2. Compulsory Supervision at Home

2.1 What is Compulsory Supervision at Home?

Compulsory Supervision Orders at home are temporary legal measures, compelling the child and parents to receive, or work with specific, time-limited services, and/or to observe specific conditions. The aim is to support parents to carry out their parental responsibilities effectively ensuring that their children’s needs are met, enabling them to grow and develop appropriately, while living with their families.

Compulsory Supervision Orders are imposed by a Children’s Hearing.

There are 2 broad groups of children who may be subject to a Compulsory Supervision Order at home;

- Children living in vulnerable situations but whose needs and/or identified risks can safely and effectively be addressed through supervision.
  
  For these children, the needs or risks may result from parental behaviour, their own behaviour or that of other people in the household;

- A child returning home after being looked after away from home, but where there remains a continuing need for supervision.

The overall aim of compulsory supervision at home is to promote beneficial changes in the life of the child while enabling him or her to remain at home with the following objectives:

- to provide effective measures for the care, protection, support, guidance, treatment or control of children living at home with their families;
- to enable children and their families to recognise and tackle successfully the difficulties and problems which led to the child being referred to a Children’s Hearing;
- to reduce offending behaviour where this is an issue;
- to provide protection for children from others or from themselves, where this is an issue;
- to help ensure school attendance where this is an issue;
- to provide programmes of supervision which will maintain the confidence of Children’s Hearing members and the public in the effectiveness of compulsory home supervision as an option;
- to provide programmes of supervision which aim to integrate the child in the community and maintain the confidence of the community.
2.2 The Process

Step 1 – Following the Local Integrated Assessment Process

When a child has been identified as having additional needs, whether as a Looked After child or not, the Local Integrated Assessment Process (LIAP) should be followed. This process will identify a Lead Professional to act as ‘first point of contact’ for the family. In the case of a Looked after Child, this lead professional will always be the qualified social work practitioner. If Compulsory measures are being considered, it is therefore advisable that the Lead Professional is the Social Worker.

Step 2 – Carry out an integrated assessment

The Lead Professional must carry out an integrated assessment of the child’s and family’s situation incorporating the knowledge and views of all those who know the child and family best. This will vary depending on the age of the child eg younger children may be well known to their health visitor or GP, older children will be well known to their school teacher/s.

The assessment may be done entirely using the Child’s Plan format, or using a specialist assessment tool. Where a specialist tool has been used, the outcomes/recommendations should be incorporated within the Child’s Plan.

The Child’s plan should be done in consultation, and if possible, with the agreement of the family and the child, dependant on the child’s age and capacity.

Part of this process will be to consider if compulsion is required to ensure the child and family’s participation in the plan with a referral being made to the Reporter to the Children’s Hearing if appropriate.

There will always be a tension here in that, if the family are fully agreeable to the Child’s Plan, why is there a need for compulsory supervision? Equally, if the family are totally against the plan, the chances of making significant improvements in the child’s life are likely to be minimal.

The Child’s plan, when compulsory supervision is being recommended, should contain;

- What work if any has previously been undertaken with the child and their family under the LIAP arrangements when the child has been identified as Child in Need;

- What was the outcome of this work? ;

- What further work is needed;
• What are the child’s needs and what are the risks for the child if they are not placed on a Supervision Order? See step 3

• Why is compulsion necessary? Include evidence of parents or children being unwilling or unable to work with a previous plan, or obstructing its implementation and preventing a positive outcome.

• Why can’t the program be delivered reliably on a voluntary basis?

• Why will what is offered under compulsion be better for the child than making no order?

• What are the outcomes to be achieved? See step 5

The rationale for a recommendation for compulsion should be set out clearly in the “recommendations and decisions” section of the Child’s Plan, with clear linkage to the preceding “analysis” section and, if relevant, the “areas of disagreement” section.

If compulsory supervision is to be recommended it must have been discussed with the family and the child before the hearing, taking account of the child’s age and maturity.

For every Looked After child, including those living at home, the Child’s Plan should set out

• The local authority’s immediate and longer term plans for the child;
• The respective responsibilities of the local authority; the child; any person with parental responsibility (including specifically who is it recommended be compelled to do what);

The plan should also clearly detail how the outcomes will be met including

• Who is responsible for doing what to meet the care, health and education needs of the child;
• What methods, resources or services are to be employed eg
  o Family-based work;
  o One-to-one work;
  o Group-work techniques;
  o The co-ordination of resources in the community;
  o Further specialist assessment, for example regarding risk of re-offending, parenting capacity

• What are the expected timescales for the allocation of cases, meetings with the family, etc?
• How the Lead Professional will ensure the different aspects of the plan are properly co-ordinated and effective in their delivery and how collaboration between the agencies and within the local authority will be ensured.
• What is the anticipated contact between the social worker, child and family during the period of the supervision requirement?

For children where **Home Supervision is being recommended**/ has been imposed; the Child’s Plan should also include

• The details of the Supervision Requirement and how the outcomes identified by the Children’s Hearing are to be achieved.

• Timescales for meeting objectives

• Timescales for reviews

• How disagreements will be addressed

• Occurrences that would lead to a Review Hearing being arranged

• Any other relevant plans for example Child protection or Co-ordinated Support Plan

Some of these details may need to be added or amended after the Hearing has reached its conclusion.

**Step 3 - Assessing Risk**

In order to demonstrate the risks to the child if no Compulsory Order is made, you should consult with the child, their family and, again, incorporating the knowledge and views of all those who know the child and family best, to complete a risk assessment of the grounds for concern.

Use the appropriate **Risk Assessment Forms** and incorporate the outcome of this process within the Child’s Plan.

When recommending compulsory supervision at home for a child who is the subject of actual or potential abuse, a Risk Assessment and Protection Plan must have been developed by an inter-agency child protection case conference, if the child is registered.

The protection plan must be included within the Child’s Plan.

See **Child Protection Procedures**

**Step 4 - Signing up to the plan**

• The plan should, wherever reasonably practicable, be based on agreement between the child (where of sufficient age and maturity), the parents, other family members, the local authority and any other relevant parties, for example, the support teacher, school nurse or health visitor.
The plan will then represent a written agreement to which all can work.

A plan must be drawn up even if the child or his or her family do not wish to become involved in this or if they disagree with some aspect of it.

You should seek to reach a position of agreement with the child and family on as many of the outcomes of the Compulsory Supervision Order as you can, although the welfare of the child should remain the paramount consideration throughout.

Where there are areas of disagreement, this must be made clear within the plan.

As a written document, the plan should wherever possible be signed by all the parties and a copy given to each of them. In practice, it is likely that the signing of the plan may take place at or shortly after the Children’s hearing in which the Compulsory Supervision Order was imposed.

The Child’s plan is a working document which should be reviewed and updated as required.

**Step 5 - After the Hearing**

Once a hearing has made the decision to make a Compulsory Home Supervision at home, the social worker allocated by the local authority should –

- see the family to discuss the terms of the supervision order, if possible at the end of the hearing, otherwise as soon as is practicable, ensuring that the child and the family are clear about;
  - what change they need to achieve for supervision to be discharged
  - how progress will be measured
  - what the agreed timescale is for achieving change
  - any occurrences that might lead to an early Review Hearing

- arrange to visit the child and family, immediately where there is a significant level of risk, but, in any case, prior to the initial Core Group meeting – which should take place within two weeks

- discuss with the child and parents the Child’s Plan as agreed or amended by the Panel,

- seek the parents’ and child’s consent to sharing information – including the allocation of a unique identifier (names are not used) with the Scottish Government for the purpose of statistical analysis only, using the LIAP consent form
• ensure that the child’s legal status\(^1\) is updated in Carefirst and that their address, nationality, race, religion, language, disability status, household members school are accurately recorded.

• notify the professionals named in the Child’s Plan of the outcome of the Hearing and arrange the first meeting of the Core Group. This meeting should be held within two weeks of the Hearing that made the Supervision Order\(^2\).

**Step 6 – the Initial Core Group Meeting**

The initial core group should: -

• confirm who will comprise “the team around the child”, including the child and parents

• ensure they each have a copy of the Child’s plan agreed or amended by the Hearing, including any Risk Assessment

• ensure that core group members are clear about:
  - what change needs to be achieved for supervision to be discharged
  - what is the agreed timescale for achieving change
  - the requirement for the “Team around the Child” to work together effectively
  - how progress will be measured
  - the accountability every member has for working with the agreed Plan
  - occurrences that might lead to an early Review Hearing

• agree the frequency of core meetings thereafter

• agree the date for the first review: the review must be within 6 weeks of the decision that made the supervision order

**Step 7 - Implementing the supervision requirements**

The professional staff involved in The Child’s Plan are each responsible for discharging their part of the Plan and for working together effectively with the family as the “Team around the Child”. They should –

• Ensure that their work with children and parents is in accordance with the Child’s Plan and focused on achieving the outcomes agreed in the Child’s Plan

• Share information with the other members of the Team around the Child about how their work is progressing and about any barriers to progress

\(^1\) This is currently done by the SSW in recording the start of a Looked After Episode.

\(^2\) Consistent with Child Protection procedures,
• Meet periodically, with the family, to discuss progress, barriers to progress and any other relevant developments
• Inform the Lead Professional in the Child’s Plan if, for any reason, they are unable, or are prevented from doing what they have committed to do as set out in the plan
• Meet, if there are significant difficulties in working to the Child’s Plan, and, if unable to resolve the difficulty, consider organising an early formal Statutory Review.

Specifically, the Local Authority is:

• responsible for ensuring that a supervision requirement is carried out
• ensuring that all those identified within the Child’s Plan as having a role in achieving the outcomes are committed to, and undertake their allocated tasks.

The role of the social worker in home supervision is:

• to maintain contact with the family at the level agreed in the care plan;
• to undertake direct work with the child, as set out in the plan, and ensure that at all points the child’s views are sought and listened to;
• to undertake direct work with parents, as set out in the plan, work closely with the child’s family, listen to their views and to ensure the child's needs are met and welfare ensured;
• to oversee the implementation of the child’s plan and ensure the focus of work is on achieving its objectives;
• to co-ordinate the work of other professionals with the child and family as agreed in the child’s plan;
• to ensure that reviews of the child’s plan are undertaken at least at the statutory minimum level ie within 6 weeks of the supervision requirement being made and at least annually thereafter.

Where the child’s offending is a main concern;

• Work should focus on addressing the reasons for previous offending behaviour and the Child’s Plan should make clear the respective responsibilities of the Area Team Social Worker and the Youth Justice Worker. Moray Youth Justice Services

• The Social Worker must discuss with the child and family the consequences of any failure to keep to the terms of the supervision requirement (this may relate to expectation to avoid committing further offences)

• If this failure is serious, the Social Worker must call an early Looked After Review, to consider the need for a change in the Child’s Plan or the Supervision Requirement

• If this review concludes that the requirement is not being complied with, the Social Worker should request an early review hearing
Where the Child’s Protection is a main concern

- The Social Worker must ensure consistency between the child protection plan, the home supervision requirement and any other aspects of the child’s plan.
- The Social Worker must ensure that the level of contact is maintained by all parties who are part of the protection plan, and keep in contact with other professionals, such as staff at school and health visitors.
- If further concerns are raised, where necessary, child protection procedures should be initiated.
- In less urgent situations, an early Looked After Review should be held which may then conclude that a review hearing should be requested.
- The decision to initiate / or not child protection procedures must be based on a recorded risk assessment discussed with the Team Around the Child / Core group and Senior Social Worker.

Where failure to attend school is a main concern

- Work should focus on addressing the reasons for non-attendance. This may require changes in home and school, both with and for the child.
- The Social worker should arrange to receive regular reports from school on attendance.
- Where school attendance fails to improve, the Social Worker should initially discuss this with the school and the child and their family, to seek a solution.
- If there is no improvement it may be necessary to call a Looked After Review.
- If this review agrees that the supervision requirement is not being complied with, an early review hearing should be requested.

The Social Worker must also ensure that;

- All contacts with or about a Looked After Child should be recorded briefly in Carefirst within 5 days of the event taking place.
- Significant new information should be incorporated in the next update of the integrated assessment in the Child’s Plan.

Step 8 – Review progress

Subsequent meetings of the Core Group must review progress in implementing the plan and achieving the planned outcomes.

The use of outcome measures, carried out by individual professionals, can support this review, alongside professional observation and dialogue with parents and children.
If any barriers to implementation are identified, the Core Group must seek to address these and, if they are unable to resolve them adequately, the group must review its assessment of risk and decide whether any other action should be taken, including arranging an earlier statutory review or notification of the difficulty to the Children’s Reporter.

During the course of a supervision requirement, the circumstances of the child and family may change:

All professionals must clearly record and act upon any new information which aggravates the initial concerns.

Most changes may be accommodated during the course of the supervision requirement by consulting with the child and family, revising outcomes and agreeing to amend the methods and services. Although ordinarily it is the Statutory Review that has the authority to agree outcomes and key actions by services and others to achieve those outcomes, Core Groups have discretion, between Statutory Reviews, to make adjustments to the detailed actions required to achieve agreed outcomes and, in situations of urgency, to make temporary changes to agreed outcomes.

When, as a consequence of these changes in circumstances, the Team around the Child is of the view that the Compulsory Supervision Order should cease or be varied, the Social Worker should refer the case to the Principal Reporter.

This may include consideration of altering the child’s living situation to have a condition to reside with suitable members of the child’s kinship network, or in a placement provided by the local authority.

Where this is a potential next step, wherever possible, discuss this openly with the family and child, and address it in a planned manner via a Statutory Review.

2.3 Statutory Looked After Children Reviews

The local authority has a statutory responsibility to review the situation and welfare of all Looked After children. The review is the Child’s Meeting. Its primary purpose is to take stock of the extent to which the child’s needs, as identified in the Child’s Plan, have been met or are being met and to update the Child’s Plan where necessary to safeguard and promote the child’s welfare. The review must have regard not only to the child’s needs in the present, but also to what is needed to secure the child’s wellbeing and development in the longer term.

Step 1 – Setting the Date
The Initial Core Group should agree a date for the first Statutory Review, which should be within 6 weeks of the commencement of the Compulsory Supervision Order, by the Lead Professional liaising with the appropriate Reviewing Officer. A subsequent Statutory Review should be convened generally a month before a Review Hearing.

Step 2 – Reports for reviews

The Childs Plan Review should be presented to the review, with an updated Child’s Plan, including any Risk Assessment. This should be a single integrated report, expressing the shared view and combined, up-to-date understanding of the Team around the Child. The lead professional is responsible for coordinating and combining contributions to it. It may be possible to do this within a Core Group Meeting.

The views of children and parents should be distinctly reported, particularly where they differ from those of other members of that group. Children and parents should have the opportunity to read and comment on the report before it is finalized.

Updating a Child’s Plan, where that is necessary, entails a genuine re-assessment of the child’s needs and circumstances, recording the “current assessment” in the relevant sections of the document. Where previously recorded matters are still current, they should remain unchanged. Matters that no longer apply should be removed or, where appropriate, referred to in the historical section. It is not best practice to update a Child’s Plan by simply adding update sections to an existing plan.

Chronologies produced for a specific reporting context should also be edited to reflect what is currently relevant.

The child should have the opportunity to complete a “Having Your Say” form, which should be available to the Reviewing Officer. Professionals who see a need to provide a separate report, for whatever reason, may do so, provided that the subjects of that report have had the opportunity, before a formal review, to see and discuss it.

Copies of the reports should be held by all those who comprise the Team around the Child, given their responsibly and accountability for effective joint working. The social worker must ensure the Chairperson has a copy prior to review.

Step 3 – The Statutory Review Meeting

1. The Chair person – the chairperson should be a person independent of service delivery, ordinarily a Reviewing Officer, but, where that is not possible, a Team Manager from another team.
2. The child’s participation – consulting the child and taking their views and wishes into account (whilst taking into account also their age and maturity) are essential functions of a review. Children express their views and wishes in many different ways and different children will be more or less comfortable expressing their views verbally in a formal meeting. A child old enough to express a view has a right to choose whether or not to attend and to participate in the review and all other participants have a responsibility to support the child’s participation.

3. Written expressions of the child’s views – Whether or not the child intends to attend the review, he or she should be encouraged to complete the “Having My Say” form. A relevant outcome measure, if completed periodically by the child, will also show how the child has viewed life in the period under review, showing what is viewed positively and what negatively and showing what has changed for the child during that time.

4. Representation on behalf of the child - A child may choose someone to speak on their behalf – including any member of the Team around the Child and should be made aware of the availability of support from Who Cares to express their views and wishes.

5. Parents’ and carers’ participation – The review must also consult and take into consideration the views of the child’s parents and of anyone else holding parental responsibilities or rights in respect of the child.

6. Professional participation – The professional participants in the Child’s Review should be those involved in the Child’s Plan. Unless they have genuinely new information or observations to contribute, they should not be introducing significant, additional information that is not included in the written report. The purpose of their participation is to reach, if possible, a shared understanding of the child’s welfare and needs and of what should be done, by whom, to meet the child’s needs. Professional participants represent their employing agency and should clarify, in advance of the meeting whenever possible, what commitments of time and resource they can make on behalf of their service. They should keep in mind that the review is the Child’s Meeting and should endeavour to express their views in language that is accessible, non-judgmental and non-discriminatory.

7. Matters to be considered - By reference to the Child’s Plan including, as appropriate any Risk Assessment, discussion during review should address the following:
   a. What has been achieved in relation to the planned outcomes, making reference to evidence from specific outcome measures
   b. If there have been barriers to progress, discuss what has been done about them, to what effect?
   c. Whether there is need to update the risk assessment
   d. To what extent the child’s needs are being met now with regard to:
      • Care needs
• Educational needs
• Health needs

e. What supports does the carer need to be able to meet the child’s needs?
f. What new or continued actions are proposed, for which outcome?
g. Is there a continuing need for compulsion, or can the Child’s Plan be implemented and the child’s needs be met reliably on the basis of voluntary agreement?

8. Consideration of written reports – It is important to establish whether participants in the review are in agreement with the facts and interpretation set out in the report or with the proposals for further action. This can be done in the course of working through the matters that have to be considered by the review. Less discussion will be required over areas of agreement, but the absence of disagreement cannot always be presumed to signify agreement and each participant should be invited to say whether they agree or not regarding the most significant issues.

9. Resolving areas of disagreement – Identifying and acknowledging disagreement is an important step towards establishing common ground. A Solution Oriented approach should be used, whenever possible, to encourage participants to focus on and extend the positives in a situation, with a view to finding a way forward which results in the child’s needs being met. Where disagreements about the facts or their interpretation do not impede agreement about a plan or its implementation, it is acceptable to acknowledge those disagreements and proceed with planning. Where it is not possible to reach agreement about the Plan, it will be necessary to refer the matter to the Children’s Hearing for a resolution or decision.

10. Recording the proceedings, new information and decisions from the Review – within the review the Reviewing Chairperson must ensure that a record is made of:

(i) any new information obtained in the course of the review
(ii) details of the proceedings of the meeting and any related meetings, including:
   i. those who were present or participated through written information
   ii. the child’s expressed views and wishes
   iii. the parents’ or carers’ expressed views, wishes and intentions
   iv. the nature of significant agreements and disagreements, including which participants held which opposing views
(iii) details of any decisions or arrangements made in the course, or as a result of the review
12. Informing the Children’s Reporter – If it becomes apparent in the course of the review that agreement cannot be reached over what action is necessary to meet the child’s needs or that action to meet the child’s needs will be opposed, the Children’s Reporter should be advised by the Lead Professional. The Reporter should be provided with a copy of the record of the meeting, with a view to consideration of the need for an early Review Hearing. If a review Hearing is arranged, the social worker will need to provide a brief report, preferably one that reflects the integrated views of the team around the child. The report should set out the background to the matters of contention and an updated copy of the Child’s Plan, including any actions proposed for which the Children’s Hearing members are being asked to consider making conditions of the child’s Supervision Requirement.

13. Where a new shared understanding of the child’s situation or needs is formed in the course of the review, the integrated assessment, forming part of the Child’s Plan, should be updated by the lead professional. Where new or amended actions are agreed to meet the child’s needs, the Action Plan should be updated following the review.

14. If the Child’s Plan is updated the Lead Professional will ensure the team around the child has an amended Child’s Plan in addition to minutes of the meeting and, where required, the next core group should review the content of the risk assessment.

15. Where it is agreed at the Review that there is no continuing need for compulsion, the Children’s Reporter should be advised of this and provided with a copy of the review and any continuing plan, with a view to an early Review Hearing of the Children’s Panel.

16. If such a Hearing is arranged, the Lead Professional working with the team around the child should ensure the provision of a brief report, setting out the case for compulsory measures being terminated and attaching an updated copy of the Child’s Plan, where continued, voluntary action is proposed.

The ending of compulsory measures of supervision does not mean that contact between the child and/or family and the social worker should automatically cease. This should be based on assessment of ongoing needs. During the final reviews, all professionals should:

- discuss whether continuing support may assist the family when statutory supervision ends.
• offer voluntary provision of services with explicit outcomes and methods agreed by the child and his or her family.

2.4 Through care and after care

When a young person ceases to be the subject of a Compulsory Supervision Order on, or subsequent to, his or her 16th birthday, then the local authority has a duty to advise, guide and assist the young person unless they are satisfied that his or her welfare does not require it.

For those young people on supervision at home the duty to advise, guide and assist applies just as much as for those placed away from home. Their needs may, however, be different and an assessment of those needs should be made before they cease to be looked after.

In Moray, children who have been on Supervision at Home, the TCAC role is undertaken by the Area team SW.

Follow link to Pathways Materials. These Tools were developed by the TCAC Team to assist Carers, Support Workers and Social Workers in providing appropriate advice, guidance and assistance for young people.

2.5 Relevant legislation

Children’s Hearing (Scotland) Act 2011

Children (Scotland) Act 1995

Children and Young People’s Act 2014

Looked After Children (Scotland) Regulations 2009

Support and Assistance of Young People Leaving Care Regulations 2003

2.6 Relevant Policies and links

GIRFEC In Kinship Care and Foster Care

Getting it Right for Every Child (Moray)

Getting it Right for Every Child (Scotland)

Local Integrated Assessment Process
Child Protection Procedures

Pathway Materials

Outcome Measures

2.7 Forms

Child’s Plan

Children’s Plan Review

Having Your Say

Risk Assessment Forms

2.9 Reviewing Officers

Jan Grant (Reviewing Officer Child Protection)
Telephone: (01343) 563639 (Ext: 3639)
Email: jan.grant@moray.gov.uk

Alison Macdonald (LAC Reviewing Officer)
Telephone: 01343 563574 (Ext: 3574)
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Celia Shand (Reviewing Officer)
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