

Secure Care Pathway and Standards Scotland

October 2020

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A young person from Kibble's feelings on being in secure care

Joint Statement

We are delighted to be able to introduce the new Secure Care Pathway and Standards Scotland and commend all of the hard work that has gone into creating these new rights based Standards.

The new standards are aligned with and reflect the principles of Scotland's Health and Social Care Standards, introduced in April 2018. Central to the development of these standards was a commitment to ensure children, young people and young adults with experience of secure care were involved at every stage.

The Pathways and Standards working group of the [Secure Care Strategic Board](#) brought together a significant programme of co-production work in partnership with all five secure centres, STARR group, Who Cares? Scotland, CELCIS, Centre for Youth and Criminal Justice, Social Work Scotland, NHS, the Care Inspectorate, Scottish Children's Reporter Administration (SCRA), Scotland Excel and young people and adults with current and past experience of secure care.

The standards have been designed to address the calls to action voiced by children and young people in the [Secure Care in Scotland: Young People's Voices](#) paper published in 2017. The standards provide a vision to drive forward the transformational change to improve the experiences and outcomes for children who are experiencing extreme vulnerabilities, needs and risks and who are in or on the edges of secure care in Scotland. The standards deliver on the Scottish Government's commitment to develop standards for secure care.

We would like to thank everyone involved in creating these standards. You have worked hard to make them innovative and aspirational. You have created standards that will drive change and deliver better outcomes for Scotland's children.

There is still work to be done to ensure that the standards are implemented successfully. We will support stakeholders and inspection agencies to ensure a full understanding of what is required to meet the standards and improve our approaches to vulnerable children across the continuum of intensive supports and services in Scotland.

Minister for Children and Young People - Maree Todd
COSLA – Councillor McCabe
STARR Group – Beth-Anne Logan and Liam Slaven



Introduction

The Pathway and Standards Scotland provide all practitioners supporting children who are in or on the edge of secure care with clearer expectations that will improve practice. “It is a significant achievement that the standards have been co-produced with the input of secure care experienced young people at each stage of their development...”[this] should ensure that there is a positive impact on the experience of young people on their journey” (Stakeholder).

The Pathway and Standards set out what all children in or on the edges of secure care in Scotland should expect across the continuum of intensive supports and services. The Pathway and Standards provide a framework for ensuring the rights of children and young people are respected and improving experiences and outcomes for children who are experiencing extreme vulnerabilities, needs and risks in their lives.

Why have the Pathway and Standards been developed?

The development of the Pathway and Standards was one of the key recommendations and calls for action from the Secure Care National Project. In the [Secure Care in Scotland: Looking Ahead](#) paper key stakeholders, including crucially children, young people and young adults with experience of secure care, concluded that there were a range of expectations and standards which should apply for every child in or on the edges of secure care. These findings echoed those of the previous review of secure care in Scotland, [Securing Our Future Initiative](#). As a result, in the 2017-18 [Programme for Government](#), the Scottish Government committed to developing secure care standards for Scotland and establishing a transformative model for secure care in Scotland through a new [Secure Care Strategic Board](#). A multi-agency Pathway and Standards group was established under the Board who co-produced the Pathway and Standards Scotland with care experienced young people and those with current and previous experience of secure care and key stakeholders. Those standards were then agreed through a process of engagement and validation.

The Pathway and Standards are rooted in the existing statutory requirements, ethos and principles set out in the relevant legislation, policy and guidance. They are based on the legislatively enshrined human and children’s rights and are crucial in the integration of secure care within the Getting it Right for Every Child framework. The Pathway and Standards, provide further context and, through the specific calls for action from children and young people with experience of secure care, give a unique voice to the outcomes set out in the [Health and Social Care Standards](#), adhering to the same key principles of:

- Dignity and respect
- Compassion
- Be included
- Responsive care and support
- Wellbeing

The standards align with the Health and Social Care Standards, and their implementation will support the achievement of the transformational Vision, Purpose, Values and Principles of secure care agreed by the Secure Care Strategic Board:

Our vision is of compassionate, nurturing, relational, rights based responses and supports within families, schools and communities; for all children and young people whenever there are concerns about significant harm to self and/or other people.

We are working together to Get It Right For Every Child, focused on making sure children and young people are offered early, timely, appropriate and high quality supports to help them fulfil their potential.

Scotland is striving to become a country where all children and young people; whatever the vulnerabilities and risks associated with their distress and actions; are cared for as children and where no child or young person is deprived of their liberty.

Many of the Standards also align with areas highlighted for improvement by the Independent Care Review and the implementation of the Pathway and Standard will support Scotland to keep [The Promise](#).

What are the Pathway and Standards Scotland?

The Pathway and Standards establishes a coherent set of expectations across the continuum of intensive supports, following a child's potential journey before, during and after a stay in secure care. They are written from the perspective of the child and have specific standards on the areas children detailed were most important to them and had the greatest impact on their care experience. The adoption of a pathway approach reflects the concerns and accounts shared by children, young people and stakeholders throughout the Secure Care National Project and during the co-production of the Pathway and Standards. The Pathway and Standards are not service-led but instead are designed to be applied wherever children are experiencing extreme vulnerabilities, needs and risk in their lives, requiring the involvement of all corporate parents if they are to be achieved for every child.

The individualised implementation of the Pathway Standards should be based on each child's assessed strengths, needs, vulnerabilities, risks and circumstances. While it is recognised that some of the Pathway Standards may be more challenging and take time to fully implement in practice than others, the Pathway Standards detail the expectations we should be aiming to achieve for every child. In anticipation of the changes in practice, approaches, experiences and outcomes the Pathway Standards will bring, they will be subject to ongoing monitoring, review and updating.

Who are these standards for?

- Children, their parents/carers, families and advocates to understand what their rights are and what they should expect from corporate parents and professionals when being intensively supported in the community or a secure care setting
- All corporate parents to inform strategic decisions on resource priorities, service design, commissioning, joint working arrangements, self-evaluation and individual support to children and their families

- Secure care services in their strategic and operational development, and self-evaluation
- Regulators and inspectorates as part of their future scrutiny and improvement plans.

Journey Stage – Prior to Secure Care
Standard 1 - I am fully involved and influence the decisions and plans about my care and support in a way that works for me. These decisions involve the people who are important to me.
Standard 2 - My needs are met by appropriate supports in the community which are right for me and the people who are important to me. These supports help keep me and others safe and prevent my liberty from being restricted.
Standard 3 - I am offered specialist support which helps me, and people looking after me, make sense of the difficulties I have experienced. I get the mental and physical health care I need, as and when I need it.
Standard 4 - The professionals supporting me understand the impact of any trauma and difficulties I have experienced and they respond to my needs and behaviours sensitively.
Standard 5 - 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.
Standard 6 - I am fully prepared for, and understand, the possible outcomes of any meeting, Children's Hearing or court proceedings.
Standard 7 - I benefit because the people making decisions about me at any meeting, Children's Hearing or court proceedings fully consider the law and all community based options.
Standard 8 - I know and feel confident that at any meeting, Children's Hearing or court proceedings my rights, needs, views and any risks of harm for me and others are fully considered.
Standard 9 - I have access to the legal advice, representation and high quality independent advocacy I need before, during and after any decision making process about restricting my liberty.
Standard 10 - I understand my rights, including any right to appeal the decision to restrict my liberty.
Standard 11 - I fully understand the reasons for any decision to restrict my liberty. These reasons and my views are reflected sensitively in my Child's Plan and any records or reports, in a way which helps me understand.
Standard 12 - I know what my rights are and how these will be upheld during my stay in secure care. These rights are explained to me by someone I know and trust before my stay begins.
Standard 13 - I know the details of where I will stay and I have access to information which explains daily life there. Every effort is made to enable me to visit before going to stay.
Standard 14 - I fully understand what to expect of my transport and admission to secure care and I am treated with dignity, compassion, sensitivity and respect. Someone I know and trust comes with me.

Journey Stage - During Your Stay In Secure Care

Standard 15 - I am welcomed at the main entrance unless it is unsafe for me or others. This is based on my individual circumstances and needs.

Standard 16 - When I arrive, the decoration and style of any entrance and reception area is welcoming and feels safe, comfortable and friendly.

Standard 17 - I am supported by someone I know on the day of arrival and I feel welcomed and reassured by everyone involved.

Standard 18 - I have everything I need when I arrive to keep me safe and healthy and so do the people looking after me.

Standard 19 - I am only ever searched when this is justifiable and necessary to keep me and others safe. It is based on my individual circumstances at that time. The level of search is proportionate and least intrusive as possible.

Standard 20 - If I have to be searched, I am treated with respect, dignity and compassion at all times. I understand my rights, the reasons for a search and how it will happen. My views are taken into account and I am given choice on how this might happen.

Standard 21 - I have access to the things I need to safely help me relax and rest in my personal space/bedroom and it is comfortably furnished and decorated.

Standard 22 - I have on-going access to the legal advice, representation and high quality independent advocacy I need from as soon as possible after I arrive at the service.

Standard 23 - I am fully involved and have influence in all discussions, including within 72 hours of me arriving, about what I need during my stay and who will help me and how.

Standard 24 - I know that people care about me and meeting my needs because the way they relate to me shows this.

Standard 25 - I am actively supported to be in touch with my family, friends and other people who are important to me unless this is not in my best interests. I have a say in how and when this happens.

Standard 26 - My family, and people I care about, are encouraged and supported to stay connected with me and are treated with dignity, compassion and respect. There is a welcoming, friendly and comfortable environment for us to meet.

Standard 27 - If my time with my family and others I care about is supported, supervised or restricted, this happens sensitively and I fully understand the reasons for this and these are recorded.

Standard 28 - My rights to safely access digital technology are upheld and actively supported. This encourages connection with people who are important to me.

Standard 29 - My physical, mental, emotional and wellbeing needs are understood by the people looking after me. I am involved in all decisions and plans to make sure I have the care and support I need, when I need it.

Standard 30 - I am well supported to manage my feelings and I am only ever restrained when this is absolutely necessary to prevent harm. I am treated with respect, dignity and compassion and I am held in the least restrictive way for the shortest time possible. I am well supported afterwards.

Standard 31 - I get the care, comfort and individual support I need when I am distressed and so I am only ever isolated from other people when this is absolutely necessary to keep me or others safe. This is for the shortest time possible.

Standard 32 - I fully understand the reasons for any decision to further restrict my rights and freedoms. These are proportionate and recorded.

Standard 33 - My learning needs are understood and I am supported to have these needs met and to make the most of my abilities and talents.

Standard 34 - I benefit from a wide range of high quality educational, vocational and community-based experiences and qualifications.

Standard 35 - I am supported and encouraged to attain and achieve at the highest standard and this helps to develop my interests, skills, strengths and hopes for the future.

Standard 36 - I am supported to contribute to and comment on all reports that are written about me in a way that works for me. The person writing the report consults with me and I have my say about all the recommendations and decisions that affect me.

Standard 37 - I am confident that any decisions, reports and plans made and shared about me focus on my hopes, strengths, achievements and goals, as well as on my needs and risks.

Journey Stage - Leaving Secure Care

Standard 38 - I am fully involved and influence all decisions and plans about my future, in a way that works for me, from an early stage.

Standard 39 - I understand my rights when planning for my future and I have access to the legal advice, representation and high quality independent advocacy I need.

Standard 40 - My plans for moving on meet all my needs. They involve everyone who has responsibility to care for and support me.

Standard 41 - I am fully prepared for making the transition from the service and this is taken at a pace which means I am completely ready.

Standard 42 - I am confident that people I know well and have trust in will continue to be involved in supporting me after I leave the service.

Standard 43 - I have as much choice as possible about the place I am moving to and am able to visit. I get to know the people there as they have been involved in planning with me for the move

Standard 44 - I have all the care and support I need to build the future I want, from everyone who has a role or responsibility, for as long as I need it.

Glossary

Term	Description
Advocacy	Independent advocacy ensures that people know and better understand their rights, their situation and systems.
Advocate	Independent advocates help people to speak up for themselves and speak for those who need it.
Intensive/Appropriate supports in the community	Supports tailored to the child's strengths, needs, vulnerabilities and risks that aim to keep the child and/or others safe in the community.
Child	Although legal definitions vary, for these Standards a child is aged 0 to 18 years as per UNCRC and the Children and Young People (Scotland) Act 2014 .
Children's Hearing	A legal meeting to consider and make decisions about children and young people. One decision that can be made is an authorisation as part of an order for a child to be placed in secure accommodation, which can only be implemented if the Chief Social Work Officer and Head of Unit agree to this.
Court proceeding	Can include matters relating to the Children's Hearings System or where a child is believed to have committed an offence.
Isolated	Separating a child from the group when their behaviour presents a serious risk of harm to themselves or others (Scottish Government, 2015).
Legal advice and representation	Information and support from a lawyer or trained legal professional.
Restrained	Where a child's behaviour is considered to be a significant risk to themselves or others, as a last resort, the child may be restrained, which is where staff physically hold a child to restrict his or her movement to prevent harm (Scottish Government, 2015).
Restrict/Restricting my liberty	Limiting or removing a child's ability to live in the community and their freedom to leave secure accommodation.

Search/Searched	Children and/or their rooms may be searched if secure care staff have reasonable cause to suspect that something harmful is being hidden. This can include personal searches where a child is asked to remove items of clothing (Scottish Government, 2015).
Secure care	Locked residential facilities that provide accommodation, care services and education or children.
In secure care	Children who are placed in secure care, usually through the Children's Hearings System or court proceedings
On the edges of secure care	Children who are at risk of entering secure care or have recently left secure care.
Wellbeing	The extent to which a child is safe, healthy, achieving, nurtured, active, respected, and responsible and included as defined in the Children and Young People (Scotland) Act 2014.



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