

Argyll and Bute Council
Internal Audit Report
November 2021
Final

Child Protective Services

Audit Opinion: Substantial

| | High | Medium | Low | VFM |
|--------------------|------|--------|-----|-----|
| Number of Findings | 0 | 0 | 1 | 0 |

Contents

| | |
|---|----|
| 1. Executive Summary | 3 |
| Introduction | 3 |
| Background | 3 |
| Scope | 4 |
| Risks | 4 |
| Audit Opinion | 4 |
| Recommendations | 4 |
| 2. Objectives and Summary Assessment | 4 |
| 3. Detailed Findings | 5 |
| Appendix 1 – Action Plan | 10 |
| Appendix 2 – Audit Opinion | 12 |

Contact Details

Internal Auditor: **David Sullivan**
 Telephone: **01546604125**
 e-mail: **david.sullivan@argyll-bute.gov.uk**

1. Executive Summary

Introduction

1. As part of the 2021/22 internal audit plan, approved by the Audit & Scrutiny Committee in March 2020, we have undertaken an audit of Argyll and Bute Council's (the Council) system of internal control and governance in relation to Child Protective Services.
2. The audit was conducted in accordance with the Public Sector Internal Audit Standards (PSIAS) with our conclusions based on discussions with council officers and the information available at the time the fieldwork was performed. The findings outlined in this report are only those which have come to our attention during the course of our normal audit work and are not necessarily all the issues which may exist. Appendix 1 to this report includes agreed actions to strengthen internal control however it is the responsibility of management to determine the extent of the internal control system appropriate to the Council.
3. The contents of this report have been agreed with the appropriate council officers to confirm factual accuracy and appreciation is due for the cooperation and assistance received from all officers over the course of the audit.

Background

4. All children have a fundamental right to proper care and protection. Children may need protection when their basic needs such as food and warmth are neglected or they may need protection from harm from other people.
5. Child Protection Services (CPS) is delivered through seven area teams working in partnership with Police Scotland, Education, Health, the 3rd sector and communities. Social Work Children services in Argyll & Bute sit within the Health & Social Care Partnership.
6. The Children (Scotland) Act 1995 embraces the principles of the United Nations Convention on the Rights of the Child. These are:
 - children have a right to be protected from all forms of abuse, neglect and exploitation
 - children should be listened to and their views taken into account in decisions affecting them
 - agencies should work together in providing services to meet the needs of children
 - parents should normally be responsible for the upbringing of their child and should share that responsibility.

Three principals that govern the Act are:

- the child's welfare is the paramount consideration
- consideration must be given to the child's views in all decisions made about them
- the principle of minimum intervention.

7. The Council has in place a Child Protection Committee, the function of which is set out in the National Guidance for Child Protection in Scotland Act 2014. The role of the committee is summarised as follows:

- continuous improvement
- strategic planning
- public information and communication.

Scope

8. The scope of the audit was to ensure compliance with internal policies and procedures as outlined in the Terms of Reference agreed with the senior manager of operations within Health and Social Partnership (HSCP) on 28 July 2021.

Risks

9. The risks considered throughout the audit were:

- Audit Risk 1: failure to have policies and procedures in place
- Audit Risk 2: failure to have an effective Child Protection committee in place
- Audit Risk 3: failure to work effectively with other relevant agencies
- Audit Risk 4: effective training and development is not in place

Audit Opinion

10. We provide an overall audit opinion for all the audits we conduct. This is based on our judgement on the level of assurance which we can take over the established internal controls, governance and management of risk as evidenced by our audit work. Full details of the five possible categories of audit opinion is provided in Appendix 2 to this report.

11. Our overall audit opinion for this audit is that we can take a Substantial level of assurance. This means that internal control, governance and the management of risk is sound. However, there are minor areas of weakness which put some system objectives at risk and specific elements of residual risk that are slightly above an acceptable level and need to be addressed within a reasonable timescale.

Recommendations

12. We have highlighted one low priority recommendation where we believe there is scope to strengthen the control and governance environment. These are summarised below:

- annual report should be amended and/or pyramid updated with performance data

13. Full details of the audit findings, recommendations and management responses can be found in Section 3 of this report and in the action plan at Appendix 1.

2. Objectives and Summary Assessment

14. Exhibit 1 sets out the control objectives identified during the planning phase of the audit and our assessment against each objective.

Exhibit 1 – Summary Assessment of Control Objectives

| | Control Objective | Link to Risk | Assessment | Summary Conclusion |
|-----|--|---------------------|-------------------|---|
| CO1 | The Council have policies and procedures in place that reflect national guidance and legislative requirements. | Audit Risk 1 | High | The Council has in place wide range of policies, procedures and protocols available to all staff on the Councils website. The procedures conform to national guidance and are consistent with legislative requirements. A CPS risk register is in place which meets the requirements as stipulated within the Council's risk register manual. |
| CO2 | The Child Protection Committee provides effective leadership and direction. | Audit Risk 2 | Substantial | The Council has in place a Child Protection Committee. The Committee conforms to the requirements stipulated within national guidance such as performance reporting and strategic planning. The Council Pyramid Performance management system has not been updated with performance data. |
| CO3 | The Council works effectively with other relevant agencies. | Audit Risk 3 | High | Child Protection Services have in place committees and groups which have representation across all relevant agencies. |
| CO4 | The council has effective training and development processes in place | Audit Risk 4 | High | The Council has in place a comprehensive training program. Due to Covid restrictions no face to face training has been delivered since March 2020, however a programme of online training has been put in place and delivered. |

15. Further details of our conclusions against each control objective can be found in Section 3 of this report.

3. Detailed Findings

[The Council have policies and procedures in place that reflect national guidance and legislative requirements](#)

16. Child protection within the Council is principally governed by the principles outlined within the National Guidance for Child Protection in Scotland Act 2014 (the Guidance). The guidance plays a crucial role in the development of multi-agency child protection procedures, processes and training. The Guidance has been fully endorsed by the COSLA Children and Young People Board which includes all education and children services convenors as well as representatives from education and public health.

17. The National Guidance for Child Protection in Scotland has recently been updated and following a consultation period will be formally launched in 2021.
18. A wide range of policies, procedures and protocols are available on the Council's website. A link was also placed on the Council's SharePoint system in February 2021 for easier access for staff. Examples of guidance and procedural documents include:
- child protection practitioners guidance
 - child protection protocols and procedures
 - practitioner assessment tools and resources
 - Argyll and Bute inter agency guidance protocols and procedures
19. The principle procedure followed by CPS is outlined within "The West of Scotland Child Protection Procedures". The procedures provides comprehensive guidelines for practitioners when responding to children and young people at risk.
20. Procedures and policies are consistent with legislative requirements including:
- Children and Young Peoples (Scotland) Act 2014
 - Children (Scotland) Act 1995
 - Community Empowerment Act (Scotland) 2015
 - Public Bodies (Joint Working) (Scotland Act) 2014
21. Procedures are regularly reviewed by the Inter-agency Referral Discussion (IRD) group who are responsible for reviewing current local guidance. The group also functions as a development group in order to address issues as they arise, including analysis of risk. The group met regularly during the pandemic.
22. The Council has in place a risk register for CPS which meets the requirements of the Council's risk register manual. A review of the children's services risk register confirmed that risks have been assessed and prioritised with mitigating action identified.

The Child Protection Committee provides effective leadership and direction

23. The Child Protection Committee (CPC) meets on a quarterly basis. The role of the CPC is central to fostering an inter-agency approach and providing support for the development and delivery of processes, common standards, and continuous improvement. Guidance on the role and responsibilities of the CPC was recently updated by the Scottish Government in 2019 with the publication of a paper "Protecting Children and Young People-Child Protection Committee and Chief Officer's Responsibilities".
24. New members to the CPC receive induction training delivered by the lead officer for child protection. No development session took place for committee members during 2020 due to Covid19, however a development session for committee members was carried out in May 2021.

25. A Strategic Plan covering the period 2021 to 2023 is in place. This outlines a series of actions for communication, collaboration and co-operation amongst all partnership agencies. The plan specifies key areas of priority:
- provide clear and visible leadership of multi-agency work to identify and protect our most vulnerable children and young people
 - continue to focus on self-evaluation and continuous improvement
 - continue to embed practice toolkits in daily practice and develop the quality of child protection plans
 - build our joint approaches to protect and support children affected by domestic abuse, parental mental health and addictions
 - improve communication and engagement with our communities.
26. Each priority within the Strategic Plan has a set of actions required in order to deliver on key areas. Each action identifies key personnel responsible for delivering the action, a timescale for delivery and details evidence required to assess outcomes/progress.
27. A Quality and Assurance group meets on a quarterly basis with representation across all relevant partnerships including the acting head of Children, Family and Justice Social Work, the Lead Child Protection officer, Education, Police and the independent Chair of the Child Protection Committee. The minutes demonstrate that the group discuss issues pertinent to the effectiveness of the service. The group plays a central role in scrutinising performance data and provides the CPC with an analysis highlighting key trends/areas of interest.
28. The CPC has introduced a comprehensive dataset which can be used to monitor quality performance and identify patterns and trends in order to support continuous improvement. The dataset mirrors a standardised approach adopted by all Child Protection Committees across Scotland. The dataset is captured on a quarterly basis and is reviewed by the Performance, Quality and Assurance group as well as the CPC. The data captured includes:
- number of children subject to initial and pre-birth protection case conferences
 - number of new child protection registrations
 - concerns recorded of children placed on the register
 - number of children de-registered
 - age of children placed on the register
 - number of new child protection re-registrations
 - % of child protection case conferences held no later than 21 days from raising of concern
 - % of initial core group meetings held within 15 days of initial child protection
 - % of reported decisions made within 50 working days of referral receipt
29. To meet the requirements within the guidance published by the Scottish Government the CPC publishes an annual report. The report presents findings from a range of single and joint self-evaluation activities which are focussed on prevention; early intervention; keeping vulnerable and young people safe and taking action to protect children and young people from harm, abuse and exploitation. Both the 2020 report and the 2021 report (draft) provides commentary on child protection statistics, child protection governance and continuous improvement.

30. The 2020 Child Protection Committee Annual report and the draft 2021 Child Protection Annual Report refers to performance measures being available on the Council's Pyramid Performance system. A review of Pyramid noted that there is no current performance data on child protection available.

Action Point 1

The Council works effectively with other relevant agencies

31. Child protection services is delivered through seven area teams working in partnership with Police Scotland, Education, Health, the third sector and communities. A review of the minutes from a recent Child Protection Committee showed that there is representation on the committee across relevant bodies.
32. Since March 2020 a weekly sub group has met to discuss the impact of Covid19 on service delivery and all agencies were represented including, Health, Social Work, Education, Police, 3rd Sector and the Lead Officer of the CPC. The lead officer for the CPC attends both the Alcohol and Drugs Partnership meeting and the Adult Support and Protection Committee and the lead officers for those committees attend the Child Protection Committee.
33. The "Discussion Record Group" (IRD) meets regularly with representation across all relevant agencies. Their remit includes case reviews of "discussion" records completed by all agencies. The group carried out 19 reviews between November 2020 and April 2021. The group also functions as a development group in order to address analysis of risk and any current guidance.
34. A development day was held on in October 2020 with representation across all partnership agencies and covered a wide range of topics concerned with child protection and how the CPC can better communicate with staff.

The council has effective training and development processes in place

35. The "Learning & Development Group" are responsible for overseeing the development and delivery of the CPC's multi-agency Learning & Development Strategy and training programme. The group have published a "Learning and Development Strategy 2021-2023" which sets out a 3 year training strategy. The strategy document is driven, directed and overseen by the CPC. The strategy is aimed at supporting people in different work groups to:
- achieve shared understanding of the tasks, processes, roles and responsibilities and local arrangements for protecting children and promoting their well-being
 - improve communication between professionals including common understanding of key terms, definitions and thresholds for action
 - ensure sound decision-making based on information sharing, thorough assessment, and critical analysis and outcome focused planning.
36. Details of the child protection training programme are available on the Child Protection Services website with 18 workshops scheduled in the next 6 months. All training delivered is reported to the CPC. Due to Covid19 restrictions no face to face training has been delivered since March

2020, however a programme of online training has been delivered. In addition online modules aligned to the CPC strategic plan have been developed. The CPC are planning a full review of the training schedule in order to assess the impact of Covid19 on the delivery of the training programme.

Appendix 1 – Action Plan

| | No | Finding | Risk | Agreed Action | Responsibility / Due Date |
|-----|----|---|---|---|--|
| Low | | <p>Pyramid Management Information System</p> <p>The 2020 CPC annual report and the draft 2021 CPC annual report refers to performance measures being available on the Council’s Pyramid performance system. A review of Pyramid noted that there is no current performance data on child protection available on the system.</p> | Performance measures may not reported accurately. | The annual report will be adjusted accordingly going forward. | <p>Lead Officer-Child Protective Services</p> <p>31 March 2022</p> |

In order to assist management in using our reports a system of grading audit findings has been adopted to allow the significance of findings to be ascertained. The definitions of each classification are as follows:

| Grading | Definition |
|---------|--|
| High | A major observation on high level controls and other important internal controls or a significant matter relating to the critical success of the objectives of the system. The weakness may therefore give rise to loss or error. |
| Medium | Observations on less significant internal controls and/or improvements to the efficiency and effectiveness of controls which will assist in meeting the objectives of the system. The weakness is not necessarily substantial however the risk of error would be significantly reduced if corrective action was taken. |
| Low | Minor recommendations to improve the efficiency and effectiveness of controls or an isolated issue subsequently corrected. The weakness does not appear to significantly affect the ability of the system to meet its objectives. |
| VFM | An observation which does not highlight an issue relating to internal controls but represents a possible opportunity for the council to achieve better value for money (VFM). |

Appendix 2 – Audit Opinion

| Level of Assurance | Definition |
|---------------------|---|
| High | Internal control, governance and the management of risk are at a high standard. Only marginal elements of residual risk have been identified with these either being accepted or dealt with. A sound system of control designed to achieve the system objectives is in place and being applied consistently. |
| Substantial | Internal control, governance and the management of risk is sound. However, there are minor areas of weakness which put some system objectives at risk and specific elements of residual risk that are slightly above an acceptable level and need to be addressed within a reasonable timescale. |
| Reasonable | Internal control, governance and the management of risk are broadly reliable. However, whilst not displaying a general trend, there are areas of concern which have been identified where elements of residual risk or weakness may put some of the system objectives at risk. |
| Limited | Internal control, governance and the management of risk are displaying a general trend of unacceptable residual risk above an acceptable level and placing system objectives are at risk. Weakness must be addressed with a reasonable timescale with management allocating appropriate resources to the issues raised. |
| No Assurance | Internal control, governance and the management of risk is poor. Significant residual risk and/or significant non-compliance with basic controls exists leaving the system open to error, loss or abuse. Residual risk must be addressed immediately with management allocating appropriate resources to the issues. |