meet in **Council Chamber - Town House on TUESDAY, 7 DECEMBER 2021 at 10.00 am.** This is a hybrid meeting and Members may also attend remotely. Members of the press and public are not permitted to enter the Town House at this time. The meeting will be webcast and a live stream can be viewed on the Council's website. Aberdeen City Council [webcasts](#).

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

NOTIFICATION OF URGENT BUSINESS

1.1 There is no urgent business at this time

DETERMINATION OF EXEMPT BUSINESS

2.1 There is no exempt business at this time

DECLARATIONS OF INTEREST

3.1 Members are requested to intimate any declarations of interest (Pages 5 - 6)

DEPUTATIONS

- 4.1 Deputations - none expected until after the final agenda is published

MINUTE OF PREVIOUS MEETING

- 5.1 Minute of Previous Meeting of 27 October 2021 (Pages 7 - 14)

COMMITTEE PLANNER

- 6.1 Committee Planner (Pages 15 - 18)

NOTICES OF MOTION

- 7.1 No notices of motion have been received

REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

- 8.1 Referral from Operational Delivery Committee on 18 November 2021 - the Promise (Pages 19 - 28)

POLICE AND FIRE RESCUE SERVICE

- 9.1 Scottish Fire and Rescue Service : Thematic Report: Inspections - SFRS 21/313 (Pages 29 - 36)

- 9.2 Scottish Fire and Rescue Service - Thematic Report:: Community Engagement - SFRS 21/314 (Pages 37 - 42)

CHILD AND ADULT PROTECTION

- 10.1 Child Protection Committee Annual Report - OPE/21/309 (Pages 43 - 82)

- 10.2 National Guidance for Child Protection in Scotland 2021 and National Guidance for Child Protection Committees undertaking Learning Reviews 2021 - OPE/21/310 (Pages 83 - 88)

- 10.3 National Hub for Reviewing and Learning from the Deaths of Children and Young People - OPE/21/319 (Pages 89 - 94)

- 10.4 Secure Care - Children's Rights (Pages 95 - 118)

- 10.5 Adult Support and Protection – Inspection Update - ACHSCP/21/308
(Pages 119 - 124)

LOCAL RESILIENCE

- 11.1 Resilience Annual Report - COM/21/267 (Pages 125 - 158)

PROTECTIVE SERVICES

- 12.1 **

GOVERNANCE

- 13.1 Annual Committee Effectiveness Report - COM/21/315 (Pages 159 - 176)

- 14.1 Date of Next Meeting - 2 March 2022 at 10:00am

EHRIAs related to reports on this agenda can be viewed [here](#)

To access the Service Updates for this Committee please click [here](#)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Emma Robertson, tel 01224 522499 or email emmrobertson@aberdeencity.gov.uk

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DECLARATIONS OF INTEREST

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons

For example, I know the applicant / I am a member of the Board of X / I am employed by... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

OR

I have considered whether I require to declare an interest in item (x) for the following reasons however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

OR

I declare an interest in item (x) for the following reasons however I consider that a specific exclusion applies as my interest is as a member of xxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
 - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
 - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

OR

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

PUBLIC PROTECTION COMMITTEE

ABERDEEN, 27 October 2021. Minute of Meeting of the PUBLIC PROTECTION COMMITTEE. Present:- Councillor Stewart, the Depute Provost, Convener; Councillor Graham, Vice-Convener; and Councillors Lesley Dunbar, Allard, Greig, Henrickson, Houghton, MacGregor and Wheeler.

URGENT BUSINESS

1. The Convener advised that an Urgent Notice of Motion had been submitted by Councillor Houghton relating to Aberdeen Nightclub Safety Concerns, and in terms of Standing Order 12.9, she had accepted it onto the agenda.

At this juncture Councillor Allard made reference to the Committee agenda template (Notification of Meeting) and suggested that all agenda templates for hybrid committee meetings be amended to reflect that members may be able to participate remotely as well as attending the meeting in the Town House.

The Committee resolved:-

- (i) to note that the Urgent Notice of Motion by Councillor Houghton would be considered at item 7.1 on the agenda; and
- (ii) to note that the Chief Officer – Governance would ensure that all agenda templates for hybrid committee meetings are amended to reflect that members may be able to participate remotely.

DECLARATIONS OF INTEREST

2. Members were requested to intimate any declarations of interest in respect of the items on today's agenda.

There were no declarations of interest intimated.

MINUTE OF PREVIOUS MEETING OF 23 JUNE 2021

3. The Committee had before it the minute of its previous meeting of 23 June 2021, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

4. The Committee had before it the Committee Business Planner prepared by the Chief Officer – Governance.

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The Convener sought confirmation whether a request from Councillor Wheeler to add a thematic report from Police Scotland relating to Road Safety, which would include reference to horse riders, cyclists and other vulnerable rural road users could be added to the planner. In response, the Divisional Commander indicated that he would liaise with the Road Safety Pan-Grampian Group in this regard, but also to determine whether a presentation would be more appropriate.

The Committee resolved:-

- (i) to note the explanations for the reporting delays relating to item 5 (Police Scotland - Thematic Report: Mental Health & Wellbeing Support), item 8 (Scottish Fire and Rescue Service - Thematic Report: Community Engagement) and item 11 (Service Care – Children’s Rights);
- (ii) to note the additions to the planner at item 19 (Publication of Updated National Child Protection Guidance) and item 20 (National Guidance – Learning Reviews); and
- (iii) to note that the Divisional Commander would liaise with the Road Safety Pan-Grampian Group to ascertain whether the author of their Annual Report could provide a presentation to a future meeting of the Committee.

URGENT NOTICE OF MOTION BY COUNCILLOR HOUGHTON - ABERDEEN NIGHTCLUB SAFETY CONCERNS

5. The Committee had before it a Notice of Motion submitted by Councillor Houghton in the following terms:-

“that the Committee:-

- (1) Notes with regret, the recent reporting of increased spiking of women in night clubs in Aberdeen;
- (2) Notes with regret, the apparent use of syringes for spiking and the heightened alarm this will cause;
- (3) Commends the work of Reclaim these Streets Aberdeen, and others in raising awareness and providing safety advice;
- (4) Encourages all nightlife venues in Aberdeen to increase their existing precautions and to explore other reasonable measures to ensure their venues are safe for nightlife in Aberdeen;
- (5) Instructs the Chief Officer - Governance to write to nightclubs in Aberdeen asking them to provide assurance on what steps they will take to increase the safety of their customers; and
- (6) Instructs the Chief Officer - Governance to write to Police Scotland Divisional Commander for Aberdeen asking for an update on reports of drink spiking, including numbers of reported incidents, arrests and what campaigns or other measures are ongoing with the night-time hospitality sector and to provide the response to this request to all members of the committee.

PUBLIC PROTECTION COMMITTEE

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Councillor Houghton moved his motion and explained the rationale behind his request.

The Committee heard from the Divisional Commander in relation to the current situation regarding drug related incidents and arrests in terms of the night-time hospitality sector, indicating that there was a broad divergence of circumstances which were not just confined to nightclubs.

The Committee resolved:-

- (i) to note with regret, the recent reporting of increased spiking of women in night clubs in Aberdeen;
- (ii) to note with regret, the apparent use of syringes for spiking and the heightened alarm this will cause;
- (iii) to commend the work of Reclaim these Streets Aberdeen, and others in raising awareness and providing safety advice;
- (iv) to encourage all nightlife venues in Aberdeen to increase their existing precautions and to explore other reasonable measures to ensure their venues are safe for all patrons in Aberdeen;
- (v) to instruct the Chief Officer - Governance to write to nightlife venues, asking them to provide assurance on what steps they will take to increase the safety of their customers and to confirm what procedures are in place to ensure customers are safe should they present to staff as being under the influence of drugs or excessive alcohol;
- (vi) to instruct the Chief Officer – Governance to engage with the Local Licensing Forum and Aberdeen Inspired’s Night-Time Economy Manager to work with the nightlife industry within Aberdeen to assist premises in the City to mitigate against further incidents of spiking; and
- (vii) to instruct the Chief Officer - Governance to write to Police Scotland Divisional Commander for Aberdeen asking for an update on reports of drink spiking, including numbers of reported incidents, arrests and what campaigns or other measures are ongoing with the night-time hospitality sector and to provide the response to this request to all members of the committee in the form of a service update.

POLICE SCOTLAND - THEMATIC REPORT : DOMESTIC ABUSE/COERCIVE CONTROL - POL/21/234

6. The Committee had before it a report from the Divisional Commander which provided an update in relation to ‘Coercive Control’ following the implementation of the Domestic Abuse (Scotland) Act 2018 in April 2019.

The report recommended:-

that the Committee discuss, comment on and endorse the report.

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The Divisional Commander provided an overview of the report (1) making reference to the partnership work being undertaken locally with support agencies including Rape Crisis and Grampian Women's Aid, which had ensured that there had been no decrease in reporting of Domestic Abuse; and (2) highlighting the Scottish Government's Domestic Abuse campaign, in conjunction with Police Scotland and Safer Scotland, which was well supported in North East Division social media channels including significant input by the Violence Against Women Partnerships.

The Committee resolved:-

to endorse the report.

POLICE SCOTLAND - ANNUAL PERFORMANCE REPORT 2020/2021 - POL/21/235

7. The Committee had before it a report by the Divisional Commander which provided details of the Police Scotland Performance Report – April 2020 to March 2021.

The report recommended:-

that the Committee discuss, comment on and endorse the report.

The Divisional Commander highlighted the key information from the Performance report, specifically (1) making reference to the significant change to law and legislation centred on the COVID-19 Pandemic during this period; and (2) staffing and recruitment advising that the North East Division had remained consistent with a steady although relatively small dip in numbers throughout the past year, but noting that a further intake totalling 35 was planned for later in the year, which was the highest number in Scotland.

Councillor Greig moved as an amendment:-

that the Committee:-

- (1) requests an explanation of the reasoning and formula for the current authorised establishment figures for officer FTEs and staff FTEs as applied to all police divisions and to the North East;
- (2) requests an explanation for the changes in the totals of officers and staff FTEs in the North East since Quarter 2 in 2012/13; at which point the North East totals were 1527.4 FTE officers and 635.9 FTE staff and the 2012 baseline was 1,472 FTE officers; and
- (3) agrees that the explanations referred to above be provided by the Police Scotland Divisional Commander for Aberdeen to all members of the committee through a Service Update.

As there was no seconder, in terms of Standing Order 29.12, the amendment by Councillor Greig fell.

The Committee resolved:-

- (i) to endorse the report; and

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- (ii) to note that the Chief Officer - Governance would liaise with the Divisional Commander with a view to the Divisional Commander providing further clarity and context in respect of staffing numbers.

SCOTTISH FIRE AND RESCUE SERVICE QUARTERLY PERFORMANCE REPORT - SFR/21/236

8. The Committee had before it the report from the Local Area Commander, Scottish Fire and Rescue Service (SFRS) which presented the performance of SFRS against the objectives contained within the Aberdeen City Local Fire and Rescue Plan.

The report recommended:-

that the Committee note the performance data provided in appendix A (of the report) in relation to the SFRS 2021/22 Performance Report.

The Committee heard from the Local Senior Officer who provided a summary of the report and responded to questions from members of the Committee in relation to fires in residential and communal bins and the storage of battery/electrical items in individual settings.

The Local Senior Officer also provided details in relation to Operation Fawkes, indicating that there had been a reduction in anti-social fires in the city.

The Committee resolved:-

to approve the recommendation contained within the report.

NEW PUBLIC PROTECTION WEBSITE: ABERDEEN PROTECTS INCLUDING PRESENTATION - OPE/21/265

9. The Committee had before it a report by the Chief Operating Officer, which provided contextual information regarding the new Aberdeen Protects website, a link to which could be found [here](#).

The report recommended:-

that the Committee note the development of the Aberdeen Protects website, and provide any feedback as deemed appropriate.

The Committee (1) received a demonstration of the public facing Aberdeen Protects website which was an overarching name being given to cover a range of partnership structures within the city; and (2) noted that these structures were made up of organisations that work together to safeguard and promote the welfare of adults, children, young people and their families.

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The Committee resolved:-

- (i) to note the development of the Aberdeen Protects website; and
- (ii) to endorse the work undertaken by officers in respect of the development of the website thus far.

CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2020/21 - OPE/21/247

10. The Committee had before it a report by the Chief Operating Officer which presented the Chief Social Work Officer's Annual Report for year 2020/21, which (1) outlined the role and responsibilities exercised by the Chief Social Work Officer; (2) provided information on statutory decision making in the period; and (3) provided progress on key areas of social work provision within Aberdeen City.

The report recommended:-

That the Committee note the content of the Annual Report, as attached at Appendix 1 of the report.

The Chief Social Work Officer provided an overview of the report and appendix.

The Convener indicated that the 'Foreword' of the Annual Report was very useful and commended all staff in the Social Work Service for their work in continuing to protect the public (both adults and children), particularly during the pandemic period.

The Committee resolved:-

- (i) to approve the recommendation contained within the report; and
- (ii) to concur with the remarks of the Convener.

IMPLEMENTATION OF THE AGE OF CRIMINAL RESPONSIBILITY ACT 2019 IN ABERDEEN CITY - OPE/21/233

11. The Committee had before it a report by the Chief Operating Officer which sought to provide assurance of the planning in place within Aberdeen City on the implementation of changes to practice required in line with the imminent commencement of the Age of Criminal Responsibility (Scotland) Act 2019.

The report recommended:-

that the Committee –

- (a) note the positive implications for all children under 12 years of age whose behaviour may currently see them participate in an adult justice system, largely designed for adults;
- (b) note that on 16 September 2021, ministerial agreement was given to delay the commencement of Part 1 of Age of Criminal Responsibility (Scotland) Act 2019. A confirmed date for full implementation has not been identified; and

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- (c) note the localised plans in place, referred to in section 3.2 of the report, are meeting the needs of the vulnerable children that the Act seeks to protect.

The Committee resolved:-

- (i) to approve the recommendations contained within the report; and
- (ii) to instruct the Chief Executive to write to the appropriate Minister in the Scottish Government to seek additional funding to fulfil the requirements of the new legislation.

WATER SAFETY - OPE/21/239

12. The Committee had before it a report by the Chief Operating Officer which provided (1) an overview of Aberdeen City Council's involvement in the Aberdeen Water Safety Group; and (2) an update on this group and Environmental Services' current initiatives.

The report recommended:-

that the Committee notes and endorses the information contained within the report.

The Convener made reference to the Beach Risk Assessment being undertaken every three years and sought to ascertain whether details of the forthcoming assessment could be submitted to the members of the Committee.

The Committee resolved:-

- (i) to approve the recommendation contained within this report;
- (ii) to instruct the Chief Officer – Operations and Protective Services to circulate a Service Update to members of the Committee on the findings of the Aberdeen Beach Risk Assessment which will be undertaken in November 2021;
- (iii) to commend the work undertaken by the Aberdeen Water Safety Group;
- (iv) to note that the Chief Officer – Operations and Protective Services would liaise with the Aberdeen Water Safety Group to (1) ascertain whether a presentation could be provided to the Committee at a future meeting; and (2) whether a media release could be undertaken prior to the festive season to raise awareness of the new signage installed along the beach front.

BUILDING STANDARDS ACTIVITY REPORT - COM/21/238

13. The Committee had before it a report by the Director of Commissioning which sought to provide assurance and an overview of Council responsibilities in relation to securing dangerous buildings and protecting public safety, as well as activity on unauthorised building work and unauthorised occupation of buildings.

The report recommended:-

that the Committee –

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- (a) note and endorses the contents of the report and appendix; and
- (b) agree to receive a further Building Standards Activity Report at the meeting of the Public Protection Committee on 28 June 2022.

The Committee were advised (1) that through negotiations, 18 live notices had been closed after a permanent solution was implemented which had brought live notices down from 27 to 11; and (2) Building Standards staff continued to monitor the live notices which were served to owners to set a deadline for resolution for completion of any necessary work to maintain public safety.

The Committee resolved:-

to approve the recommendations contained within the report.

VALEDICTORY

14. The Convener advised that Mrs Emma Robertson would be replacing Mr Derek Jamieson as the Committee Clerk. She expressed her thanks to Mr Jamieson, for his assistance, support and contribution over the past few years and wished him well in his new role within the Council.

Following their announcements that they were moving on, the Convener also expressed her thanks and best wishes to Mr Bruce Farquharson (Scottish Fire and Rescue Services) for his contribution and support of the Committee and Andrew Morrison (Environmental Health Services) for his work, particularly throughout the pandemic.

The Committee resolved:-

to concur with the Convener.

- **COUNCILLOR JENNIFER STEWART, Convener.**

	A	B	C	D	E	F	G	H	I
1	PUBLIC PROTECTION COMMITTEE BUSINESS PLANNER The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting for the calendar year.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3	07 December 2021								
4	Police Scotland - Thematic Report : National Assets	To provide Committee an update on availability and employment of national assets		George Macdonald	Police Scotland	Police Scotland	5.7	D	Following a request at the meeting in October 2021, information is to be provided on resourcing which would also be incorporated within the proposed thematic report on National Assets, thereby meaning it wouldn't be presented on 7 December but will be circulated to Members via Service Update shortly thereafter.
5	Scottish Fire and Rescue Service : Thematic Report : Inspections	As suggested by Members on 9 March 2021	a report is on the agenda	Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.6		
6	Building Standards Activity Report	At its meeting on 10 October 2019, the Committee agreed to six monthly assurance reporting		Gordon Spence	Place	Governance	4.1	R	Due to Covid-19, reports were delayed and the entry for December on the planner should have been removed. Next report is on Planner for 28 June then 12 December 2022.
7	Publication of Updated National Child Protection Guidance	To provide Committee with assurance and update on the planning to take account of the updated National CP Guidance which was published in September 2021.	a report is on the agenda	Kymme Fraser	Integrated Children's and Family Services	Operations	1.1		
8	National Guidance re Learning Reviews	To provide Committee with assurance and update on the planning to take account of the updated National guidance for child protection committees undertaking learning reviews which was published in September 2021.	This report has been combined with the report above.	Kymme Fraser	Integrated Children's and Family Services	Operations	1.1		
9	Child Protection Committee Annual Report	To present the Child Protection Committee annual report.	a report is on the agenda	Graeme Simpson	Integrated Children's and Family Services	Operations	1.1, 1.2		

	A	B	C	D	E	F	G	H	I
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
21	Police Scotland - Thematic Report : Mental Health & Wellbeing Support	To provide information to the Committee on the approach to mental health matters for all staff, in particular front line Officers in regard to the recognition and treatment of Post-Traumatic Stress Disorder.		George Macdonald	Police Scotland	Police Scotland	5.7		
22	Brothers and Sisters legislation	To provide assurance that CSW are taking cognisance of the new duties set out in the legislation and will be building in appropriate reporting.		Graeme Simpson	Integrated Children's and Family Services	Operations	1.1.1		Added 22/11/21 following request from Graeme Simpson
23	28 June 2022								
24	Police Scotland - Thematic Report			George Macdonald	Police Scotland	Police Scotland	5.7		
25	Scottish Fire and Rescue Service – Annual Scrutiny Report			Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service			
26	Building Standards Activity Report	At its meeting on 10 October 2019, the Committee agreed to six monthly assurance reporting		Gordon Spence	Place	Governance	4.1		
27	UKAS Annual Audit of Scientific Services	To present Annual Audit of Scientific Services by the United Kingdom Accreditation Service			Operations and Protective Services	Operations	3.1		
28	12 October 2022								
29	Police Scotland - Thematic Report	As suggested by Members		George Macdonald	Police Scotland	Police Scotland	5.7		
30	Scottish Fire and Rescue Service Six Monthly Performance Report	To present the most recent 6 monthly Performance Report		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.6		
31	SFRS - Thematic Report	As suggested by Members		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.7		
32	Chief Social Work Officer Annual Report	To present the Chief Social Work Officer annual report.		Graeme Simpson	Integrated Children's and Family Services	Operations	1.6		
33	12 December 2022								
34	Police Scotland - Thematic Report	As suggested by Members		George Macdonald	Police Scotland	Police Scotland	5.7		
35	SFRS - Thematic Report	As suggested by Members		Bruce Farquharson	Scottish Fire and Rescue Service	Scottish Fire and Rescue Service	5.7		
36	Resilience Annual Report			Vikki Cuthbert	Governance	Governance	2.1, 2.3, 2.5		
37	Building Standards Activity Report	At its meeting on 10 October 2019, the Committee agreed to six monthly assurance reporting		Gordon Spence	Place	Governance	4.1		

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OPERATIONAL DELIVERY COMMITTEE – 18 NOVEMBER 2021

THE PROMISE – OPE/21/273

The Committee had before it a report by the Chief Officer – Integrated Children's and Family Services, which introduced the Scottish Government's Plan to #KeepThePromise and to provide information and proposals on the Council's implementation of it.

The report recommended:-

that the Committee -

- (a) notes the national Plan 21-24 to #KeepThePromise;
- (b) notes the local response to Plan 21-24;
- (c) requests that the Chief Officer of Integrated Children & Family Services provides an annual report to this Committee on the Council's progress in delivering Plan 21-24; the first of these being in June 2022; and
- (d) agree to refer this report to the next meeting of Public Protection Committee on 7 December 2021 for information.**

The Committee resolved:-

to approve the recommendations.

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ABERDEEN CITY COUNCIL

COMMITTEE	Operational Delivery Committee
DATE	18 November 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	#KeepingThePromise – Plan 21-24
REPORT NUMBER	OPE/21/273
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Graeme Simpson
REPORT AUTHOR	Kymmie Fraser
TERMS OF REFERENCE	1.1.1

1. PURPOSE OF REPORT

- 1.1 To introduce the Committee to the Scottish Government's Plan 21-24 to #KeepThePromise and to provide information and proposals on our implementation of it.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 Notes the national Plan 21-24 to #KeepThePromise;
- 2.2 Notes the local response to Plan 21-24;
- 2.3 Requests that the Chief Officer of Integrated Children & Family Services provides an annual report to this Committee on the Council's progress in delivering Plan 21-24; the first of these being in June 2022; and
- 2.4 Agrees to refer this report to the next meeting of Public Protection Committee on 7 December 2021 for information.

3. BACKGROUND

- 3.1 **The Promise and Plan 21-24**

The Promise Scotland is responsible for driving the work of change demanded by the findings of the Independent Care Review into Scotland's care system.

It works with a range of organisations to support shifts in policy, practice and culture so Scotland can **#KeepThePromise** it made to care experienced infants, children, young people, adults and their families – that every child grows up loved, safe and respected, and able to realise their full potential

3.1.2 On 5 February 2020, the Independent Care Review published seven reports, with '**The Promise**' narrating a vision for Scotland, built on five foundations, namely:

Voice: Children must be listened to and meaningfully and appropriately involved in decision-making about their care, with all those involved properly listening and responding to what children want and need. There must be a compassionate, caring, decision-making culture focussed on children and those they trust.

Family: Where children are safe in their families and feel loved they must stay and families must be given support together to nurture that love and overcome the difficulties which get in the way.

Care: Where living with their family is not possible, children must stay with their brothers and sisters where safe to do so and belong to a loving home, staying there for as long as needed

People: The children that Scotland cares for must be actively supported to develop relationships with people in supported to listen and be compassionate in their decision-making and care.

Scaffolding: Children, families and the workforce must be supported by a system that is there when it is needed. The scaffolding of help, support and accountability must be ready and responsive when it is required.

With cross-party support and broad commitment to **#KeepThePromise**, Scotland, its statutory agencies, local authorities, third sector and thousands of children and families knew that much needed to change to make sure that all Scotland's children grow up 'loved, safe and respected.'

3.1.3 The Scottish Government's Promise team translated the findings of the Care Review into **The Plan** for change which will be phased across ten years from 2020-2030. **Plan 21-24** <https://thepromise.scot/plan-21-24-pdf-spread.pdf> is the first of 3 plans and was published in April 2021. It sets a series of outcomes that must be fulfilled by 2024.

3.1.4 This initial phase focusses on the urgent and immediate changes which will have the greatest impact on the lives of children and young people and their families.

3.1.5 The five priority areas for Plan 21-24 are:

- The right to a childhood
- Whole family support
- Supporting the workforce
- Planning
- Building capacity

3.1.6 A Change Programme was published in June 2021 which outlines who and what need to work together to drive towards the changes needed in Plan 21-24. The Scottish Government's Oversight Board requires an annual update report on progress from all areas to assess whether what is happening is good and fast enough to #KeepThePromise.

3.2 Progressing Plan 21-24 in Aberdeen City

3.2.1 Led by Aberdeen City Council colleagues under the auspices of the Children's Services Board, the partnership have commenced a self-evaluation exercise to map where we are across the City in relation to delivery on Plan 21-24. Partners are currently:

- a) identifying where existing strategic and work plans have anticipated the expectations of Plan 21-24 and have already incorporated various improvements into their programmes;
- b) checking that the activity in those existing strategic and work plans is sufficiently ambitious to meet aims of The Plan 21-24, and, if not, to undertake to highlight any gaps and initiate revision of the strategic plans to effect the aims of The Promise; and
- c) putting in place mechanisms to provide relevant data and progress reporting to enable a collated update of this self-evaluation to be produced annually on 1 April each year.

3.2.2 This work will be supported by a new post, Corporate Parenting Lead Officer, who was appointed on 27 September 2021. The postholder will have a dedicated focus on The Promise and implementation of Plan 21-24 and support the shift in culture and practice called for. The role will work across the Council and the Partnership.

3.2.3 The self-evaluation is grouped into the 5 foundations of The Promise and in this way we will ensure that all expectations of Plan 21-24 are identified and progressed locally. These 5 foundation areas can be summarised as follows:

1) A Good Childhood

Children who have been removed from their family of origin and live in and around the 'care system' will have a good, loving childhood.

Ensuring that children in Scotland's 'care system' feel loved, their needs are met, and their rights are upheld is a priority for Plan 21-24. The Promise Team consider that this change is urgent and must be a focus for all organisations that have responsibility towards care experienced children and young people.

2) Whole Family Support

All families need support at different times of their lives and family support is a crucial emphasis for Plan 21-24. The United Nation Convention on the Rights of the Child recognises family as the fundamental group in society and the natural environment for growth and wellbeing. Supporting families is a children's rights imperative.

'Families' means all families including families of origin, kinship, foster and adoptive families. Support will not be predicated on the setting of care.

Supporting families to stay together and thrive was an imperative before the pandemic and is of even greater import now.

3) Supporting the Workforce

Children experience the 'care system' through people. Over Plan 21-24, support for people who care and continue to care if times get tough, will improve. There will be consistency of approach, values and understanding across Scotland's workforce.

4) Planning

The Promise aims to achieve a different approach to investment and planning. National partners have a significant role to play in ensuring a new context for funding, investment and planning.

Children and families live in local communities and use local services. It is important that their experiences and outcomes are not determined simply by which local community they live in or local service they use. Planning and investment should be nationally coordinated to ensure that children and families get what they need.

Whilst the majority of The Promise relates to matters which are reserved to The Scottish Parliament, the English Independent Review of Children's Social Care has relevance in respect of cross-jurisdiction issues.

5) Building Capacity

Over the next 3 years, there will be a focus on work that ensures that the structural underpinning of the 'care system' is orientated to the needs of children and families. This work to build capacity and coherence reflects the planned obsolescence of The Promise Scotland. It will not always be there to provide oversight and accountability and the structures need to move to ensure that the scaffolding around the 'care system' facilitates and upholds children's rights.

3.3 Annual reporting to Scottish Government and to this Committee.

3.3.1 A national “Promise Oversight Board” has been established to ensure that the Promise made to Scotland's children and families is kept. The Oversight Board will use the Plan 21-24, and its successive plans, to monitor the progress organisations make individually, and the progress Scotland makes collectively, towards The Promise's key priorities to make sure Scotland will #KeepThePromise.

3.3.2 We are required to report to the Oversight Board annually and as work develops more comprehensive reporting will be possible. It is proposed that this Committee also receives an annual update report in or around June each year outlining our progress across Aberdeen City in implementing Plan 21-24.

4. FINANCIAL IMPLICATIONS

4.1 Whilst there are no direct financial implications arising out of this report per se, the scale of reform anticipated by the Independent Care Review, as articulated in #KeepThePromise, will incur cost.

The Promise has called for a shift in the utilisation of resources away from the dealing with the consequences of the current system towards building a better system. The Scottish Government are currently looking at how this is to be achieved and local authorities await that response. Financial and other resources will be required. These will require to be met within Council, and partners', budgets and future reports to Committee will outline any implications in this respect.

5. LEGAL IMPLICATIONS

5.1 Some aspects of the Independent Care Review, as articulated in #KeepThePromise and already outlined in Plan 21-24 have been, or are anticipated to be, enshrined in statute. The Children (Scotland) Act 2020 has implications for local authorities as it brings the law further into line with children's rights under the United Nations Convention on the Rights of the Child (UNCRC), in particular:

- Supporting contact between brothers and sisters
- Making sure children have greater opportunity and means to have their views heard in family court cases and children's hearings
- Providing better advocacy and support for children in Hearings and Court cases
- Developing rules for contact centres where children, parents and other people in the child's life can meet

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	Many of the requirements of Plan 21-24 are already	M	The Children's Services Board and Community Planning Management

	built into a variety of strategic plans. It is expected that gaps will emerge as the Council and partners scrutinise the requirements of Plan 21-24 in detail.		Group have oversight of the delivery of the relevant aspects of strategic plans in this respect. They are ensuring that the terms of Plan 21-24 are incorporated into current and future strategic planning.
Compliance	No significant related risks.	L	Services across all multi-agency partners are aware of legislative requirements and ensure compliance
Operational	The aims of Plan 21-24 are ambitious and will require our people, equipment and buildings to change in order to drive on the plan. This may impact on morale as the change process is undertaken.	M	Leadership supports participation and planning across the multi-agency partnership in the delivery of Plan21-24 to best ensure operational support for changes identified.
Financial	No significant related financial risks from this report.	L	n/a
Reputational	There are no material reputational risks attached to this report.	L	The Council and partners are committed to #Keepingthe Promise and implementing Plan 21-24.
Environment / Climate	n/a		n/a

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	<p>Plan 21-24 has direct relevance to the delivery of the following policy statements contained within the Council Delivery Plan:</p> <ol style="list-style-type: none"> 2. UNICEF Child Friendly accreditation. 3. Work with the Scottish Government to provide flexible and affordable childcare for working families on the lowest incomes. 4. Support the implementation of Developing the Young Workforce, seek to gain the highest level of investors in young people accreditation and ensure

	<p>there is a focus on supporting pupils excel in STEM subjects.</p> <p>5. Appoint a mental health champion.</p> <p>7. Commit to closing the attainment gap in education while working with partners across the city.</p> <p>9. Promote diversion activities for youths and adults in our city with enhanced focused on our three locality areas.</p>
Aberdeen City Local Outcome Improvement Plan	
Prosperous People Stretch Outcomes	<p>Plan 21-24 has direct relevance to the following stretch outcomes in the LOIP and will help support delivery of these:</p> <p>3. 95% of children (0-5 years) will reach their expected developmental milestones by the time of their child health reviews by 2026.</p> <p>4. 90% of children and young people will report that they feel mentally well by 2026.</p> <p>5. 95% of care experienced children and young people will have the same levels of attainment in education, emotional wellbeing, and positive destinations as their peers by 2026.</p> <p>6. 95% of children living in our priority localities will sustain a positive destination upon leaving school by 2026.</p> <p>7. Child Friendly City which supports all children to prosper and engage actively with their communities by 2026.</p> <p>8. 25% fewer young people (under 18) charged with an offence by 2026.</p>
Regional and City Strategies	Plan 21-24 is relevant to Aberdeen City Council Delivery Plan, the Local Outcome Improvement Plan, and the Children's Services Plan.
UK and Scottish Legislative and Policy Programmes	The report sets out the Scottish Government's drive to #Keepthe Promise and the national expectations of Plan 21-24. This wide ranging and ambitious programme impacts on a range of statutory duties on the Council in relation to vulnerable and care experienced children including those contained in the Children(Scotland) Act 1995, Children's Hearings (Scotland) Act 2011, Children & Young People (Scotland) Act 2014, Child Poverty (Scotland) Act 2017 and Children (Scotland) Act 2020.

8. IMPACT ASSESSMENTS

Assessment	Outcome
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Impact Assessment	This report to introduce members to Plan 21-24 does not require an Impact Assessment to be completed.
Data Protection Impact Assessment	Not required.

9. BACKGROUND PAPERS

#KeepthePromise	#KeepThePromise - The Promise
Plan 21-24	Plan 21-24 - The Promise
Children's Services Plan	Childrens-Services-Plan-2020-1.2.pdf (aberdeengettingitright.org.uk)
Local Outcome Improvement Plan	https://communityplanningaberdeen.org.uk/aberdeen-city-local-outcome-improvement-plan-2016-26/
Aberdeen City Council Delivery Plan	Council Delivery Plan 2020-21 Appendix.pdf (aberdeencity.gov.uk)
National Improvement Framework	Schools: National Improvement Framework (NIF) - gov.scot (www.gov.scot)

10. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection
DATE	07 December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Scottish Fire and Rescue Service Thematic Report Inspections
REPORT NUMBER	SFR/21/313
DIRECTOR	Bruce Farquharson, Local Senior Officer, SFRS
CHIEF OFFICER	Chay Ewing, Group Commander, SFRS
REPORT AUTHOR	Chay Ewing, Group Commander, SFRS
TERMS OF REFERENCE	5.6

1. PURPOSE OF REPORT

- 1.1 To present the Scottish Fire and Rescue Service Thematic Report Inspections, year to date 2021/2022.

2. RECOMMENDATION(S)

- 2.1 That the Committee Consider and note the information provided in this report in relation to prevention and protection. **Appendix A** Thematic Report – Inspections.

3. BACKGROUND

- 3.1 This report invites you to review the Scottish Fire and Rescue Service Aberdeen City Inspections to date 2020/2022.
- 3.2 This update shows the progress being made by the SFRS locally against the priorities and objectives for Aberdeen City.

4. FINANCIAL IMPLICATIONS

4.1 There are no significant financial implications for the Council.

5. LEGAL IMPLICATIONS

5.1 There are no significant legal implications for the Council.

6. MANAGEMENT OF RISK

6.1 Not applicable

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Economy	Whilst not specific to any Stretch Outcome, the paper seeks contribution to fire safety which will assist achieve a safer place to live, work and visit.
People	<p>The proposals within this report support the delivery of the following LOIP Stretch Outcomes</p> <p>10. 25% fewer people receiving a first ever Court conviction and 2% fewer people reconvicted within one year by 2026.</p> <p>11. Healthy life expectancy (time lived in good health) is five years longer by 2026.</p> <p>The paper seeks contribution to the Strategic Plan to reduce instances of deliberate fire setting and improve fire safety and prevention.</p>
Place	Whilst not specific to any Stretch Outcome, the paper seeks contribution to fire safety which will assist achieve a safer place to live, work and visit.

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	
Organisational Design	
Governance	
Workforce	
Process Design	
Technology	
Partnerships and Alliances	

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	N/A
Privacy Impact Assessment	N/A
Duty of Due Regard / Fairer Scotland Duty	Not required.

9. BACKGROUND PAPERS

None

10. APPENDICES (if applicable)

Appendix A – Scottish Fire and Rescue Service Thematic Report Inspections

11. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY LOCAL SENIOR OFFICER AREA

SCOTTISH FIRE AND RESCUE SERVICE THEMATIC REPORT INSPECTIONS

Report Ref

1 RECOMMENDATION

The Aberdeen Public Protection Committee is recommended to:

- 1.1 Consider and note the information provided in this report in relation to prevention and protection.

2 INTRODUCTION

- 2.1 Fire Safety Enforcement (FSE) refers to our programme of legislative fire safety audits within relevant premises as defined by Part 3 of the Fire (Scotland) Act.
- 2.2 Fire safety legislation aims to ensure the safety of employees, residents, visitors or customers and sets out the responsibilities in respect of fire safety.

Anyone who has control, to any extent, of any premises will have some responsibilities for ensuring that those occupying the premises are safe from harm caused by fire.

The legislation places a duty on those responsible for fire safety within relevant premises to carry out a fire risk assessment. They are defined in the Fire (Scotland) Act 2005 as Duty Holders.

- 2.3 The SFRS has developed a fire safety framework that prioritises FSE audits in premises where the greatest risk of harm from fire is present e.g. care homes, hospitals, HMO's etc
- 2.4 Through our risk based fire safety audit programme our Fire Safety Enforcement Team work in partnership with duty holders to assist them in meeting their fire safety legislative requirements and ensure that their buildings are safe for the building users.

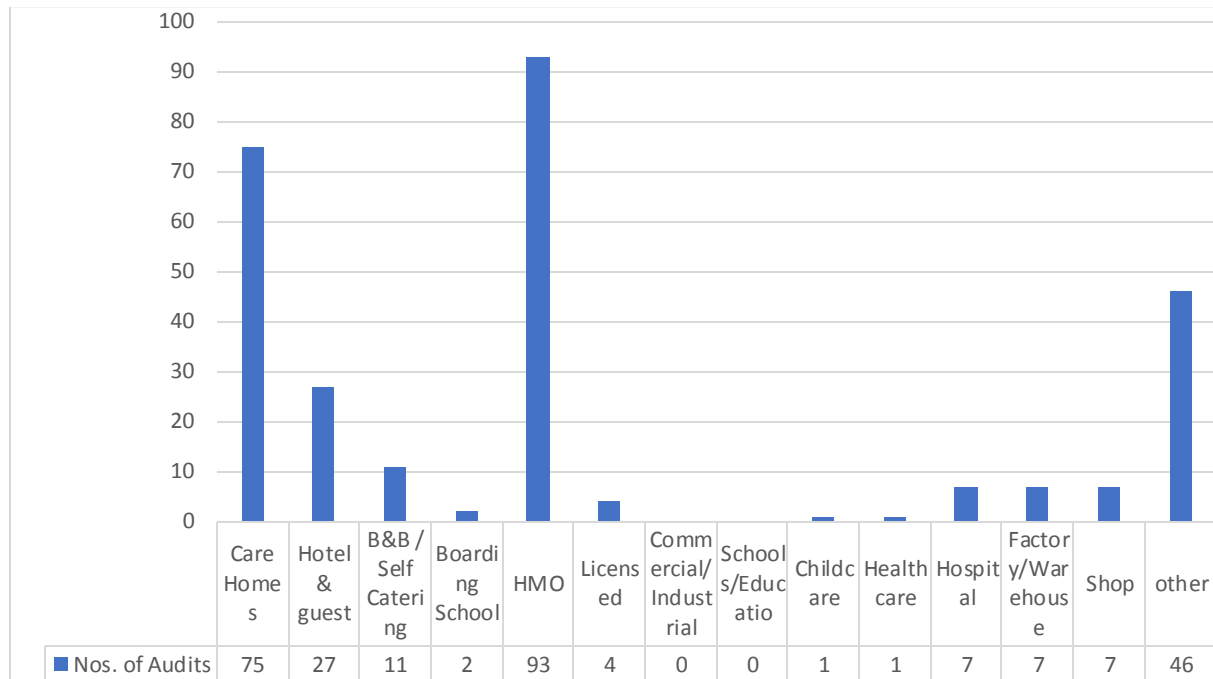
3 FIRE SAFETY ENFORCEMENT (FSE) VISITATIONS

- 3.1 With the reduction in restriction levels for Covid-19 during this reporting period, SFRS have taken the decision to tentatively resume their fire safety audit activities.

By adhering to Scottish Government guidance when working in the community we have been able to re-assure the duty holder, resume our fire safety audits with

physical visits to business premises and maintain, as far as possible, the safety of our employees with the appropriate Personal Protective Equipment.

3.2 The table below shows our audit activity to date for the reporting period



3.3 Additionally, our Fire Safety Enforcement Team have been providing support to both Orkney and Shetland Isles. This approach by SFRS is intended to ensure that we carry out our framework audits in all areas across Scotland.

3.4 Looking forward, we plan to build on our tentative approach by increasing our audit activity in business premises.

3.5 Our goal and positive challenge going forward will be to return to a pre covid-19 work environment by completing our annual framework audits and assist duty holders in maintaining fire safety legislation in the built environment.

4 INSPECTIONS

4.1 Operational Intelligence visits (283), The Scottish Fire and Rescue Service (SFRS) is committed to firefighter safety. The provision of Operational Intelligence (OI) is a key component of this by providing readily accessible information regarding operational risk at the point of need. Despite the reduction in COVID levels, the first half of the reporting period saw resistance in the business community to allowing crews to physically carry out Operational Intelligence visits. This has eased in the second half of the period, and we have worked extremely hard to capture or review 283 premises on the O.I. system.

4.2 Operational Assurance visits (168) to High Rise Domestic Buildings has continued, these visits provide benefits similar to OI but also gives the SFRS the opportunity to

check safety features within the High Rise such as self-closing fire doors. 168 inspections being carried out for the reporting period to date. Partners at Aberdeen City Council have been swift in rectifying issues reported as a result.

- 4.3 Care Home Visits (32) There has been an understandable unwillingness to carry out familiarisation visits to care homes during the reporting period, given the extra risks posed by COVID-19 to occupants. 32 familiarisation visits have been carried out, and the majority of these have been in the last few weeks. OI inspections have occurred where needed however.
- 4.4 Hydrant Inspection (429) Section 17(1) of the 2005 Fire (Scotland) Act states that the Scottish Fire and Rescue Service (SFRS) has a duty to 'take all reasonable measures for securing an adequate supply of water'. Hydrants are inspected in a blended approach by operational and hydrant operators across Scotland. Within Aberdeen City, this is solely carried out by operational crews. 429 Hydrant Inspections have been carried out over the period, with a range of faults being reported where needed.

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection
DATE	07 December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Scottish Fire and Rescue Service Thematic Report Inspections
REPORT NUMBER	SFR/21/314
DIRECTOR	Bruce Farquharson, Local Senior Officer, SFRS
CHIEF OFFICER	Chay Ewing, Group Commander, SFRS
REPORT AUTHOR	Andrew Dick, Group, Commander, SFRS
TERMS OF REFERENCE	5.6

1. PURPOSE OF REPORT

- 1.1 To present the Scottish Fire and Rescue Service Thematic Report Engagement, year to date 2021/2022.

2. RECOMMENDATION(S)

- 2.1 That the Committee Consider and note the information provided in this report in relation to prevention and protection. **Appendix A** Thematic Report – Engagement.

3. BACKGROUND

- 3.1 This report invites you to review the Scottish Fire and Rescue Service Aberdeen City Engagement to date 2020/2022.
- 3.2 This update shows the progress being made by the SFRS locally against the priorities and objectives for Aberdeen City.

4. FINANCIAL IMPLICATIONS

4.1 There are no significant financial implications for the Council.

5. LEGAL IMPLICATIONS

5.1 There are no significant legal implications for the Council.

6. MANAGEMENT OF RISK

6.1 Not applicable

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Economy	Whilst not specific to any Stretch Outcome, the paper seeks contribution to fire safety which will assist achieve a safer place to live, work and visit.
People	<p>The proposals within this report support the delivery of the following LOIP Stretch Outcomes</p> <p>10. 25% fewer people receiving a first ever Court conviction and 2% fewer people reconvicted within one year by 2026.</p> <p>11. Healthy life expectancy (time lived in good health) is five years longer by 2026.</p> <p>The paper seeks contribution to the Strategic Plan to reduce instances of deliberate fire setting and improve fire safety and prevention.</p>
Place	Whilst not specific to any Stretch Outcome, the paper seeks contribution to fire safety which will assist achieve a safer place to live, work and visit.

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	
Organisational Design	
Governance	
Workforce	
Process Design	
Technology	
Partnerships and Alliances	

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	N/A
Privacy Impact Assessment	N/A
Duty of Due Regard / Fairer Scotland Duty	Not required.

9. BACKGROUND PAPERS

None

10. APPENDICES (if applicable)

Appendix A – Scottish Fire and Rescue Service Thematic Report Inspections

11. REPORT AUTHOR CONTACT DETAILS

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SCOTTISH FIRE AND RESCUE SERVICE THEMATIC REPORT ENGAGEMENT

Report Ref

1 RECOMMENDATION

The Aberdeen Public Protection Committee is recommended to:

- 1.1 Consider and note the information provided in this report in relation to prevention and protection.

2 INTRODUCTION

- 2.1 The Scottish Fire and Rescue Service (SFRS) is committed to Working Together for a Safer Scotland. This is at the core of everything we do. Incorporating our values of safety, teamwork, respect and innovation, we work alongside communities and in partnership with others in the public, private and third sectors to keep Scotland Safe.

3 ENGAGEMENT

- 3.1 Home Fire Safety Visits (HFSV's) and supply and fitting of appropriate detection, are the most effective tool available to SFRS to assist decrease the risk of harm in the home from fire.
- 3.2 From 1st April 2021 to the 31st October, SFRS personnel have delivered 897 HFSV's in Aberdeen City and work hard to ensure "pending lists" are managed and controlled appropriately. The lifting of some COVID restrictions has enabled the numbers carried out each month to increase. 621 of these were carried out by station personnel with 276 carried out by community action team members.
- 3.3 Fire safety advice / HFSV phone calls have continued as best practice and a tool for measuring risk rating. Community Safety Engagement (CSE) teams complete a home safety questionnaire for all contacts and scheduling a physical visit for any member of the public identified as at risk. All properties without detection are classed as high risk and visited as a priority.
- 3.4 Engagement opportunities in Schools and with Public groups have remained limited due to COVID restrictions however with tools such as Microsoft Teams and social media, We have supplied relevant Fire safety information through presentations electronically in key areas such as Fireworks and Bonfire safety.

- 3.5 Referrals and requests from key partners continue as business as usual with fire-retardant bedding and fireproof letterboxes (mail guards) ensuring the most vulnerable in our communities are protected.
- 3.6 CSE teams continue working in partnership through various safety Hubs and with partners in areas such as Case conferences and fire setters.
- 3.7 Managers attend Corporate Parenting, Community Justice, Adult Protection Community Planning and North-East Road Safety meetings contributing wherever possible and sharing relevant information internally and externally with partners.

4 THEMATIC ACTION PLAN (TAP)

4.8 Bonfire and fireworks safety partnership work led by SFRS produced:

- An operational plan for the City of Aberdeen
- Social media safety posts
- Partnership presentations to schools
- Media campaign and press release
- All SFRS bonfire/firework safety literature, presentations, YouTube videos shared with schools.
- Evening meetings via Microsoft Teams with Ops Fawkes partners and subsequent evening meetings via Microsoft Teams with on- duty watch/FDM and control

25 schools contacted and information shared

27 secondary fires (19 fires on 5th Nov) No reports of violence toward fire crews

5 FUTURE & ONGOING

5.1 A Multi-Agency scenario is in the late stages of planning and is due to take place late November. The scenario is a multi-agency response to a Road Traffic Collision and water rescue incident. This is a great opportunity for engagement with partners and joint learning.

ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	7 December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Aberdeen City Child Protection Committee Annual Report 2020-21
REPORT NUMBER	ACHSCP/21/309
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Graeme Simpson, Chief Social Work Officer and Vice Chair of the Child Protection Committee
REPORT AUTHOR	Kymme Fraser
TERMS OF REFERENCE	1.1, 1.2, 1.3

1. PURPOSE OF REPORT

- 1.1 To share Aberdeen City Child Protection Committee's (CPC) Annual Report 2020-21 which provides the Committee with information and assurance on the work of the CPC.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 notes the content of the CPC's Annual Report 2020-21;
- 2.2 notes the positive impact and effectiveness of child protection improvement initiatives detailed in the report;
- 2.3 notes the effective working across the partnership in Aberdeen City in relation to child protection; and
- 2.4 notes the use of statistical information to inform practice and improvement initiatives relating to child protection.

3. BACKGROUND

3.1 The CPC Annual Report, which is an appendix to this report, details the work of the CPC from the period August 2020 through to end of July 2021. The report demonstrates effective multi agency working in Aberdeen City across a range of partners who all participate in the improvement work undertaken through the CPC. The improvement initiatives are data informed, something which has previously been commended by the Care Inspectorate in their Report of a joint inspection of services for children and young people in need of care and protection in Aberdeen City, September 2019 and that we continue to develop on an ongoing basis. The CPC annual report illustrates:

- the delivery of national initiatives and local implications;
- the impact of the current COVID-19 pandemic
- learning from significant case reviews;
- quality assurance processes;
- development and delivery of our multi agency learning and development; and
- local evidence based initiatives.

3.2 The CPC Annual Report also details the Child Protection Programme for the period 2019 – 2021. The initiatives are aligned with the aims of the Local Outcome Improvement Plan (LOIP) and are informed by national expectations as well as local requirements.

The focus of the Child Protection Programme 2019-21 is:

- To adopt a strength based and participatory approach to child protection practice across the partnership in Aberdeen City;
- To improve multi-agency recognition and response to indicators of cumulative neglect;
- To improve professional, family and young people's awareness, knowledge and skills to safeguard and protect from the abuse and harm of on-line safety, child sexual exploitation and child trafficking;
- To improve multi agency recognition and response to child protection implications of domestic abuse;
- To improve the partnership's processes and responses to the vulnerabilities of 16-17 year olds and all young people who go missing;
- To improve multi-agency recognition and response to child protection implications of emotional abuse;
- To improve multi-agency recognition and response to equality, diversity, and inclusion (this includes Female Genital Mutilation (FGM), ethnicity, LGBT+, Prevent, Forced Marriage) in the field of child protection; and
- To improve multi-agency recognition and response to child protection issues arising among children with disabilities and complex needs.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report. The work of the CPC is jointly funded by the partnership, to which the Council contributes 40% of the total costs.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	None for this report		
Compliance	None for this report		
Operational	Required improvements and developments in practice are not identified and actioned.	M	Children, young people, their families and the professional workforce can be assured that services in Aberdeen City are continually appraised in order to improve the quality of locally delivered services.
Financial	None for this report		
Reputational	Organisational failings in relation to child protection can bring significant media interest and scrutiny of services delivered to children and young people.	M	The public can be assured that: the Council monitors legislative changes, national standards and guidance; partners respond to self and external scrutiny; and identified areas for improvement are addressed.
Environment / Climate	Not applicable for this report		

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	<p>The work of the CPC, in conjunction with the Children’s Services Board, is directly aligned to the following policy statements contained within the Council Delivery Plan:</p> <p>2. UNICEF Child Friendly accreditation. 3. Work with the Scottish Government to provide flexible and affordable childcare for working families on the lowest incomes. 4. Support the implementation of Developing the Young Workforce, seek to gain the highest level of investors in young people accreditation and ensure there is a focus on supporting pupils excel in STEM subjects. 5. Appoint a mental health champion. 7. Commit to closing the attainment gap in education while working with partners across the city. 9. Promote diversion activities for youths and adults in our city with enhanced focused on our three locality areas.</p>
Aberdeen City Local Outcome Improvement Plan	
Prosperous People Stretch Outcomes	<p>The functions of the CPC are central to supporting and assuring that the multi-agency Children’s Services partners deliver on the outcomes of the LOIP Prosperous People (Children & Young People) Stretch Outcomes 4 to 9 and to ensure our children are safe and protected from harm. Children, young people and families who are adequately protected from threats to their health, safety and economic wellbeing are more likely to prosper than those who are not.</p>
Regional and City Strategies	<p>The work of the CPC is relevant to Aberdeen City Council Delivery Plan, the Local Outcome Improvement Plan, the Children’s Services Plan and the Child Protection Improvement Programme.</p>
UK and Scottish Legislative and Policy Programmes	<p>The CPC’s improvement programme is compliant with a range of statutory duties incumbent on the Council in relation to vulnerable and care experienced children including those contained in the Children (Scotland) Act 1995, Children’s Hearings</p>

	(Scotland) Act 2011, Children & Young People (Scotland) Act 2014, Child Poverty (Scotland) Act 2017 and Children (Scotland) Act 2020. It progresses the policy ambitions of the Scottish Government's drive to #Keepthe Promise and the national expectations of Plan 21-24. It is key to the implementation of new National Guidance for Child Protection 2021 and new National Guidance for conducting Significant Learning Reviews 2021.
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8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

10. APPENDICES

A link to the report can be found [here](#).



CPC Annual Report
2021.pdf

11. REPORT AUTHOR CONTACT DETAILS

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Aberdeen City Child Protection Committee

Annual Report 2020/2021





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Preface from Chief Officers

This is the seventh Annual Report of the Aberdeen City Child Protection Committee (CPC). The Child Protection Committee works across all child protection services locally, regionally, and nationally. With these supports and networks in place it aims to support the multi agency workforce and members of the public to ensure Aberdeen is the best place in Scotland to grow up, to promote the care and welfare of our children and to protect them from abuse and harm.

Ensuring that all children in Aberdeen are safeguarded and protected from harm and abuse is taken very seriously by all involved. Core to the CPC functions and effectiveness is multi agency working, this ensures the protection and safety of Aberdeen City's children and young people. The commitment of all agencies is apparent in the day to day delivery of child protection services in the City. It can also be seen in those agencies' extensive contribution to the strategic improvements and developments carried out in 2020-21.

We are committed to understanding the child protection concerns which arise in our City and to making improvements together to address these. We are also committed to recognising the strengths within our families in Aberdeen and to including parents, carers and young people in the ongoing development of our child protection processes. The CPC achievements highlighted in this report include the positive steps we have taken to ensure the safety and wellbeing of our vulnerable children and young people during the current COVID-19 pandemic.

This reports also highlights the significant strides forward we have made in relation to our gathering and multi agency analysis of data, the development and delivery of our Quality Assurance Framework, the delivery and quality assurance of our first ever annual multi agency Learning & Development calendar, and our progress in relation to case reviews which considers the identification and sharing of key learning for practice across Aberdeen City. We also acknowledge the commitment and dedication of all multi agency staff during the pandemic to ensure the smooth implementation of supplementary national guidance, responding to weekly requests for child protection data from Scottish Government, and using creative and alternative means of supporting children and families.

These are just a few of the highlights over the past 12 months and this would not have been possible without the commitment, dedication, and support of the CPC. This year has also seen Adrian Watson take over as Chair of the CPC in April 2021. Adrian took over from Sheena Gault, who was our first ever Independent Chair of both the CPC and Adult Protections Committee (APC). We extend our thanks to Sheena for her commitment and dedication over the past two years and look forward to working alongside Adrian.

We are delighted to approve this report and look forward to another challenging year ahead.



Angela Scott, *Chief Executive*
Aberdeen City Council



George Macdonald
Divisional Commander
Police Scotland



Amanda Croft, *Chief Executive*
NHS Grampian

Introduction from Independent Chair of CPC

I am delighted to bring you the seventh annual report for the Aberdeen City Child Protection Committee. The CPC is a locally based, multi-agency strategic partnership responsible for the design, development, publication, distribution, dissemination, implementation and evaluation of child protection policy and practice across Aberdeen City. The CPC are also responsible for the quality assurance of multi-agency practice and ensuring that the performance measures put in place ultimately lead to improving outcomes for children and young people.

Since taking over Chair of the CPC in April 2021 I am grateful to have been working alongside the committed senior membership of the CPC which spans across the full range of agencies and services with child protection responsibility including Aberdeen City Council (Social Work, Education and Housing), Police Scotland, NHS Grampian, the Reporter to the Children's Hearing, Aberdeen Violence against Women Partnership and our third sector colleagues. I am also supported by the Lead Officer for the CPC, Stuart Lamberton, who leads and coordinates all the work of the CPC in partnership with children's services across the City. Together this has been of great benefit to help support and drive forward the improvements the CPC identify and are responsible for.

We have been living through the current pandemic but our focus and responsibilities have not changed. Child protection means preventing a child suffering significant harm from abuse or neglect. The CPC is

committed to its responsibility to keep all children in Aberdeen City safe from harm whether abuse or neglect has already taken place or looks likely to take place. In working to achieve that, the functions of the CPC are continuous improvement, strategic planning, public information and communication. Professional and public bodies work collaboratively to promote and improve child protection across all areas of their agencies and services.

The CPC is governed directly by the Chief Officers Group (COG) which consists of the Local Police Commander and the Chief Executives of NHS Grampian and Aberdeen City Council. The COG is responsible for the leadership, direction and scrutiny of the local child protection services and they have strategic responsibility for the CPC. The CPC meets quarterly and hosts an annual development day which provides a good opportunity for reflection and to share key learning.

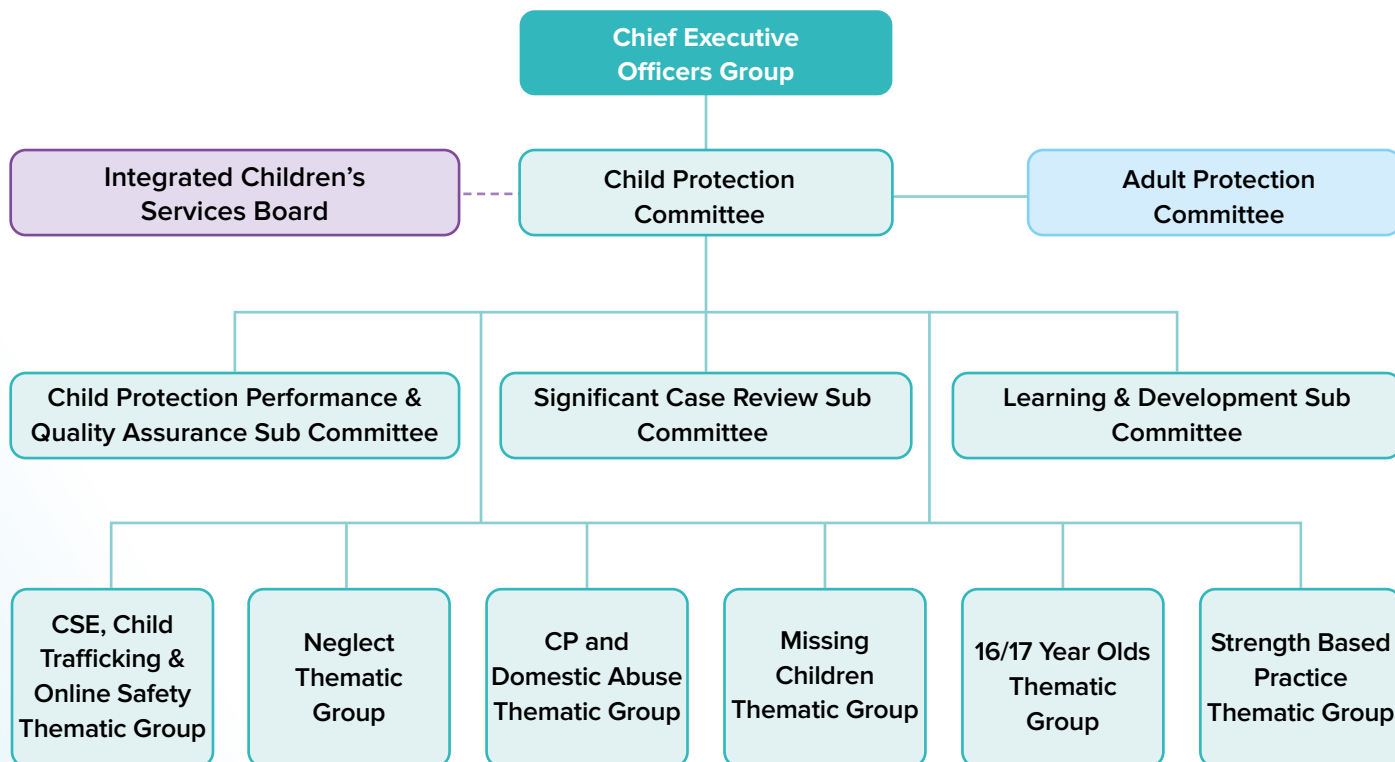
This report sets out our progress from 1 August 2020 to 31 July 2021, demonstrates how we carry out our core functions and the work we deliver in all areas of child protection.

Adrian Watson,
Independent Chair of Aberdeen City CPC

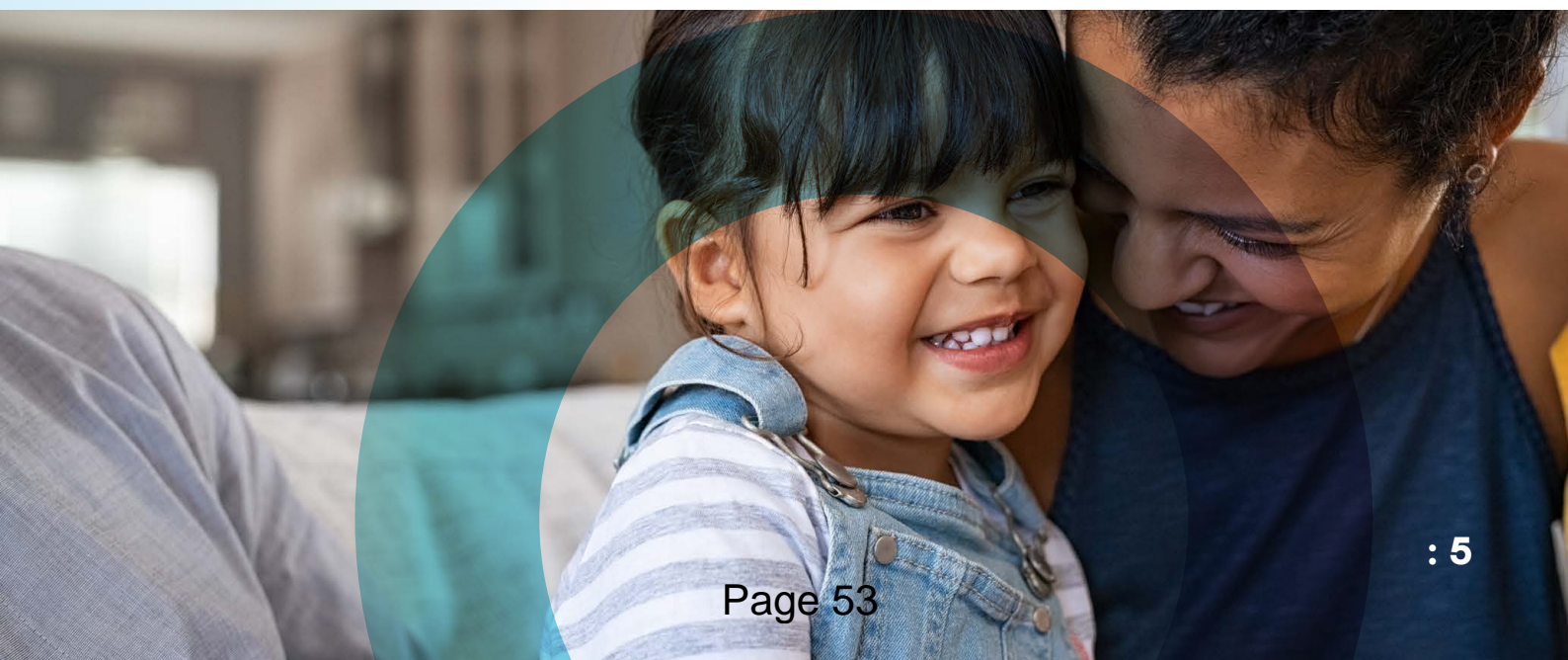


CPC structure and delivery

The CPC structure for 2019/2020 can be found below:



As the structure illustrates, the CPC is governed by the COG who have clear responsibilities set out in the [Protecting children and young People: Child Protection Committee and Chief Officer responsibilities](#) guidance published by the Scottish Government in February 2019. The Aberdeen City COG is well established as is the relationship between the COG and the CPC. The CPC adheres to the [National Guidance for Child Protection 2014](#) and fulfils its core functions through this structure and through the multi agency CP Programme 2019-2021, which is also covered in this report.



Child Protection Programme 2019–2021

In our Child Protection (CP) Programme, we make sure national priorities are addressed and include improvements required by local strategic plans, such as the Children’s Services Plan and the Local Outcome Improvement Plan (LOIP) which recognises that ‘Children Are Our Future’ and need to be safe and responsible as well as protected from harm.

In delivery of this programme the CPC directly supports the LOIP, and in particular stretch outcomes 4, 5, and 8 with the following key drivers:

- 4.1 Ensuring that families receive the parenting and family support they need
- 4.2 Keeping young children safe
- 5.2 Increasing children’s knowledge and understanding of their own physical and mental wellbeing and take an early intervention and prevention approach
- 8.2 Ensuring that children and young people receive accessible information and opportunities to engage and participate in decision making

We also incorporate our local work identified through various self-evaluation strands such as case file auditing, significant case reviews, inspection findings, statistics, data analysis and practitioners’ knowledge. The programme is reviewed at the annual CPC Development Day and routinely at quarterly CPC meetings. The work contained within CP Programme 2019 -2021 was officially signed off by the CPC in June 2021 and can be found throughout this report and at Appendix 1. Work is already underway to develop and implement the CP Programme 2021 – 2024.

Performance and Quality Assurance sub committee

The P&QA sub committee quarterly data and scrutiny reports to the CPC which are multi agency and have the [Minimum Dataset for Child Protection Committees \(celcis.org\)](https://celcis.org) embedded within. This framework is updated annually and approved by CPC, it includes 10 scrutiny questions which include all the information required from the NMD and further information that the CPC specifically want to scrutinise.

The P&QA sub committee continues to work with all partners, the Business Intelligence Unit, and the Child Protection Register (CPR) team to ensure we analyse the data, identify trends, and areas for improvement, before we report to the CPC. The CPC approved the revised membership of the P&QA sub committee in line with the functions of the required on behalf of the CPC.

Over the past 12 months, taking into consideration the COVID-19 pandemic, the P&QA sub committee has revised its approach to the sharing and analysis of the data. This approach utilises Microsoft Teams to have one data and scrutiny report, per quarter, held in one place where all services and agency leads can contribute to the multi agency analysis prior to the P&QA sub committee meeting. This allows the information to be added prior to the P&QA sub committee meetings meaning the meeting itself can focus on the multi agency analysis and ensure the final version is ready for CPC which highlight the key areas for consideration.

Over the past 12 months the P&QA sub committee has been supporting the weekly return on child protection data which has been required by the Scottish Government since April 2020. The P&QA sub committee has also been adding qualitative data to the quarterly data and scrutiny report in relation to Inter-Agency Referral Discussions (IRDs), Joint Investigative Interviews (JIIs), and Child Sexual Exploitation (CSE).

Members of the P&QA sub committee, on behalf of the CPC, have recently been invited along to a national group, created and led by CELCIS, along with one other CPC, to explore the development of a national data set for monitoring outcomes. This outcome group have met twice already and work continues to look at how outcomes can be included in data sets.

Quality Assurance Framework

As highlighted in the 2019/2020 CPC annual report the P&QA sub committee were developing the Quality Assurance Framework (QAF). Over the course of 2020 and into 2021 the QAF was successfully implemented and supported by the CPC. The audit programme runs annually and aims to have two multi agency audits per year for the CPC with one of those carried out jointly with the Children's Services Board (CSB).

Representatives from health, social work, police, education, and the voluntary sector are identified and meet through the digital platform Microsoft Teams to review the selected cases. The tool used in the process is based on the Care Inspectorate document *"How well are we improving the lives of children and young people? A guide to evaluating services using quality indicators."*(2018)

Auditors are paired appropriately to ensure a multi agency focus on each case and a flexible two week timescale is identified for auditors to come together and review the cases using the agreed audit tool. After the individual audits have been completed by the pairs of auditors a discussion session is planned to look at the initial findings of these audits. These discussions consider the key questions in the QAF:

- How are we doing?
- How do we know?
- What are we going to do now?

After the discussion session, the auditors and audit leads compile a summary report for the CPC with key recommendations to be considered. The CPC is then responsible for ensuring the identified learning and

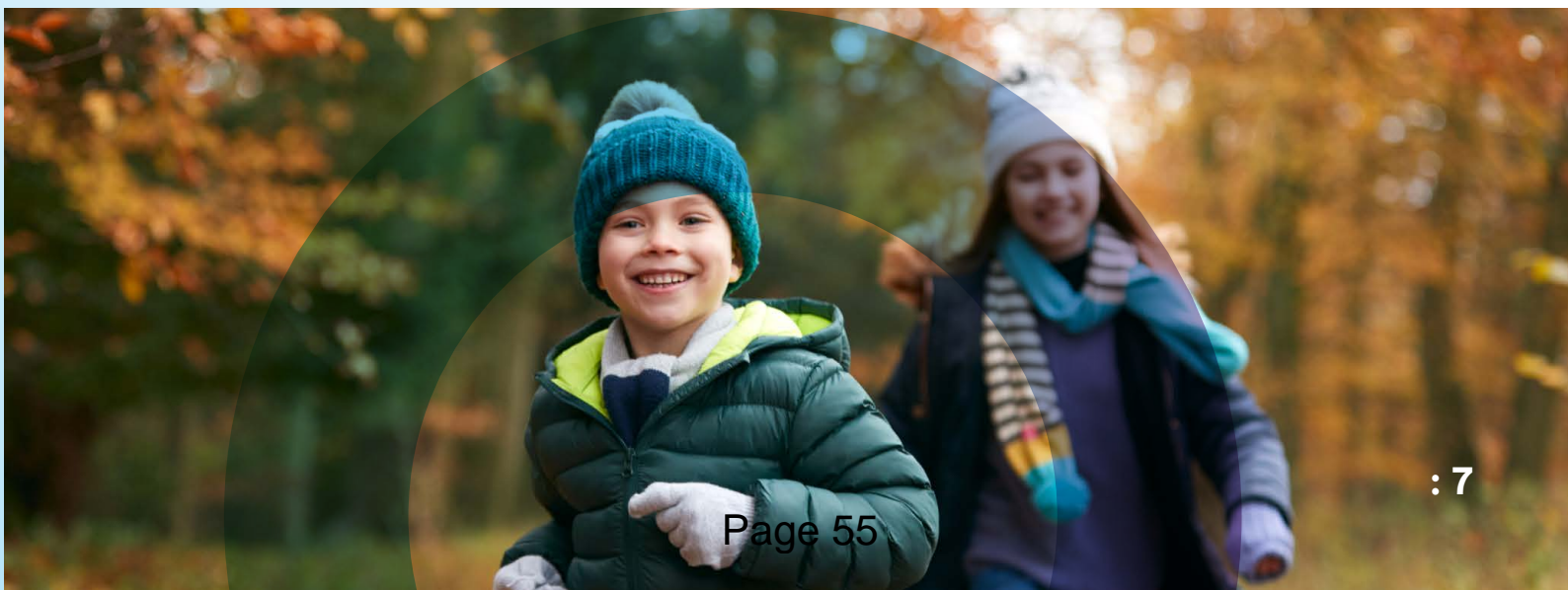
good practice is shared across Aberdeen City and embedded into practice. This is measured through well established quality assurance processes highlighted in this report. The audit ensured that personal information was accessed and handled in compliance with the appropriate legislation and Scottish Government guidelines.

There were two audits carried out during the period covered by this annual report and a brief overview from the reports for each are as follows:

National Risk Framework tool – September 2020

Findings in the Joint Inspection 2019 and in local ICRs and SCRs identified variable use and quality of National Risk Framework tools and chronologies in practice. This audit topic and outline remit was agreed by the CPC to consider *"How well do we use the National Risk Assessment Framework tools in assessing risk for children and young people?"*

There were key strengths identified in this audit which included linking analysis of risk using the NRF tools to the Child's Plan was generally good or very good across the cases audited and strong evidence of effective partnership working and relevant information sharing across the multi-agency partners. The audit identified a willingness identified across the City to follow best practice but it also highlighted that staff would benefit from a more consistent approach to the use of the NRF tools and this was something the CPC was tasked with progressing. This work was completed and presented to the CPC in June 2021.



Neglect – February 2021

Findings in local and national Independent Case Reviews and Serious Case Reviews have noted the persistent recurrence of cumulative neglect in families whose circumstances were considered as part of these processes. A workforce survey was completed prior to this joint audit being carried out by the CPC and CSB which focussed on “what has been the impact of various local improvement activities undertaken to improve the identification and response to neglect?”

There were key strengths identified in this audit which included high confidence levels of staff, positive engagement with multi agency learning & development (L&D) modules, and 70% of the cases audited found improvement in outcomes for children who experienced neglect. This demonstrates the impact strengths based and supportive work by carried out staff in Aberdeen City when working with children and their families.

This audit also highlighted some areas for improvement which centred around the recording of neglect in case files and the need to promote the use of multi agency tools and guidance to help support staff. The CPC was asked to re-establish the neglect thematic group to help progress the recommendations from the audit and this work is well underway.

These were the first audits in Aberdeen City to have been conducted using Teams, previously audits would have been conducted in large meetings rooms face-to-face so being able to adapt to an online approach proved to be very successful. The full reports and associated presentations together with the learning identified and actions moving forward can be found on the [CPC Local Learning webpage](#).



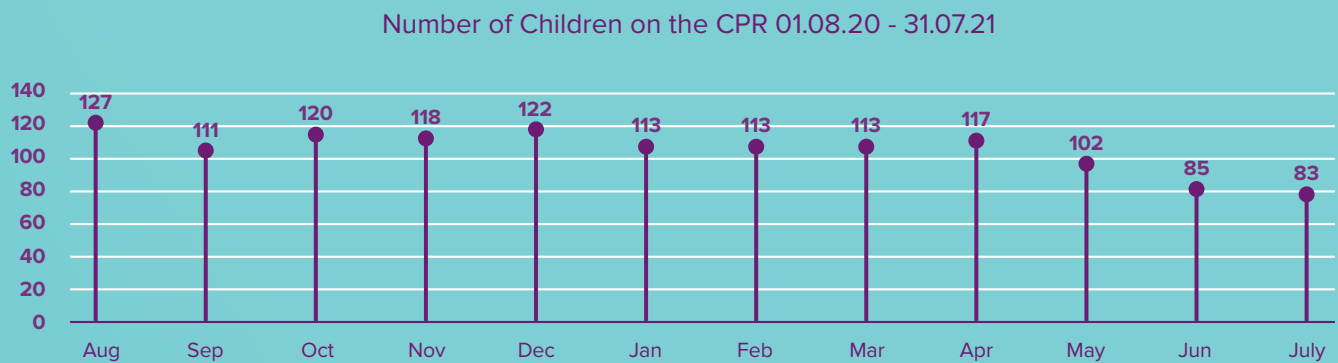
Performance Management

The suite of performance management information considered by the CPC includes the NMD, comprehensive quarterly reports from the Child Protection Register (CPR), SCRA Child Protection Committee reports, numbers of Child Protection Orders from Legal Services, administrative information from Child Protection Admin (Aberdeen City Council),

and other annual statistical information from others such as the Scottish Government and Social Work Scotland. These reports are analysed by the P&QA sub committee in accordance with the updated data framework and scrutiny questions before being reported quarterly to the CPC. The following information is taken from these reports and covers the timescales set out within this report.

Registrations:

Number of Children registered at month end over the last year



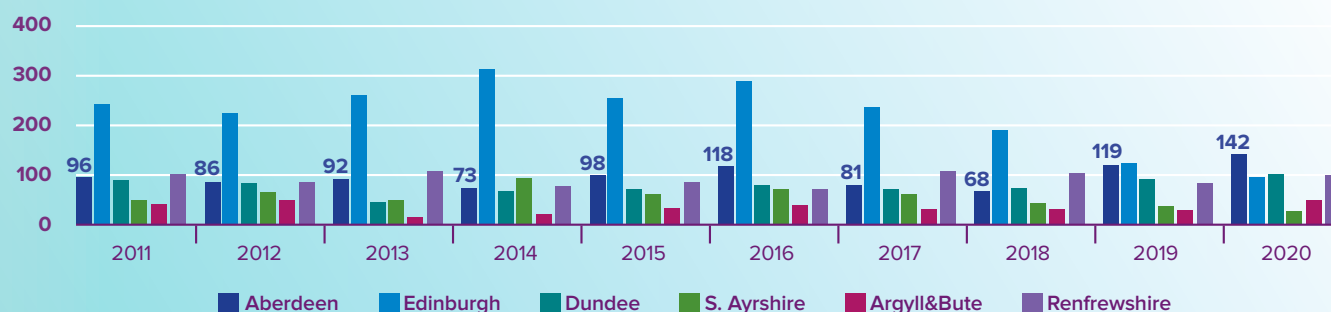
Registration Trends over the last 10 years (as at 31st July)



Number of Registrations per comparative local authority over the last 10 years

(Note comparator authority data is only available to 31.07.20)

Number of Children on CPR
Comparator Local Authorities - Aberdeen City



Length of registrations per month

Duration	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July
0 to 3 months	6	3	5	4	4	3	12	18	22	13	12	14
4 to 6 months	14	13	12	20	22	21	19	22	28	26	25	24
7 to 12 months	59	53	63	60	65	62	63	55	51	47	37	35
13 to 24 months	46	40	38	32	29	25	17	16	15	15	11	10
25 to 48 months	2	2	2	2	2	2	2	2	1	1	0	0
48 months +	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	127	111	120	118	122	113	113	113	117	102	85	83

Age bands of Children on CPR

Duration	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July
0 - 4 years	59	54	55	57	60	45	42	34	40	38	39	38
5 - 10 years	43	38	43	41	43	44	49	52	52	45	32	31
11 - 15 years	20	16	15	14	16	18	14	15	15	14	10	9
16 - 17 years	0	0	0	0	0	3	3	3	2	2	1	1
Unborn	5	3	7	6	3	3	5	9	8	3	3	4
TOTAL	127	111	120	118	122	113	113	113	117	102	85	83

De-Registrations

200 de-registrations in 2020/21 compared to 145 in 2019/20

Duration	Number	Comparator Local Authorities 31.07.20	
0 – 3 months	37	Edinburgh	205
4 – 6 months	42	Dundee	144
7 – 12 months	80	South Ayrshire	55
13 – 24 months	39	Argyll & Bute	46
25 – 48 months	2	Renfrewshire	121
48 months +	0		
Total	200		

Number of De-Registrations per month and duration of registration

Duration	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July
0 to 3 months	1	3	2	1	1	3	0	1	3	10	9	3
4 to 6 months	7	5	4	1	2	1	3	8	5	4	1	1
7 to 12 months	7	9	5	14	4	8	5	8	4	4	10	2
13 to 24 months	3	6	2	6	3	4	8	1	1	0	4	1
25 to 48 months	0	0	0	0	0	0	0	0	1	0	1	0
48 months +	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	18	23	13	22	10	16	16	18	14	18	25	7



Re-Registrations

Number of Re-registrations and number of months between re-registration

(A child is counted as being re-registered if it has had any previous registration history and will appear in the monthly totals until de-registration.)

Duration	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July
0 to 3 months	0	0	1	1	1	1	1	1	1	0	0	0
4 to 6 months	3	3	3	3	3	3	3	3	3	3	0	0
7 to 12 months	4	2	2	1	1	1	2	1	1	1	1	1
13 to 24 months	6	6	7	4	4	3	4	4	3	1	0	0
25 to 48 months	6	6	4	4	4	4	6	3	5	5	5	5
48 months +	10	6	6	6	7	5	5	5	8	8	7	8
TOTAL	29	23	23	19	20	17	21	17	21	18	13	14

- 18% of children has previous registration history, lower than the National average of 20%
- The longest time interval between individual registrations was 11 years 1 month and the shortest 8 months



Concerns Recorded at Case Conference

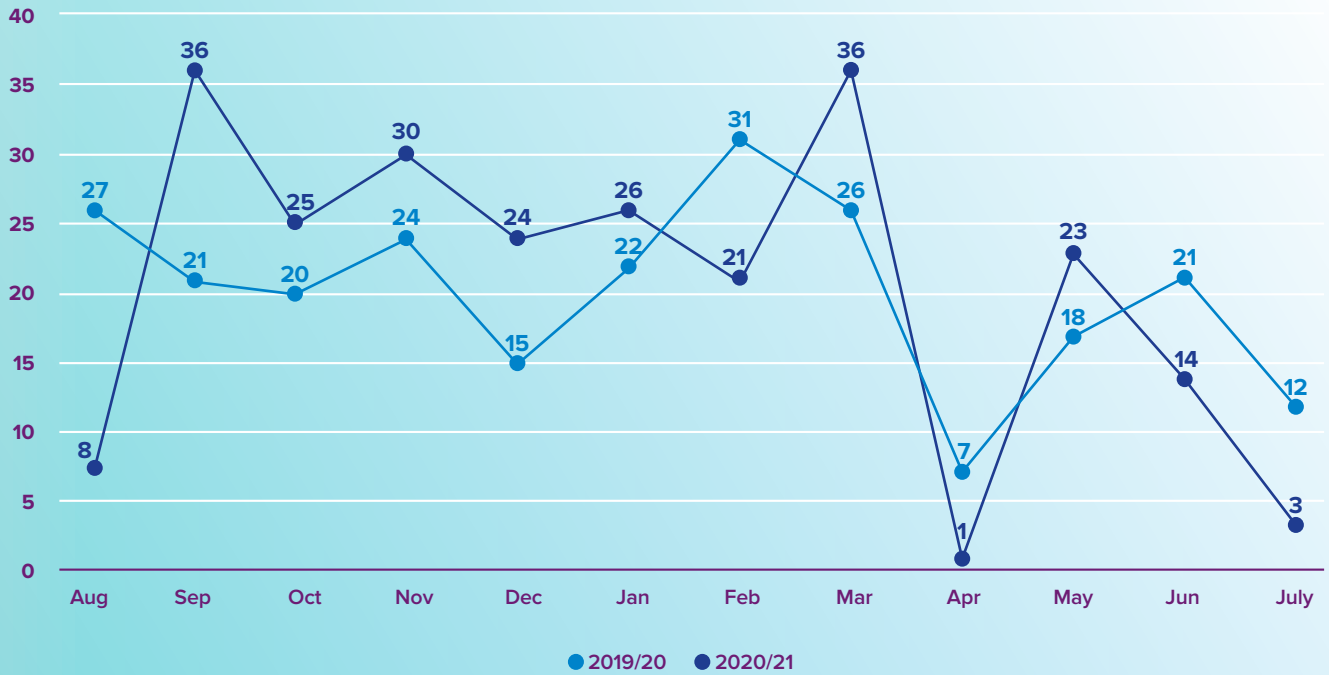
Aberdeen City

Mirrors the most common causes recorded nationally – Emotional Abuse, Domestic Abuse, Neglect, Drugs and Parental Mental Health. Domestic Abuse is above the national average, increasing from Q2 whilst Alcohol, Non-engaging family and Other remain well below.

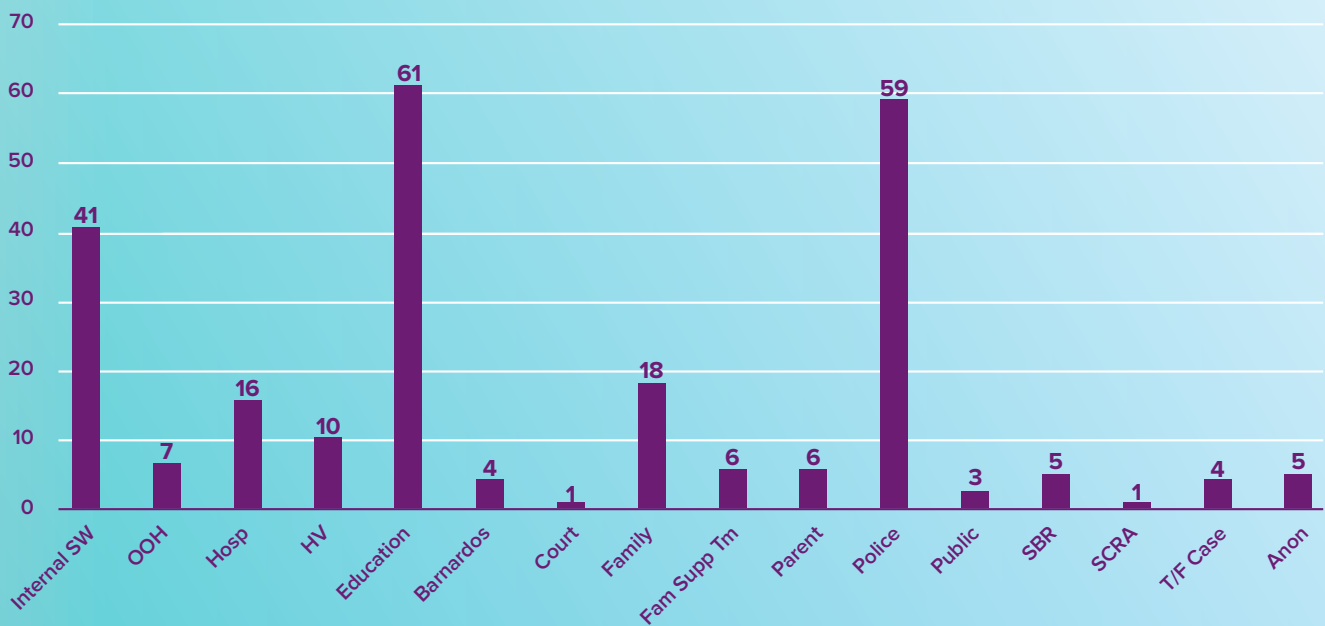
		Q4 (20/21)			Q3 (20/21)			Q2 (20/21)			Q1 (20/21)		
	National	July	June	May	April	Mar	Feb	Jan	Dec	Nov	Oct	Sept	Aug
Number on CPR	2,654	83	85	102	117	113	113	113	122	118	120	111	127
Child Placing Themselves at Risk	3%	2 (2%)	2 (2%)	1 (0.8%)	1 (0.8%)	2 (1.7%)	2 (1.7%)	2 (1.7%)	2 (1.7%)	2 (3%)	1 (0.8%)	1 (0.9%)	2 (1.5%)
C S E	2%	2 (2%)	2 (2%)	1 (0.9%)	1 (0.8%)	2 (1.7%)	2 (1.7%)	2 (1.7%)	2 (1.7%)	2 (3%)	1 (0.8%)	1 (0.9%)	1 (0.7%)
Domestic Abuse	43%	44 (53%)	44 (52%)	54 (53%)	65 (55.5%)	58 (51%)	55 (49%)	55 (49%)	51 (42%)	43 (36%)	42 (35%)	37 (33%)	37 (29%)
Emotional Abuse	39%	30 (36%)	31 (36%)	37 (36%)	45 (38%)	43 (38%)	47 (41.5%)	42 (37%)	39 (32%)	30 (25%)	26 (22%)	26 (23%)	35 (27.5%)
F & D Labour	Included in other	0	0	0	0	0	0	0	0	0	0	0	0
Neglect	42%	29 (35%)	30 (35%)	33 (32%)	35 (30%)	39 (34.5%)	35 (31%)	34 (30%)	37 (30%)	45 (38%)	49 (40%)	41 (37%)	57 (45%)
Non-Engaging Family	23%	2 (2%)	3 (3.5%)	8 (8%)	9 (8%)	10 (9%)	12 (11%)	11 (10%)	13 (10.6%)	13 (11%)	13 (11%)	13 (12%)	13 (10%)
Other Concern	17%	8 (10%)	10 (12%)	10 (10%)	14 (8.5%)	12 (11%)	8 (7%)	8 (7%)	8 (6.5%)	7 (6%)	8 (7%)	8 (7%)	8 (6%)
Parental Alcohol Misuse	23%	4 (5%)	3 (3.5%)	12 (12%)	12 (10%)	14 (12%)	8 (7%)	10 (9%)	10 (8%)	8 (7%)	8 (7%)	5 (4.5%)	7 (5.5%)
Parental Drug Misuse	30%	27 (32.5%)	27 (32%)	28 (27%)	39 (33%)	41 (36%)	40 (35%)	32 (28%)	33 (27%)	28 (24%)	28 (23%)	25 (22.5%)	27 (21%)
Parental MH	39%	22 (26.5%)	22 (26%)	31 (30%)	31 (26%)	31 (27%)	30 (26.5%)	28 (25%)	28 (23%)	27 (24%)	32 (27%)	27 (24%)	31 (24%)
Physical Abuse	19%	19 (23%)	20 (23.5%)	23 (22.5%)	27 (23%)	20 (17%)	18 (16%)	17 (15%)	17 (14%)	12 (10%)	9 (7.5%)	10 (9%)	16 (12.5%)
Sexual Abuse	7%	0 (0%)	1 (1%)	1 (0.8%)	1 (0.8%)	1 (0.8%)	5 (4%)	5 (4%)	12 (10%)	12 (10%)	8 (6%)	8 (7%)	7 (5.5%)
Trafficking	Included in other	0	0	0	0	0	0	0	0	0	0	0	0

Enquiries

A total of 247 enquiries were made by Social Work Teams across the City in the year 20/21.



Source of Referral (original source of referral prior to the CPR enquiry made)



Significant Case Review sub committee

The Significant Case Review (SCR) sub committee meets every two months and has responsibility to carry out Initial Case Reviews (ICR) when a case is referred in using the [Local Operating Procedure for ICR and SCR](#). Once these reviews are completed they are then reported to the CPC and ratified by the COG. If these reviews do not proceed to an SCR the learning is shared with the team around the child and then more widely across the City.

The learning identified is shared in various forms; through multi agency training via the Learning and Development sub committee, learning events hosted in the City, seven part briefings, and learning sessions with those staff directly involved in the cases. Identifying this local learning is crucial to ensuring improvements are made in multi-agency practice and that practitioners have the tools and knowledge required to ensure learning is embedded into practice.

From August 2020 to end of July 2021 the SCR sub committee considered one local review and four national reviews. With reference to the latter, learning from other areas of Scotland was considered and looked at through a local, Aberdeen lens. This is then recorded in the SCR sub committee index and reported to the CPC and the COG detailing what local actions have been taken where required. In relation to the local review, learning from this resulted in the development of new multi agency guidance for professional challenge and reflective discussions, an area which had been identified for improvement. This highlights the emphasis placed locally on learning from cases under review and improving practice. The subsequent briefings and learning events from reviews ensure that we provide our practitioners with the appropriate tools to ultimately improve outcomes for our children and young people.

Latterly, the SCR sub committee were heavily involved and engaged with the work and consultation carried out in relation to the new national process for Learning Reviews which is due to replace the ICR and SCR process. This national review drew on the experience in Aberdeen of being the first area in Scotland to have used the Welsh methodology and given the focus and manner in which reviews are already carried out in Aberdeen, the proposed new process accords well with practice already embedded in the City.

Learning and Development sub committee

The L&D sub committee is well established and comprises of representatives from multi agency children's services. The role of the L&D sub committee is to identify and address areas where multi agency child protection learning will benefit professional's practice across Aberdeen City and help improve outcomes for children and young people.

The multi agency L&D coordinator, in partnership with Aberlour, has designed, developed and is now delivering the second annual multi agency L&D calendar to the multi agency workforce across Aberdeen City. The calendar is delivered in partnership with colleagues in Aberlour and volunteers from Aberdeen City Council (ACC), NHS Grampian, Police Scotland, and Scottish Children's Reporters Association (SCRA). Working together, the L&D sub committee have produced the following courses which are available [here](#):

- Introduction to Safeguarding (e-module)
- Managing, Recording and Sharing Information (e-module)
- Assessing and Planning
- Effective Chronologies
- Risk, Analysis and Thresholds
- Managers Course
- Online Safety and Awareness training
- Child Sexual Exploitation and Child Trafficking
- Domestic Abuse and Child Protection
- Emotional Abuse in Children and Young People
- Neglect
- Parental Resistance
- Female Genital Mutilation (e-module)
- Children Affected by Parental Substance Misuse (e-module)

Between August 2020 and July 2021 the Learning and Development Sub Committee delivered 91 training courses to over 1000 multi agency staff. In addition, over 500 multi agency staff have completed the e-modules on offer. The L&D sub committee continue to explore the best and most appropriate delivery methods to meet the needs of multi agency staff and offer face to face training, virtual training, and online e-module training. The L&D sub committee have a well established and thorough quality assurance process for all training in the form of an online, post training, digital survey and a three month follow up dip sample. This dip sample requires trainers to randomly select three professionals per course, and ask them further in depth questions about the training and its impact on practice. Completing these dip samples allows the L&D sub committee to gather evidence on how the training has improved practice and helped contribute towards improved outcomes for children and young people.

The L&D sub committee also use the data gathered to help identify areas that may require improvement or highlight areas of good practice. The L&D sub committee is assured and confident that the training is having a real impact on helping improve outcomes for children and young people across Aberdeen City. By way of a short example this feedback from a member of staff who attended the Child Sexual Exploitation and Child Trafficking training:

'Before I attended this training I didn't think any of my clients were at risk of exploitation. However, when exploitation was discussed and defined I began to think about a particular young person and the behaviours he has been presenting recently. I began to do more digging into my concerns with him after the training and realised he was a high risk victim of exploitation for potential drug trafficking. He had been hanging around with 3 boys, one of whom sold drugs and another who had gone to prison, but my young person didn't know what he had gone to prison for. This threw up red flags for me and so we completed work on exploitation and healthy relationships (using some of the resources that had been discussed during training) which made a positive impact on his life and we still meet weekly.'

The L&D sub committee presents an annual report to CPC in January to cover the training and quality assurance carried out during the calendar year. The L&D annual report for 2020 can be found [here](#).



Thematic groups

The CPC also has several multi agency thematic groups, including some short life groups, that are responsible for delivering on the priorities set out in the CP Programme. Over the past 12 months they have each progressed specific areas of business:

Exploitation

- Re-named from the previous Child Sexual Exploitation (CSE), Online Safety, and Child Trafficking thematic group with refreshed Terms of Reference approved by the CPC
- In partnership with the L&D coordinator, hosted one online safety and CSE Facebook live events for parents. This event was positively received with 97 engagement comments from members of the public and it has been viewed nearly 5000 times
- Specific multi agency guidance on Child Trafficking now launched and revisions to the various CSE guidance now underway
- The development of a specific CSE dataset which reports directly to the P&QA sub committee. A huge achievement and this work continues as we look to refine this dataset and incorporate it into the overall CPC data framework.
- Delivery and quality assurance of CSE, Child Trafficking, and Online Safety packages for all staff, in partnership with the L&D sub committee
- Regular reporting on trafficking incidents are fed into this group to ensure any learning can be quickly shared to help improve practice

Neglect

- Now re-established as a result of the joint Neglect audit and will progress the recommendations identified from the audit
- Development and dissemination of learning identified from local case reviews
- Support the delivery of the QAF
- In partnership with the L&D coordinator, the delivery of multi agency Neglect training through the L&D sub committee

Strength based practice

- As highlighted in our inspection strength based practice is recognised as embedded in practice in Aberdeen City. The CPC are confident a variety of approaches to meet families and professionals need continue to develop. Digital approaches to case conferences have been successful and will continue with partners working together to identify and build on the improvements made
- As highlighted in 2019 the CPC aimed to adopt a strength based practice approach across all agencies and services in Aberdeen City, with a focus on child protection work. This continues in day to day practice and now includes the Aberdeen Young Persons Rights Service. As such, this thematic group was brought to an end by the CPC in December 2020 to allow focus and progression on other priorities

Missing Children

- Review and update of all single and multi agency policies
- After the launch of the overarching Missing Person Protocol across Aberdeen City, and as part of the National Missing Persons Framework, work is underway in collaboration with the Missing People charity to review and improve return home discussions
- This work also involves the mapping of the journey of children and young peoples who go missing across Aberdeen city. This will identify potential local improvements and highlight areas of good practice

Child Protection and Domestic Abuse

- Review and update of single and multi agency guidance
- Together with the Aberdeen Violence Against Women Partnership, the development and planning in relation to Equally Safe outcomes as part of a joint bid across Aberdeen City strategic partnerships
- In partnership with the L&D coordinator, the ongoing quality assurance of multi agency Domestic Abuse training

Vulnerable 16 and 17 year olds

- Child Protection in relation to this age group is well established and there is extensive interface with Children Services Board (CSB)
- Reviewing publication of the Independent Care Review in February 2020 which was of the CPC development day
- Given the connections with the specific stretch outcomes in the LOIP and the responsibilities of the CSB where partners share a Corporate Parenting responsibility, this thematic group was brought to an end in March 2021 with the CPC satisfied that arrangements for child or adult protection for this age grouping are long established, and well understood by the professional workforce

Development Days

The CPC held its annual development day in October 2020 and an additional development day in May 2021. This format of two development days throughout the year was agreed to allow more time for collaborative multi agency discussion out with the quarterly meetings. These two development sessions focussed on the following:

October 2020

- Summary of annual data progression and developments through COVID-19
- CPC Annual Data Summary
- Children (Equal Protection from Assault) (Scotland) 2019 –national update and local multi agency guidance
- National Learning Review guidance – introduction and consultation feedback
- Preventing Sexual Offending Involving Children and Young People

This development day was supported by national colleagues; Dr Alex McTier from CELCIS who attended to support the data delivery session and Barbara Firth, Independent Reviewer, who helpfully provided a useful introduction and insight into the revised national guidance on learning reviews currently being developed.

May 2021

- The Promise
- CPC Risk Register
- CP Programme 2019 – 2024 and future priorities

This development day focussed on what the CPC delivers locally and was supported by an input from the Chief Social Work Officer, Graeme Simpson, in relation to the Promise and how the CPC can support this work. At this development day the CP Programme 2019 – 2021 was officially signed off by the CPC and work on the CP Programme 2021 – 2024 started.

These development days involve all members of the CPC, sub committees, thematic groups, and representation from the COG. It provides the opportunity to review progress and feedback on quality assurance. These development sessions offer the opportunity to further enhance strategic planning with other Aberdeen City partnerships including the AVAWP, ADP, and APC. This means that child protection is seen alongside the wider context of supporting families and meeting children's needs. It ensures that partners are aligned in their aims, priorities and delivery of improvements as set out in the Child Protection Programme and the LOIP.

Communication

Since the beginning of 2020 and as part of the wider CPC communications regular weekly messages are shared with the public using the various social media platforms utilised by Aberdeen City Council (ACC), NHS Grampian, and Police Scotland. These messages relate to national and local priorities contained within the Child Protection (CP) Programme 2019-2021.

In addition to this, and the work of the sub committees and thematic groups in relation to communication across Aberdeen City, we continually update our CP webpages on the multi agency gettingitright website. The CP webpages can be found here and are regularly updated with policies, procedures, general practitioner information for all multi agency staff, and of course public information.

Child Protection Partnership

The [Child Protection Partnership](#) (CPP) is a North East Partnership hosted by Aberdeen City. The CPP consists of the three Lead Officers from Moray, Aberdeenshire and Aberdeen City CPCs. The Child Protection Register (CPR) team are part of the CPP and consist of a Team Leader and two part time staff.

The Child Protection Partnership have an overview of child protection activity on a North East basis. This is a forum where information can be shared and priorities progressed collaboratively on a North East basis. The partnership is underpinned by these principles of equivalence and collaboration; and requires input and connectivity from the three CPC areas, with specific roles being shared such as chairing and arrangement of CPP meetings, leading on events, and carrying out any necessary actions in relation to the CPR.

The CPP have four main areas of business:

- To manage the North East CPR on behalf of each CPC – carried out by the CPR team
- To develop, deliver, and evaluate bespoke North East workforce development events and conferences based on identified need from the CPCs – carried out by the identified CPC lead
- To manage and administer the CPP website – carried out by the CPR Team Leader on behalf of the CPP
- To ensure that Joint Investigative Interview (JII) Training is being delivered and quality assured across the North East – carried out by the North East JII working group on behalf of the CPP

The CPR is an administrative process for alerting workers to the fact that there is sufficient professional concern about a child to warrant a multi agency child protection plan. Placing a child's name on the Register does not in itself protect a child; protection comes from the multi agency child protection plan.

The Joint Investigative Interview training is coordinated by the Grampian Joint Investigative Interview Group which is chaired by Police Scotland. This group ensures that select staff in Police and Social Work are adequately trained to deliver this essential element of child protection in Aberdeen City. Coordination meetings are held quarterly as well as an annual business meeting. The Grampian Joint Investigative Interview Group report to the CPP and are currently working on establishing a standard process for quality assuring these interviews. There is also a national

pilot underway looking at how the JII process can be standardised and accredited across Scotland using the new Scottish Child Interview Model (SCIM). This first pilot is yet to finish and updates will be provided to the CPP in due course. The CPC are supporting the work taking place across the North East to begin preparations for SCIM.

The CPP has hosted several events over the past 12 months including:

- Childhood Trauma and Adversity Part 1 and Part 2, delivered in September 2020
- Hidden Harm – Effective home visits, delivered in December 2020
- Contextual Safeguarding, delivered in April 2021
- National Risk Framework Part 1 and Part 2, delivered in May 2021
- Integrating the Disintegrated, delivered in June 2021

These events were hosted by the CPP reaching over 1300 multi agency staff across the North East and delivered by various national experts in these fields. The events were well received and this feedback was obtained by routine evaluation of these events. More information and the recorded sessions can be found on the CPP website linked above.

The impact of the COVID-19 pandemic

In March 2020 the world was hit by the coronavirus pandemic and many restrictions were put in place by governments. Some of these restrictions have significantly relaxed as a result of vaccines but lighter restrictions are still in place in Aberdeen City as of July 2021. This pandemic has presented many challenges for children's services and agencies across Scotland.

Throughout 2020 the CPC moved quickly from normal quarterly meetings to meeting every 4 weeks to give adequate time and opportunity to work through the challenges of the pandemic on a multi agency basis. The CPC have worked through supplementary guidance published by Scottish Government, continually reviewed and updated the CPC Risk Register to take account of the challenges posed by the pandemic, and ensured the public and multi agency staff have been kept updated through the CP webpages and services social media accounts. These key areas are ongoing pieces of work and will continue to be updated as required.

As demonstrated throughout this report the CPC continued to deliver on its responsibilities during the pandemic which is testament to the commitment and dedication of the members of the CPC, connected partnerships, and all those working to support children, young people and their families across the city

'Hidden harm' is harm or abuse that is obscured from public view. At the outset of the COVID-19 pandemic the issue of hidden harm was flagged as a potential significant vulnerability factor that would challenge agencies ability to support vulnerable individuals/families. Universal services and other partners are responsible for identifying concerns about individuals. However, for those not already known to specialist services, the closure of schools, and community health services delivering some services on a virtual basis, limited some of the engagement with children,

young people and their families. Throughout this pandemic multi agency staff adapted to provide both direct face to face support and utilise digital means of communication and this was underpinned by a risk based framework. The establishment of "Fit Like" hubs also went some way to providing support to children and young people with known wellbeing vulnerabilities but not known to social work.

This report has acknowledged that the complexity of data collection and analysis with key information provided specifically in relation to COVID-19. The pandemic has shone a light on the existing data systems within services and agencies represented on the CPC that do not easily 'speak' to each other. As a consequence, sharing relevant data in relation to children and families can be very labour intensive and often complex. However, the CPC does benefit from the well established P&QA sub committee who provide multi agency data and information for the consideration of the CPC.

The longer term consequences of the pandemic will become clear over the coming years and CPC remains committed to ensuring the safety and wellbeing of children, young people, and their families across Aberdeen City.

Finance and resource

The CPP activities and staffing costs are funded by Aberdeen City Council, Aberdeenshire Council and NHS Grampian each contributing 26%, and Police Scotland and the Moray Council each contributing 11% of the total annual cost.

Aberdeen City COG comprising the statutory agencies (ACC, NHS and Police Scotland) determine the budget and resource for the ongoing work of the City CPC. This is required to meet staff costs, CPP contribution costs and anticipated local expenditure to carry out the child protection work which includes learning reviews, priorities identified in this report and the CP Programme 2019-2021. The staffing complement for Aberdeen City CPC is the Independent Chair, Lead Officer, and multi agency L&D coordinator.

Conclusion

This seventh annual report of Aberdeen City CPC celebrates the significant developments and improvements over 2020 and 2021. It highlights the commitment of agencies and services to address current and emerging issues in order to continue to improve services for the protection of children and young people from all forms of abuse, neglect or exploitation.

This report has demonstrated the continued impact of COVID-19 but also outlines the progress and continued improvement made by all children's services in what has undoubtedly been the most unprecedented and challenging period yet for our children, our families, and our communities. The aims and priorities of the CPC for the year ahead are outlined in the upcoming CP programme 2021 – 2024 which directly aligns to the Promise and describes how and when these improvements will be achieved.



Services for Children and Young People in Aberdeen City Child Protection Programme January 2019 – December 2021



Aberdeen City Child Protection Committee

Aberdeen City Child Protection Committee (CPC) is a multi-agency strategic partnership governed by the Chief Executive Officers of Aberdeen City Council, NHS Grampian and the Police Commander for the area. It is committed to providing individual and collective leadership and direction for the management of child protection services in the Aberdeen City area. Improvements are driven through the Child Protection Programme.

The CPC works alongside Integrated Children's Services in Aberdeen to ensure that improvement areas are aligned. In this way we ensure the best and most effective use of resources. The CPC also aims to work collaboratively with other strategic partnerships in the City such as Aberdeen Violence Against Women Partnership (particularly in relation to child protection and domestic abuse), Adult Protection Committee, Multi Agency Public Protection Arrangements (MAPPA) and the Alcohol and Drugs Partnership.

Improvement activity is reported to and monitored by the CPC and an Annual Report is made widely available across agencies.

Child Protection Programme: 2019 – 2021

Our Aims

The Child Protection Programme aims to improve the safety, wellbeing and life chances of vulnerable children and young people. As a partnership we achieve this by

- *recognising and responding when children and young people need protection*
- *helping children and young people stay safe, healthy and, for those who have experienced abuse and neglect, to recover from their experiences and*
- *providing strong and effective collaborative leadership to deliver the Child Protection Programme*

The Child Protection Programme includes the improvement activity identified by

- Local self-evaluation through data analysis, case file auditing and the collaboration of multi agency professionals in the City,
- National initiatives driven by legislation and other Scottish Government priorities and
- Local priorities identified in the Local Outcomes Improvement Plan.

Our Priorities in the Programme 2019 – 2021

- *Strength Based Practice and Participation of children, young people and families in child protection processes*
- *Cumulative Neglect*
- *On-line Safety, Child Sexual Exploitation and Child Trafficking*
- *Child Protection and Domestic Abuse*
- *Vulnerable 16-17 Year Olds and Missing Children*
- *Emotional Abuse*
- *Equality, Diversity, and Inclusion (including Female Genital Mutilation, Ethnicity, LGBT+, Prevent, Forced Marriage) and Disability in the field of Child Protection*

This programme will be delivered on a phased basis as this ensures better embedding of improvements in practice as well as realistically enabling us to deliver on the programme with the resources available. It is acknowledged that, whilst this is a comprehensive programme, it requires to be sufficiently flexible to be adjusted as needs arise, such as from the findings of case reviews, audits, joint inspections as well as developing areas identified in the LOIP or by Integrated Children's Services.

Priorities	Responsible	Start	Finish	2019				2020				2021			
				Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Strength Based Practice and Participation	Children's SW	01/01/2019	01/07/2021	[Teal bar from Q1 2019 to Q3 2021]											
Cumulative Neglect	NHS Grampian	01/01/2019	01/07/2021	[Teal bar from Q1 2019 to Q3 2021]											
Online Safety, CSE and Child Trafficking	Education Services	01/01/2019	01/07/2021	[Teal bar from Q1 2019 to Q3 2021]											
Vulnerable 16-17 year olds	Third Sector	01/10/2020	30/12/2021	[Teal bar from Q4 2020 to Q4 2021]											
Missing Children	Third Sector	01/01/2019	29/11/2019	[Teal bar from Q1 2019 to Q4 2019]											
Emotional Abuse	Children's SW	01/01/2019	01/07/2021	[Teal bar from Q1 2019 to Q3 2021]											
Child Protection and Domestic Abuse	Police Scotland	01/01/2019	31/12/2021	[Teal bar from Q1 2019 to Q4 2021]											
Equality, Diversity, and Inclusion (Including FGM, ethnicity, LGBT+, Prevent and Forced Marriage) and Disability in the field of Child Protection	SCRA	01/01/2019	31/12/2021	[Teal bar from Q1 2019 to Q4 2021]											

All improvement priorities are a multi-agency responsibility and sit collectively with the agencies and members of the CPC. However, each area of priority will be led by one agency as indicated above.

PROSPEROUS PEOPLE: CHILDREN
Child Protection Programme
January 2019 - 2021

Stretch Outcome Aim	Key Drivers	Improvement project aim	Key Improvement Measures	Responsibility	Progress update
At all times to recognise and respond when Children and Young People need protection from significant harm or abuse	<p>By 2020, to have improved multi agency recognition and response to indicators of cumulative neglect.</p> <p>Source: <i>Local Initial Case Reviews</i> <i>National SCRs</i> <i>CPR data</i> <i>CPIP</i> <i>CPC Dev Day 2017 Priority 1</i> <i>Case File Audit 2017</i> <i>LOIP</i></p> <p>Led on behalf of the CPC by: Lead Nurse, Child Protection, NHS Grampian</p>	<p>To develop and disseminate multi-agency Neglect Strategy and Practice Guidance</p> <p>To increase professional understanding and confidence of the current theory and practice around Neglect through multi agency Learning & Development Conferences</p> <p>To involve multi agency practitioners in the identification and development of outcome measures</p> <p>To further develop single and multi agency Learning & Development on Cumulative Neglect with a focus on impact and outcomes for children</p>	Numbers on the Child Protection Register (CPR) under the category of Neglect	Children's Social Work (CSW): Keeper of the CPR	Reported quarterly to CPC
			Reregistration of children on the CPR where Neglect remains a concern	CSW: Keeper of the CPR	Reported quarterly to CPC
			Numbers of multi agency meetings where Neglect is the predominant issue	ICSB: GIRFEC group	Carried forward
			Numbers of Notifications for ICR/SCRs where Cumulative Neglect is the predominant cause for referral	CPC: Chair of the SCR Sub Committee	Reported quarterly to CPC
			Percentage of files where Child's Plans and Chronologies effectively identify and address cumulative Neglect – multi agency case file audit	CSW: Lead Service Manager	QAF -NRF audit 2021
			To ascertain that professionals better recognise and respond to indicators of cumulative neglect in accordance with local child protection procedures and guidance	CPC: Chair of L&D Sub Committee	Training and QA reported quarterly to CPC

Stretch Outcome Aim	Key Drivers	Improvement project aim	Key Improvement Measures	Responsibility	Progress update
	<p>By 2021, to have improved multi agency recognition and response to the child protection implications of domestic abuse and coercive control</p> <p>Source: CPR data SCRA data Dev Day 2017 Priority 4 Multi-agency File auditing CPIP LOIP</p> <p>Led on behalf of the CPC by: DCI, Public Protection Unit, Police Scotland</p>	<p>To develop and disseminate multi-agency Child Protection and Domestic Abuse & Coercive Control Practice Guidance reflecting the Safe & Together approach</p> <p>To increase professional understanding and confidence of the current theory, practice and legislation around Domestic Abuse and Coercive Control</p> <p>To further develop single and multi agency L&D on Domestic Abuse and Coercive Control with a focus on impact and outcomes for children in partnership with the AVAWP</p>	<p>Numbers on the CPR under category of domestic abuse and coercive control</p> <p>Numbers of Reregistration of children on the CPR where domestic abuse and coercive control remains a concern</p> <p>Numbers of multi agency meetings where domestic abuse and coercive control is the predominant issue</p> <p>Numbers of referrals to SCRA where domestic abuse is a ground for referral</p> <p>Percentage of files where Child's Plans and Chronologies effectively identify and address domestic abuse and coercive control</p> <p>Reduce numbers of children removed from parental care where domestic abuse and coercive control is a significant concern (reflecting Safe & Together approach)</p> <p>To ascertain that professionals better recognise and respond to the child protection implications of domestic abuse and coercive control in accordance with local child protection procedures and guidance</p> <p>Numbers of cases involving children considered in MARAC, MATAC and MAPPA processes</p> <p>Numbers of individuals with a court disposal requiring participation in the Caledonian project</p>	<p>CSW: Keeper of the CPR</p> <p>CSW: Keeper of the CPR</p> <p>GIRFEC group</p> <p>SCRA: Area Reporter Manager</p> <p>CPC: Chair of Performance & QA Sub Committee</p> <p>CSW: Lead Service Manager</p> <p>CPC: Chair of L&D Sub Committee</p> <p>Police Scotland: DCI rep on CPC</p> <p>Police Scotland: DCI rep on CPC</p>	<p>Reported quarterly to CPC</p> <p>Reported quarterly to CPC</p> <p>Carried forward</p> <p>Reported quarterly to CPC</p> <p>QAF - NRF audit 2021</p> <p>Carried forward</p> <p>Training and QA reported quarterly to CPC</p> <p>Data reporting being established by VAWP</p> <p>Data reporting being established by VAWP</p>

Stretch Outcome Aim	Key Drivers	Improvement project aim	Key Improvement Measures	Responsibility	Progress update
	<p>By 2020, to have improved multi agency recognition and response to the child protection implications of emotional abuse</p> <p>Source: CPR M-A Audit 2017</p> <p>Led on behalf of the CPC by: Lead Service Manager, Children's Social Work</p>	<p>To develop a consistent professional understanding of Emotional Abuse across the partnership in Aberdeen City commencing with L&D event April 2019</p> <p>To address Emotional Abuse in all Child's Plans where registration has included this category</p> <p>To routinely QA the effectiveness of interventions outlined in Child's Plans to address emotional abuse</p>	<p>Numbers on the CPR under category of Emotional Abuse</p> <p>Reregistration of children on the CPR where Emotional Abuse remains a concern</p> <p>Numbers of multi agency meetings where Emotional Abuse is the predominant issue</p> <p>Percentage of files where Child's Plans and Chronologies effectively identify and address Emotional Abuse</p> <p>Multi agency training to be developed for staff in relation to emotional abuse and quality assurance measures put in place to measure impact on staff confidence and practice</p>	<p>CSW: Keeper of the CPR</p> <p>CSW: Keeper of the CPR</p> <p>GIRFEC Group</p> <p>CSW: Lead Service Manager</p> <p>CPC: Chair of L&D Sub Committee</p>	<p>Reported quarterly to CPC</p> <p>Reported quarterly to CPC</p> <p>Carried forward</p> <p>QAF - NRF audit 2021</p> <p>Training and QA reported quarterly to CPC</p>

Stretch Outcome Aim	Key Drivers	Improvement project aim	Key Improvement Measures	Responsibility	Progress update
	<p>By 2021, to have improved multi agency recognition and response to equality, diversity and inclusion. This includes: FGM, LGBT+, Prevent, Forced Marriage and Disability in the field of child Protection</p> <p>Source: SCR CPR data Dev Day priorities 8, 9 National priority</p> <p>Led on behalf of the CPC by: Area Reporter Manager, SCRA</p>	<p>To ascertain the local statistical picture in comparison to national data in relation to the various issues identified</p> <p>To increase professional understanding and confidence of the current theory, practice and legislation around CP and Disability</p> <p>To draw upon the national consultation on the FGM statutory position</p> <p>To research the approach of other LA areas in relation to Prevent</p> <p>To ensure that child protection procedures are followed equally and consistently across all children and young people regardless of gender, ethnicity, sexuality, disability, religion or culture</p>	<p>Numbers on the CPR identifying disability, FGM, LGBT+, Prevent, and Forced Marriage</p> <p>Numbers of multi agency meetings where child protection concerns relate to disability, FGM, LGBT+, Prevent or Forced Marriage</p> <p>To ascertain that professionals better recognise and respond to indicators of disability, FGM, LGBT+, Prevent and Forced Marriage in accordance with local child protection procedures and guidance</p> <p>Multi agency case file audit specifically for these themes</p> <p>Multi agency training to be developed for staff in relation to these themes and quality assurance measures put in place to measure impact on staff confidence and practice</p>	<p>CSW: Keeper of the CPR</p> <p>ICSB: GIRFEC Group</p> <p>CPC: Chair of Performance & QA Sub Committee</p> <p>CPC: Chair of Performance & QA Sub Committee</p> <p>CPC: Chair of L&D Sub Committee</p>	<p>Reported quarterly to CPC</p> <p>Carried forward</p> <p>Reported quarterly to CPC supported by the L&D sub committee</p> <p>Carried forward</p> <p>Training and QA reported quarterly to CPC</p>

Stretch Outcome Aim	Key Drivers	Improvement project aim	Key Improvement Measures	Responsibility	Progress update
<p>At all times to help children and young people stay safe, healthy and, for those who have experienced abuse and neglect, to recover from their experiences</p>	<p>By 2020, to have improved professional, family and young people's awareness, knowledge and skills to safeguard, protect, and recover from the abuse and harm of Online Safety, CSE and child trafficking</p> <p>Source: <i>National priority (CPIP)</i> <i>Legislative priority</i> <i>Local CSE action plan</i> <i>Dev day priorities 5 and 10</i></p> <p>Led on behalf of the CPC by: Chief Education Officer, Aberdeen City Council</p>	<p>To develop and disseminate multi-agency Practice Guidance in relation to Child Trafficking</p> <p>To signpost professionals, families and young people to key messages in relation to Online Safety</p> <p>To increase young people's knowledge and confidence in keeping themselves safe on line</p> <p>To improve our single agency reporting and multi-agency analysis of data in relation to CSE, child trafficking, on- line safety</p>	<p>Numbers on the CPR under categories of CSE, Trafficking, Sexual Abuse and Child Placing Self at Risk</p>	<p>CSW: Keeper of the CPR</p>	<p>Reported quarterly to CPC</p>
			<p>Reregistration of children on the CPR where CSE, Trafficking, Sexual Abuse or Child Placing Self at Risk remains a concern</p>	<p>CSW: Keeper of the CPR</p>	<p>Reported quarterly to CPC</p>
			<p>Numbers of multi agency meetings where CSE, Trafficking, Sexual Abuse is the predominant issue and recovery services are involved in future planning</p>	<p>ICSB: GIRFEC Group</p>	<p>Carried forward</p>
			<p>Numbers of Notifications for ICR/SCRs where CSE, Trafficking, Sexual Abuse or Child Placing Self at Risk is the predominant cause for referral</p>	<p>CPC: Chair of the SCR Sub Committee</p>	<p>Reported quarterly to CPC</p>
			<p>Numbers of VPDs where CSE, child trafficking or online abuse is an identified concern</p>	<p>Police Scotland: DCI rep on CPC</p>	<p>CSE dataset being established by CSE/OS/CT thematic group</p>
			<p>Numbers for convictions or other disposals for offences against children for CSE, child trafficking or online abuse</p>	<p>Police Scotland: DCI rep on CPC</p>	
			<p>To ascertain that professionals better recognise and respond to indicators of CSE, Trafficking, Sexual Abuse or Child Placing Self at Risk in accordance with local child protection procedures and guidance</p>	<p>CPC: Chair of Performance & QA Sub Committee</p>	<p>Reported quarterly to CPC</p>
			<p>Multi agency training to be developed for staff in relation to these themes and quality assurance measures put in place to measure impact on staff confidence and practice</p>	<p>CPC: Chair L&D Sub Committee</p>	<p>Reported quarterly to CPC</p>

Stretch Outcome Aim	Key Drivers	Improvement project aim	Key Improvement Measures	Responsibility	Progress update
	<p>By 2019, to have improved partnership processes and responses to the vulnerabilities of 16-17 year olds and all young people who go missing</p> <p>Source: <i>National priority</i> <i>CPIP</i> <i>Local data</i> <i>National SCRs</i></p> <p>Led on behalf of the CPC by: Assistant Director, Barnardo's</p>	<p>To issue and embed multi agency guidance for all agencies in relation to vulnerable 16-17 Year Olds</p> <p>To issue and embed multi agency guidance to supplement existing provision where Young People go missing</p> <p>Improved identification of vulnerable 16/17 years olds who go missing and improve the provision of services once identified</p>	<p>Professionals demonstrate an awareness and understanding of their role and responsibilities in relation to</p> <ul style="list-style-type: none"> -Vulnerable 16-17 year olds and -Young people who go missing <p>Responsible CPC Thematic groups will identify data sets to demonstrate implementation of these Guidance documents</p> <p>Missing person Champion to be identified within the partnership</p>	<p>CPC: Chair of L&D Sub Committee</p> <p>CPC: Chair of Performance & QA Sub Committee</p> <p>ICSB: Chair of Corporate Parenting Group</p>	<p>Concluded in CPC report March 2021</p> <p>Missing Person guidance developed and launched March 2020</p> <p>Missing Person Champions have been identified in Education, NHSG, and Police Scotland</p>

Stretch Outcome Aim	Key Drivers	Improvement project aim	Key Improvement Measures	Responsibility	Progress update
At all times to provide strong and effective collaborative leadership to deliver the Child Protection Programme	<p>By 2021, to have adopted a strength based and participatory approach to child protection practice across the partnership in Aberdeen City</p> <p>Source: CPIP M-A Audit 2017 Local ICRs</p> <p>Led on behalf of the CPC by: CSWO, Aberdeen City Council</p>	Further develop a model of child protection case conference which is strength based and participatory	Number of child protection case conferences utilising a strength based approach	CSW: Child Protection Admin Officer (CP Admin)	To be provided quarterly to CPC
		All services to have a consistent understanding of strength based practice in Aberdeen City in relation to working with families	Increase parental attendance at case conferences	CSW: CP Admin	To be provided quarterly to CPC
		All professionals to demonstrate a strength based approach to information sharing, risk assessment and professional challenge	Increased participation by families in the planning and implementation of the child's plan to reduce risk	CSW: CP Admin	To be provided quarterly to CPC
		All services to have a consistent understanding and application of participatory practice in working with children, young people and families involved in child protection processes	Increased feedback from children, young people, families and carers involved in the child protection process	CSW: CP Admin	To be provided quarterly to CPC
		To routinely Quality Assure child protection case files	Increased understanding and confidence across the multi agency workforce to delivering a strength-based approach to practice including information sharing, risk assessment and professional challenge	CPC: Chair of Performance & QA Sub Committee	Concluded in CPC report December 2020
			Quality Assurance of case conferences	CSW: Lead Service Manager	QAF - Carried forward
			Percentage of files which demonstrate a strength based and participatory approach with children, young people and families	CPC: Chair of Performance & QA Sub Committee	Concluded in CPC report December 2020
			To ascertain that families have been included in the child protection processes involving them		

Stretch Outcome Aim	Key Drivers	Improvement project aim	Key Improvement Measures	Responsibility	Progress update
	<p>To have learning and development opportunities available to all professionals in order to support the aims of this programme</p> <p>Source: <i>National Guidance</i></p> <p>Led on behalf of the CPC by: Chair of the L&D Sub Committee</p>	<p>Ensuring appropriate multi agency child protection Learning and Development opportunities are available to all professionals</p>	<p>Training Needs Analysis and L&D programme overseen by CPC Learning & Development Sub Committee</p> <p>Annual report to CPC</p>	<p>CPC: Chair of L&D Sub Committee</p> <p>CPC: Chair of L&D Sub Committee</p>	<p>Reported quarterly to CPC</p> <p>To be provided every January</p>
	<p>Throughout this programme, 2019 to 2021 (and beyond), to work collaboratively with other strategic partners in order to ensure ongoing strategic development and continuous improvement of our child protection services.</p> <p>Source: <i>Scottish Govt CPIP</i> <i>National Guidance</i></p> <p>Led on behalf of the CPC by: Chair of the CPC</p>	<p>Ensuring proactive engagement with</p> <ul style="list-style-type: none"> the Scottish Government's Child Protection Improvement Programme CELCIS programme of child protection improvement, including data set, neglect and case review model CPC Scotland and other national groups <p>Ensuring this programme is understood and annually reviewed by strategic leaders across agencies with responsibility for child protection</p> <p>Ensuring effective links with ADP, APC, AVAWP, MAPPA and ICSB</p>	<p>Demonstrable links between Aberdeen City's improvement programme and current and emerging</p> <ul style="list-style-type: none"> legislative changes policy changes National improvement programme <p>Demonstrable interface with the other strategic partnerships through</p> <ul style="list-style-type: none"> The COG Joint Independent Chair of CPC and APC Membership links Multi agency attendance at CPC events <p>Annual CPC Development Day and CPC Annual Report</p>	<p>CPC: Chair of CPC</p> <p>CPC: Chair of CPC</p> <p>CPC: Chair of CPC</p>	<p>Reported quarterly to CPC</p> <p>First strategic interface meeting took place in June 2020, this will now take place on a bi monthly basis</p> <p>Reported annually to CPC</p>



If you are concerned about the safety of a child in Aberdeen, call

- **01224 306877 (Joint Child Protection Team)**
- **101 (Police Scotland)**
- **0800 731 5520 (Reception Team and Emergency Out of Hours)**

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	7 December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	New National Guidance for Child Protection in Scotland 2021 and New National Guidance for Child Protection Committees undertaking Learning Reviews 2021
REPORT NUMBER	ACHSCP/21/310
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Graeme Simpson, Chief Social Work Officer and Vice Chair of the Child Protection Committee
REPORT AUTHOR	Kymme Fraser
TERMS OF REFERENCE	1.1

1. PURPOSE OF REPORT

- 1.1 To introduce to the Committee the new National Guidance for Child Protection in Scotland 2021 and new National Guidance for Child Protection Committees undertaking Learning Reviews 2021 and to provide assurance that the Child Protection Committee will identify, implement and monitor any areas requiring local development.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 notes the new National Guidance for Child Protection in Scotland 2021;
- 2.2 notes the new National Guidance for Child Protection Committees undertaking Learning Reviews 2021; and
- 2.3 notes that the Child Protection Committee (CPC) is considering the National Guidance for Child Protection in Scotland 2021 and National Guidance for Child Protection Committees undertaking Learning Reviews 2021 and that any areas requiring local development will be identified and incorporated into local planning overseen by the CPC.

3. BACKGROUND

3.1 National Guidance for Child Protection in Scotland 2021

This non-statutory national Guidance was published on 2 September 2021 with an expectation that Child Protection Committees consider and implement any local areas for improvement within an 18-month timeframe. The Guidance supersedes the previous National Guidance for Child Protection in Scotland 2014. The new Guidance describes responsibilities and expectations for all involved in protecting children in Scotland. The Guidance outlines how statutory and non-government agencies should work together with parents, families and communities to prevent harm and to protect children from abuse and neglect. It emphasises that everyone has a role in protecting children from harm.

The 2021 Guidance builds on the structure of the 2014 Guidance although all sections are revised and supplemented. Children's rights and human rights underpin the whole. The modern emphasis is on early, attuned, trauma-informed and sufficiently sustained support whether a child remains at home or at an alternative secure home base when this is not possible. Real engagement with children and their families in the child protection process is an expectation.

The CPC is undertaking analysis of the new Guidance which it will consider at its development sessions and at quarterly meetings. An initial appraisal indicates that local practice is already aligned with the new Guidance or, where it is not, has already been anticipated in its strategic planning through the Child Protection Improvement Programme. The CPC will identify, implement and monitor any areas requiring local development.

3.2 National Guidance for Child Protection Committees undertaking Learning Reviews 2021

This Guidance is aligned to the National Guidance for Child Protection and was also published on 2 September 2021. It is intended to support child protection committees to reflect, learn and improve child protection systems and practice when a child or young person dies, is significantly harmed, or was at risk of death or significant harm or where effective practice has prevented harm or risk of harm.

This guidance replaces the National Guidance for Child Protection Committees – Conducting a Significant Case Review (2015). All references to 'Initial Case Review' and 'Significant Case Review' in other current policy and guidance documents will be understood as referring to a 'Learning Review' as defined by this new guidance. Locally we intend to refer to reviews in such circumstances as "Significant Learning Reviews" to avoid the potential confusion with any other sort of learning review.

Locally we have a well-established process for conducting such reviews. A Significant Case Review undertaken by Aberdeen City CPC in 2018 utilised the Welsh Methodology upon which the new National Guidance for Learning Reviews has been based. Such reviews are undertaken on behalf of the CPC by its Significant Case Review (now Significant Learning Review) Sub Committee. The SLR Sub Committee is undertaking analysis of the new Guidance and ensuring our local procedures and associated documentation are compliant. The SLR Sub Committee have already conducted a Significant Learning Review using the new Guidance and documentation, the findings of which will be reported to the next meeting of the CPC in December 2021.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from this report.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	Many of the requirements of the new National Guidance documents are already in place in practice in the City. Other areas are already incorporated into strategic planning. It is expected that gaps will emerge as the Council and partners scrutinise the requirements of the new National Guidance documents in detail.	L	The CPC's strategic plan (Child Protection Improvement Programme) is well governed by the CPC and the Chief Officer Group. They will be ensuring that the terms of the new National Guidance documents are incorporated into current and future strategic planning.
Compliance	No significant related risks.	L	Services across all multi-agency partners are aware of National Guidance requirements and ensure compliance.
Operational	Required improvements and developments in practice are not	L	Leadership supports participation and planning across the multi-agency partnership in the delivery of

	identified and actioned.		any changes required as a result of the new National Guidance documents.
Financial	No significant related financial risks from this report.	L	
Reputational	Organisational failings in relation to child protection can bring significant media interest and scrutiny of services delivered to children and young people.	M	The public can be assured that: the Council ensures compliance with legal requirements, national standards and guidance; partners respond to self and external scrutiny; and identified areas for improvement are addressed.
Environment / Climate	Not applicable for this report		

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
Impact of Report	
Aberdeen City Council Policy Statement	The proposals in this report have no impact on the Council Delivery Plan.
Aberdeen City Local Outcome Improvement Plan	
Prosperous People Stretch Outcomes	The new National Guidance documents support the functions of the CPC which is central to assuring that the multi-agency Children's Services partners deliver on the outcomes of the LOIP Prosperous People (Children & Young People) Stretch Outcomes 4 to 9 and to ensure our children are safe and protected from harm. Children, young people and families who are adequately protected from threats to their health, safety and economic wellbeing are more likely to prosper than those who are not.
Regional and City Strategies	The work of the CPC, incorporating the new National Guidance documents, is relevant to the Local Outcome Improvement Plan, the Children's Services Plan and the Child Protection Improvement Programme.

UK and Scottish Legislative and Policy Programmes	The CPC progresses the policy ambitions and expectations of the Scottish Government and is key to the local implementation of new National Guidance for Child Protection 2021 and new National Guidance for conducting Learning Reviews 2021.
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8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	This report to introduce members to new National Guidance does not require a full Equality and Human Rights Impact Assessment to be completed.
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

National Guidance for Child Protection in Scotland 2021 pp274	https://www.gov.scot/publications/national-guidance-child-protection-scotland-2021/documents/
National Guidance for Child Protection Committees undertaking Learning Reviews 2021 pp66	https://www.gov.scot/publications/national-guidance-child-protection-committees-undertaking-learning-reviews/documents/

10. APPENDICES

none

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	7 December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Reviewing and Learning from the Deaths of Children and Young People
REPORT NUMBER	OPE/21/319
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Graeme Simpson
REPORT AUTHOR	Graeme Simpson
TERMS OF REFERENCE	1.1.1

1. PURPOSE OF REPORT

- 1.1 To advise elected members of the establishment of the National Hub for Reviewing the Deaths of Children and Young People and its implications for the delivery of social work in Aberdeen City.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 Note the contents of the report and how Aberdeen City Council social work staff will contribute to the review of deaths of children and young people.

3. BACKGROUND

- 3.1 Scotland has a higher mortality rate for under 18s than any other Western European country, with over 300 children and young people dying every year. Around a quarter of those deaths are considered to be preventable.
- 3.2 To date there has been no national system to support consistent reviewing and learning from deaths of all children and young people in Scotland. The Scottish Government commissioned Healthcare Improvement Scotland and the Care Inspectorate to establish a National Hub for Reviewing and Learning from the

Deaths of Children and Young People. The National Hub went live on 1 October 2021 and is working to:

- Ensure that the death of every child in Scotland is subject to a quality review.
- Improve the experience and engagement with families and carers.
- Channel learning from current review processes across Scotland that could direct action to help reduce preventable deaths.

3.3 The National Hub will ensure the death of every child and young person is reviewed to an agreed minimum standard. Reviews should be conducted on the deaths of all live born children up to the date of their 18th birthday, or 26th birthday for care leavers who are in receipt of continuing care or aftercare at the time of their death.

3.4 Each Health Board in partnership with local partners (Local Authorities and Police Scotland) is responsible for establishing their own structures and processes for reviewing the deaths of children and young people. Local processes should however align to national guidance in order to enable good practice and lessons to be reflected and shared at a national level.

3.5 There are already well-established processes for the reviewing certain deaths of children and young people for whom the social work service has current or recent involvement with.

1. Deaths of Looked After Children – Local Authorities, in collaboration with relevant partners, have a duty to review the deaths of children and young people who die whilst they are looked after.

The Children and Young People (Scotland) Act 2014), extended the duties on local authorities to review the deaths of care leavers (up to their 26th birthday) who are in receipt of continuing care and/or aftercare at the time of their death.

2. Children and Young People who have “**died or sustained significant harm or risk of significant harm**” as defined in the [National guidance for child protection in Scotland 2021](#) are reviewed as part of a Significant Case Reviews (now Significant Learning Reviews). These arrangements will continue and are seen to be working well.

3. Drug-related deaths - Drug-related deaths in Scotland are recorded and examined by local monitoring groups. Each area has a data collection co-ordinator who works closely with the local critical incident monitoring group and other key partners to collate the information on drug-related deaths.

3.6 NHS Grampian also has in place existing structures and processes to review the deaths of children aged 0 to 16 years.

Implications for Practice in Aberdeen City.

- 3.7 Building on existing practice across colleagues from NHS Grampian, Aberdeen City, Aberdeenshire and Moray Councils have come together to agree systems and processes that enable reviews of children and young people who die to be undertaken. This group has also strong and effective links to Police Scotland who often can have a role investigating the circumstances of children and young people who die. The group is also engaging the with and benefiting from support from the Health Improvement Scotland's national team and the learning from the pilot areas – NHS Lothian and NHS Tayside.
- 3.8 To support the implementation of the National Hub each health board has been provided with some additional funding to support the collation of local data as required by the National Hub.
- 3.9 It is recognised that current systems don't readily identify when a care experienced young person, aged 18 – 26 years of age, who is in receipt of aftercare dies. Given the increased levels of mobility and independence of this group it is important that agencies collaborate effectively to identify when a young person within this group dies. Strong inter-agency relationships already exist and processes have been established to ensure we identify the deaths of young people in this group.
- 3.10 It is important that families are appropriately involved and informed of the learning stemming from any review. The National Hub is speaking with bereaved families and carers to improve care for future families by sharing their experiences following the death of their child. This will support more family and carer-centred process for organisations when they review the circumstances around the death of a child or young person.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising out of this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications arising from this report.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	No significant related risks.	L	n/a
Compliance	No significant risks identified.	L	A Grampian governance group has been established with appropriate representation from Aberdeen City Council.

Operational	No significant risks identified.	L	Existing processes for reviewing the deaths of young people for whom the social work services is involved are seen to work well and will continue exist and feed Aberdeen City Executive Public Protection Group.
Financial	No significant risks identified.	L	n/a
Reputational	No significant risks identified.	L	The report evidences strong compliance with our statutory duties.
Environment / Climate	n/a		n/a

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
Impact of Report	
Aberdeen City Council Policy Statement	<p>Ensuring identified learning from the reviews of deaths of children and young people. has a direct relevance to the delivery of the following policy statements contained within the Council Delivery Plan:</p> <p>2. UNICEF Child Friendly accreditation. 5. Appoint a mental health champion. 7. Commit to closing the attainment gap in education while working with partners across the city. 9. Promote diversion activities for youths and adults in our city with enhanced focused on our three locality areas.</p>
Aberdeen City Local Outcome Improvement Plan	
Prosperous People Stretch Outcomes	<p>Ensuring identified learning from the reviews of deaths of children and young people has a direct relevance to the following stretch outcomes in the LOIP:</p> <p>5. 90% of children and young people will report that they feel mentally well by 2026. 6. 95% of care experienced children and young people will have the same levels of attainment in education, emotional wellbeing, and positive destinations as their peers by 2026.</p>

	8. 25% fewer young people (under 18) charged with an offence by 2026.
Regional and City Strategies	Ensuring identified learning from the reviews of deaths of children and young people is an established component of our assurance processes and is considered relevant to Aberdeen City Council Delivery Plan, the Local Outcome Improvement Plan, and the Children's Services Plan.
UK and Scottish Legislative and Policy Programmes	Ensuring identified learning from the reviews of deaths of children and young people is an established component of our assurance processes. It also supports the Scottish Government's drive to #KeepthePromise. This wide ranging and ambitious programme impacts on a range of statutory duties on the Council in relation to vulnerable and care experienced children including those contained in the Children(Scotland) Act 1995, Children's Hearings (Scotland) Act 2011, Children & Young People (Scotland) Act 2014, Child Poverty (Scotland) Act 2017 and Children (Scotland) Act 2020.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	This report provides members with assurance on the Council's compliance with their statutory duties to review the deaths of children and young people as set out in legislation and does not require a full Equality and Human Rights Impact Assessment to be completed.
Data Protection Impact Assessment	Not required.

9. BACKGROUND PAPERS

National Hub for Reviewing and Learning from the Deaths of Children and Young People - National guidance October 2021	20200414-National-Hub-National-Guidance (1).pdf
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10. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	7 December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Secure Care – Children’s Rights
REPORT NUMBER	
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Graeme Simpson
REPORT AUTHOR	Graeme Simpson
TERMS OF REFERENCE	1.1.1

1. PURPOSE OF REPORT

- 1.1 To advise elected members of the findings of an independent report published by the Children’s Commissioner in relation to the use of secure care and its implications for social work practice in Aberdeen City.

2. RECOMMENDATION(S)

That the Committee:

1. Note the report
And
2. Instructs the Chief Officer Social Work Officer to provide committee with an update report at the end of 2023 on the use of Secure Care and compliance with the Secure Care regulations.

3.1 BACKGROUND

- 3.1.1 In June 2021 the Children’s Commissioner published a report entitled “**Statutory Duties in Secure Accommodation: Unlocking children’s rights**”. The report was the output of a review as to the level of compliance by Local Authorities with their statutory duties when determining that it was in a young person’s best interest to be placed in secure care. In doing so the Children’s Commissioner required local authorities to provide them with

evidence in respect of children placed in secure care within a defined period of time.

3.1.2 There are three routes to a young person being placed in secure care.

a) Courts

A Sheriff determines that a young person, for the protection of him/herself or for the protection of others, should be placed in secure care. In these circumstances the Local Authority must comply with the Courts direction.

b) Children's Hearing

A Children's Hearing can recommend that for the protection of him/herself or for the protection of others, it would be in a young person's best interests to be placed in secure care. When a Children's Hearing make such a recommendation the Chief Social Work Officer (CSWO) and the Head of the Secure Unit must discuss the case and agree that the best interests of the young person would be served by such a placement.

In the circumstances where the CSWO/Unit Head don't agree with the recommendation then the young person is referred back to the Children's Hearing for them to reconsider their decision.

c) Emergency Circumstances

In the case of emergency where the young person is assessed as meeting the legal threshold to be placed in secure care and that such is in their best interests, the CSWO has the authority to place a young person in secure care. A young person's circumstances are thereafter considered by a Children's Hearing.

3.1.3 Taking away a child's liberty is one of the most serious restrictions a state can impose. It has deep and long-lasting consequences, particularly on a child's emotional and social development. For children who have been traumatised already, often as a result of abuse or neglect, the impacts of being deprived of their liberty can be devastating. It must therefore be a last resort, used for the shortest possible time, and be in the best interest of the child.

3.1.4 In light of the above the statutory regulations that surround the decision-making process of placing young people in secure care place strong emphasis on safeguarding the young person's rights. The CSWO must consult with and record the views of the young person. It must also demonstrate that they have taken their views into account in the decision making.

3.1.5 The Children's Commissioner's report recognises the challenges gaining meaningful participation from vulnerable and distressed young people within the statutory timescales. It is recognised that for some young people seeking their views may actually heighten their vulnerability with an increased risk of absconding or other types of self-harming behaviour. This stresses the need for the participation of children and young people in their planning to be at the heart of social work intervention on a continuous basis not simply centred around key decision making landmarks.

3.1.6 The Children's Commissioner's report also highlighted the statutory duty of the Local Authority in respect of b) and c) above to formally notify young people and their families of the decision made by the CSWO, including how they can appeal any decision. In this aspect the Children's Commissioner's report also emphasised the importance of ensuring young people have access to independent advocacy or representation. It is reassuring that within this context practice Aberdeen City was held up as an example of good practice, where children were informed of their rights and pointed towards supportive adults who could assist them to appeal if they wished to do so.

3.1.7 Independent advocacy and support to young people being considered for placement in a secure care setting is provided by the Aberdeen Young Person's Rights Service (AYPRS). The AYPRS will seek to build a trusting relationship with the young person prior to, during and beyond their secure care placement ensuring their views are actively heard and considered by all partners. Feedback from young people speak highly of the support provided by this service.

3.2 Implications for Practice in Aberdeen City.

3.2.1 While social work practice in Aberdeen City was considered positively within the Children's Commissioner's Report, we wanted to ensure that the identified learning was fully reflected in our practice guidance. Consequently, we have undertaken a detailed review of our Practice Guidance in relation to Secure Care. This has fully taken onboard the findings of the Children's Commissioner's report but has also a strong lens on the UNCRC which the Scottish Government intend to bring into Scots Law.

3.2.2 Engagement with Team Managers across the service is planned and this will support them to understand the changes and the associated practice implications from the updated guidance.

3.2.3 Aberdeen City has always placed very few young people in secure care. At the point of writing there are none. [The Promise - Independent Care Review](#) clearly states that "*Scotland's response to the small number of children who need secure care must look radically different*". Working with partners there is a need far more alternatives for community-based support which can meet the educational, health and care needs of young people who otherwise might be placed in secure care.

3.2.4 The Children's Commissioners report notes that no functional mechanism exists to ensure that legal duties placed on local authorities are being complied with. While there might be a role for the Care Inspectorate it is proposed that an annual secure care report be brought to Public Protection Committee to provide elected members with the necessary assurance on our legal compliance.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising out of this report.

5. LEGAL IMPLICATIONS

- 5.1 Aberdeen City has a legal duty to fully comply with the legislative requirements relating to the placement of young people in secure care. Failure to do so would have a reputational impact on the local authority but more significantly undermine the intervention to support some of our most vulnerable young people.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	No significant related risks.	L	n/a
Compliance	Failure to comply with our statutory duties' risks undermining the Council and social work service.	L	Managers across Children's Social Work are aware of legislative requirements and ensure compliance
Operational	Compliance with the statutory framework relating to the use of secure care provides assurance to the young person, their family and to social work staff that the use of secure care must always be considered as a last resort.	L	Leadership supports compliance with the statutory duties Council needs to deliver on ensuring participation and engagement with young people in their planning within a risk informed approach.
Financial	No significant related financial risks from this report.	L	n/a
Reputational	Failure to comply with our statutory duties' risks undermining the reputation of the Council.	L	The report evidence strong compliance with our statutory duties.
Environment / Climate	n/a		n/a

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
Impact of Report	
Aberdeen City Council Policy Statement	<p>Ensuring the effective planning for children and young people for whom secure care might be considered has a direct relevance to the delivery of the following policy statements contained within the Council Delivery Plan:</p> <p>2. UNICEF Child Friendly accreditation. 4. Support the implementation of Developing the Young Workforce, seek to gain the highest level of investors in young people accreditation and ensure there is a focus on supporting pupils excel in STEM subjects. 5. Appoint a mental health champion. 7. Commit to closing the attainment gap in education while working with partners across the city. 9. Promote diversion activities for youths and adults in our city with enhanced focused on our three locality areas.</p>
Aberdeen City Local Outcome Improvement Plan	
Prosperous People Stretch Outcomes	<p>Ensuring the effective planning for children and young people for whom secure care might be considered has a direct relevance to the following stretch outcomes in the LOIP:</p> <p>5. 90% of children and young people will report that they feel mentally well by 2026. 6. 95% of care experienced children and young people will have the same levels of attainment in education, emotional wellbeing, and positive destinations as their peers by 2026. 7. 95% of children living in our priority localities will sustain a positive destination upon leaving school by 2026. 7. Child Friendly City which supports all children to prosper and engage actively with their communities by 2026. 8. 25% fewer young people (under 18) charged with an offence by 2026.</p>
Regional and City Strategies	Ensuring the effective planning for children and young people for whom secure care might be

	considered is relevant to Aberdeen City Council Delivery Plan, the Local Outcome Improvement Plan, and the Children’s Services Plan.
UK and Scottish Legislative and Policy Programmes	Ensuring the effective planning for children and young people for whom secure care might be considered supports the Scottish Government’s drive to #KeepthePromise. This wide ranging and ambitious programme impacts on a range of statutory duties on the Council in relation to vulnerable and care experienced children including those contained in the Children(Scotland) Act 1995, Children’s Hearings (Scotland) Act 2011, Children & Young People (Scotland) Act 2014, Child Poverty (Scotland) Act 2017 and Children (Scotland) Act 2020.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	This report provides members with assurance on the Council’s compliance with their statutory duties relating to the placement of young people in secure care and does not require a full Equality and Human Rights Impact Assessment to be completed.
Data Protection Impact Assessment	Not required.

9. BACKGROUND PAPERS

Children’s Commissioner’s Report	Statutory Duties in Secure Accommodation: Unlocking ...
#KeepthePromise	#KeepThePromise - The Promise

10. REPORT AUTHOR CONTACT DETAILS

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**STATUTORY DUTIES
IN SECURE
ACCOMMODATION:
UNLOCKING
CHILDREN'S
RIGHTS**



STATUTORY DUTIES IN SECURE ACCOMMODATION: UNLOCKING CHILDREN'S RIGHTS

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INTRODUCTION

Taking away a child's liberty is one of the most serious restrictions a state can impose on a child's human rights. It has deep and long-lasting consequences, particularly

on a child's emotional and social development. For children who have been traumatised already, often as a result of abuse or neglect, the impacts of being deprived of their liberty can be devastating and irreparable.

The human rights framework provides a high standard of protection against children being deprived of liberty. It must be a last resort, used for the shortest possible time, and be in the best interest of the child. It must also be in accordance with all of the procedural protections provided by law.

The United Nations Committee on the Rights of the Child (CRC) has repeatedly called on States to do more to address the detention of children, including in its General Comment 24¹. The recent report of the UN Global Study on Children Deprived of Liberty² reinforced the directions from the CRC, and called on States to ensure better protections against arbitrary and unlawful deprivation of a child's liberty. These calls have also been reflected by the Council of Europe's human rights mechanisms.

Scotland is failing to properly respect children's rights through its practice of depriving children of their liberty. This investigation is part of our wider work to address the breaches of both substantive and procedural rights in relation to children deprived of their liberty in a variety of settings, including, police and court custody cells,

Young Offenders Institutions, immigration detention facilities, mental health units and residential care placements. This includes the failure to treat all under 18s as children in law, the low age of criminal responsibility, and the availability of secure care beds as a consequence of the current commissioning model (see Appendix 2 for more detail).

The investigation focuses on one aspect of compliance with the human rights framework – the procedural protections that exist around decisions to place children in secure accommodation. It examines whether children may have been unlawfully deprived of their liberty as a result of failure to comply with legal duties designed to respect, protect and fulfil their human rights. It does not consider situations where children are placed in secure accommodation by the Court, or by local authorities from outwith Scotland.

1 <https://undocs.org/CRC/C/GC/24>

2 <https://undocs.org/A/74/136>

"No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time".

-Article 37(b) UNCRC

These duties are set out in regulations which provide for the child's right to participate effectively in decision-making about them; an important safeguard within domestic and international law. The regulations also make clear that children must be told about their right to an effective remedy and be able to challenge the lawfulness of their deprivation. This is a critical pre-requisite for children's access to justice.

While the number of children placed in secure accommodation is rightly, relatively small, we became concerned that a breach of procedural rights through failure to properly follow regulations was occurring. In the absence of compliance with these statutory safeguards, the children may have been unlawfully deprived of their liberty.

This investigation has been deliberately targeted to complement rather than duplicate wider work in this area, including the Independent Care Review and The Promise, by focusing specifically on an identified concern about performance of legal

duties. It will inform work on the future of secure accommodation, including implementation of the Secure Care Pathway and Standards³, and its place within the alternative care, penal and justice systems. There is a need to consider more fully the extent to which Scotland respects the rights of children deprived of their liberty in all settings.

With the additional focus on accountability mechanisms required by implementation of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill⁴, we must also work proactively to ensure that there is a robust and rights-compliant process for all decisions to deprive children of their liberty.



Bruce Adamson
Children and Young People's
Commissioner Scotland

"In all the legal processes that surround the decision to place a child or young person in a Secure Care setting, their rights must be upheld. They must be consulted and given the chance to express their views and they must be told about their legal rights of appeal. That must not be done in a tokenistic way, but through a culture of care that upholds rights in a way that meets their needs and helps them understand their legal protections".

-Report of the Independent Care Review

3 <https://www.gov.scot/publications/secure-care-pathway-standards-scotland/>

4 At time of writing the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill has been unanimously passed by the Scottish Parliament, but has not yet received Royal Assent.

EXECUTIVE SUMMARY

- ▶ The investigation relates to the powers and performance of statutory duties by Chief Social Work Officers (CSWOs). These duties protect the human rights of children placed in secure accommodation to be consulted in decisions, to have those decisions recorded and explained, and to be informed of their rights to appeal.
- ▶ Between 1 August 2018 and 31 July 2019, the investigation examined the cases of 118 children placed in secure accommodation, across 27 local authority areas. These children were detained for between 14 and 572 days.
- ▶ The evidence provided to us varied between local authorities and demonstrated an inconsistency of approaches by CSWOs.
- ▶ Overall, there was little evidence of consultation with children during the critical 72-hour period following the hearing's authorisation. Even where there was evidence that consultation had taken place, and where views were said to have been expressed by children, those views were not routinely recorded.
- ▶ It was relatively rare for there to be evidence of notifications of the CSWOs' decisions being sent to children, as required by the Regulations. Where correspondence was sent to a child, the reasons were not always clearly explained, particularly how the child's views had been taken into account to inform the decision.
- ▶ It was clear that not all children had been formally notified of their appeal rights. However, there were some examples of good practice, where children were informed of their rights and pointed towards supportive adults who could assist them to appeal if they wished to do so.
- ▶ This raises serious questions about the extent to which children are meaningfully involved in decision-making and creates gaps in their records, which will impact on the ability to understand their own history later in life. It means that too often children have been denied the information necessary to enable them to challenge decisions to deprive them of their liberty.
- ▶ The lack of evidence of compliance with legal duties suggests that a significant number of children placed in secure accommodation between 1 August 2018 and 31 July 2019 may have been unlawfully deprived of their liberty for at least part of their detention.

- ▶ In response to the investigation, a number of authorities have already taken steps to review or amend aspects of their processes, policies or guidance. We welcome this constructive approach, which will lay the groundwork for further work around implementation of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill.
- ▶ All local authorities must now take steps to ensure they are complying with existing laws and should review previous cases in light of the investigation's findings.
- ▶ The Scottish Government must work with partners to consider whether the existing laws is compatible with the UNCRC and make any amendments necessary to strengthen legal protections for children's human rights.
- ▶ Alongside any legal changes, consistent rights-based best practice, guidance and training must be identified and aligned with implementation of the UNCRC.
- ▶ The investigation has also revealed a scrutiny gap in relation to compliance with these legal duties at both local and national levels. The Scottish Government, COSLA and other partners must ensure robust scrutiny and accountability mechanisms are in place, through individual organisations, multi-agency partnerships and national inspection arrangements.
- ▶ As part of our office's work on implementation of the new UNCRC legislation, we intend to visit each of the secure care centres as soon as it is safe to do so, in order to listen to children and young people discussing their experiences.



METHODOLOGY AND PROCESS

Since the creation of the office's Advice and Investigations Team in 2017, we have developed our model of investigations. Our intention is to use the power as a strategic tool, in a targeted way, to identify and address issues affecting children's human rights. In making the decision about using our powers we consider a range of different factors and criteria; including the scope, scale and urgency of the alleged rights breach; the vulnerability of the children and young people involved; the resource and expertise we can bring to bear; what other work is taking place on the issue; and the potential outcome we could achieve. The decision to invoke our legal powers on this issue was based on a careful assessment against these criteria. The possibility that significant numbers of children had been unlawfully deprived of their liberty merited investigation.

On 10 December 2019, we wrote to all 32 Chief Social Work Officers (CSWOs) seeking:

- *The number of children looked after by your authority who were placed in secure accommodation between 1 August 2018 and 31 July 2019 on the authorisation of a Children's Hearing*
- *In the case of each child, the date on which the authorisation was made by the hearing*
- *In the case of each child, the length of time the child was accommodated in secure*
- *In relation to each of these children, anonymised copies of records or correspondence produced and sent in fulfilment of your legal duties as set out in Regulations 4 and 5 of the Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013*

We asked for the evidence of compliance with the regulations to be anonymised in order to strike the correct balance between the level of information required for the Commissioner to exercise his statutory function, and the need to respect the privacy rights of the children concerned in accordance with Article 8 of the European Convention on Human Rights (ECHR) and Article 16 of the UNCRC.

Having received responses from all 32 local authorities early in 2020, we intended to publish the investigation report before the 2020 parliamentary summer recess. However, the onset of the global coronavirus pandemic, and the nationwide lockdown that followed in March 2020, meant that the office had to adjust its focus and priorities. Much of our resource was diverted to respond to the developing and ongoing human rights crisis, which had, and continues to have, profound impacts on children and young people's lives across a wide range of policy areas⁵, including children deprived of their liberty.

⁵ <https://cypcs.org.uk/coronavirus/independent-impact-assessment/>

In order to give us the time and space needed to respond to the pandemic, we made a decision to postpone further analysis of the data and publication of the report. Instead, we took the interim step of writing to all CSWOs reminding them of their ongoing legal duties to children who might be placed in secure accommodation during the pandemic. We also met with the national CSWO group and with Social Work Scotland to discuss the progress of the investigation.

In recent months, we were able to return to the investigation again and conclude the analysis of the data with the assistance of the Children and Young People's Centre for Justice (CYCJ).

This report presents the evidence and responses from CSWOs and our analysis, as well as laying the foundations for the next stage of the work of our office on the human rights of children deprived of their liberty in all settings.



CHILDREN'S HUMAN RIGHTS

"The right to personal liberty is one of the oldest and most important human rights."

-The United Nations Global Study¹⁵ on children deprived of their liberty

The right to be protected from unlawful deprivation of liberty is reflected in a number of international human rights treaties. For the purposes of this investigation, the most relevant is Article 5 of the European Convention on Human Rights (ECHR) which was incorporated into UK law through the Human Rights Act 1998. Article 5 provides that no one shall be deprived of their liberty except in a defined set of circumstances (explained in more detail later in this report) and in accordance with a procedure prescribed by law.

Children have the same ECHR rights as adults in terms of deprivation of liberty, and are entitled to additional protections under international law which recognise their vulnerability. Fundamentally, children have the right to grow up in a family environment and not to be separated from their parents (Arts 9 and 16 UNCRC). Where a child cannot be safely cared for with their family, the child has the right to care and protection from the state in an alternative care setting.

Article 37 of the UN Convention on the Rights of the Child (UNCRC) provides that depriving children of their liberty shall be done only in accordance with the law, as a measure of last resort and for the shortest appropriate period of time. It requires that children have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of their liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action. The UNCRC also provides that in all actions concerning children, the best interests of the child shall be a primary consideration (Art 3 UNCRC) and that children have the right to express a view freely and have that view given due weight in all decisions affecting them (Art 12 UNCRC).

Children's rights under the ECHR and UNCRC are reflected in Scots law and practice through a statutory process that requires deprivation of liberty to be authorised by a court or a Children's Hearing, and for lawful implementation of the authorisation to be subject to the performance of specified duties by the Chief Social Work Officer (CSWO).

These statutory duties are set out in the Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013. They are:

- to consult with the child;
- to record the information obtained through that consultation along with the decision and reasons;
- to notify the child of the decision and their right of appeal in writing within 72 hours.

⁶ <https://digitallibrary.un.org/record/3813850?ln=en>

The regulations make clear that, in the event these duties are not complied with inside 72 hours, the CSWO will be deemed to have made a decision not to implement the hearing's authorisation. Any further deprivation of liberty would therefore be unlawful unless founded on separate legal authority.

In 2019, we were made aware of concerns that these duties were not being complied with in all cases. The effect if those concerns were upheld would be that some children in secure accommodation had been unlawfully deprived of their liberty in violation of Article 5 ECHR.

The purpose of the investigation is not to challenge the appropriateness of the decision by CSWOs, Children's Hearings or Courts to place a child in secure accommodation. The law provides that depriving a child of their liberty should always be a measure of last resort, but one which in exceptional circumstances may be necessary and proportionate as the only means by which a child can be kept safe. Nor is it the purpose of the investigation to question the motivations or good faith of those charged with making the difficult decisions to authorise or implement deprivation of liberty decisions, or of those providing secure care for the most vulnerable children and young people. We appreciate that professionals are acutely aware of the weight and impact of their decisions on children.

It might therefore be tempting to see the need to evidence the performance of the CSWO's duties as merely an exercise in administrative compliance, but this is to misunderstand the purpose of these protections in law. They recognise the significant level of interference in children's human rights when they are deprived of their liberty, the often acute vulnerability of the children concerned, and the imbalance of power between a child and the State. Legal duties exist to fetter the exercise of that power and to ensure not only that human rights standards are complied with, but that compliance can be evidenced as an integral part of the accountability process. In the event that a child wishes to appeal or otherwise challenge their detention, the records of decision-making will form an important part of the evidence and

HUMAN RIGHTS FRAMEWORK

The UN Convention on the Rights of the Child (UNCRC) contains a number of Articles relevant to deprivation of liberty. We have summarised the most relevant Articles and provisions below.

Article 2 Every child has the right not to be discriminated against

Article 3 The best interests of a child should be a primary consideration in any action that would have an impact on them

Article 9 Children have the right not to be separated from their parents unless it is in their best interests and happens through a legal process

Article 12 Children have the right to express a view and have it taken into consideration when decisions are made about them

Article 15 Children have the right to freedom of association and peaceful assembly

Article 16 Children's rights to privacy and family life should be respected, which includes the right to bodily integrity

Article 20 Children have the right to protection and support if they are unable to live with their family and to maintain meaningful contact with their parents and family

Article 37 Children have a right to be protected from cruel, inhuman or degrading treatment or punishment, and a right not to be deprived of their liberty unlawfully or arbitrarily

Article 39 Children have the right to support to recover from abuse and trauma

legal justification. In that respect, the records are a fundamental part of providing the right to a fair hearing, to effective remedies and access to justice.

But there is a further, and perhaps less obvious, significance to these duties. Care experienced children and young people have spoken powerfully of the importance to them of proper recording of their care journey. Reflecting that testimony, the Independent Care Review recommended that "...those with care experience must hold and own the narrative of their stories and lives"⁷. Among other things that means the ability to look back later in life, to understand the decisions made and the reasons for them.

The level of interference in human rights inherent in depriving a child of their liberty means that secure accommodation should be reserved for those whose needs cannot be met in any other environment or place of safety. Research carried out by The Children and Young People's Centre for Justice (CYCJ) in 2018 and 2019,⁸ found children in secure accommodation had backgrounds characterised by disproportionate exposure to factors including poverty; physical, emotional and sexual abuse; neglect; domestic abuse and substance misuse. These factors are critical in informing the appropriate nature and level of statutory protections that are required to protect the rights of these children.

A child deprived of their liberty is a child deprived of agency, autonomy and association; of the right to make free choices about where to go, what to do, and who to spend time with (Art 15 UNCRC). It is in these circumstances particularly – where so many decisions are made by professionals rather than by the child – that incomplete records leave gaps in a child's understanding of their own life. Full and accurate recording therefore also supports children's rights to identity (Art 8 UNCRC), rights to a fair hearing and due process (Art 6 ECHR), and rights to respect for private and family life and bodily integrity (Art 8 ECHR, Arts 9 and 16 UNCRC).

HUMAN RIGHTS FRAMEWORK

The European Convention on Human Rights (ECHR) contains a number of Articles relevant to deprivation of liberty. We have summarised the most relevant Articles and provisions below. These are incorporated into UK law through the Human Rights Act 1998

Article 5

Everyone has the right to liberty and security of person. No one shall be deprived of his liberty except in specific cases and in accordance with a procedure prescribed by law. Everyone deprived of their liberty shall be entitled to take have a court consider whether that detention is lawful and release them if not

Article 6

In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law

Article 8

Everyone has the right to respect for his private and family life, his home and his correspondence

⁷ https://www.carereview.scot/wp-content/uploads/2020/03/The-Promise_v7.pdf

⁸ <https://www.cycj.org.uk/wp-content/uploads/2020/07/ACEs-Places-and-Status.pdf>

DOMESTIC LAW POLICY AND PRACTICE

Section 83(6) of the Children's Hearings (Scotland) Act 2011 sets out the legal criteria for a hearing to authorise a placement in secure accommodation:

- (a) that the child has previously absconded and is likely to abscond again and, if the child were to abscond, it is likely that the child's physical, mental or moral welfare would be at risk,
- (b) that the child is likely to engage in self-harming conduct,
- (c) that the child is likely to cause injury to another person.

As noted above, the Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013 ("the 2013 Regulations") places a number of duties on the CSWO following an authorisation made by a Children's Hearing. Regulation 4 provides that the CSWO is under a duty:

- (a) to consult and take into account the views of—
 - (i) the child, taking into account the age and maturity of the child;
 - (ii) each relevant person in respect of the child;
 - (iii) the head of unit;
- (b) to assess—
 - (i) whether one or more of the conditions specified in section 83(6) (compulsory supervision order), 87(4) (medical examination order) or 88(3) (warrant to secure attendance), of the Act continue to apply in respect of the child; and
 - (ii) whether placement in secure accommodation would be in the child's best interests; and (c) to take into account the decision to make the relevant order or warrant referred to in section 151(2) of the Act and the reasons for that decision.

Regulation 5 goes on to provide that

(1) Where the Chief Social Work Officer carries out the requirements specified in regulation 4 and makes a decision whether to implement the secure accommodation authorisation, the Chief Social Work Officer must, within 72 hours of receiving the decision mentioned in regulation 4(3)(c) comply with the requirements at paragraph (2).

(2) The requirements are—

- (a) to record—
 - (i) the decision of the Chief Social Work Officer;
 - (ii) the reasons for reaching that decision;
 - (iii) the information obtained in carrying out the consultation requirements at regulation 4(3)(a);

(b) to send notice of the decision to—

- (i) the child, where taking account of the child's age and maturity, the Chief Social Work Officer considers that the child is capable of understanding the effect of the decision;
- (ii) each relevant person in respect of the child;
- (iii) the head of unit;
- (iv) the Principal Reporter;

(c) to send with the notice the reasons for making the decision;

(d) to inform the child and each relevant person in respect of the child—

- (i) of the right to appeal the decision under section 162 of the Act;
- (ii) where the decision is a decision not to implement the secure accommodation authorisation, that they may require the decision to be reviewed.

(3) Where the requirements at paragraph (2) are not complied with within 72 hours of receiving the decision as mentioned in paragraph (1), the Chief Social Work Officer will be deemed to have made a decision not to implement the secure accommodation authorisation.

The legislation and regulations are supported by a policy approach grounded in the Getting It Right for Every Child framework for assessment and planning to meet children's wellbeing needs, which requires a rights-based approach for all decision-making.

PRACTICE GUIDANCE

The Scottish Government produced practice guidance⁹ on implementation of the CSWO's duties in 2013. The guidance makes clear that the purpose of the duties:

"...is to ensure that the process around the placement of a child in secure accommodation is fair, transparent and in the best interests of the child. It is expected that through the implementation of these regulations the rights of the child within the secure accommodation decision-making process will be strengthened and that decision-making practice will become more standardised and consistent throughout Scotland."

The guidance is not generally prescriptive in terms of how the duties should be carried out, but does provide some useful statements of purpose that can guide assessment of compliance. For example, in relation to the duty to consult:

⁹ <https://www.gov.scot/publications/good-practice-guidance-implementation-secure-accommodation-authorisation-scotland-regulations-2013/pages/2/>

"The central aim of consultation should be to ensure that a holistic view is taken of the child which includes their needs and strengths. The Chief Social Work Officer must be able to evidence that they have made a robust and defensible decision."

On recording:

"Careful consideration should be given to how information obtained in the consultation will be recorded so that, in the event of an appeal or audit, it will be possible to retrace the decision-making process."

"The decision and the reasons for reaching that decision should be recorded in such a way that they are clear and easy to understand. Reasons given for the decision should be specific and should be related back to:

- *the secure conditions outlined in sections 83(6), 87(4) and 88(3) of the 2011 Act,*
- *the identified needs of the child and how secure accommodation is best placed to meet these needs,*
- *and why a placement in secure accommodation is, at this time, in the best interests of the child."*

And on communication of appeal rights:

- *"...the notice must be specific about the reasons for the decision and these must be clearly articulated to ensure that they have the best chance of being understood."*

SECURE CARE PATHWAY AND STANDARDS

The Secure Care Pathway and Standards¹⁰ were published at the end of 2020 and further embed the importance of children being fully informed and involved in all decisions relating to deprivation of liberty, from a rights-based and trauma-informed perspective.

"I am involved and influence any discussions about potentially restricting my liberty and any decision to recommend secure care in a way that works for me."

"I understand my rights, including any right to appeal the decision to restrict my liberty."

The Secure Care Standards (extract)

¹⁰ <https://www.securecarestandards.com/>

FINDINGS AND ANALYSIS

During the period we examined, and within the scope of the investigation, there were 118 children placed in secure accommodation across 27 local authority areas. A small number of children were placed in secure accommodation multiple times across the year. A small number of local authorities did not place any children in secure accommodation in this period (Clackmannanshire, East Renfrewshire, Inverclyde, North Ayrshire, Comhairle nan Eilean Siar).

Before we consider compliance with the legal duties, there are a number of pertinent contextual observations to make about the evidence that was provided to us. We did not consider the reasons underpinning decisions, so drawing any further conclusions on these points is beyond the scope of this investigation, but they should inform discussions about the future of secure care and decisions about the most appropriate and flexible model through which to deliver on the recommendations of the Independent Care Review.

Length of placement

The length of time in secure accommodation for individual children ranged from 14 days to 572 days. Human rights law requires that children may only be deprived of their liberty only for as short a time as possible, so lengthy stays in secure accommodation require particularly close scrutiny. Any future model will need to consider the extent to which lengthy deprivation of liberty is appropriate and what safeguards need to be in place for these children.

Emergency placements

A number of the placements were made on an emergency basis under Regulation 7 of the Secure Accommodation (Scotland) Regulations 2013. This means each child was placed in secure accommodation, initially under the unilateral authority of the Chief Social Work Officer (CSWO) and without any prior scrutiny from a court or Children's Hearing. Thereafter, a Children's Hearing took place within 72 hours to authorise the placement.

This reminds us that secure accommodation is sometimes used as an emergency response to a crisis situation rather than as part of a planned response to meet a child's needs. Any future models of secure accommodation, together with the existing regulatory powers and child protection laws will require scrutiny and assessment of compatibility with the UNCRC.

Challenges for CSWOs

Whilst we acknowledge that CSWOs often face challenges in gaining meaningful participation and engagement of vulnerable and often highly distressed children within tight statutory timescales, the legal duties exist to ensure compliance with the child's human rights.

The speed and complexity of decision-making within the care system can be disorientating for children, and this is likely to be particularly so where they are experiencing significant or multiple vulnerabilities, or where they have reached crisis point. It is right that the onus is placed on professionals to evidence that they have done all they can to respect, protect and fulfil the child's rights.

Good practice reviews

A large number of authorities (Aberdeenshire, Argyll and Bute, Dumfries and Galloway, Dundee, East Dunbartonshire, East Lothian, Edinburgh, Falkirk, Glasgow, Highland, Midlothian, Moray, North Lanarkshire, Perth and Kinross, South Lanarkshire, Stirling, West Lothian) indicated that in the course of gathering evidence for the investigation they had identified the need to review or amend aspects of their process, policy or guidance. We very much welcome this approach, which reflects a constructive engagement with the purpose of the investigation. We anticipate that it will stand those authorities in good stead for any future discussions and for their work on implementation of the United Nations Convention on the Rights of the Child (Incorporation) Scotland Bill.



COMPLIANCE WITH DUTIES

Our findings are set out in the form of data tables (at Appendix 1) and commentary. In each case, we have also responded specifically to areas where authorities have raised points or arguments with which we disagree. This is in order to explain how we have interpreted the evidence provided to us.

Consultation with the child and recording of views

The first of the legal duties (in Regulations 4 and 5) is to consult with the child (and others) and to record the information gathered in that consultation, including the child's views.

Child's view not expressed

A number of authorities provided records for individual cases stating that "it had not been possible" to obtain the child's views. The reasons cited included mental health, distress, vulnerability and risk of absconding.

In every case, the child has a right to participate in decision-making and the responsibility to facilitate that is, rightly, on adult professionals through an assessment based on the child's individual circumstances. We accept that there may be circumstances where a CSWO may take all reasonable steps to try to consult but is not able to ascertain the child's views in detail within the permitted 72 hour period. These should be exceptional cases. Even if a child refuses to engage that refusal to engage is itself a view, and the fact that they were informed of their rights should be recorded as such.

In all cases the importance of additional safeguards such as access to legal representation or independent advocacy is clear. We would expect case records to reflect the steps taken to seek the child's views and any representations made on behalf of the child.

As the UN Committee on the Rights of the Child (CRC) makes clear in its General Comment No. 12¹¹, participation is a process, and requires an ongoing relationship between adult decision makers and children. Even where a child may not initially be willing or able to engage, attempts should be made to ascertain the child's views throughout the placement process and beyond. While there was evidence that views previously expressed by the child had been considered (for example views expressed at the Children's Hearing), we observe that it was not always apparent from the records what steps had been considered and taken to ascertain the child's views on being detained in secure accommodation during the 72-hour consultation period.

¹¹ <https://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.pdf>

Lack of evidence

We note that several authorities (Dundee, East Dunbartonshire, East Lothian, Perth and Kinross, Shetland, South Ayrshire) all asserted in at least one case each that they were confident that consultation had taken place but did not provide evidence, (such as a copy of an explanatory letter to the child, or a case record recording the child's views) to support this assertion. The absence of evidence means that compliance with the requirements of the regulations cannot be substantiated.

Emergency placements

It is important to make clear that in cases where a child is placed in an emergency under Regulation 7 and is therefore already in secure when the children's hearing takes place, there remains a human rights obligation on the CSWO to consult with the child at all stages and there is still a legal requirement to consult after the hearing in order to discuss with the child the reasons and legal justification for the emergency placement authorisation and the decisions. This is true even where consultation with the child took place to inform the decision to make an emergency placement. The lack of requirement for judicial authorisation or judicial review of these unilateral placements right to appeal Regulation 7 placement is again a matter which will require scrutiny in fulfilling duties under ECHR and UNCRC.

In some cases where the child was placed under Regulation 7, evidence was provided of consultation, or of the child's views, prior to the authorisation by the CSWO which respects the child's rights. However, as noted above, it is our view that there remains a requirement in law to consult the child subsequent to the hearing's decision to authorise the placement.

Evidence of Consultation

Overall, there was little evidence of consultation with the child during the critical 72-hour period following the hearing's authorisation, though many authorities expressed confidence that it had taken place, and some outlined the processes they expected to be followed.

In doing so, a number of authorities referred to children being consulted directly by social workers but this was rarely evidenced, for example by a record or note of the discussion. While we welcome practice approaches which prioritise personal contact and relationships as an essential element of a rights-based process, there is still a need to ensure the proper recording of the child's views and the ways in which authorities sought to obtain them. The documentation did not often record these interactions and in some cases they appeared to have been sourced from the recollections of the professionals themselves in order to inform the response to the investigation. Needless to say, this would make it extremely difficult for a child to look back at their experience and understand how decisions had been made and on what basis.

We note that most authorities provided evidence of consultation with the child that took place prior to the hearing, for example to inform decisions made by secure screening groups. Whilst this is to be welcomed, and is consistent to some degree with an approach that prioritises children's Article 12 rights, we disagree that it meets the specific requirements of the duties in Regulations 4 and 5.

While pre-hearing consultation with the child is essential, not least to inform the decision to make an emergency placement and to support the recommendation made to the hearing, they are not a substitute for consultation with the child once the authorisation has been made. While detention may have seemed to the child a remote prospect in advance of the hearing, it has now become a reality. The child's view may have changed or developed in the intervening period. The hearing's reasons for authorising secure accommodation may also be different from those put forward in the social work report and it is important that the child understands and can respond to the legal basis for their detention. As noted above, an approach to participation that is fully compliant with Article 12 requires an ongoing relationship and discussions between professionals and the child at each and every key decision-making point.

We note that even where there was evidence that consultation had taken place, and where views were said to have been expressed by children, those views were not routinely recorded. In one case there was a form which allowed the child's agreement or disagreement with the decision to be recorded via a tickbox. This made clear the child's view in the broadest sense, but there was no space where the child's reasons for holding that view could be set out.

Overall, these findings raise serious questions about the extent to which children are meaningfully involved in decision-making, and make clear that too frequently there are gaps in the record which will impact on the child's ability to understand their own history later in life. As noted previously, it would present serious challenges for the local authority to evidence compliance with their duties, in the event a child chose to exercise their appeal rights against the decision.

In light of this, we very much welcome the action taken by many authorities to critically review and amend their processes to address these issues.

NOTIFICATION IN WRITING OF DECISION AND APPEAL RIGHTS

The duty in Regulation 5 is to notify the child in writing of the decision and reasons within 72 hours, and to provide them with information on their right of appeal.

Letters from the Children's Reporter

Some authorities provided a letter from the Children's Reporter to the child, setting out the hearing's decision as evidence that the child had been notified of the decision and their appeal rights. We do not agree this is evidence of compliance with the duty in Regulation 5. The duty on the Chief Social Work Officer (CSWO) is related to the decision taken by them and the Head of Unit, on whether to implement the authorisation, not the one taken by the hearing. Following an authorisation by the hearing, the CSWO is required to exercise their own professional judgment on whether to place the child in secure. The reason for that decision may be distinct therefore from the hearing's reasons (even though they may be expressed in similar terms). The letter from the Children's Reporter post-hearing cannot capture that decision or the reasons for it.

Similarly, the right of appeal against the CSWO's decision to place the child in secure accommodation is separate in law from the right to appeal the Children's Hearing's decision. Communication of one right does not automatically serve to communicate the other, and in any case, the duty is on the CSWO not on the Children's Reporter to communicate the appeal rights to the child.

Evidence of Notification

Most local authorities were able to evidence that these formal communications had been sent to the child. This was perhaps due to it being easier to record and retain copies of letters than detailed discussions with a child. However, there were still authorities who were not able to provide evidence of compliance with the Regulations.

Where correspondence was sent to the child, the reasons for the decision were not always clearly explained. In some cases they simply set out the legal threshold for consideration of secure accommodation – often as a straight 'copy and paste' from the legislation – and were not adapted to the individual circumstances of the child. We do not consider that this practice would assist the child in understanding why they had been deprived of their liberty, and it falls short of the requirement in the Practice Guidance for the reasons to be "specific".

Again, we note that the absence of clear recording of decisions and reasons would likely create challenges for local authorities in the event a child wished to appeal the CSWO's decision.

There was little evidence of children being formally notified of their appeal rights. The practical consequence is that children may have been denied the information necessary to challenge decisions to deprive them of their liberty. This cannot be acceptable. In

some cases this was said to have been discussed with the child by the social worker. As we note above, we welcome an approach based on face-to-face contact, trust and relationships but the regulations require notification to be in writing and there remains a need for these interactions to be properly recorded. Should the child wish to communicate with a legal representative, or challenge the decision in court, the absence of documentation would present real challenges.

We note, and welcome the examples of good practice (Aberdeen City, East Ayrshire, North Lanarkshire) where children were informed of their rights and pointed towards supportive adults who could assist them to appeal if they wished to do so.

CONCLUSION

The investigation has demonstrated that very few local authorities have fully complied with their legal duties. As a result, in our view a significant number of children placed in secure accommodation between 1 August 2018 and 31 July 2019 may have been unlawfully deprived of their liberty for at least part of their detention. This is of serious concern and requires action.

IMMEDIATE NEXT STEPS

A number of CSWOs indicated when providing evidence that they had taken steps to review their policy and practice. We welcome this approach. In the short term, all local authorities must ensure they have undertaken a similar process. The legal basis must be clear to ensure that all children in secure accommodation are being lawfully detained.

Based on the documents we were provided, we found it challenging in many cases to piece together the events and decisions that led to the child being placed in secure accommodation. We note that if it was hard for us, it would likely be just as difficult for a young person trying to understand this critical part of their life story. As part of these processes, a more thorough and consistent approach to record keeping which respects the rights of children and young people to an identity (Art 8 UNCRC), and to respect for their private and family life (Art 16 UNCRC, Art 8 ECHR) is required.

The investigation has also revealed a scrutiny gap in relation to compliance with these legal duties. It is clear that no functional mechanism exists within local authorities, multi-agency partnerships, or at a national level via the Care Inspectorate or the National Preventative Mechanism, to ensure that legal duties are being complied with. If there were, the issues raised by this investigation would have been picked up and addressed at some point in the last seven years. It is critical that this shortfall is remedied both in the short-term and within any decisions that are taken on the future of secure care.

In the short-term, local authority elected members, with the support of COSLA, and multi-agency partnerships will need to ensure that there are mechanisms in place which enable them to effectively fulfil their responsibilities in relation to governance, accountability and legal compliance.

LONGER-TERM ACTION

Beyond this, the Scottish Government must lead on the further work that is necessary to progress the issues raised by this investigation. The focus of this work should be ensuring that law, policy and practice fully respects, protects and fulfils children's human rights. It may involve consideration of the effectiveness of existing procedural safeguards and the need for different or additional statutory measures, as well as a review of the roles and responsibilities which exist within the system currently.

It will need to take place within the context of the work being undertaken by the Promise Team, and as an integral part of the work towards implementation of the UNCRC Act. This national discussion will need to involve the Scottish Government, COSLA, Social Work Scotland, CSWOs, the Care Inspectorate, and secure care providers, among others. Most importantly, children and young people with experience of secure accommodation must be involved in the discussions over what best practice looks like. The Commissioner's office intends to visit each of the secure units as soon as it is safe to do so, in order to listen to children and young people and discuss their experiences.

As part of this work, Scottish Government and public authority partners should consider what scrutiny measures can be put in place at a national level – for instance via existing inspection mechanisms – to assure compliance with these specific legal duties and human rights obligations. This might include additional duties on inspectorates, or a commitment to oversight by the National Preventive Mechanism for all environments where children are deprived of their liberty.



APPENDIX 1 - DATA TABLES

LOCAL AUTHORITY	Number of children placed	Number where evidence of consultation was provided	Number of children who are recorded as having expressed a view	Child's views recorded	Comments
Aberdeen City	2	0*	0	0	*No views ascertained due to vulnerability of the child in each case
Aberdeenshire	3	0	0		
Angus	2	1*	0	0	*View not ascertained in one case but no explanation as to why
Argyll and Bute	2	0*	0	0	*View not ascertained in one case due to vulnerability of the child
Dumfries and Galloway	3	0*	0	0	
Dundee	6	0*	0	0	*Asserted that consultation took place in all but one case, but no evidence provided.
East Ayrshire	1	1	1	1	
East Dunbartonshire	1	0*	0	0	*Consultation asserted in cover letter but not evidenced or recorded
East Lothian	5	0*	0	0	*1 case asserted could not obtain views due to child's distress. 4 cases where the LA was confident consultation had taken place but not evidenced
Edinburgh	17	0*	0	0	Consultation evidenced prior to Children's Hearing in some cases but not within 72-hour period
Falkirk	4	2*	2	2**	*1 child's views not able to be ascertained as unable to meet. No reason provided **1 child's agreement or disagreement with decision recorded via tickbox but not views in any detail
Fife	8	0*	0	0	*2 cases recorded as not able to obtain child's views due to risks to child and/or staff. 1 case "unable to locate record"

Glasgow	18	0	0	0	
Highland	7	0*	0	0	*Some correspondence provided but was dated 12-17 months after admission to secure
Midlothian	2	0	0	0	
Moray	3	0*	0	0	*In one case stated that child knew they could phone social work if they wished to express a view
North Lanarkshire	5**	5	3*	3***	*Form has a section for child's views and is supposed to include date discussed with the child. Date of discussion was not provided and in 2 cases views appeared to have been copied across from previous report unchanged **Dates of hearings and meetings redacted from documents presented a challenge *** Disagreement with decision recorded but no detail as to why
Orkney	1	0	0	0	
Perth and Kinross	1	0*	0	0	*Assertion that views of young person considered but no evidence provided
Renfrewshire	4	0	0	0	
Scottish Borders	5	5	5	0*	*Children's views not recorded
Shetland	1	0*	0	0	*Asserted that child's views taken into consideration but not evidenced
South Ayrshire	3	0*	0	0	*1 case assertion that child's views taken into consideration but no evidence provided
South Lanarkshire	2	0	0	0	
Stirling	2	1	1	1	
West Dunbartonshire	5	3*	3	0**	*1 case where child's views not obtained due to risk of violence. **Child's views not recorded
West Lothian	5	0	0	0	

LOCAL AUTHORITY	Number of children placed	Number where evidence of notification in writing was provided	Number which included reasons	Number which included information on appeal rights	Comments
Aberdeen City	2	2	2	2*	Also provided information about forthcoming contact from Children's Rights Officer
Aberdeenshire	3	1	1	1	
Angus	2	0	0	0	
Argyll and Bute	2	0	0	0	
Dumfries and Galloway	3	0*	0	0	Asserted compliance with regulations but no evidence provided Asserted that writing to the child separately from the Reporter re appeal rights would "confuse" them
Dundee	6	0*	0	0	*Asserted that all children were sent a letter but no evidence provided
East Ayrshire	1	1	1	1*	*Also indicated that someone would support the child to appeal if they wanted to
East Dunbartonshire	1	0	0	0	
East Lothian	5	3	3	0	
Edinburgh	17	9	9	0	
Falkirk	4	3	3	3	
Fife	8	0*	0	0	*1 case record could not be located
Glasgow	18	0	0	0	
Highland	7	0	0	0	
Midlothian	2	0	0	0	
Moray	3	0	0	0	
North Lanarkshire	5	5	5	5*	*Suggests child can speak to independent advocate to access appeal rights
Orkney	1	0*	0	0	*Asked social worker to discuss the process with the child

Perth and Kinross	1	0	0	0	
Renfrewshire	4	0	0	0	
Scottish Borders	5	5	5	5	
Shetland	1	0*	0	0	*Child verbally notified
South Ayrshire	3	3	3	1	
South Lanarkshire	2	1	1	1	
Stirling	2	0*	0	0	*Letter provided for one case but dated outwith scope of investigation
West Dunbartonshire	5	0*	0**	0**	* Form states that it should be sent to child but no evidence provided that it had been eg provision of covering letter ** Form does include reasons and appeal rights information but again, no evidence that it had actually been sent to the child
West Lothian	5	0*	0	0	*4 cases included a form certifying compliance with duties but no further evidence (eg copies of letters to the child) provided. 1 case no paperwork provided

APPENDIX 2 - CHILDREN DEPRIVED OF THEIR LIBERTY

This office has conducted work in the last two years on the impact of cross-border placements on the availability of secure accommodation for young people living in Scotland, and has expressed concern about a commissioning model whose financial viability is based on occupancy rates.¹ We also have very serious concerns about an increasing practice of English/Welsh children being deprived of their liberty in non-secure Scottish residential care homes by English courts exercising their inherent jurisdiction; not least as these children fall entirely outwith the protection of the Scottish statutory provisions under scrutiny in this report. To that end, the Commissioner intervened in cases at the Court of Session and the UK Supreme Court to ensure children's rights arguments are placed before the courts.

We have continued to fight for Scotland to stop using the criminal law to address children's harmful behaviour and to treat all under 18s as children as required by the UNCRC². Scotland's age of criminal responsibility is, at the time of writing, eight years – one of the lowest in the world. Legislation to raise the age to 12 has not been fully commenced, and even when brought into force will mean Scotland is still two years below the absolute minimum age of 14 established by international human rights bodies including the CRC³.

We contributed to the inspection of Polmont YOI⁴ and the Expert Review of Provision of Mental Health Services which followed the tragic deaths of young people detained in custody⁵. Along with the HM Chief Inspector of Prisons in Scotland, we called for a review of the appropriateness of any child under the age of 18 being deprived of their liberty in Young Offenders Institutions and prison-like settings.⁶ We have also raised serious concerns with the Scottish Prisons Service about the authorisation of pain-inducing restraint techniques on children in Polmont – a practice wholly at odds with Scotland's obligations under international law. We are concerned that children as young as 11 continue to be detained in custody in police detention, often for minor offences and without the necessary legal protections being put in place.

¹ <https://www.scotsman.com/news/politics/urgent-solutions-needed-solve-scotlands-secure-care-crisis-msps-told-1408086>

As the impact of Covid-19 began to become clear, expert bodies including the UN Committee on the Rights of the Child recognised that the pandemic's effect on children in places of detention was a serious concern⁷ and a risk to their rights to life, liberty and health. Factors including increased risk of infection within facilities where children were detained, limitations on rights to family contact, and reduced opportunities to access professional supports such as mental health, all combined to exacerbate the impact of deprivation of liberty.

In the course of our pandemic work, we criticised the Scottish Government's failure to ensure specific provision was made for children under the Release of Prisoners (Coronavirus) (Scotland) Regulations 2020, and raised concerns with the Scottish Parliament about the conditions for children in Polmont during the pandemic, as well as the situation faced by children detained on remand⁸. A number of children detained on remand have also been identified as potential trafficking victims, and we are working to ensure that Scotland does not prosecute and detain children who have been criminally exploited.

All these matters bear considerable further attention and the office will continue to engage as part of our ongoing work around children in conflict with the law, including by reporting issues to the United Nations Committee on the Rights of the Child.⁹



⁷ https://yjlc.uk/wp-content/uploads/2020/04/CRC-statement-INT_CRC_STA_9095_E1.pdf

⁸ https://www.parliament.scot/S5_JusticeCommittee/Inquiries/20200525_CYPtoMM.pdf

⁹ <https://cypcs.org.uk/wp-content/uploads/2020/12/crc-report-2020.pdf>



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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	7 th December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Adult Support and Protection Inspection Update
REPORT NUMBER	ACHSCP/21/308
DIRECTOR	Sandra Macleod, IJB Chief Officer
CHIEF OFFICER	Claire Wilson, ACHSCP Lead for Social Work
REPORT AUTHOR	Val Vertigans, Lead Strategic Officer Adult Public Protection, ACHSCP
TERMS OF REFERENCE	Section 1.1

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to highlight and provide assurance about preparations being undertaken for the forthcoming Joint Inspection of Adult Support and Protection (ASP) in Aberdeen.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Notes preparations being made for the forthcoming Joint Inspection of Adult Support and Protection in Aberdeen.

3. BACKGROUND

- 3.1 The programme of Joint Inspections was paused at the start of the pandemic, but, in a letter to COSLA and SOLACE dated 3 March 2021, the Cabinet Secretary for Health and Sport requested that the inspection programme resumes in a proportionate and sensitive manner.
- 3.2 The inspection programme is being led by the Care Inspectorate in collaboration with Her Majesty's Inspectorate of Constabulary Scotland (HMICS) and Healthcare improvement Scotland (HIS). This scrutiny and assurance will be undertaken in the context of health and social care integration. A phased approach is being adopted, using adapted methodology developed during 2020 which ensures the lightest possible approach.
- 3.3 The inspection focuses on key processes and leadership (see national [quality indicator framework](#)). The key activities are to include submission of a 'short position statement' (maximum 20 pages), submission of 'supporting evidence' under specific themes (maximum 20 documents), a case file audit and a staff

survey (across social work, health and police staff). The case file audit will review records from the three agencies. Guidance and information about the methodology to be used have been published on the [Care Inspectorate website](#).

- 3.4 On 10th November 2021, informal advice was received from the Care Inspectorate that the formal Notification of Inspection would be made on 22nd November 2021. Indicative timelines provided by the Care Inspectorate covered steps to be taken, culminating in the publication of the inspection report in April 2022. Key activities will be required in January / February 2022, which will place considerable impact on systems and services which are already under extreme pressure. Discussions have subsequently taken place with the Care Inspectorate regarding mitigation of these impacts via reconsideration of proposed timings and methodology. Formal Notification of Inspection has not yet been received (as of 25th November) and a formal response from the Care Inspectorate regarding potential mitigations is awaited.

A number of steps continue to be taken in preparation, notwithstanding:

- A multi-agency working group, established locally to coordinate and progress preparation for the inspection, continues to meet regularly. The group comprises strategic leads from Aberdeen Health and Social Care Partnership (AHSCP), Police, NHS Grampian and Advocacy Service Aberdeen;
 - Members of the working group continue to progress the development of a draft Position Statement (including via a multi-agency workshop discussion) and related Improvement Plan. Drafts of both these documents have been developed and continue to be reviewed by the Adult Protection Committee and the Aberdeen City Executive Group for Public Protection;
 - Work continues on the list of 'Supporting Evidence' which the Care Inspectorate requires to be submitted alongside the Position Statement;
 - A review of the Grampian Information Sharing Protocol is near completion. This is required in order to enable multi agency case file review which will be undertaken in preparation for the inspection;
 - An Aberdeen City Council Oversight Group is in place to ensure appropriate preparations on behalf of the Council as 'lead agency';
 - A sub group of the multi-agency inspection working group, including Information Governance colleagues, has been established to progress work relating to the logistics of sharing HSCP and NHS Grampian case files with the Care Inspectorate, to enable the remote access required (via a dedicated Sharepoint site). A lead agency 'operational' group is also working to develop the processes and resource necessary to ensure the provision of access to the required case file records during the inspection.
- 3.5 In terms of the significant work involved in providing the Care Inspectorate with the case file records to which they will need access, resources from the partnership will be difficult given the pressures being faced by health and social care staff, although we are working with the care inspectorate to minimise any negative impact.
- 3.6 Preparatory work will continue over the coming period, and a service update will be provided to the Committee once notification has been received that the inspection is to proceed. Assurance in respect of inspection preparations and

state of readiness is being provided to the Adult Protection Committee and the Aberdeen Executive Group for Public Protection. The findings following the inspection will be presented to this Committee during the course of 2022.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk			
Compliance	Care Inspectorate inspections offer assurance on how well relevant policies, procedures and risk management arrangements are working.	L	Work is being undertaken to address areas identified for improvement through quality assurance.
Operational	Inspections cause significant impact on resources in terms of preparing and undertaking the inspection, the formal element of which is over a 13-week timeline. It is acknowledged that staff are stretched due to the pandemic, increase in demand and winter planning		The impact of this inspection has been acknowledged in terms of resource required to undertake this. The uploading of 105 files into the Care Inspectorate System will be resource intensive so the group is working on how we do this with the least amount of impact on operational staff. A letter has also been written to the Care Inspectorate regarding the significant resource this will take which is not in line with a 'light touch inspection'
Financial			

Reputational	The publication of regulatory inspection reports can have a reputational management impact,	L	Detailed planning and preparation is taking place in advance of the inspection, as set out in this report.
Environment / Climate			

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	The proposals in this report have no impact on the Council Delivery Plan
Aberdeen City Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	N/A
Prosperous People Stretch Outcomes	The report aligns closely with Stretch Outcome 11 of the LOIP
Prosperous Place Stretch Outcomes	N/A
Regional and City Strategies	
	N/A
<i>UK and Scottish Legislative and Policy Programmes</i>	The report sets out how preparations are being made to the forthcoming joint inspection of adult support and protection in Aberdeen, which will provide assurance as to our effectiveness in fulfilling statutory obligations under the Adult Support & Protection (Scotland) Act 2007.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	N/A
Data Protection Impact Assessment	N/A

9. BACKGROUND PAPERS

None

10. APPENDICES

N/A

11. REPORT AUTHOR CONTACT DETAILS

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ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	7th December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Resilience Annual Report
REPORT NUMBER	COM/21/267
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Fiona Mann, Emergency Planning, Resilience and Civic Lead
TERMS OF REFERENCE	2.1, 2.3, 2.5

1. PURPOSE OF REPORT

To provide the second annual assurance report on the Council's resilience arrangements in fulfilment of its duties as a Category 1 responder under the Civil Contingencies Act 2004.

2. RECOMMENDATION(S)

That the Committee -

- a) notes the progress made in embedding the Council's resilience arrangements during 2021; and
- b) approves the revised Generic Emergency Plan appended with tracked changes.

3. BACKGROUND

- 3.1 The Council has emergency planning responsibilities to fulfil as a Category 1 responder, as defined by the Civil Contingencies Act 2004. This report provides an annual position statement on our activity and preparedness in the areas set out in the Act, including details of further planned improvements to ensure that the Council is in as strong a position as possible to respond to emergencies and incidents affecting the public.

3.2 Officers last reported to the Committee on 2 December 2020, summarising all resilience activity in the 12 months' prior. This period had focused largely on our response to COVID-19, as well as our transition into the early stages of recovery. As a Category 1 responder, the Council had managed a number of concurrent risks over this time. During 2021, this management of concurrency continued as the pandemic transitioned into longer term management and our system of organisational resilience responded to new and emerging risks. This past year has allowed us to strike a balance between the demands of an on-going pandemic and preparing for/responding to other emergencies concurrently. In this way, the Council's organisational resilience arrangements have become further embedded.

3.3 To recap, our responsibilities under the 2004 Act are as follows:

- To **assess the risk of emergencies occurring** and using this to inform contingency planning;
- To maintain **emergency plans** and **business continuity plans**;
- To **inform the public** about civil protection matters and to maintain arrangements to warn, inform and advise the public in the event of an emergency;
- To share information with other **local responders** to enhance coordination, and to co-operate with other local responders to enhance co-ordination and efficiency; and
- To promote business continuity by providing advice and assistance to **businesses and voluntary organisations**

There are specific duties for a local authority, including supporting the emergency services during a response, and these are listed in full in our General Emergency Plan.

In September, the UK Government issued a call for evidence on a proposed National Resilience Strategy, taking cognisance of the impact of the pandemic, concurrent events and the types of emergencies which are likely to be caused by climate change and other risks, in the future. This is expected to lead to changes to the legislation and its supporting guidance "Preparing Scotland".

3.4 The Committee has oversight of the following areas, which are covered from paragraph 3.5 below:

- Our compliance with the Council's duties relating to resilience and local emergencies, including staffing arrangements and systems for incident management;
- Our approach to maintaining and reviewing Business Continuity Plans in accordance with the priorities allocated to them;
- Recommendations in response to local, regional and national lessons learnt reports in respect of emergency planning matters and monitoring their implementation; and
- Our response to the National CONTEST strategy and associated plans relating to Counter Terrorism.

Assessment of Risks

- 3.5 Management of risk relating to COVID-19 has continued to feature as part of the Council's duties as a Category 1 responder during 2021. These risks are now embedded in the Corporate, Cluster and Operational risk registers. Corporate risks are monitored by the Risk Board and the Audit, Risk and Scrutiny Committee, whilst Chief Officers monitor their Cluster and Operational risks regularly, including horizon scanning for new or escalated risks. Senior Management Teams continue to monitor the impact of COVID-19 and EU Exit on the delivery of critical services and to reflect this in their risk registers.
- 3.6 The Council continues to maintain situational awareness of EU Exit related matters through engagement with external networks and local partners including CoSLA, Grampian Local Resilience Partnership (GLRP) and the Local Authority Resilience Group (LARGS). The potential risks that were identified have either been closed or integrated into "business as usual" risk management.
- 3.7 In June this year the Risk Board approved changes to the officer sub-groups reporting on both resilience and business continuity, covering our duties under the Civil Contingencies Act.



- 3.8 The Organisational Resilience Group was refreshed as the City Resilience Group (CRG) and terms of reference and membership were revised to reflect its emphasis on managing a) risks which could cause an emergency in the city which threatens the safety of our residents and b) risks which could hamper an emergency response in the city. Collectively, these risks form a Place Risk Register, which allows the CRG to assess, monitor and manage the risk of emergencies occurring which would impact upon the place of Aberdeen. The activities of the Business Continuity Group are covered at para 3.** below.
- 3.9 The Council's corporate risk register, monitored by the Risk Board, ensures that the risk of compliance with our civil contingencies responsibilities is effectively managed. This will be reported to the Audit, Risk and Scrutiny Committee in February 2022 along with the relevant assurance map. This will provide assurance that the required controls are in place and will complement the scrutiny of risks at the GLRP Working Group.

- 3.10 The Council’s Duty Emergency Response Co-ordinators (DERCs) and Tactical Leads remain on call 24/7 throughout the year and are responsible for assessing and managing risks during emergency response. This structure has added much needed resilience, both in managing operational responses and in supporting activations of the GLRP. Tactical leads support the DERC with their strategic response, manage initial rotation of operational staff if the incident is protracted, ensure that any health and safety risks to public and staff are mitigated, and make recommendations to the DERC in respect of any decisions required under emergency powers and standing down or further escalating the incident. This key role in the management of emergency response has now been in effect for a year. It has provided the Council with a significant tactical capability and ability to competently discharge the role of the tactical response layer, as set out in the GEP. This has been achieved without additional staffing resource and by utilising existing expertise and proved particularly effective during the response to Storm Arwen.
- 3.11 In 2021 we have also seen an additional DERC joining the rota, along with a number of new Tactical leads, giving us a like for like number of each role which enhances our resilience and resource specifically in the event of concurrent incidents and/or events. Also enhancing the Strategic and Tactical layers are more formalised Operational leads in services which are commonly key to an emergency response. Again, this utilises existing resource and expertise and is spreading our resilience and capability across a wider group of staff. This builds our capacity and makes us more resilient as an organisation.
- 3.12 Participation in the COVID-19 strategic GLRP has continued throughout this year, where the Council has been represented by the Chief Executive. This “all risks” group has been working to a strategy to protect and preserve life, support the ongoing work of all agencies in relation to COVID-19 and the return to new normality and create and maintain a shared situational understanding. As the city has continued its recovery and progressed to on-going pandemic management, including roll-out of the vaccination programme, understanding the wider impacts on each of our partners has been essential. The Council has continued to provide support where required, including transport and staffing to ensure life and limb services are able to continue. In October 2021, the Council provided feedback to Scottish Government on the proposed terms of reference for their COVID-19 Enquiry. Progress on this will be reported through the relevant committee when the exact scope and timescales for the enquiry are known.
- 3.13 The Council has over the year responded to a number of concurrent incidents and effectively managed these through the Council’s emergency response structures, including subsequent de-briefs. Improvement actions are identified and overseen by the CRG. A summary of the incidents and resulting improvements is below:

Incident	Improvements identified	Status
Northfield Academy Fire March 2021	Further guidance required to DERCs and Tactical Leads on when incidents can and should be managed operationally, rather than through the DERC.	Complete and active. It is recognised that there is a degree of judgement required in each case.

Incident	Improvements identified	Status
		Coordination by the DERC and Tactical Lead will be required for an incident that requires coordination across multiple services or has the potential to require this.
<p>Scottish Gas Network outage at Great Northern Road</p> <p>21/8/2021</p>	<p>Need to improve access to vulnerable persons information to assist with Care for People obligations.</p> <p>Requirement for improved data sharing arrangements ACC and SGN.</p> <p>Incident comms with Scottish Water and ACC require improvement.</p>	<p>In progress - Person at Risk Database (PARDS) is a tool to allow access to information on vulnerable people using Geographic Information System (GIS). This requires development learning from examples of good practice and with support from Scottish Government.</p> <p>In progress - in an emergency the Civil Contingencies Act allows for a level of information sharing across agencies and Cat 1 and 2 responders but a proactive solution to allow for planning and preparation is needed and linked to PARD above.</p> <p>In progress - discussion required with Scottish Water to look at improved comms for future</p>
<p>City Centre Power Outage</p> <p>24/9/2021</p>	<p>Requirement to create an on-call rota for Facilities 24/7 365 days utilising a generic phone number.</p> <p>Advise Regional Communication Centre (RCC) that if they go into Disaster Recovery mode and instigate their Business Continuity Plan the DERC must be informed for situational awareness and for potential concurrent issues.</p> <p>Requirement for an integrated/permanent generator at Marischal College to allow for adequate power provision and continuous power provision if a future power cut or 'Blackstart' event occurs.</p>	<p>Complete and active.</p> <p>Complete and active.</p> <p>In progress – business case being developed across ICT, Corporate Landlord and Facilities Management.</p>

Incident	Improvements identified	Status
	Specifically, to protect the IT network and the security of the building.	
NHSG Mutual Aid Request – vehicles and drivers October 2021	None.	Not applicable.

Storm Arwen

At the time of finalising this report for publication, the Council is moving towards the recovery stages of the incident. The scale and severity of the storm proved challenging for all agencies and the Council participated in an activation of the GLRP whilst concurrently activating our Generic Emergency Plan and various business continuity plans. De-briefs will be held in the coming weeks (both internally and at GLRP level) however the response from Council officers was swift and thorough. Any improvements which are identified for our resilience structures will be taken through the City Resilience Group in due course.

- 3.14 Exercising and training continues to be a priority for the organisation, with full support from ECMT which is critical in ensuring engagement from all relevant teams. The following have been completed this year:
- DERC “Page One” training – June 21
 - Unannounced activation of GLRP – October 21 (multi agency)
 - DERC refresher training – August 21
 - Unannounced test activation of Royal and Ceremonial planning
 - Emergency Planning introduction & winter preparedness / training and presentation across Multi Agency partners – October 21
 - DERC and SMOC refresher presentation – November 21
 - ACC Emergency Response Teams, Winter preparedness exercise November 21
- 3.15 Training and development will continue throughout 2022, to ensure that the Council’s emergency response teams, ALEOs and community groups are clear on their roles and how to execute these in the event of risks manifesting, individually or concurrently. This is done through a combination of
1. Page turn exercises on emergency plans and business continuity plans;
 2. Presentations/discussions to check assumptions and shared understanding eg winter preparedness;
 3. Table top exercises which facilitate role play including concurrency of factors as part of a single emergency as well as concurrent incidents eg mass evacuation;
 4. Live play exercises which are as close as safely possible to an actual incident eg power resilience failure; and
 5. Drills which are coordinated and supervised closely and test existing protocols and plans.

3.16 The continued use and ongoing updating of the Resilience Hub, a sharepoint site which provides a toolkit for the Council's emergency response teams, has been a strong focus over the past year and content within the Hub is constantly growing. This assists with situational awareness, sharing of historical data and lessons learned, partnership contacts, relevant legislation and regulation reference documents. The Resilience Hub is also a safe place to share information and updates on incidents and acts as the single point of contact for current information eg emergency plans and activation packs. A few examples of items within the Hub:

- Monthly updates posted UK PROTECT Bulletin
- Links to reports such as Coronavirus lessons learned to date UK Parliament
- Sharing of partner rotas
- Weather updates and operational updates
- Addition DERC and SMOC channel to allow immediate information flow between our NHS colleagues senior manager on call and our DERC
- Templates for managing incidents and debriefs from incidents

3.17 Risks are also assessed and monitored regularly through the GLRP which manages a risk register and resulting workplan. The Emergency Planning, Resilience and Civic Lead (EPRCL) represents the Council on the GLRP Working Group which meets every six weeks. The EPRCL works closely with Chief Officers to help manage their contribution to emergency response. During the current year, this flagged development work to build resilience around Council-owned and managed buildings i.e. Aberdeen Art Gallery, Beach Ballroom, Provost Skene House etc. Integration into and improved understanding of the Council's emergency planning and resilience structures has ensured that these buildings are well prepared to respond to any emergencies or major incident. The EPRCL supported the Royal Opening of Aberdeen Art Gallery, including high profile guests, and the official opening of Provost Skene's House, which have tested resilience plans successfully and helped ensure that mitigations are in place. These include the introduction of a wif-fi and cellular radio system which is being rolled out across Council owned and managed buildings providing "all call" capability in the event of a major incident across multiple sites, and the use of CCTV suite in Marischal College to incorporate all venues thus allowing external monitoring, faster response to incidents and multi-agency support. The event, involving high profile guests, was a test of our public safety approach as a Council and demonstrated strong links across services and between partners in protecting the public.

3.18 The community safety partnership undertakes the multi-agency Operation Fawkes each year in the lead up to and including Bonfire Night. This involves key local partners such as SFRS, Police Scotland and Aberdeen City Council. The Operation aims to tackle unauthorised bonfires, fireworks, fire hazards and the accumulation of waste or hazardous materials that represent potential fire risks.

Each year a substantial protocol document is completed and agreed between partners. This covers operational details associated with responding to incidents – such as partner shift rotas and main contacts, as well as the

responsibilities of each agency involved in the planning and activity. The protocol document also sets out the types of diversionary activity being undertaken with young people, including sport and dance, which is being adapted as necessary in light of the ongoing Covid-19 pandemic.

- 3.19 ALEOs support the Council to carry out our Category 1 responder duties in a number of ways, for example use of premises, staff and equipment as a rest centre in an emergency. This has included a review of ALEOs emergency powers, public liability insurance and business continuity plans by the ALEO Assurance Hub. These relationships allow additional resilience for the emergency response plans. Workshops are being scheduled to take place with each of the five ALEOs in late 2021/early 2022, and this will build upon their understanding of the Council's civil contingencies responsibilities and how they can support us in meeting these, as well as their role in supporting the Prevent strand of the CONTEST strategy (managing the risk of radicalisation in Aberdeen).

Emergency Plans and Business Continuity Plans

- 3.20 The **Generic Emergency Plan (GEP)**, which was approved by the Committee in December 2019, has been in use since the start of the COVID-19 pandemic. Officers provided an update to the Committee in October 2020 advising that the GEP has been augmented with a suite of supporting documentation to ensure a robust activation of the Plan. During 2021, this documentation has been kept under review and adjustments made accordingly. Some revisions to the GEP were identified as part of the Council's review of the response, transition and recovery stages of the COVID-19 response, and these are tracked in the appended version of the Plan. These reinforce the role of our ALEOs in supporting us to meet our obligations and also add to the role of the DERC to consider the requirement for communications plans (internal and external) for incidents lasting more than a few days.
- 3.21 Integrated Joint Boards (IJB) became Category 1 responders under the Civil Contingencies Act in April 2021. The Aberdeen City IJB received a report which outlined the duties under Act and which explained how the Chief Officer of the Aberdeen City Health and Social Care Partnership (ACHSCP) would fulfil these duties on the IJB's behalf. Prior to the legislation coming into effect, the Council and the ACHSCP had been working very closely on civil contingency matters, that the Chief Officer of the ACHSCP (and staff) had been involved in meetings of the GLRP and had also participated in the response to a number of incidents in the last year.

The introduction of the legislation helped to formalise these arrangements and improve existing partnership working, for instance on the review of the **Aberdeen City Care for People Plan**. The Care for People Group is co-chaired between the Council and the ACHSCP. The review of the Plan was recommended in an internal audit of civil contingency arrangements in the Council. The Care for People Group reviewed the Plan, building on work undertaken in the Council on resilience matters and streamlining the Plan to make it more user friendly.

The Plan was approved by the Care for People Group in May 2021. In terms of governance, representatives from the Partnership are members of various Council groups and boards which helps to further enhance the working arrangements.

3.22 This past year has also seen significant movement in the preparation of the Council's **Power Resilience Plan** to put in place preparations for a 'Blackstart' prolonged power outage across the city and beyond. This is being progressed through both a working group of internal operational teams and task and finish group of the GLRP where there are multi-agency mitigations to put in place. This work is vital to assist each local authority in compiling their own plan as it gives context to local multi agency expectations and ensures a joined-up approach in the event of a GLRP activation.

3.23 The Council's Regional Communications Centre (RCC) is critical to the smooth working of the DERCs and other emergency response team. A number of actions have been taken to bolster this resource including:

1. Creation of generic numbers for all emergency teams thus reducing risk of wrong person being called or time delay in response.
2. Business Continuity Plan exercise with RCC to ensure clarity on disaster recovery arrangements
3. Providing access for key RCC staff into Resilience Hub team channel
4. Regular catch ups with EPRCL and RCC managers / supervisors
5. RCC invitation to incident debriefs where the RCC has taken the call and passed to DERC or if the RCC has been the team in an incident

3.24 The Council has in place a schedule of other emergency plans which are developed and reviewed in conjunction with partners on the GLRP and with peer review from colleagues in other local authorities. These include:

Plan	Status	Notes
Fuel Plan (GLRP - plan)	Complete.	Reissued October 2021
Care for People Plan	Complete.	Reissued October 2021
Cyber	On-going	Robust BCPs are in place – plan to integrate BCP into ACC Emergency Response processes and structures.
Plans covering other events and ceremonial occasions	On-going – multiple exercises carried out along with test activations of plans internal and multi-agency	Plans have had adaptations to take account of Covid – 19 regulations and instructions from Scottish Government are accounted for.
City Centre Lock Down plan (CONTEST)	Draft initiated December 2021	Completion 2022 Q3

Plan	Status	Notes
Move to Critical Plan (to be used when UK moves to highest level of terror threat)	Assessment has been completed, the plan is being refreshed and a final review and sign off will be required.	Completion 2022 Q2
Coastal Pollution Plan	On going City emergency plan required. By way of assurance there is an LRP plan 2019 Jan – 2024 that would be activated.	Completion 2022 Q2
Pipeline Activation Pack	This is not a priority plan as there is an overarching Forties pipeline GLRP plan. Sections of AWPR and Dyce roads have small section of pipeline running beneath – arrangements to be reviewed.	Completion due 2022 Q3.
Scientific and Technical Advice Cell (STAC) activation and management plan	There is a GLRP plan and activation process, has been well exercised successfully during Covid – 19	
Multi Agency Incident Response Guidance (MARG) for Art Gallery (Police Scotland, Scottish Fire and Rescue, Scottish Ambulance Service and tenant operators.)		2022 Q2
Flooding Response Plan	Removed plan from the initial list as identified in 2020. There are robust operational procedures and 24/7, 365 days flooding operational leads on duty. The GEP is there for DERCS who also have the Tactical lead for support.	Not applicable.

3.25 The Council's Business Continuity Group (BCG) chaired by the Corporate Risk Lead continues to provide assurance to the Risk Board that:

- Critical Service/Functions have plans in place;

- Plans are maintained and reviewed;
 - Plans are tested in accordance with the testing schedule; and
 - Good practice and improvement activities can be shared and communicated with other plan holders across the organisation.
- 3.26 The Group's activities in 2021 focused principally on commencement of a Discussion Based Exercise of all plans in accordance with the 2021 Testing Schedule which will lead to commencement of Desk Top exercising in the Quarter 4 of 2021. Key activities have included:
- The Group's Terms of Reference were revised to reflect the change in the groups reporting arrangements and to include review of the organisation's Institutional Climate Risks.
 - Review and updates to the Business Continuity Framework and supporting documentation which included, the Business Continuity Policy, new templates for Discussion Based and Desk Top exercises and flow charts.
 - A Business Continuity channel was established within the Managers Portal (MS Teams) which hosts the organisation's BCP related documentation including, the organisations BCP's, plan testing schedule, BCG documentation including annual workplans, completed test and plan activation documentation.
 - Satisfactory completion of Internal Audit recommendations in relation to the testing of plans.
- 3.27 A Discussion Based Exercise was conducted by plan holders with progress being monitored by the BCG and reported to the Risk Board. The primary objective of the exercise was to bring staff/teams together as group so that they could be informed of the plan, its detail and individual responsibilities within the plan.
- The template created for the exercise supported the review by guiding a structured discussion that would identify potential problems, weaknesses, and solutions to ensure that the detail within each plan was up to date and relevant. The exercise also supported staff training and the embedding of BCP within each service area.
- The positive feedback on the exercise provided to the BCG by plan holders confirmed that the exercise achieved its objectives by prompting plan updates, raising staff awareness and the creation of new BCP's that incorporates changes to operational processes and team structures.
- The updated plans were uploaded to the Business Continuity Channel and will be used as the foundation documentation for the Desktop Exercising commencing Quarter 4 of 2021.
- 3.28 The review/test of plans and arrangements within School settings was completed in September and involved review and update of plans to include, structural changes to buildings, changes associated with pupil intake and staffing changes.

- 3.29 The Risk Board assigned ownership of the Council's Critical Service List to the Assurance Team to align the list with the organisations BCP and Emergency Planning arrangements. The list will be reviewed annually by Chief Officers and reported to the Risk Board.

The Critical Service List will be utilised to:

- Guide the Council's response to events when there is a requirement to stand down and/or reinstate services and activities.
- Guide contingency planning when there is a requirement to relocate staff and resources to support critical services.
- Establish the criteria and priority for the testing of plans by the BCG to ensure that plan testing in Critical Services areas is prioritised and to inform the types of scenarios and plan combinations.

- 3.30 Work is currently underway to replace the existing MS Word based BCP Template with an Excel/SharePoint based list utilising the same approach adopted with the Council's Risk Registers.

The updated template incorporates data fields that will capture the following BCP events:

1. Loss of Staff
2. Loss of Digital Systems
3. Loss of Building or Equipment
4. Loss of Critical Supplier

- 3.31 The format and design of the template will result in the creation of a single Corporate Plan which is held in a digital format that will support the identification of:

1. Cross services dependencies.
2. Cross service disruption and scale.
3. Critical services and resources levels across the organisation.
4. Critical services, equipment and resources required across the organisation.
5. Critical facilities required across the organisation.
6. Minimal levels of service and resources required across various timelines.

- 3.32 It is anticipated that this work will be completed by Quarter 2 2022 and will provide the organisation with:

- Improved performance and oversight of the organisation's Business Continuity plans and requirements in order to respond to a Business Continuity event or events (recognising the need to plan for concurrent activations)
- Intelligence for services to use in responding to an event or, if activated, an Incident Management Team dealing with concurrent events.
- Improved assurance to internal and external organisational resilience groups through improved scenario planning and testing activities.

Warning and Informing the Public

- 3.33 The Council's External Communications team operates a 24/7/365 on-call rota as part of which they will inform the public and media of an emergency situation. There is an agreed Emergency Incident Response Protocol which sets out a clear pathway for how the public are informed.

Our External Communications team are members of the GLRP Public Communications Group – this group plays a crucial role in coordinating of public communications. It has been a priority group during the different phases of the COVID-19 pandemic. Each phase of the pandemic has distinct public messaging requirements, and the group meets regularly throughout each of these phases to coordinate a dynamic local public communications response appropriate for each stage.

- 3.34 2021 has seen the continued and successful use of easy-to-understand infographics and accompanying social media posts for on-going resilience incidents such as winter weather and flooding.

These include warnings to the public before such an event happens, what the Council is doing during these incidents including working with internal and external partners, and the recovery stages of an incident or an emergency.

Information from these social media posts is sent to local media including radio, television, and newspapers to disseminate to as wide an audience as possible either through social media, websites or more traditional media methods. This work was developed with colleagues in Operational Services and external communications to better inform the public.

Working with Local Responders

- 3.35 **Multi Agency Incident Response Guidance (MAIRG) for TECA**
(Police Scotland, Scottish Fire and Rescue, Scottish Ambulance Service and tenant operators.)

This document was produced by the EP lead due to the site being an ACC asset (February 2021) as guidance intended to provide site specific information to assist responding agencies in the initial stages of a coordinated multi agency response to an incident at the TECA site.

- Hazards (Risks and Threats) have been identified to allow planning and preparedness
- Roles and responsibilities of each agency have been clarified
- Response arrangements detailed and documented
- Marshalling areas, RVPs, FCPs, Cordons, Casualty Clearing Stations- all identified
- Individual TECA business operators' emergency procedures defined and documented
- Response Flow Chart

The document will be reviewed annually by all partners or after any incident, whichever is first.

3.35 **Offshore Europe February 2022 at P&J Live TECA**

Chairing of LRP working group for P&J Live and OE: our role is to understand the emergency plan for the event and review alongside the venue MAIRG ensuring that in the case of an emergency on site, at Offshore Europe, ACC is fully sighted on the procedures, key individuals and response plans. As this is a Council owned asset and the largest business event to take place in the city with huge economic impact, extensive media coverage Locally, Nationally and Internationally. It is vital all parties are working together to identify any risks and put in place mitigations.

January 2022 a multi-agency site visit and event documentation page turn will take place, further site visits will take place during the build up to the event.

January 2022 a table top exercise for the event at the venue will take place

A second DERC and Tactical lead will be put in place for the week in February to ensure business as usual incidents are managed separately and without compromise.

3.36 **COP 26 Preparedness for Aberdeen City**

EPRCL lead attended numerous multi agency and Police Scotland meetings as well as receiving presentations and documents regarding COP26. With a view to understanding its potential impact for the City and on business as usual Operational Policing resource.

From the information received we provided 3 minute briefs to the Risk Board in the run up to the event, detailed briefings in advance of the event for ECMT, and handover notes for DERCs weekly including any situational awareness. This was managed through an internal working group to ensure preparedness for potential protest in the City including the Public Transport Unit, Roads and External Comms. The group also worked together to:

- Identify potential sites/ roads at risk from Protest and add to already identified areas via Police Scotland;
- Ensure awareness of all relevant ACC and ACC partners with regard the potential for protest in the City; and
- Identify mitigations for activation in case of infrastructure blockade during the COP 26 period.

3.37 **Bridging Accommodation for Afghan Families**

Teams within the Council were also involved with the planning and preparation for the Afghan families' arrival to the City as part of the Home Office resettlement programme. Whilst led by colleagues in Community Empowerment and Early Intervention, the EPRCL took on a role to ensure resilience structures were wrapped around this activity. This included completion of risk assessments on the arrival process, accommodation, security and health and safety, support to hotel management on each of these, coordination of site audits by Scottish Fire and Rescue Services and colleagues

in Environmental Health, the creation of emergency contacts and an emergency process, and briefing of GLRP partners for situational awareness.

3.38 **Multi-agency Resilience Workshop**

This was held on 12th October 2021 - DERCs and Tactical Leads took part in the session alongside colleagues from Aberdeenshire and Moray Councils, Police Scotland, Scottish Fire and Rescue Service and Scottish Government. This session covered:

- A general Resilience Overview
- An introduction of the Health and Social Care Partnership into the Civil Contingencies Act 2004
- How to activate the GLRP in a crisis
- Met Office Winter Preparedness

3.39 **Aberdeen Health and Social Care Partnership**

The SMOC and DERC familiarisation sessions, information sharing, training and exercising is an important part of the overall emergency response plans that ACC, there is huge value in this partnership / relationship, particularly with Public Health being under considerable pressures as the pandemic progresses.

3.40 **CONTEST**

CONTEST is the UK national strategy which aims to reduce the risk of terrorism through “the four Ps” –

- **Prevent:** stop people from becoming terrorists or supporting terrorism
- **Protect:** improve our protective security to stop a terrorist attack.
- **Prepare:** work to minimise the impact of an attack and to recover as quickly as possible
- **Pursue:** investigate and disrupt terrorist attacks.

3.41 As a Category 1 responder, the Council has a role to play in delivering on each strands and this is shared across multiple services and led by the Chief Officer – Governance as lead point of contact. Council officers participate in monthly “Bridge” calls which are chaired by Police Scotland Counter Terrorism Unit and have added some of our ALEOs and owned and managed venues to this meeting. This provides an overview of the current threat level and also any intelligence locally. It allows shared situational awareness across the North East of Scotland and provides briefings on topics such as COP26 or new training opportunities such as ACT awareness.

3.42 **Prevent – to stop people becoming terrorists or supporting terrorism**

A new Online Prevent e learning product has been developed with colleagues within Organisational Development. This course is mandatory for all Council staff and is promoted to our ALEOs also. This course has assisted us in ensuring that the statutory Prevent training has still been accessible throughout the pandemic. The previous Prevent Professional Concerns (PPC) panel has now been replaced by Prevent Multi Agency Panel (PMAP). The PMAP process forms a key part of Prevent. The process adopts a multi-agency approach to identify and provide support to individuals who are at risk of being drawn into terrorism. Statutory Guidance has been issued to partners with responsibilities

under Prevent along with a series of training events and consultation with a view of all partners having fully implemented the new PMAP process by 2022/23.

Protect – to strengthen our protection against a terrorist attack

ACC submitted a return as part of the UK Government's consultation on the Protect Duty. This was launched as a result of the Manchester Arena Terrorist Attack in 2017. This Protect duty will be targeted at venues, organisations, businesses, local and public authorities and/or individuals who own or operate at publicly accessible locations. Such a location is defined as any place to which the public or any section of the public has access. This will impact on Council services which run venues or operate buildings which are open to the public. The results of the consultation will be reported to a future meeting of the relevant Committee.

Online ACT (Counter Terrorism awareness product for UK) e learning is to be made mandatory by end of 2021, for all ACC staff and is promoted to our ALEOs, Community and Business Resilience groups.

Prepare – to mitigate the impact of a terrorist attack

The impact of Covid-19 has meant that multi agency opportunities to exercise have been very limited across the GLRP which clearly impacts on CONTEST. However officers have undertaken to add a counter-terrorist element of testing during a wider exercise by the end of 2021. This will be an in-house exercise but shared with our multi agency colleagues regards observing and our debrief. Colleagues in Digital and Technology have enabled the use of an app on all Council devices which provides step by step actions to take in the event of a terrorist attack

Supporting Business and Voluntary Organisations

- 3.43 The Council's Event Guidance platform includes guidance for business and voluntary event organisers around event planning, risk assessments, adverse weather, budgeting and contingency planning – www.aberdeencity.gov.uk/eventguide
- 3.44 A Community Resilience Working Group has been established in 2021 to help discharge our duty to provide advice and assistance to the public in connection with the making of arrangements and integrating arrangements into the LA emergency planning process for the City. The Working Group aims to ensure that individuals, businesses, community networks and voluntary organisations are empowered to prepare for, respond to and recover from emergencies and disasters. It has a working objective to recognise communities' current activities in the area of resilience whilst enabling and supporting resilient behaviours in our communities, enabling community led social action, and helping communities to partner with the voluntary sector.
- 3.45 Business Resilience promotion, advice and guidance is part of the council's duties under the Civil Contingencies Act and we have started to formalise this by using vehicles that had been successful during the Covid-19 pandemic in

getting information discussion and decisions straight to the key people in our businesses.

Aberdeen Inspired and the Council are working together to update city centre businesses on the important aspects of business resilience through crisis, using the Union Street Business Network meetings as a platform and sharing information through the fortnightly IN Touch newsletter.

Key areas of discussion have been winter readiness; including flood preparedness and salting/ gritting provisions – what the council do and what business can do to help themselves. Protect legislation will be a topic for discussion in 2022.

Festive Arrangements

- 3.46 A rota specific to the Festive period is in place with DERC, Tactical and Operational leads. We are conscious of the increased risk of concurrent events due to COVID-19, normal winter pressures and potential one-off incidents. These arrangements will be shared with elected members and published on the Council’s website in early December.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report. The establishment of response structures in accordance with the Generic Emergency Plan has helped to ensure compliance with legislation and guidance.

6. MANAGEMENT OF RISK

- 6.1 The Council’s resilience arrangements rely on a constant cycle of risk management, and this is reflected in the Generic Emergency Plan and its supplementary procedures.

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Financial	Financial risks presented by the pandemic have been documented	L	As outlined in reports to Council.

	in reports to Council.		
Legal	Compliance with statutory guidance and legislation is necessary to ensure the Council is not exposed to legal challenge.	L	The implementation of the Generic Emergency Plan supports the Council to meet its civil contingencies duties.
Employee	Risks to staff throughout the pandemic response and through other emergencies.	M	Managed through the Place Risk Register overseen by the City Resilience Group.
Customer	Risk that customers' needs are not met and lack of clarity on the availability of services arising from the pandemic.	L	Managed through the Place Risk Register overseen by the City Resilience Group.
Environment	Risk to the city's external spaces.	M	Managed through the Place Risk Register overseen by the City Resilience Group.
Technology	Risk to digital systems as part of an emergency response or as an emergency itself.	L	Managed through the Place Risk Register overseen by the City Resilience Group.
Reputational	Risk of negative publicity in media/social media around the Council's response to emergencies.	M	Managed through the Place Risk Register overseen by the City Resilience Group.

6. OUTCOMES

- 7.1 The recommendations contained within this report have no direct impact on the Council's Delivery Plan however if emergency response is not effectively managed and risks mitigated, there could be an impact on the delivery of organisational objectives.

Design Principles of Target Operating Model	
	Impact of Report
Organisational Design	The Council's organisational structure has required to be flexible during the response to manage the impact of the pandemic. For example, some members of staff have transferred from less critical areas to more critical areas to ensure the continued delivery of critical services.
Governance	The Council's governance structure has been tested throughout the emergency response and has proved to be effective. The governance arrangements have proven to provide the flexibility needed to manage the impact of a pandemic.
Process Design	The lessons learned section details adjustments to process as a result of this event.
Technology	The Digital Resilience risk workstream established at the outset of the response ensure that our technological capabilities were always at the forefront.
Partnerships and Alliances	The Council has played a key role at the GLRP over the course of the year and has introduced multi-agency partners to ACC structures where appropriate.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Full EHRIA not required
Data Protection Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not applicable

9. BACKGROUND PAPERS

None.

10. APPENDICES

11. REPORT AUTHOR CONTACT DETAILS

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Generic Emergency Plan

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Document Control

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1. Introduction

1.1 Purpose of Plan

This Generic Emergency Plan (“the Plan”) has been created to document the Aberdeen City Council (“the Council”) emergency response structure. The Plan also outlines the roles and responsibilities of the Council as required as a Category 1 Responder as defined under the Civil Contingencies Act 2004 and accompanying amended Regulations for Scotland (2005 and 2013) and other compliance legislation. The Plan facilitates an appropriate, integrated and proportionate response by the Council to meet the needs of any incident or emergency, contributes to the prevention of escalation and disruption caused by such incidents, and enables the Council to maintain delivery of normal services as far as is reasonably practicable as well as compliance with statutory requirements.

1.2 Objectives of Plan

- Define the Council’s responsibilities in an emergency, in accordance with the Civil Contingencies Act 2004 and other relevant legislation and guidance;
- Outline the Council’s emergency response capabilities;
- Define the roles and responsibilities of the Council in incident response;
- Describe how and when the Plan will be activated;
- Detail the roles and responsibilities of Incident Management Teams and process for activating and deploying services;
- Outline the Command and Control structure for the Grampian Local Resilience Partnership (GLRP) and;
- Provide a generic plan linking emergency and business continuity plans and frameworks within the Council and the GLRP.

2. Scope

- 2.1 This Plan applies to all emergencies which could occur, and which may affect or threaten the Council’s ability to deliver critical functions. The Plan also acts as a guide for managing incidents which are not serious enough to require a strategic response. This Plan can be scaled up or down in relation to any incident which the Council could face. The Plan is not intended to operate as a procedural guide and is supported by a number of supplementary procedures and plans, as set out in section 4.

3. Legislation and Guidance

3.1 Civil Contingencies Act 2004

The Civil Contingencies Act 2004 (“the Act”) and its accompanying amended Regulations for Scotland (2005 and 2013) (“the Regulations”) place statutory obligations on Category 1 Responders to prepare for emergencies.

An emergency is defined under the Civil Contingencies Act 2004, Part 1, Section 1 as:

An event or situation which threatens serious damage to human welfare or the environment in a place in the United Kingdom, or war, or terrorism, which threatens serious damage to the security of the United Kingdom and which requires special arrangements to be implemented by one or more Category 1 Responder.

The Act delivers a single framework for civil protection in the United Kingdom by setting out:

Part 1 - Local arrangements for civil protection

Part 2 - Emergency Powers for UK Government and devolved administrations

Under the terms of the Act, seven duties are placed on Category 1 Responders:

- Duty to assess the risk of emergencies occurring and use this to inform contingency planning;
- Duty to maintain Emergency Plans;
- Duty to maintain Business Continuity Plans;
- Duty to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency;
- Duty to share information with other local responders to enhance coordination;
- Duty to cooperate with other local responders to enhance co-ordination and efficiency; and
- Duty to promote Business Continuity by providing advice and assistance to businesses and voluntary organisations on Business Continuity Management.

The full Civil Contingencies Act 2004 can be viewed at:

<https://www.legislation.gov.uk/ukpga/2004/36/contents>

The Regulations and Guidance can be viewed at:

<https://www.gov.uk/government/publications/emergency-preparedness>

3.2 Preparing Scotland

Following the introduction of the Civil Contingencies Act 2004 and its amended Regulations for Scotland, the Scottish Government launched 'Preparing Scotland'.

Preparing Scotland is not intended to be an operation manual, but is instead guidance to responders assisting them assess, plan, respond and recover. It establishes good practice based on professional expertise, legislation and lessons learned from planning for and dealing with major emergencies at all levels.

It reflects a process which prepares for emergencies from the identification of a risk to the completion of the recovery process. It is intended to be a flexible and responsive document, able to respond to new hazards and threats. The guidance is designed to be able to integrate new practices established through innovative thinking or the incorporation of lessons learned. It encourages training and development of those involved and lays out structures to assist in this. Whilst some development is in response to legislative duties, other programmes are continuously launched in response to stakeholder requirements.

The full Preparing Scotland Guidance can be viewed at:

<https://www.readyscotland.org/media/1166/preparing-scotland-philosophy-principles-structures-and-regulatory-duties-20-july-2016.pdf>

4. Supporting Procedures and Documentation

4.1 This Plan is designed to act as a foundation to the Council's response to an emergency and will ensure that it interlinks with a number of supporting procedures and documents, including:

- Supporting procedures and documents for Duty Emergency Response Co-ordinator;
- Operational procedures which support delivery of the Council's statutory obligations as a Local Authority;
- Grampian Local Resilience Partnership Generic Response Arrangements;
- Grampian Local Resilience Partnership Generic Recovery Arrangements;
- Relevant Grampian Local Resilience Partnership Site and Hazard Specific Plans;
- Relevant Aberdeen City Council Hazard Specific plans; and
- National and Regional plans.

5. Partnership Structure

5.1 Resilience Partnership Structure

In the North of Scotland (Tayside, Grampian, Highland and Islands) the North of Scotland Resilience Partnership provides a strategic forum for the co-ordination of emergency planning and response. Within Grampian the local level of planning and response is coordinated by the Grampian Local Resilience Partnership (GLRP). There are two tiers of the GLRP:

- Strategic;
- Tactical.

The Strategic tier is made up of the Strategic Leads of each Category 1 Responder agencies who ensure that Regional requests are implemented, and to agree local resilience priorities. The Strategic Local Resilience Partnership meets twice a year.

The Tactical tier is made up of the Tactical Leads from each of the Category 1 Responder agencies who implement the requests of the Strategic tier and work collaboratively on multi-agency plans. The Tactical Leads make up the GLRP Working Group that meets every 6 weeks. Category 2 Responders are also routinely invited to participate in the GLRP meetings.

The main purpose of the GLRP and Working Group at local level is to ensure that all Category 1 Responders are able to effectively and efficiently discharge their duties as defined under the Civil Contingencies Act 2004. The GLRP routinely activates at the Tactical tier as the primary forum for multi-agency emergency response, with Tactical Leads providing regular updates to Strategic Leads. The GLRP would activate at Strategic tier in the event of a Regional or National wide emergency which was out with the capability of the Tactical tier response.

5.2 Category 1 and 2 Responders

The Category 1 Responders as defined under the Civil Contingencies Act 2004 are:

- Local Authorities;
- Police Scotland;
- Scottish Fire and Rescue Service;
- Scottish Ambulance Service;
- National Health Service Grampian;
- Maritime Coastguard Agency (MCA); and
- Scottish Environmental Protection Agency.

The Category 2 Responders as defined under the Civil Contingencies Act 2004 are:

- Utilities Companies;
- Transport Authorities; and
- The Health and Safety Executive.

There are several organisations who may have a role in responding to an emergency that do not have specific duties as defined under the Civil Contingencies Act 2004. These organisations may be represented at any or all the Strategic, Tactical or Operational levels of an emergency response. These organisations may be involved in relevant sub-groups established during an emergency response, such as Scientific and Technical Advice Cell, Care for People or Committees established to provide specific capabilities or co-ordinate specific elements of an emergency response. The following list acknowledges some of the common response organisations not defined under the Civil Contingencies Act 2004:

- Her Majesty's Armed Forces;
- Voluntary Organisations;
- Animal Health Agency;
- Food Standards Scotland;
- Faith Organisations;
- Scottish Natural Heritage;
- Crown Office and Procurator Fiscal Service; and
- Commercial Organisations.

The Scottish Government is not classified as a Category 1 or 2 Responder under the Civil Contingencies Act 2004. This is to ensure that in the event of an emergency occurring which should impact Scotland nationally, there remains one neutral overall coordinator. Any emergency deemed as requiring the Scottish Government to take primary lead will be coordinated via the Scottish Government Resilience Room with instruction being provided to Local Resilience Partnerships regionally via the North of Scotland Regional Resilience Co-Ordinator.

5.3 Roles and Responsibilities of Category 1 Responders

Police Scotland

- Co-ordinate the activities of local responders and others acting in support at the scene of an incident except when MCA co-ordinate search and rescue in a maritime incident;
- Treat the affected area as a crime scene, the requirements for which must be considered in parallel to the general response, unless it is obvious that the emergency is caused by a natural event;
- Act under the direction of the Procurator Fiscal and, where appropriate;
- Facilitate the inquiries carried out by bodies such as the Health and Safety Executive, Rail, Air or Marine Accident Investigation Branches of the Department for Transport;
- Process casualty information including the identification of deceased; and
- Removal of the dead on behalf of the Procurator Fiscal who has the legal responsibility for investigating the cause and circumstances of deaths in Scotland; and
- As host force, co-ordinates the response to, and investigation of major accidents on the rail network in Scotland.

Scottish Fire and Rescue Service

- The saving of life through search and rescue;
- Firefighting and prevention of fire spread;
- Rendering humanitarian assistance;
- Protection of property and the environment;
- Management within the inner cordon;
- Managing incidents involving hazardous materials; and
- Qualified scientific advice in relation to HAZMAT (hazardous materials) incidents and damage control; and mass decontamination of casualties following a Chemical, Biological, Radioactive, Nuclear incident.

Scottish Ambulance Service (SAS)

- Save life and provide immediate care for patients at the scene of the incident and in transit to hospital;
- Alert hospital services and other relevant NHS agencies;
- Manage decontamination of people affected by hazardous substances prior to evacuation from the scene;
- Evacuate the injured from the scene in order of medical priority;
- Arrange and ensure the most appropriate transport for the injured to the receiving hospital;
- Supply patient care equipment to the scene of an emergency;
- Transport vital medical staff and their equipment to the scene of an emergency;
- Alert the Red Cross and St Andrew's Ambulance Association and coordinate their work in support of SAS; and
- Provide and maintain communications equipment for medical staff and voluntary organisations at the scene of an emergency; and restore normality.

National Health Service Grampian

- The National Health Service may provide a role at the scene of an incident in addition to its role of receiving sick and injured persons at its hospitals.

Maritime Coastguard Agency (MCA)

- Directorate of Operations includes HM Coastguard (responsible for civil maritime search and rescue) and Counter Pollution and Response Branch;
- Initiates and co-ordinate civil maritime search and rescue by mobilising, organising and dispatching resources to assist people in distress at sea, in danger on cliffs or shoreline and in certain inland areas;
- National coordinator of all civil maritime Search and Rescue activities by utilising its own facilities and those made available by others (e.g. military helicopters and Royal National Lifeboat Institute lifeboats) but will also seek assistance from any source likely to make an effective contribution;
- MCA may, if specifically requested, assist emergency services and local authorities during emergencies, such as flooding;
- The Counter Pollution and Response Branch deals with pollution at sea and assists local authorities with shoreline clean-up and; and

- The Secretary of State for Transport’s Representative (SOSREP) is collocated with the MCA. The SOSREP is empowered to intervene on behalf of the Secretary of State for purposes relating to the safety of ships or pollution from ships, offshore oil or gas installations. SOSREP has the power to give directions.

Scottish Environment Protection Agency

- Responsible for environmental protection in Scotland;
- Powers to prevent, minimise and reduce pollution and enforce environmental legislation;
- Advise the emergency services on the protection of water, land and air environment; and
- Responsible for regulating and monitoring discharges to water, the storage of waste and emissions to air.

Aberdeen City Council’s Roles and Responsibilities as a Category 1 Responder:

- Support the emergency services and those assisting them;
- Provide a variety of support services for the local and wider community;
- Maintain normal services at an appropriate level;
- Provide a wide range of social care and welfare services, working alone or with public, private and voluntary organisations. Services include care for people, rest centres, temporary accommodation, re-housing and practical support for victims;
- Access a wide variety of specialist, scientific, environmental and communications expertise;
- Represent the diverse interests of local people and, in so doing, maintain close links with communities through elected members, Community Councils, Community Planning and other formal partnerships;
- Have powers to take action to preserve community wellbeing; and
- Lead the longer-term recovery and regeneration of affected communities.
- Communicate with arms-length external organisations (ALEOs) to ensure an understanding of the need to support the Council in delivery of its Category 1 obligations.

6. Aberdeen City Council Emergency Response Structure

6.1 Emergency Response Structure

A Duty Emergency Response Co-Ordinator (DERC) will co-ordinate the response to an emergency on behalf of the Council. Directors and Chief Officers of the Council operate as DERCs on a Rota basis. In this capacity, they act on behalf of the Chief Executive in accordance with the Council’s Scheme of Governance.

The Council operates a three-tier emergency response structure: Strategic, Tactical and Operational:

- **Strategic:** The Strategic level applies to all emergencies that could affect or threaten the Council’s ability to deliver critical functions.

- **Tactical:** The Tactical level is activated where Operational resources need co-ordination in order to achieve maximum effectiveness and efficiency. At this level, the Incident Management Team will support the DERC and the Tactical Lead in the response.
- **Operational:** The Operational level manages the immediate ‘hands-on’ work that is undertaken at the scene of the incident. At this level the response is service-led.

The response to any emergency that could affect or threaten the Council’s ability to deliver critical functions will be coordinated by the DERC in the first instance. In such circumstances, the DERC will lead the response and chair the Incident Management Team. If the DERC deems that the incident is not an emergency that could affect or threaten the Council’s ability to deliver critical functions, and does not require Strategic co-ordination, the response will be coordinated by the Tactical Lead.

Aberdeen City Council has a number of Tactical Leads which are made up of managers from the relevant services across the organisation who may be involved in an emergency response. Individuals are trained and exercised regularly by the Emergency Planning and Resilience Lead.

6.2 Aberdeen City Council Emergency Response Roles and Responsibilities

The DERC will provide **Strategic** response to an emergency by:

- Activating the Council’s emergency response, determining whether to activate this Plan, another Council emergency plan or to recommend the activation of a GLRP plan;
- Considering the emergency in its wider context;
- Deciding whether to activate an Incident Management Team and chair IMT;
- Determining whether to request activation of the Local Resilience Partnership should the response to an emergency be out with the capability of the Council;
- Determine long term and wider impacts and risk with strategic implications;
- The DERC should consider whether to set strategic objectives at the start of an emergency or major incident, and subsequently communicate the overarching strategy and objectives for the emergency response;
- Establish the parameters for Tactical Leads to operate in the management of an emergency; liaise closely with Tactical Lead
- Monitor risks, impacts and progress towards defined objectives;
- Determine whether it is necessary to put in place a dual DERC rota, for instance if the incident is likely to be protracted and have a significant impact on the delivery of critical services.
- Prioritise the requirements of the Tactical tier and allocate personnel and resources to manage the incident accordingly;
- Formulate and implement media handling and public communication plans, potentially delegating this to Corporate Comms or to another Category 1 responder agency if appropriate The DERC should consider development of a Communications Plan to co-ordinate internal and external communication during the management of a situation or incident is likely to last more than a few days;

- Assess the need to adjust normal business priorities in the light of competing resource demand created by the incident;
- In liaison with the relevant services and partners, coordination of the Rescue Stage and facilitation of the move through the Transition Stage to the Recovery Stage.
- Ensure the Chief Executive and elected members of Aberdeen City Council are informed, and regularly updated as appropriate. The role of elected members should be considered and determined in the context of the incident or emergency; and
- Operate with the powers of the Chief Executive under the Powers Delegated to Officers, including the authorising of spend.

The Tactical Lead supported by IMT will respond to an emergency by:

- Determining the extent of the emergency;
- Deem if there is an existing emergency response plan appropriate for the handling of the incident and advice implementing;
- Ensure a continuous flow of information between the DERC, Tactical, Operational teams and multi-agency partners;
- Ensure actions taken at the operational level are coordinated, coherent and integrated in order to maximise effectiveness and efficiency;
- Plan and co-ordinate how and when tasks will be undertaken in partnership with the DERC and Local Resilience Partnership partners;
- Determine priorities for allocating available resources in partnership with the DERC and Local Resilience Partnership partners;
- Obtain additional resources if required with approval from the DERC and in partnership with relevant Local Resilience Partnership partners, community groups and suppliers. This may also include the use of arms-length external organisations and any resources they have available which can support the response;
- Assess significant risks and use this to inform tasking of operational responders;
- Mitigate risks to the Health and Safety of the public and personnel;
- Activate incident specific plan, scaling up or down to fit with the scale of the incident;
- Advise on DERC strategy and implement;
- Initiate response, agreeing local actions and monitor response in partnership with the EP&RL;
- Prepare to take over the emergency response co-ordination role after the on-scene responders have concluded their part in the incident response;
- Provide regular briefings to DERC, requesting authorisation to spend;
- Maintain log of events of the incident response (specific to Loggist); and
- Record all costs associated to the incident response.

The Incident Management Team in conjunction with Team Lead will co-ordinate the **Operational** response to an emergency by directing on the ground Aberdeen City Council responders to:

- Take immediate steps to assess the nature and extent of the problem as identified by Tactical Lead;
- Tactical Lead to cooperate and share information with LRP partner agencies;
- Concentrate efforts and resources on specific tasks within areas of responsibility;

- Tactical Lead to ensure an integrated effort by allowing temporary transfer of one LRP organisation's personnel or assets to the control of another in order to mitigate the effects of the incident;
- Implement the Tactical response requests; and
- Co-ordinate health and safety requirements on-scene.
- Liaison to Tactical Lead.

The Council's Emergency Planning and Resilience Lead will provide Civil Contingencies advice to all three tiers of the response structure during an emergency where available.

6.3 Recovery

Recovery is a complex and long running process that will involve many more agencies and participants than the response phase. (Phases noted below)

1. Initial Response
2. Consolidation
3. Recovery
4. Restoration of normality

Recovery is defined as the process of rebuilding, restoring, and rehabilitating the community following an emergency, but it is more than simply the replacement of what has been destroyed and the rehabilitation of those affected.

Local communities may also look upon an emergency as an opportunity to regenerate an area. Regeneration is about transformation and revitalisation.

In developing and instigating the recovery phase from an emergency the Council will put communities at the heart of the process and will engage and involve all aspects of those communities – residents, businesses, industries, partners and stakeholders that live and work in our area.

The **recovery phase should begin at the earliest opportunity** following the onset of an emergency, **running in tandem with the response to the emergency**. It continues until the disruption has been rectified, demands on services have returned to normal levels, and the needs of those affected (directly and indirectly) have been met. While the response phase to an emergency can be relatively short, the recovery phase may endure for months, years or even decades.

We must act flexibly and adaptively to the phasing of an emergency whilst also being mindful of the human, financial and reputational impact across our City.

As we navigate through an emergency from Response to Recovery the organisation will adhere to the principles of Integrated Emergency Management:

Focus on consequences, not cause

- Adaptability
- Direction
- Subsidiarity

- Continuity
- Responsibility
- Integration
- Communication

Reference ACC Document: Managing the Recovery and Restoration of Normality Phase of an Emergency to be read in conjunction with Grampian LRP Response and Recover Arrangements V6.

6.4 De-briefing Process

In order for emergency planning and response to evolve within the Council, the organisation conducts internal de-briefing and produces incident reports following every emergency. The purpose of debriefing is to assess which elements of the emergency response worked well, and to identify lessons from elements of the emergency response which could have been improved.

De-briefs and incident reports are conducted by the Emergency Planning and Resilience team. Incident reports and recommendations are reported to the Organisational Resilience Group who oversee the implementation of any agreed actions within the organisation. Any identified gaps which required additional mitigation or pose risk to Aberdeen City Council are escalated to the Corporate Management Team.

It is important to note that this process should not be confused with psychological de-briefing, and that all Council staff involved in an emergency response will be offered access to support services.

7. Generic Emergency Plan Performance

- 7.1 The effectiveness of the Plan and supporting procedures will be determined by the reduction or elimination of the negative impacts of unplanned incidents which could damage citizens, staff, assets, finances, reputation or service delivery. Data will be collected from the debriefing process.

8. Housekeeping and Maintenance

- 8.1 The Plan and supporting procedures and documentation specified within this plan will be reviewed and updated after any emergency.
- 8.2 Unless otherwise required, the Plan will be subject to a planned annual review.
- 8.3 This Plan and its supporting documentation replace the Council's existing Guidance for Emergency and Incident Planning and Response document.

9. Communication and Distribution

- 9.1 This Plan and supporting documentation will be shared directly with the Chief Executive, Extended Corporate Management Team, Incident Management Teams, and relevant external agencies.
- 9.2 The Plan will be available for review on the Council's shared areas on the network.

ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	7 December 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Public Protection Committee Annual Effectiveness Report
REPORT NUMBER	COM/21/315
DIRECTOR	Gale Beattie, Director of Commissioning
CHIEF OFFICER	Fraser Bell, Chief Officer - Governance
REPORT AUTHOR	Emma Robertson
TERMS OF REFERENCE	GD 8.5

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present the annual report of the Public Protection Committee to enable Members to provide comment on the data contained within.

2. RECOMMENDATIONS

That Committee:-

- 2.1 provide comments and observations on the data contained within the annual report; and
- 2.2 note the annual report of the Public Protection Committee.

3. BACKGROUND

Annual Reports on Committee Terms of Reference

- 3.1 The annual committee effectiveness reports were introduced in 2018/19 following a recommendation from the Chartered Institute of Public Finance and Accountancy (CIPFA) as part of the Council's work towards securing that organisation's accreditation in governance excellence. The Terms of Reference set out that each Committee will review its own effectiveness against its Terms of Reference through the mechanism of the annual report.

- 3.2 The annual effectiveness reports were mentioned by CIPFA in their report which awarded the Mark of Excellence in Governance accreditation to Aberdeen City Council. CIPFA highlighted the implementation of the annual effectiveness reports as a matter of good practice in governance and were encouraged that, during consideration of the reports at Committee and Council, Members had made suggestions for improvements to the reports in future years.
- 3.3 As well as the CIPFA Accreditation, Committee Services also won SOLAR Administration Team of the Year in March 2020 in recognition of the introduction of the annual committee effectiveness reports and the process which allows Committees to examine how they can improve the way they do business, while providing assurance that they are undertaking their role effectively.
- 3.4 Data from the annual effectiveness reports has been used to inform the review of the Scheme of Governance, ensuring that Committee Terms of Reference were correctly aligned, and identifying any areas of the Terms of Reference which had not been used throughout the year in order that they could be reviewed and revised if necessary. The information from the effectiveness reports will also be used to feed into the Annual Governance Statement.
- 3.5 The reports provide a mechanism for each committee to annually review its effectiveness, including data on attendance, any late reports, referrals to Council and the number of times officer recommendations were amended, and to ensure that it is following its Terms of Reference.
- 3.6 Similarly, recording the sections or stretch outcomes of the Local Outcome Improvement Plan (LOIP) which apply to each report allows Members to be aware of the direct impact of any proposals before them on the LOIP, and gives a general overview at the end of each year of the number of reports which have had an impact on the LOIP stretch outcomes. Officers also actively review the data gathered to ensure that it aligns to the Council's operating model and decisions taken by the Council throughout the year.
- 3.7 Any comments from Members on areas of data that should be considered would be welcomed to ensure that Members are presented with meaningful data.
- 3.8 The annual report for 2020/2021 is therefore appended for the Committee's consideration. It should be noted that the annual reporting period for 2020/21 is longer than previous years due to the Covid-19 pandemic which resulted in a number of committee meetings being cancelled in the first half of 2020/21. Following consideration by the Committee, the report will be submitted to Full Council in December for noting.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	N/A		
Compliance	Failure to submit this report would mean that the Council would not be complying with its instruction that all committees and Full Council receive such a report each year.	L	Council is given the opportunity to consider the reports and provide feedback on any amendments Members would wish to see in the content so that this can be taken on board for next year's Scheme of Governance review.
Operational	N/A		
Financial	N/A		
Reputational	N/A		
Environment / Climate	N/A		

7. OUTCOMES

There are no links to the Council Delivery Plan, however the committee effectiveness annual reports link to the Scheme of Governance, by ensuring that each committee is fulfilling its Terms of Reference.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

None.

10. APPENDICES

10.1 Public Protection Committee Annual Effectiveness Report 2020/21

11. REPORT AUTHOR CONTACT DETAILS

Emma Robertson
Committee Services Officer
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Public Protection Committee Annual Effectiveness Report 2020/21



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1. INTRODUCTION

- 1.1 I am pleased to introduce the third annual effectiveness report for the Public Protection Committee. This maintains the good practice in governance terms and evidences our continued commitment following successfully receiving CIPFA accreditation.
- 1.2 The Public Protection Committee (PPC) performs an important role in the Council's overall public protection arrangements. It continues to provide local democratic oversight to key areas including child and adult protection, environmental health and resilience. It also discharges the Council's obligations in terms of the Police and Fire Reform (Scotland) Act 2012.
- 1.3 I continue to seek to bring a collaborative approach to the business of the Public Protection Committee not just with elected members, but with all officers, and the Council's partners, including the Scottish Fire and Rescue Service and Police Scotland. I truly value our partners' contribution to the Public Protection Committee. I continue to look forward to maintaining the strength of our relationships which are essential as the city looks to deliver the aspirations of the most recently refreshed Aberdeen Local Outcome Improvement Plan.
- 1.4 I have appreciated the support of council officers in delivering the business of the PPC particularly against the backdrop of the Covid-19 pandemic. I extend my personal thanks to the Police and Fire Service for continuing to keep us safe in these extraordinary difficult and uncertain days.
- 1.5 As Convener, I have strived, with the cooperation of the committee, to keep public safety at the forefront of all we deliver for the city and the safety of the residents of Aberdeen.
- 1.6 We have been hampered this year in much of our delivery of council and partner services due to the necessary operational response to the pandemic, however I express admiration for the innovative processes and procedures adapted, modified and created by officers and our partners to assist us through the pandemic.
- 1.7 I remain in hope and trust that as we return to a new-normal, we continue to fulfil our public service duty, now and in the future whilst recognising the changes placed upon us all by Covid-19.

My very best and warm regards

Councillor Jennifer Stewart, Convener



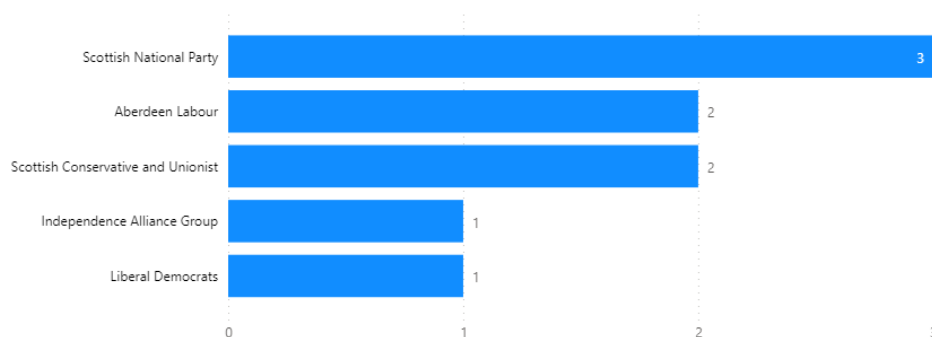
2. THE ROLE OF THE COMMITTEE

- 2.1 The role of the Committee is to maintain assurance overview of the statutory regulatory duties placed on the Council in certain areas of public protection and on the Scottish Fire and Rescue Service and Police Scotland.
- 2.2 The Committee discharges this function by receiving assurance reports from the respective council services and the Scottish Fire and Rescue Service and Police Scotland.

3. MEMBERSHIP OF THE COMMITTEE DURING 2020/2021

- 3.1 The Public Protection Committee has nine Elected Members.

Committee Political Balance (Seats)



4. MEMBERSHIP CHANGES

- 4.1 During the reporting period, Councillor Graham replaced Councillor Duncan as a Member and simultaneously adopted the role of Vice-Convener from Councillor Lesley Dunbar who remains a member of the committee. Councillors Allard, Henrickson and MacGregor joined the Committee in place of Councillors Al-Samarai, Cameron and Townson.

5. MEMBER ATTENDANCE

Member	Total Anticipated Attendances	Total Attendances	Substitutions	Nominated Substitute
Dell Henrickson	1	1		
Gordon Graham	1	1		
Christian Allard	2	1	1	Gordon Townson
Neil MacGregor	2	1	1	David Cameron
Jennifer Stewart	5	5		
John Wheeler	5	4	1	Ross Grant
Lesley Dunbar	5	5		
Martin Greig	5	5		
Ryan Houghton	5	5		

6. MEETING CONTENT

6.1 During the 2020/2021 reporting period (1 May 2020 to 31 October 2021), the Committee had 5 meetings and considered a total of 40 reports.

6.2 Terms of Reference

Of the 40 reports received, the following table details how the reports aligned to the Terms of Reference for the Committee.

Terms of Reference

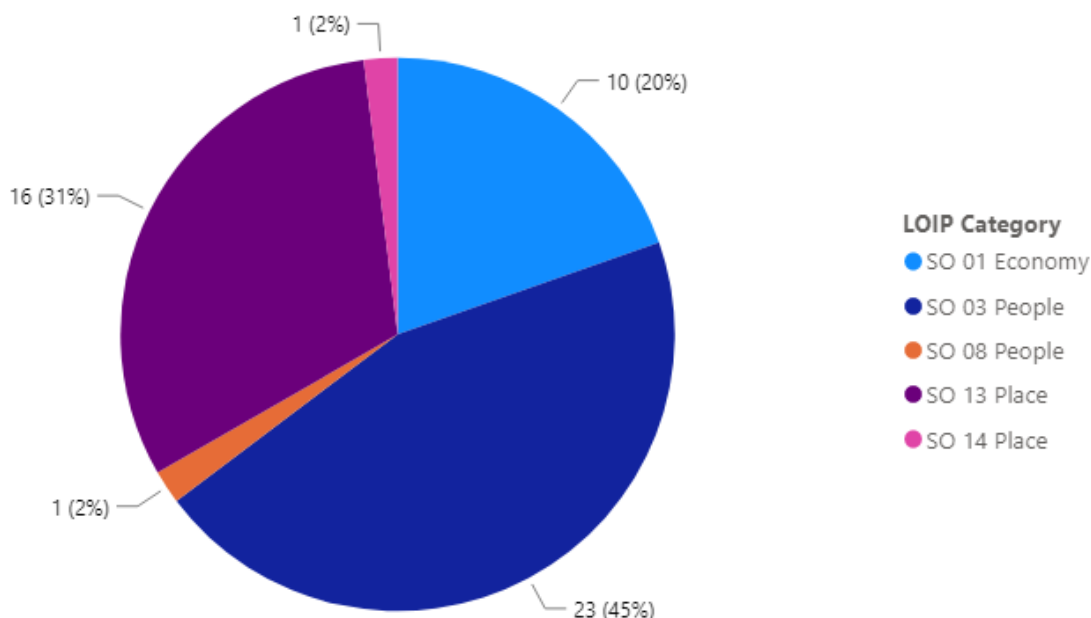
Terms of Reference	Count of Terms of Reference
General Delegations To Committees 8	1
Purpose of Committee 1.2	1
Remit of Committee 1.1	5
Remit of Committee 1.1.1	1
Remit of Committee 1.1.3	2
Remit of Committee 1.2	5
Remit of Committee 1.3	1
Remit of Committee 1.4	1
Remit of Committee 1.5	2
Remit of Committee 2.1	4
Remit of Committee 2.3	1
Remit of Committee 2.4	2
Remit of Committee 2.5	1
Remit of Committee 3.1	3
Remit of Committee 3.2	1
Remit of Committee 4.1	1
Remit of Committee 4.2	1
Remit of Committee 4.3	1
Remit of Committee 5.1	1
Remit of Committee 5.5	2
Remit of Committee 5.6	6
Remit of Committee 5.7	5

- 6.3 During the course of 2020/2021 the Public Protection Committee received reports under all of its Terms of Reference. This would indicate that the Committee has discharged its role throughout the course of the reporting period and received a broad range of assurance and explanation.
- 6.4 Most of the reports considered related to provision of assurance or service delivery which enhanced the Committee’s understanding of methods used to achieve assurance and effectiveness.
- 6.5 There have been no areas where reports were not received.
- 6.6 The majority of reports have fallen under Child and Adult Protection, whilst appropriate levels of scrutiny reports of Police Scotland and Scottish Fire and Rescue Service were also received.

6.7 Local Outcome Improvement Plan

The following table details how the reports had a link to the themes of the Local Outcome Improvement Plan. A report may cover cross over themes.

Reports with links to the LOIP



6.8 Reports and Committee Decisions

The following table details the outcome of the Committee's consideration of the 40 reports presented to it throughout the year.

Reports	Total
Number which were Exempt/Confidential	0
Number of reports where the Committee has amended officer recommendations	20
Number of reports approved unanimously	35
Number of reports requested by members during the consideration of another report to provide additional assurance and not in forward planner	8
Number of Service Updates requested	0
Number of decisions delayed for further information	0
Number of times the Convener has had to remind Members about acceptable behaviour and the ethical values of Public Life	0
Number of late reports received by the Committee (i.e. reports not available for inspection by members of the public at least three clear days before a meeting)	0
Number of referrals to Council, or other Committees in terms of Standing Order 33.1	0

6.9 Notices of Motion, Suspension of Standing Orders, Interface with the Public

One notice of motion was considered by the committee during the reporting period, no Standing Orders required to be suspended and no deputations or petitions were received.

7. TRAINING REQUIREMENTS

- 7.1 No Public Protection Committee specific training was delivered during 2020/21, however other relevant training made available to members during the year included training on the Councillors' Code of Conduct. There was also an increased input to all regarding the use of digital technology. These training opportunities were designed to help members carry out their roles at committee meetings.

8. CODE OF CONDUCT – DECLARATIONS OF INTEREST

- 8.1 No declarations of interest were made by Councillors during the reporting period.

9. CIVIC ENGAGEMENT

- 9.1 Civic engagement is at the forefront of much of the business of the committee, particularly in respect of reports from Police Scotland and the Scottish Fire and Rescue Service and the Council working in partnership with them.
- 9.2 Council specific examples include the report to the last meeting of the committee on Water Safety and the Council's involvement with the Aberdeen Water Safety Group which was established in 2017. The aim of the group is to develop a collective and consistent approach to water safety in Aberdeen, and its purpose is to save lives through education and promotion of water safety. The group has representatives from the emergency services, Sport Aberdeen, Water Safety Scotland and other national charities. The committee commended the work undertaken by the Aberdeen Water Safety Group and looked forward to exploring future opportunities for working in partnership and promoting their activities.

10. OFFICER SUPPORT TO THE COMMITTEE

Officer	Total Anticipated Attendances	Total Attendances	Substitutions
Chief Officer - Governance	5	5	

11. EXECUTIVE LEAD'S COMMENTS

- 11.1 In 2020 the Council achieved the CIPFA Mark of Excellence in Good Governance. As part of our work to achieve this, the Council adopted the CIPFA recommended practice, that each Committee should annually review its effectiveness, including its information reporting needs, to help ensure that each Committee was following its Terms of Reference; operating effectively; and would assist in identifying any training needs or improvements to the Council's decision-making structures.

- 11.2 Much of the attention of the Council and our partners Police Scotland and the Scottish Fire and Rescue Service has seen refocus and priority alignment to managing and dealing with the impact of the pandemic. During the pandemic period, none of the Committee's business required to be managed by the Urgent Business Committee.
- 11.3 It should be noted that whilst 50% of reports submitted to the Committee had modifications to the recommendations, these were to additionally record the Committee's appreciation of the successful delivery of the topic, or to reinforce assurance.
- 11.4 The Committee carried out much of its business using MS Teams technology and whilst this enabled full member participation, it further allowed all elected members the opportunity to observe meetings which has undoubtedly been beneficial in

12 NEXT YEAR'S FOCUS

- 12.1 On 3 March 2021, Council approved the existing Committee Terms of Reference and a further review will be reported to Council in February 2022. Throughout the next reporting year, we will review the Terms of Reference in line with the business submitted to the Committee and reflect on whether any areas require refinement moving forward to ensure the efficient operation of the Committee. This will consider activities during the pandemic.
- 12.2 During the course of 2021/22, the Accounts Commission published a Best Value Assurance Report in respect of Aberdeen City Council. It commented that members robustly challenge and scrutinise management with a clear focus on the communities and citizens they represent, in respect of governance, process and matters presented for decision. As the Council and the city builds back from the impact of the pandemic, it will be important for the committee to continue to build on the momentum and recognition gained since its formation in 2018. This particularly prevalent in some of those areas of service delivery which often deal with the hidden impact of the pandemic.
- 12.3 Looking ahead to the committee's business planner for 2022, it is pleasing to see that the committee has already established a sound cycle of regular reporting across the spans of its terms of reference. This will undoubtedly be complemented by additional items of business as matters arise during the course of the new year.

**Public Protection Committee Terms of Reference
Approved by Council on 3 March 2021**

PUBLIC PROTECTION COMMITTEE

PURPOSE OF COMMITTEE

To receive assurance on the statutory regulatory duties placed on the Council for:

- Child Protection;
- Adult Protection;
- Consumer Protection and Environmental Health;
- Civil Contingency responsibilities for local resilience and prevention; and
- Building control.

To undertake the Council's duties in relation to the Police and Fire and Rescue Services under the Police and Fire Reform (Scotland) Act 2012.

REMIT OF COMMITTEE

1. Child and Adult Protection

The Committee will receive assurance from the Child and Adult Protection Committees on:

- 1.1** the impact and effectiveness of child and adult support and protection improvement initiatives, including:
 - 1.1.1** delivery of national initiatives and local implications;
 - 1.1.2** learning from significant case reviews;
 - 1.1.3** quality assurance;
 - 1.1.4** training and development; and
 - 1.1.5** local evidence based initiatives;
- 1.2** effective working across child and adult protection; and
- 1.3** statistics relating to the Child Protection Register and the Vulnerable People's Database, whilst noting that it has no remit to challenge entries.

The Committee will also:

- 1.4** receive assurance on the outcome of Council's duty to deliver an effective justice service as determined by statutory inspections;
- 1.5** receive assurance on the Council's compliance with statutory duties in respect of child poverty; and
- 1.6** consider the Chief Social Work Officer's Annual Report

2. Local Resilience

The Committee will:

- 2.1 monitor compliance with the Council's duties relating to resilience and local emergencies; this includes reviewing staffing arrangements and systems for incident management;
- 2.2 monitor compliance with the Council's duties relating to the provision of a city mortuary, and its adequacy for supporting the needs of mass fatalities;
- 2.3 receive assurance that services are maintaining and reviewing Business Continuity Plans in accordance with the priorities allocated to them;
- 2.4 receive relevant local, regional and national lessons learnt reports and recommendations in respect of emergency planning matters and monitor their implementation; and
- 2.5 monitor the Council's response to the National CONTEST strategy and associated plans relating to Counter Terrorism.

3. Protective Services

The Committee will:

- 3.1 receive assurance in respect of the Council's performance in relation to Trading Standards, Environmental Health (including the Public Mortuary) and Scientific Services;
- 3.2 receive external inspection and audit reports relating to the above services listed at 3.1; and
- 3.3 receive a summary of findings from statutory sampling and analysis work carried out by or on behalf of the Environmental Health and Trading Standards services to ensure compliance with required standards.

4. Building Control

The Committee will consider reports on:

- 4.1 major incidents and fatal accident inquiries and any resulting impact and responsibilities placed on the Council;
- 4.2 activity by Building Standards in relation to public safety and dangerous buildings; and
- 4.3 activity by Building Standards in relation to public safety for unauthorised building work and the unauthorised occupation of buildings.

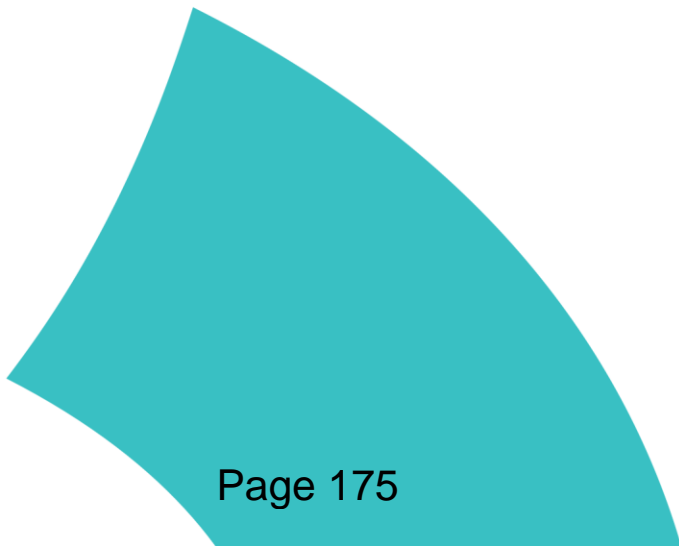
5. Police and Fire and Rescue Service

In respect of the Council's responsibilities under the Fire (Scotland) Act 2005 and the Police and Fire Reform (Scotland) Act 2012 in relation to the Scottish Police Authority, the Police Service of Scotland and the Scottish Fire and Rescue Service, the Committee will:

- 5.1 contribute to and comment on the Strategic Police Plan and the Scottish Fire and Rescue Service Strategic Plan when consulted by the relevant national authority;
- 5.2 respond to consultation by the Chief Constable on the designation of a local commander and by the Scottish Fire and Rescue Service on the designation of a local senior officer;
- 5.3 be involved in the setting of priorities and objectives both for the policing of Aberdeen and for the Scottish Fire and Rescue Service in the undertaking of its functions in Aberdeen;
- 5.4 specify policing measures the Council wishes the local commander to include in a Local Police Plan;
- 5.5 approve a Local Police Plan submitted by the local commander and approve a Local Fire and Rescue Plan (including a revised plan) submitted by the Scottish Fire and Rescue Service;

- 5.6 receive reports on service provision and delivery in Aberdeen and provide feedback to the local commander and the local senior officer;
- 5.7 consider reports, statistical information and other information about the policing of Aberdeen and the undertaking of the Fire and Rescue function in Aberdeen provided in response to the Council's reasonable requests;
- 5.8 agree, with the local commander, modifications to an approved Local Police Plan at any time; and
- 5.9 liaise with the local commander and local senior officer with regard to the undertaking by them of the community planning duties of the Chief Constable and the Scottish Fire and Rescue Service.

Executive Lead: Chief Officer - Governance



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