

Getting it right for every child Practice Statement GIRFEC Child's Plan October 2023



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Practice Statement – The child's plan within Getting it right for every child (GIRFEC)

This Practice Statement complements the <u>guidance series</u> published in September 2022 to help and support practitioners and managers embed and implement **Getting it right for every child** (**GIRFEC**) into their everyday practice. It should be read alongside:

The Policy Statement – Scottish Government's refreshed <u>GIRFEC Values and Principles</u>, and the Core Components of the GIRFEC approach.

The Practice Guidance

Practice Guidance 1. Using the **National Practice Model**

- Improving outcomes using the Wellbeing Indicators (SHANARRI)
- Gathering information with the My World Triangle
- Analysing information with the **Resilience Matrix**

Practice Guidance 2. The role of the named person

Practice Guidance 3. The role of the lead professional

Practice Guidance 4. Information sharing

The Statutory Guidance

<u>Assessment of Wellbeing</u> – Part 18 (Section 96) of the Children and Young People (Scotland) Act 2014

1. Background

The Scottish Government's ambition is to work together with children, young people, families, organisations and communities to make Scotland the best place for each and every child to grow up.

Through <u>Getting it right for every child (GIRFEC)</u>, everyone in Scotland can work together to build the scaffold of support children and young people need to grow up loved, safe and respected so that they reach their full potential. We want all children and young people to live in an equal society which enables them to flourish, to be treated with kindness, dignity and respect, and to have their rights upheld.

GIRFEC provides Scotland with a consistent framework and shared language for promoting, supporting, and safeguarding the wellbeing of children and young people. Through a common understanding of wellbeing, we recognise that children and young people need to grow up safe, healthy.achieving.nurtured.active.respected.responsible and included, so that they can become confident individuals, effective contributors, successful learners and responsible citizens.

GIRFEC is an evidence-based, internationally recognised and child-rights-based approach. It is locally embedded and positively embraced by organisations, services and practitioners across Children's Services Planning Partnerships (CSPPs), with a focus on changing culture, systems and practice to improve outcomes for babies, infants, children, young people and their families.

The non-statutory child's plan within GIRFEC remains an important part of how children's and related services can work in a co-ordinated way to support the wellbeing of children, young people and their families. This practice statement reflects the relationship and alignment between statutory and non-statutory plans, and legislative and policy developments such as the Scottish Government's commitment to incorporate the <u>United Nations Convention on the Rights of the Child (UNCRC)</u> within the limits of devolved competence into Scots law as soon as practicable, <u>the rights of siblings (and those of a similar relationship)</u> to be placed together and to have contact where appropriate, and our work to Keep the Promise in response to <u>change programme one</u>.

2. What is a child's plan within GIRFEC?

As outlined in the <u>guidance materials</u> published in September 2022, the child's plan remains a core component of the GIRFEC approach to promote, support and safeguard the wellbeing of children and young people.

A personalised child's plan within GIRFEC is a non-statutory plan which should be considered when those working with a child or young person and their family identify, through an <u>assessment of wellbeing</u> using the <u>wellbeing indicators</u>, that the child or young person needs a range of extra support beyond universal provision to be planned, delivered or co-ordinated. This may be provided by a single agency, or co-ordinated across a number of agencies. Where several agencies are involved, a <u>lead professional</u> will be agreed to co-ordinate the planning and delivery of the support.

The child's plan should offer children, young people and their families a simple planning, assessment and decision-making process which leads to the right help, at the right time. It should reflect the voice of the child or young person at every stage and include a clear explanation of why the plan has been created, the personalised actions to be taken and the expected improvement for the child or young person. Acceptance of a child's plan within GIRFEC along with the advice, information and support which are offered is voluntary: Unless compulsory measures are otherwise justified, if the intervention requires co-operation from children, young people and their families, they will be free to reject any proposed interventions. The lead professional should ensure that children, young people and their families are aware of this.

Where support is accepted, the lead professional (or relevant practitioner within a single agency plan) should work with children, young people and their families, and all of those involved in the child's plan to ensure that the support provided is regularly reviewed and evaluated for its effectiveness in the improvement of outcomes for the child or young person. The child's plan should be clear on which services or people will provide support, who is accountable for that support, and the way in which that support will be provided. This will help to empower children, young people and families and support the lead professional in forward and contingency planning.

Specialist statutory plans such as a <u>Co-ordinated Support Plan (CSP)</u> for education, <u>Adoption Support Plan</u>, <u>Looked After Child's</u> plan or <u>Young Carer Statement</u> may form part of the child's plan, where a child's plan within GIRFEC is accepted. This will help everyone working with a child or young person and their families to consider what other support their respective agencies could offer to help promote the child or young person's wellbeing and reduce repetition for families. If the support of a child's plan within GIRFEC is not accepted, these statutory plans may still be considered.

3. When should a child's plan within GIRFEC be considered?

Children and young people have the <u>right</u> to appropriate support from their families and communities to enable them to reach their full potential across all aspects of wellbeing.

Where a wellbeing need has been identified, practitioners working with the child or young person or a family member, including the <u>named person</u> where appropriate, should ask themselves the <u>five</u> GIRFEC questions:

- What is getting in the way of this child or young person's wellbeing?
- Do I have all the information I need to help this child or young person?
- What can I do now that is needed and appropriate to help this child or young person?
- What can my agency or organisation do now to help this child or young person?
- What additional help, if any, may be needed from others?

If additional support is required for the child or young person and this can be provided by the agency that has identified the wellbeing need, a single agency child's plan can be initiated with agreement of the child or young person and their family. For example, to modify a child or young person's learning environment if a need has been identified within their education setting, or to coordinate a number of different health supports.

If it is assessed that the additional support required involves more than one agency, the practitioner should discuss the benefits of arranging a meeting between multi-agency partners with the child or young person and their family. If they agree, a meeting can be arranged and a lead professional appointed.

Where the support of a named person is accepted by the child or young person and their family, the named person should remain a key partner to the child's plan regardless of whether they are the agreed lead professional. There is no obligation on the children, young people or their families to accept the support of a named person acting in that role alone, however, they may still have a role within the child's plan, for example as a guidance teacher on behalf of the school or as health visitor.

An assessment of wellbeing should seek to identify all the factors in the child or young person's life which may be affecting their physical, mental or emotional wellbeing. This will help establish how best to support the child or young person. This process should also include an assessment utilising the My World Triangle and Resilience Matrix as outlined in Practice Model, and the agreement of shared, desired outcomes using the Wellbeing Wheel, which will form the basis of the multi-agency child's plan.

4. Who should be involved in the development and review of a child's plan?

Where it has been agreed that a child or young person and their family requires and accepts the support of a multi-agency child's plan, a lead professional should be identified.

Any practitioner or professional providing support to the child or young person can be identified as the lead professional. This includes those working in universal services such as health and education; specialist services such as CAMHS and social work, or in third sector organisations, for example, those supporting family wellbeing in community settings or offering support for children with complex conditions. If a child or young person is <u>Looked After</u> or their name is placed on the child protection register, the lead professional will often be a social worker.

Whilst the plan is co-ordinated by the lead professional, they must work with the named person, where appropriate, and other practitioners involved in the provision of the child's plan. The lead professional should therefore have the confidence, skills and experience to ensure the child's plan is managed properly, alongside the child or young person and their family, the named person and other services who support them. Practitioners and leaders from all agencies working in children's and associated services supporting families should cultivate high standards of support, cooperation and communication across local partnerships to help ensure the desired outcomes identified in the child's plan are realised. Agency leaders should ensure that all practitioners take a trauma-informed approach to working with families, acting in accordance with their best interests and in consideration of their full spectrum of rights.

All decision-making regarding a child's plan within GIRFEC should seek, have regard to and act on the views of the child or young person and their family. When obtaining and acting on views of a child or young person, professionals are required to respect their rights, including Article 8 (the right to respect for private and family life) and Article 9 (the right to freedom of thought, conscience and religion) and Article 2 of the First Protocol (respect for the right of parents to ensure education and teaching in conformity with their own religious and philosophical convictions). Acceptance of a child's plan within GIRFEC, **unless** <u>compulsory measures</u> are otherwise justified, is voluntary and children, young people and their families are free to reject any proposed intervention which requires their cooperation and they should be advised of this.

Children and young people have the right to take part in and influence decisions on issues which affect them, as set out in Article 12 of the UN Convention on the Rights of the Child. It is essential that practitioners providing support to children, young people and families have the skills, knowledge and understanding to build relationships, provide advocacy and deliver GIRFEC effectively; and to make sure children, young people and families understand their rights and how these rights will be respected, protected and fulfilled. In line with Article 12 of the UNCRC, the views of the child or young person must be considered in accordance with the maturity and evolving capacity of the child or young person regardless of their age and ability. A condition or disability which impacts a child or young person's ability to communicate should not prevent them from expressing their views in all matters affecting them.

5. How does the child's plan support transitions?

Well-planned transitions are a vital element of a planning process that works for children or young people and their families. A transition is any change from one stage to another in their life.

These changes, or transitions, include starting pre-school for the first time, moving through primary and secondary school, and preparing to leave school. Transitions also include moving from one local authority to another, for example as a result of a change of address or care setting. For children and young people with additional support needs for education, any additional support required for transitions should be identified and implemented by health visitors and school leaders in line with the <u>Supporting Children's Learning Statutory Guidance</u> and the timescales set out under the <u>Education</u> (Additional Support for Learning) (Scotland) Act 2004.

The child's plan should be used to support good transitions by enabling those involved to sufficiently plan for changes together, and in time, to ensure co-ordination and continuity of support. Lead professionals should support a child or young person's wellbeing by working alongside them and their family and other practitioners involved in transition planning. They should ensure that the views of the young person and family remain at the heart of the plan.

This planning should include those young people who are making the <u>transition</u> from school to young adult life, and from children's to adult services. Particular consideration throughout this transition should be given to <u>disabled young people</u>, <u>care-experienced young people</u>, <u>young carers</u> and those making the transition from child to <u>adolescent mental health services</u>.

6. How does a chronology support a child's plan?

Chronologies are a critical part of a child's plan.

A single-agency chronology highlights significant events, both strengths and concerns, in a child or young person's life to date. It provides a summary of information which supports further dialogue and exploration with a child or young person, their family and practitioners working with them to develop a better understanding of how these events may impact the child or young person's wellbeing.

A multi-agency chronology is produced where two or more agencies have an involvement with a child or young person and support is being provided through a child's plan, co-ordinated by a lead professional.

Chronologies can be used from <u>pre-birth</u> to transitions into adulthood to help inform an assessment of wellbeing or planning for support. Practitioners can best support families, and assist the lead professional, by ensuring that important information is gathered systematically, in a consistent way and that the outcomes and impact of decisions made, such as offers of support or referrals to services, are clear.

Over time, practitioners should review their single agency chronology to ensure that it is up to date and continues to be a practical tool for supporting a child or young person's wellbeing. They should also analyse the information for any significant patterns of need or risk which they may wish to share with a family, within their agency or, where appropriate, the named person and lead professional.

7. How should information sharing be considered when planning for children?

<u>Practice Guidance 4 – Information sharing</u> and its associated <u>charters for children</u>, <u>young people</u> <u>and families</u> clarify when information can be shared with another agency and the considerations which need to be taken into account to ensure sharing information with another agency is lawful and proportionate and in line with data protection legislation. The lead professional and managers within the different agencies supporting a child or young person and their families should foster a culture of confident decision making and transparency with families around information sharing.

Within the GIRFEC approach, as part of the planning and assessment process, it is important to take an ecological, holistic approach to develop a full understanding of the child or young person's world. If a multi-agency child's plan has been agreed, collaborative working between practitioners and together with the child, young person and their family, will be pivotal to improving wellbeing outcomes. To achieve this effectively, relevant information relating to them and their families may need to be shared by the agencies involved. The information that is shared must be necessary and proportionate to the purpose for which it is being shared.

As outlined in Practice Guidance 4, practitioners working with children or young people and their families should normally keep them informed of what information will be shared with the lead professional. Consent should be sought when this will genuinely affect whether the information is shared, and consent will be used as the lawful basis for sharing information. It is important that practitioners do not give children, young people and families the impression that consent is needed if there is any other <u>lawful basis</u> for sharing information. Even where consent is not required, practitioners should bear in mind the need, in most circumstances, for <u>transparency</u>.

If any practitioner has a child protection concern, irrespective of whether a child's plan has been agreed to, information can always be shared without consent, and this should happen without delay to ensure the safety of a child or young person. Further information can be found in the <u>National Guidance for Child Protection in Scotland 2021 - updated 2023</u>, which is underpinned by the GIRFEC policy and practice model.

Annex A - Glossary of terms

Additional Support Needs for education (ASN)

A child or young person has additional support needs for education where, for whatever reason, they are, or likely to be, unable to benefit from school education without the provision of additional support.

There is a wide range of factors which may lead to some children and young people having a need for additional support. These fall broadly into the four overlapping factors, all of which interconnect with wellbeing.

- Learning environment
- · Family circumstances
- Disability or health need
- · Social and emotional factors

Staged intervention is used as a means of identification, assessment, planning, recording and review to meet the needs of children and young people in education.

All local authorities have a staged intervention and assessment process in place which enables practitioners to assess and meet learners' needs. There are variations between local authorities on the number of stages within their process.

Advocacy

Advocacy can mean different things in different contexts. In this context, advocacy is empowering children and young people to make sure that their rights are respected and that their views and wishes are fully considered and reflected in decision making about their own lives.

Agency/agencies

In this document the term 'agency/agencies' means an organisation or business providing a particular service.

Age of a child

GIRFEC applies to everyone under 18.

Before birth, midwives, maternity and other professionals can apply the values and principles of GIRFEC and support to the parents in considering their wellbeing, and that of the unborn baby.

During a child's life, GIRFEC then continues to apply to all children and young people up to the age of 18, or older if still at school, including young people who have left school but are not yet 18. Where young adults have specific needs, other legislation ensures ongoing support for them beyond 18 years of age, including

- Section 29 of the Education (Additional Support for Learning) (Scotland) Act 2004, where the
 definition of a young person refers to those having attained the age of 16 and are still at
 school.
- The Children and Young People (Scotland) Act 2014, which provides for continuing care for eligible young people up to the age of 21 and after care for young adults who have care experience, up to the age of 26.

These Acts ensure ongoing support for these young adults beyond the ages defined above in the GIRFEC framework.

Assessment of Wellbeing

Under Part 18 (section 96) of Children and Young People (Scotland) Act 2014, an assessment of wellbeing refers to an assessment of an individual child or young person to determine whether 'their wellbeing is being, or would be, promoted, safeguarded, supported, affected or subject to an effect'.

In terms of this guidance, these terms have the following meanings:

- a. promoted actively encouraged or further developed;
- b. safeguarded protected from harm or damage;
- c. supported given assistance, approval, encouragement;
- d. affected influenced, changed; and
- e. subject to an effect likely to be affected by a set of circumstances.

Child or young person

An individual who has not yet attained the age of 18 years.

Child protection

The processes involved in consideration, assessment and planning of required action, together with the actions themselves, where there are concerns that a child or young person may be at risk of harm from abuse, neglect or exploitation.

Children's human rights and UNCRC

Human rights are the basic rights and freedoms which we all have in order to live with dignity, equality and fairness, and to develop and reach our potential.

Human rights are a list of things that all people – including children and young people – need in order to live a safe, healthy and happy life. The European Convention on Human Rights (ECHR) has been incorporated into UK domestic law through the Human Rights Act 1998 (HRA). Everyone, including children and young people, has these rights, no matter what their circumstances. Under international law, States/Governments are obliged to respect, protect and fulfil human rights. Those delivering public services should respect human rights when they make decisions, plan services and make policies.

Children's human rights span the entire spectrum of civil, political, economic, social, cultural and environmental rights. Children and young people also have additional rights that recognise that childhood is a special, protected time, in which children and young people must be allowed to grow, learn, play, develop and flourish with dignity.

Specific human rights for children are set out in the UN Convention on the Rights of the Child (UNCRC). The UNCRC offers a vision of the child as an individual and as a member of a family and community. By recognising children's rights in this way, the Convention firmly sets the focus on the child as a whole and multi-faceted person. It is important to be clear that all rights are equal, there is no hierarchy of human rights.

We know that children and young people face unique barriers to realising their rights. Their future often depends on the action taken by adults to implement their rights in practice. As children, their voices can be unheard or more easily dismissed. For that reason, the UNCRC recognises that children and young people are human beings with fundamental rights that are written into international law. It also makes clear that special action needs to be taken to ensure those rights are respected, protected and fulfilled.

As one of the core United Nations (UN) human rights treaties, the UNCRC helps to safeguard the dignity and the equal and inalienable rights of all children and young people. It does this by making sure that important rights set out in other international human rights treaties are applied in a way that is relevant and appropriate to the needs of all children and young people.

Child's Plan

Within GIRFEC, a child's plan, which may be known by other names across the country, is a non-statutory plan developed when those working with the child or young person and family identify that a child or young person needs a range of extra support planned, delivered and co-ordinated. The child's plan should reflect the child or young person's voice and explain why the plan has been created, the actions to be taken and what should be improved for the child or young person.

Unless compulsory measures are justified, if the intervention requires co-operation from the child, young person or family, they will be free to reject any proposed interventions.

Chronologies

A chronology is a timeline of child or young person and family circumstances. It provides a record of key events in the order that they happened.

Consent

In the context of information management, a person's freely given, informed, clear and specific agreement to their personal information being processed. 'Freely given' and 'informed' are explained at section 10.3 of Practice Guidance 4 – Information Sharing.

Co-ordinated Support Plan (CSP)

The co-ordinated support plan is a statutory document which is subject to regular monitoring and review for those children and young people who have one. It is required to be considered whether or not a child's plan within GIRFEC is being considered.

When a local authority is responsible for a child or young person's education, that child must have a CSP considered if they:

- Need support due to complex or multiple factors that negatively and significantly affect and impact on their education,
 - It is the impact on the child or young person's learning that is important, rather than the reason they need help. The individual factors may not be complex on their own, however, accumulatively they have a significant negative impact on a child or young person's learning. This can include their wellbeing.
- Will, or are likely to, need long term support (for more than a year), and
- Need significant additional support from education and from another department of the local authority such as social work, or another agency or agencies to reach their educational goals. This can include health, another local authority, Skills Development Scotland, or a further or higher education institution.

The Education (Additional Support for Learning) (Scotland) Act 2004, as amended, requires education authorities to consider whether each individual Looked After Child requires a coordinated support plan.

Data/information

Data means raw facts and figures, and information is data that has been managed, put into a context, often in order to make sense of it. In the interests of avoiding overly complicated technical details, within this guidance, references to information or data should be taken to mean both, and refer to information about living individuals.

Ecological Model

This is a model that is based on the idea that children's development is influenced by the relationships they have with their parents, then by school and community environment, then by wider society and culture. These layers of relationships and environments influence and interact with each another as well as the child's development and resilience. This theory was originally developed by Urie Bronfenbrenner and Stephen J. Ceci in 1994.

Family/families

Not all family units look the same. In this document the term 'families/family' can mean adoptive, biological, foster, kinship, extended, composite and others, for example settings and homes that have felt like family. Some children and young people may belong to more than one family.

Getting it right for every child (GIRFEC)

This is Scotland's national approach to promoting, supporting, and safeguarding the wellbeing of all children and young people. It provides a consistent framework, shared language and common understanding of wellbeing. GIRFEC puts the child or young person at the heart and helps children and young people get the right support from the right people at the right time.

Lead professional

When children, young people and families require the help and support of a child's plan, a lead professional will be needed. The lead professional is an agreed, identified person within the network of practitioners who is working alongside the child or young person and family. In most cases, the professional who has the greatest responsibility in co-ordinating and reviewing the child's plan will undertake this role.

Lawful basis/bases

Reason(s) or justification for sharing information that is recognised by data protection law.

Named person

This is a clear point of contact for times when children, young people and families require information, advice or help. The named person is mainly provided by health and education services and is usually someone who is known to the child, young person and family and who is well placed to develop a supportive relationship with them. Local arrangements and the term used to describe this role or function may vary from area to area. A named person can help children, young people and families access relevant support for a child or young person's wellbeing. Where there is a child's plan in place, the named person will work alongside the lead professional, continuing to provide general advice or support, while the lead professional will be the point of contact in relation to the plan. In some cases, the named person will also be the lead professional.

Parent

This document uses the term 'parent' within the meaning of section 15 of the Children (Scotland) Act 1995. The term 'parent' includes a person who is a genetic parent of a child, a parent by adoption, and those who are parents by virtue of Human Fertilisation and Embryology legislation. In this document, the term also embraces a person who has parental responsibilities in relation to the child or young person, who has care of the child or young person, or who is a guardian of the child or young person whether appointed by parents or the court.

Practitioner

In this document, practitioner means any person involved in working with children, young people and/or families, whether on a voluntary basis or through paid work. In addition to roles typically thought of as working with children and young people such as health visitors and teachers; this includes wider activities that work with children, young people and families, such as social work, housing services or police.

Transition

A transition is a change, from one stage to another. Most children and young people will experience transitions as they move into an early learning and childcare (ELC) setting, from there to primary, from stage to stage, from primary to secondary, between schools and from secondary to further education and beyond.

Universal

Within this guidance, universal services refers to routine public health and education services available to all children and young people in Scotland.

Wellbeing

For the purposes of this document, wellbeing is a measure of how a child or young person is doing at a point in time and if there is any need for support. The eight wellbeing indicators (see below) provide a framework for assessment and planning in relation to wellbeing.

Wellbeing indicators

Any assessment of a child or young person's wellbeing should be founded on the 8 wellbeing indicators: Safe, Healthy, Active, Nurtured, Achieving, Respected, Responsible, Included, sometimes referred to as SHANARRI. The wellbeing indicators are informed by the UNCRC. They are overlapping and connect areas that are fundamental to understanding what children and young people need in order to grow, develop and thrive.

Young Carer

Under the <u>Carers (Scotland) Act</u> a <u>young carer</u> is defined as anyone who provides care (or intends to provide care) for someone else, and is under 18 or 18 and still in school.

Young Carer Statement

Under the <u>Carers (Scotland) Act</u> every young carer has the right to a <u>Young Carer Statement</u>. The duty to carry out a Young Carer Statement is on Local Authorities; however, some choose to commission this from education or a local carer centre or young carer service. A Statement is a written record of the key points of a conversation a young carer has with a professional, including a young carer's identified personal outcomes and identified needs for support. This conversation is designed to find out more about the young carer, their caring role, personal goals, and what is important to them. You can find examples of local Young Carer Statements on the Digital Education Hub



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