



Securing our Future: A Way Forward for Scotland's Secure Care Estate

A response from the Scottish Government and COSLA

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Scottish ministers and the Convention of Scottish Local Authorities (COSLA) are very grateful to the members of Securing Our Future Initiative for the time and effort they have invested in considering how to make best use of Scotland's secure care resources to improve outcomes for young people and their communities.

We appreciate that this has been a period of great uncertainty for staff in Scotland's secure care sector, particularly in the context of these difficult times. The economic challenges we are facing place an even greater duty on local and national government to spend resources wisely to help mitigate the impacts of the global economic downturn on Scotland's families and businesses.

We recognise that having a longer term strategy for the secure care sector will benefit not only the children and young people who need secure care, but also the purchasers and providers of secure care who have to plan and manage resources.

Given that some of the recommendations of Securing Our Future Initiative have far-reaching consequences, we were determined to give the report and its findings full and proper consideration before responding. We would like to thank all those with an interest in the outcome of the report – members of the working group; purchasers of places; the boards of managers and the staff employed in the estate; young people who are admitted to secure care, their families and communities – for their patience and understanding.

Vision for secure care

Securing Our Future is the most comprehensive exploration of the role of secure care undertaken in recent years. The report reinforces the Kilbrandon principle that there must always be a balance between the needs and deeds of the child, and that secure care is a welfare-based service. We welcome the group's report and strongly endorse the principles outlined in the vision:

- Our ultimate ambition must be to have no child in Scotland in secure care and we must actively work to reduce the need for secure care.
- Every child in Scotland should get the best start in life and the right help when they need it in order to prevent risks turning into poor outcomes.
- Where it is possible to meet the needs of high-risk young people safely and cost-effectively in their communities, then these opportunities should be maximised.
- For the very small number of children whose needs can only be met in secure care, then we have to provide a high quality and nurturing environment that addresses their needs.
- A placement in secure care must be part of a planned journey through the care system.

We will uphold these principles and we would like to see them upheld by all those involved in the care and management of high-risk young people. We believe that pursuit of this vision offers genuine opportunities for us to improve outcomes for our

most vulnerable and challenging young people and for their communities. We are confident that we can work together to reduce the number of children and young people who need to be held in secure care by implementing the [Early Years Framework](#); by embedding the principles of *Getting it right for every child* in all the work we do; and by working constructively with the courts. We are also committed to developing, supporting and evaluating robust responses to the needs and risks presented by high-risk young people. This means that we will continue to promote and support community-based alternatives to secure care.

We recognise the important function secure care has in protecting young people and the public. We acknowledge the significant investment that the last administration made – and which this government continued – in the secure care estate, in good faith, and the advantages gained in terms of quality, specialism and regional coverage. We are pleased that the group's recommendations recognise the need to retain these benefits where possible, and deploy this resource effectively, while addressing the capacity problems.

The recommendations

We accept in full the nine recommendations of Securing Our Future Initiative and believe that the recommendations should be implemented as an integrated package.

We are committed to ensuring that we have the right range of provision in Scotland to meet the needs and risks associated with all children. Where secure care is the only way to protect young people and their communities, it is vital that we have high-quality provision to meet that need.

Nonetheless, we accept the group's conclusion that in order to preserve the quality and choice of secure care provision that currently exists, a targeted reduction in places is necessary. Supporting this reduction in places is likely to result in some job losses. This is extremely regrettable and we fully appreciate the impact this will have on the individuals affected and their families. We are also aware that this decision may create some anxiety and instability across the secure care sector. We believe, however, that it is the only way to ensure the sustainability and cost-effectiveness of the sector as a whole, and to prevent the unplanned closure of critical services.

Recommendation 1: early and effective intervention

We recommend that local authorities and their partners are supported to develop and deploy an effective range of interventions to ensure secure care is used only when it is necessary.

By working with partners to embed the principles of *Getting it right for every child* (GIRFEC), we will seek to ensure that children and young people at risk of poor outcomes get the support they need when they need it. This means that responses will be appropriate, proportionate and timely, and agencies will work together to meet each young person's needs and risks. This approach will be supported by the right infrastructure: good quality assessment and care planning that follows the child or young person; systems that allow information sharing; and leadership to promote culture change in the way we work with children and young people.

We are currently evaluating the effectiveness of the GIRFEC approach in a number of pathfinder areas in Scotland and we and our partners will build on this learning to help all children and young people develop and reach their full potential.

We understand that the first few years of a child's life are crucial and that health, educational and economic inequalities are passed from one generation to another. The [Early Years Framework](#) signals local and national government's joint commitment to break this cycle through prevention and early intervention and give every child in Scotland the best start in life.

We are committed to providing early and effective responses to children and young people who are involved in offending or risk taking behaviour. We will be publishing guidance on early and effective intervention in May 2009 and this will include an evaluation highlighting areas of good practice, evidence of resource savings, and steps that local partners can take to maximise the positive impact they can have early on in a child or young person's life. It will be published in conjunction with a policy document from the Association of Chief Police Officers in Scotland (ACPOS) setting out their flexible scaled approach to intervening effectively with young people who offend.

For children and young people who pose a serious risk of harm, we are clear that we need robust processes; clear accountability and responsibility for action; and evidence-based interventions. [Getting it right for children and young people who present a risk of serious harm](#) was published in May 2008 and sets out how agencies should be working together, sharing information and assessing and reviewing circumstances in line with the planning approach being promoted through *Getting it right for every child*. For those young people who are involved in offending, a range of disposals are available to the court and to the children's hearing, including the use of secure care and community alternatives such as curfews and intensive support and monitoring services (ISMS). ISMS allow young people at risk of offending or harming themselves to be monitored and supported in the community. The Scottish Government has demonstrated its commitment to supporting community-based alternatives to secure care by extending intensive support and monitoring (ISMS) to the whole of Scotland, following a successful pilot in seven local authority areas. Evidence from [the evaluation](#) of the ISMS pilot shows that for a significant number of young people, intensive support can reduce offending, absconding and substance misuse, and improve attendance rates on programmes. We have also published a [good practice document](#) to help local authorities implement ISMS.

Through our support for the University of Edinburgh's Criminal Justice Social Work Development Centre, the Scottish Government is sponsoring three champions' groups. Made up of practitioners and academics, the groups are developing expertise on working with particular groups of young people (those displaying sexually harmful behaviour; those with significant violent behaviour; and vulnerable young women) with a view to disseminating and embedding good practice locally. The Scottish Government intends to continue funding these champions' groups until 2011.

The Scottish Government and COSLA will consider what further support can be given to local partners to build on good practice on intensive community-based interventions in order to drive down the need for secure care.

Recommendation 2: commissioning

We recommend that secure care be a focus in the NRCCI work to develop a robust commissioning model, and that in the meantime purchasers and providers of secure care should come together to develop service specifications.

The Scottish Government and COSLA accept that the current model of commissioning and procurement of secure care services does not work for purchasers or providers. We are committed to addressing this problem in the coming months and believe that we can make a real difference to the future planning and delivery of secure care services.

The Scottish Government and COSLA have asked the Scottish Institute for Residential Child Care (SIRCC) to lead a multi-agency National Residential Child Care Initiative (NRCCI), aimed at shaping the future direction of residential childcare services (including secure care) to suit children's needs. One of the four working groups will look at how to ensure more effective commissioning of services. The NRCCI will report to ministers and COSLA in September 2009.

We will also facilitate early discussions between purchasers and providers of secure care to develop a clear service specification for secure care; to increase understanding of purchaser needs and provider resources; and to explore options for commissioning by enabling partnership working. We expect the first phase of this work to be completed by the end of 2009.

Recommendation 3: care planning and transitions

We recommend that good practice around care planning and transitions, in line with the principles of *Getting it right for every child*, be promoted; and that secure care be a focus in ongoing work to improve throughcare and aftercare for looked after children.

The Scottish Government will work to implement the new Looked After Children (Scotland) Regulations by late September 2009. Among other things, the legislation will improve planning and decision making for looked after children, in line with *Getting it right for every child*, and will require that all looked after children have a plan that covers their immediate and longer-term needs. This year we also intend to begin reviewing the Support and Assistance of Young People Leaving Care (Scotland) Regulations 2003 to make recommendations for improvements in the future.

To address the problems facing young people leaving secure care, the Scottish Government and COSLA have agreed with the boards of managers of two of the secure units that some of their capacity will be used over the coming year to develop and promote good practice in throughcare and aftercare for young people leaving

secure care. This will involve developing partnerships between secure care, local authority throughcare and aftercare teams and other providers of community-based support services, with a view to mainstreaming good practice across the estate and more broadly in the residential care sector.

Both units will work with the other secure care providers; providers of residential care; local partners; academics; professional organisations; and other good practice fora to develop the work. We expect that this good practice will be shared more widely across the residential childcare estate in a way that is sustainable and viable.

This work will be backed up by government-funded action research that will assess what works best to manage positive transitions for young people and will help build the evidence base for the good practice documents.

Recommendation 4: health and wellbeing

We recommend that urgent consideration is given by the Scottish Government, health boards and Community Planning Partnerships to strengthening access to universal and specialist health services; and to ensuring that health and education are active partners in care planning. We also recommend that the needs of those in secure care be given particular consideration in work undertaken by the National Residential Child Care Initiative to address needs and resources.

Further to the recommendation in [Looked After Children And Young People: We Can And Must Do Better](#) that each NHS board will assess the physical, mental and emotional health needs of all looked after children and young people, the Scottish Government is writing to all health board chief executives alerting them to their responsibilities to looked after children and young people, some of whom are in secure care. The National Residential Child Care Initiative (NRCCI) will also consider the health and educational needs of children and young people in its review of residential (and secure) childcare services.

Children and young people in secure care have the same rights of access to health services as any other child in Scotland. However, there are practical difficulties for those in secure care accessing these services. The Scottish Government is committed to ensuring that children and young people in secure care receive a full range of routine, essential and additional primary medical services, including health promotion and medical/health assessment, immunisations where required and a prescription service, including repeat prescriptions. Some secure care providers currently purchase primary health services, including GP services, privately, and this is an area we intend to address in order to improve the quality of GP-related care. We shall also ensure that care is provided on location at secure units by GP practices where appropriate, using available supportive technology, for example, [Telehealth](#).

Scottish Government officials have already met with representatives of the four health boards who have secure care services located in their areas, and discussed the practicalities of providing GP and pharmaceutical services for children and young people in secure care via the NHS and within existing legislation. Dentistry and

optometry services will also be considered in future discussions. We hope to introduce a costed *local enhanced service* (a locally developed service designed to meet local health need), which will include the full range of general medical services provided by a GP practice, with enhanced services required by these children and young people following an assessment of their healthcare needs. These new measures will support a more consistent approach across health boards.

Health board representatives will soon meet with the independent secure care providers before drawing up a detailed contract specification. We expect that this will be submitted to the Scottish Government for consideration in June 2009.

Recommendation 5: analysis

We recommend that the use of secure care and the use of alternatives for those meeting the secure care threshold be carefully monitored over the next year to inform future decision making, with ongoing monitoring of progress towards achieving the vision of fewer young people in secure care.

The Scottish Government and COSLA will work in partnership with secure providers, purchasers and the Scottish Children's Reporter Administration (SCRA) to gather data on admissions to secure care, including details such as geographical proximity, gender and any specialist input required for children and young people.

We will work with SCRA and local authorities to examine the reasons why secure care authorisations are not always implemented, and the responses made to those who meet secure care criteria but are not admitted to secure care.

We will also work with SCRA and the Sheriffs' Association to better understand the decision-making process; the factors that influence decision makers; and the impact this has on outcomes for children and young people.

Recommendation 6: targeted reduction in the capacity of the secure estate

We recommend that there be a targeted closure of 12 beds to bring the capacity of each of the independent secure care units down to 18 beds.

The Scottish Government, COSLA and the boards of managers at St Philip's, Airdrie and St Mary's Kenmure, Bishopbriggs have reached agreement that both units will mothball six beds for the financial year 2009-10. This will temporarily close 12 secure care places, with the effect that the five independent units will each have 18 secure care places.

This will enable the Scottish Government to reduce over time the support that it has been providing to the secure care sector to ensure its sustainability, and redeploy that money more productively to address the needs of young people and their communities in line with the shared vision above. In the short term, the Scottish Government has committed to supporting the boards of managers to meet the costs of mothballing.

Mothballing rather than closing units offers flexibility. While we will persist in our efforts to reduce the need for children and young people to be accommodated in secure care, units can be reopened if the need arises in extremis; conversely, we will have time to assess whether a more permanent reduction in places is necessary. We will therefore monitor secure bed usage closely for the next 12 months so that we can observe trends and respond quickly and appropriately if capacity problems continue. We recognise that there are still substantial challenges ahead for the secure estate and we are committed to reviewing the situation next year.

Recommendation 7: mental health provision for high-risk young people

We recommend that an independent scoping study be commissioned to assess whether the provision of secure mental health facilities for young people would be a viable redeployment of part of the secure estate.

The Scottish Government and COSLA accept the need for this work to be done and acknowledge the urgency. Substantial research has been carried out on this subject over the past five years and we do not intend to duplicate this.

Together we will commission an independent review of existing research to assess whether there is a need to update any of the information previously gathered and to fill any gaps in the knowledge base. We expect to commission the review by the end of June 2009. It is essential that the review reports by autumn 2009 to allow purchasers and providers to make planning and resource decisions.

The Scottish Government is aware that workforce capacity is a great challenge for Scotland's child and adolescent mental health services (CAMHS). The most recent estimates indicate a need to significantly increase the CAMHS specialist workforce to meet current demand. To address these problems we have established a new HEAT (health, efficiency, access and treatment) target on faster access to CAMHS; we have identified £2 million in 2009-10 for expansion of CAMHS to be match-funded by NHS boards; and we are increasing the capacity of the generic children's services workforce to meet mental health needs. NHS Scotland has also offered extensive training to secure care staff to better equip them to deal with common mental health problems that do not require specialist intervention. Together these measures should improve the availability and quality of mental health services for children and young people in secure and residential care.

Recommendation 8: drugs and alcohol dependency unit

We recommend that more priority be given in the implementation of the national drugs and alcohol strategies¹ to meeting the needs of young people, including those currently in secure settings.

¹ Scottish Government (2008). *The Road to recovery: a new approach to tackling Scotland's drug problem*. See <http://www.scotland.gov.uk/Publications/2008/05/22161610/0>.
Scottish Government (2008). *Changing Scotland's relationship with alcohol: a discussion paper on our strategic approach*. See <http://www.scotland.gov.uk/Publications/2008/06/16084348/0>

Current evidence suggests that young people in secure care rarely have chronic dependencies on drugs and/or alcohol. This would preclude the need for a secure residential facility.

However, professionals are aware that a substantial proportion of the secure care population show evidence of problematic drug or alcohol use. We would like to have stronger evidence of the prevalence and degree of problematic usage to ensure that we plan services appropriately. By working with secure providers, purchasers of secure care provision and alcohol and drug partnerships, the Scottish Government and COSLA will build robust interventions to address problematic drug and alcohol use into the developing specification for secure care and into good practice models that will support young people on their transition to the community.

Prevention work is important and *Curriculum for Excellence* will make a significant contribution to improving substance misuse education. The Scottish Government is currently considering whether *Know the Score*, the drugs information campaign, should target under 16s. We have already begun engaging with young people on this.

[Changing Scotland's Relationship With Alcohol: A Framework For Action](#) was published on 2 March 2009. Following public consultation in 2008, the framework sets out the Scottish Government's strategic approach to tackling alcohol misuse and reducing alcohol-related harm.

The framework highlights the need to better support families and young people to make positive choices in relation to alcohol and provides a commitment to action in a number of areas, including improved substance misuse education in schools; advice for parents and carers; continued youth work and diversionary activities; strengthening legislation on licensing to crack down on those who sell alcohol to young people under 18 and rolling out the test purchasing of alcohol; and better identification and assessment of those affected by parental substance misuse. The framework also recognises the important role young people have in finding solutions to the problems caused by alcohol misuse, and we have asked Young Scot to appoint a youth commission on alcohol to explore the issues young people face in relation to alcohol misuse and report back to ministers with actions (this will take place over the course of a year from spring 2009).

Throughout 2009, the Scottish Government will conduct a review of current plans and practice for the identification and treatment of offenders with alcohol problems in criminal justice settings and identify good practice. A stakeholder event will also be convened to disseminate the findings of this review and agree action on how best to ensure development and implementation of integrated care pathways for offenders with alcohol problems. We hope to learn from this and some of the other activity being undertaken in the criminal justice system on problematic substance use.

Recommendation 9: vulnerable young offenders continuum of care

We recommend that current good practice on retaining vulnerable young people in the children's hearing system and ensuring access to services appropriate to their age and stage of development, should be

promoted among local authorities, children’s hearings, prosecutors and courts. We also recommend a particular focus on the development and use of community-based responses to young people who are prosecuted through the courts.

The Scottish Government and COSLA believe that the most effective way to prevent reoffending by young people is to ensure that they receive appropriate interventions whether they are in the children’s hearings or criminal justice systems. In the Scottish Government’s [response](#) to the report of the Scottish Prisons Commission, we committed to strengthening our approach to young adults involved in offending, including by ensuring that where young people transition between systems there is continuity of support and risk management. We believe that the Children’s Hearings System is likely to provide the most appropriate context to address the needs and risks of vulnerable young people up to the age of 18 and recognise good practice in joint working between youth and adult justice teams. The Scottish Government has already committed to legislate to keep under 16s out of prison, and to retaining sentenced young people in secure care up to the age of 18 where appropriate.

The Scottish Government and COSLA are undertaking a short scoping exercise to understand where areas of good practice in providing a continuum of care currently exist and where improvements could be made. We will continue to develop this work and draw on the intelligence gathered.

We will facilitate a series of targeted good practice events with local authorities, children’s hearings, prosecutors and courts to develop a partnership approach to improving outcomes for young people and for their communities. This work will examine current practice and contribute to the development of further good practice on the effective use of secure care via the Children’s Hearings System and sentencing options available to the criminal court.

The Scottish Government and COSLA will work proactively with the Association of Directors of Social Work (ADSW) to engage at a local level to support practice and culture change in the direction of improved, more cost-effective, outcomes. The Scottish Government and COSLA will also jointly explore ways of providing leadership and driving effective practice across Scotland. This will ensure that momentum is maintained and local and national partners are appropriately supported to deliver on the vision for secure care.



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