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31 May 2006

Dear Ministers

East Ayrshire Council, NHS Ayrshire and Arran and Strathclyde Police welcome the continuing interest and priority being given by the Scottish Ministers to issues related to child protection. The concerns expressed in your letter of 22 March 2006, together with your clear intention of guaranteeing the safety of young people, reflect well on the intentions of the Scottish Executive.

We too share a common desire to protect all our children and young people and continue to work together to ensure that systems and processes are robust and effective. We can provide the absolute assurance that child protection has and continues to be a high priority and we are able to demonstrate this through the work which is underway in East Ayrshire.

We can specifically assure you that the new guidance on the remit, structure and work of Child Protection Committees has been fully implemented in East Ayrshire. In addition, you can be assured that we, as the principal Chief Officers, are carrying out our role in ensuring that the functions of East Ayrshire Child Protection Committee, are being effectively implemented. The composition of the Child Protection Committee has been reviewed and widened to involve further key stakeholders and officer representation is now at an appropriately senior level. Additionally, work has been commissioned on specific tasks, through the Performance and Audit Group, the Practitioner's Group, and the Publicity and Information Group whose workplans for 2006-2007 will be incorporated into the overarching business plan of the Child Protection Committee. This will be sent to the Scottish Executive by 30th June 2006, as part of the Annual Report. The work of the Child Protection Committee is supported directly by the Chief Officers Group. Regular reports dealing with child protection issues are considered by the relevant Council Committees and the Health Board.

In addition to strengthening the East Ayrshire Child Protection Committee, there has been important progress in a number of areas referred to in the East Ayrshire Joint Statement of Assurance of 2004. East Ayrshire Council continues to work with North and South Ayrshire Councils and NHS Ayrshire and Arran towards the implementation of the Integrated Assessment Framework. The documents associated with these developments, are open to scrutiny, and our commitment to the implementation of the Child Protection reform agenda is both visible and recorded.

Issues Raised by Cases of Children Affected by Drug Abuse

This particular section of your letter presents difficulties. There is clearly a developmental agenda associated with the implementation of the Hidden Harm "Next Steps" Action Plan. The Scottish Executive has already accepted in both this document and the letter from Mr

Colin McLean (dated 4th May 2006), that it is not possible for any agency or Child Protection Committee to identify with any degree of certainty, all of those situations where the substance misuse of adults raises concerns for children. The emphasis on drug-related matters sought by you in your letter is not helpful in that it ignores the significant impact of alcohol on the majority of children adversely affected by parental substance misuse. Our approach recognises the wider issues of substance misuse, not exclusively those relating to drugs, which can result in equally pernicious problems meriting similar action.

Robust procedures and processes are in place across East Ayrshire to ensure the early identification, assessment and intervention in any case where concerns are highlighted by agencies in relation to children affected by parental substance misuse. This is clearly evidenced by the use of pre-birth assessments and post birth case conferences when high risk pregnancies are identified. All children who are on the child protection register as a result of parental substance misuse have a child protection plan which incorporates what help they need and the responsible person/agency, the parents also are signposted to key agencies to assist them to address their addiction issues and to ensure the prevention of relapse.

It is, however, not possible to give the kind of commitment or reassurance on this matter as requested in your letter. We can clearly state that when there are concerns from any agency about children in such circumstances, the need for effective communication between agencies is recognised and continually improving. In common with other Child Protection Committees, East Ayrshire has implemented improved child protection practice specifically in the area of substance misuse. Further, child protection procedures were revised and issued only 3 years ago, and we are currently again reviewing them to capitalise fully on current knowledge and best practice. A number of these actions are highlighted and have been taken forward into the Child Protection Business Plan including:

- Ayrshire Integrated Assessment Framework
- Roll out of Getting Our Priorities Right protocols
- Training around High Risk Pregnancies
- Health Service protocols for High Risk Pregnancies and information sharing

East Ayrshire Council in conjunction with NHS Ayrshire and Arran have strengthened the approach to managing and addressing substance misuse within the community. This is illustrated by the appointment of a Joint Manager Substance Misuse and the recent appointment of a dedicated officer to carry out pre-birth assessment and establish and maintain strong links with prescribing agencies. This will further strengthen the existing staff team of substance misuse workers currently employed across social work and early years service, and the dedicated addiction staff currently located in NHS Ayrshire and Arran. As part of an overall service improvement strategy, a tiered intervention approach to the provision of addiction services has been introduced in a partnership between NHS Ayrshire and Arran, East Ayrshire Council and Turning Point Scotland.

The Child Protection Committee has commissioned the work of Scottish Training in Drugs and Alcohol to assist with the roll-out of the protocols in relation to *Getting Our Priorities Right*. The most recent publication of Hidden Harm Next Steps will be incorporated into these protocols and delivered to staff in all agencies across the council area. This is closely linked with the Pan-Ayrshire Integrated Assessment Framework which is progressing towards the ultimate objective of *One Child – One Plan*.

We are committed to ensuring that any further issues emanating from the Action Plan associated with Hidden Harm are integrated within child protection practice in East Ayrshire and to building on the already established good practice which takes place around those children affected by substance misuse who are known to us. It is, nevertheless, our

considered view that there are a number of major issues associated with taking this work forward:

- i) The continuing challenge of implementing a system, or systems, where electronic sharing of information offers a practical way forward in the face of resource constraints, and the heavy burden of development work, against a background of increasing operational pressures.
- ii) While we are committed to sharing information with regard to child protection, there may be a requirement for legislation in those areas where there are concerns about children and there is no consent by parents to the sharing of information who are not yet clearly identifiable as child protection cases.
- iii) Significant pressures in the area of resources, such as foster care, which are currently overstretched and require to be addressed nationally by the Scottish Executive.
- (iv) A recognition that new national budgetary resources will be required to assist extended families and/or substitute carers in supporting children in this situation.
- (v) The implementation of the Hidden Harm Action Plan will increase the volume of referrals to agencies without the necessary resources being in place.
- (vi) The framework in relation to Getting it Right for Every Child, which may help address the above issue, is not sufficiently detailed and able to be progressed within realistic timescales. This is vital to underpin this action.
- vii) A major national debate is required to agree a view on the appropriate thresholds for any statutory intervention with children.

In summary, therefore, we can provide you with the absolute assurance that the local Child Protection Committee has and will continue to work actively to address all of the issues associated with the Hidden Harm agenda. We are unable to provide the assurance sought by you that all children will be identified under the terms you have outlined, but can confirm that due diligence will continue to be exercised in respect of the identification of such cases and that all reasonable steps will continue to be taken to improve the quality of Child Protection work in the area of substance misuse.

We reaffirm our commitment to taking forward all of these issues in partnership with the Scottish Executive. Wider national debate and agreement is needed on the expectations of society and the Scottish Executive in terms of the level of intervention in all children's lives and the resources required to ensure that such interventions are effective. We welcome the role of the Scottish Executive in taking this debate forward and we are committed to working proactively with all parties in ensuring the safety of all children and young people.

Yours sincerely



Fiona Lees
Chief Executive
East Ayrshire Council



Wai Yin Hatton
Chief Executive
NHS Ayrshire & Arran



Sir William Rae QPM
Chief Constable
Strathclyde Police

