



Report of Consultation Events with Children and Young People

Getting it right for every child: proposals for action

September 2005

Children in Scotland

Children in Scotland is Scotland's national agency for organisations and professionals working with and for children, young people and their families. It exists to identify and promote the interests of children and their families and to ensure that policies, services and other provisions are of the highest possible quality and are able to meet the needs of a diverse society. Children in Scotland represents over 400 members, including all major voluntary, statutory and private children's agencies, professional organisations, as well as many other smaller community groups and children's services. It is linked with similar agencies in other parts of the UK and the European Union. The work of Children in Scotland encompasses extensive information, policy, research and practice development programmes. The agency works closely with MSPs, the Scottish Executive, local authorities and practitioners. It also services a number of groups such as: the Cross Party Parliamentary Group on Children and Young People; the National Children's Voluntary Forum; the National Early Years Forum and the Additional Support Needs Network. Children in Scotland also hosts Enquire, the advice service for additional support for learning.

The report

This report details the group events carried out with children and young people. The work was carried out independently on behalf of the Scottish Executive. The views expressed are those of the children and young people who took part. They do not represent Children in Scotland's views in relation to the consultation paper *Getting it right for every child- proposals for action*.

Contents

Acknowledgements	4
Key Points	5
Introduction and methodology	6
Detailed findings	
Section One: Listening to Children and Young People's Views	8
Section Two: Information Sharing	13
Section Three: Referrals and Safeguarders	16
Section Four: Victim Involvement	17
Section Five: Information about the Children's Hearings System	19
Section Six: What Would be Better?	22
Conclusion	24

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The Children Decide Group
Young people at the Fairbridge Project Dundee
Members of the Ross and Cromarty Youth Forum
All the staff that helped organise events**

Key points

1. Children and young people fully support the Executive's vision of a work force working together to help children and young people who are having problems.
2. One structure does not fit all, children and young people have diverse strengths and weaknesses. There need to be a number of options in all services.
3. For children and young people to be able to say what they think, structures need to change. Children and young people want to have one adult that they know and trust as their contact point.
4. Children and young people are not comfortable talking to groups of unknown adults.
5. Children and young people welcome the suggestion of having panel continuity
6. The proposals on information sharing were supported on the condition that children and young people are involved in decisions over who information is shared with.
7. Children and young people did not value the role of the safeguarder. Young people believed this position should be replaced with an adult who would advocate their views.
8. Children and young people welcomed suggestions to provide information on how the Children's Hearings system works via talks, presentations, video and email. Not via leaflets.
9. The idea of involving victims in the Children's Hearings system was not supported.

Introduction

Children in Scotland was asked by the Scottish Executive to organise and facilitate a series of events with children and young people to explore their views in relation to the consultation paper, *Getting it right for every child- proposals for action*. The events focussed on aspects of the proposals identified by the Scottish Executive in their document '*getting it right for every child- What do you think? Children and Young People's Consultation*'. These included views on: joint working and information sharing; gaining children's views; criteria for referrals; operational details; and access to information about the Children's Hearings system.

Methodology

Due to the relatively short time frame for the consultation process, the work involved children and young people from established groups. Groups were approached on the basis of 'purposive' sampling i.e. they had certain characteristics that were likely to give different perspectives. Groups were held in a range of geographical locations across Scotland and included children and young people:

- Who had been through the Children's Hearings system
- Who were aware of the system but had not had direct personal contact
- Who were unaware of the Children's Hearings system

A total of forty-one children and young people participated in the events, twenty-six male and fifteen female. Participants were aged between 9 and 25 years. Five separate events took place (On two occasions, two groups joined together to form one event).

- **Event 1**

Sixteen participants (3 female and 13 male) aged between 13 and 25 years. This group included eleven children and young people who had been through the Children's Hearings system and five young people who were aware of the system but had not had any direct personal contact.

- **Event 2**

Five participants (4 male and 1 female) aged between 12 and 15 years. Whilst none of the children or young people in this group had been through it, they all had a basic knowledge of the Children's Hearings system.

- **Event 3**

Nine participants (3 male and 6 female) aged between 13 and 17 years. This group included one young person who had been through the Children's Hearings system and eight young people who had limited awareness of the system.

- **Event 4**

Five participants (3 male and 2 female) aged between 9 and 11 years. This group included two young people who had personal experience of the

Children's Hearings system and three young people who were aware of the system but had not been through it themselves.

- **Event 5**

Six participants (4 male and 2 female) aged between 16 and 25 years. All participants had direct personal experience of the Children's Hearings system.

This consultation was carried out in line with Children in Scotland's research and consultation ethical guidelines (available on request). The children and young people who participated are not named in this report.

Several weeks before the events were held, accessible information explaining the purpose of the work and consent forms were sent to children and young people via their group leaders. To meet the diverse needs of the children and young people the methodology used was necessarily varied and flexible. In addition different tools were used throughout each event to create an atmosphere in which the children and young people felt comfortable and able to openly express their views. Activity based methods were used alongside more traditional focus group approaches. Although the methods employed with each group varied slightly, each event focused on the questions identified by the Scottish Executive. The extent to which specific questions were covered differed slightly from group to group as some were more relevant to a particular group than others.

Because of the scale of work, this response is not a systematic survey of children and young peoples views. Instead the findings provide a snap shot of the views and experiences of those involved and a valuable perspective on the proposed changes.

This work was carried out independently on behalf of the Scottish Executive and the views expressed are those of the children and young people who took part. They do not represent Children in Scotland's views in relation to the consultation document *Getting it right for every child- proposals for action*.

Section One: Listening to Children and Young People's Views

Participants thought about: how involved they have been in decisions that were made about them; whether adults should have to listen to their views and use them when making decisions; what might stop them being able to give their views; what might help them give their views; and the best way of making their views known.

Should the views of children and young people be listened to and used in deciding what help they get?

"Its about us" Young person Event 5

All children and young people across all events felt strongly that adults should **have to** listen to the views and wishes of children and young people and use them when deciding what actions to take.

A number of children and young people in all groups acknowledged the clear distinction between, being enabled to express their views, and, having their opinions acted on. A number of children and young people suggested that all adults should have some accountability to the views and wishes of the child or young person involved.

This was particularly the case for referral to the Children's Hearings system for proceedings relating to welfare. In such cases, it was thought that legislation should go further to ensure that children and young people have a real say in the help and support that they receive:

"Yeh...adults should have to listen to what children think and then, when making decisions, remember what the young person said. But that's not really enough, the person who is receiving help should have a say in the help that they get" Young person Event 3

What needs to happen so that children and young people can say what they think?

- **What might stop you being able to give your views?**

At each of the five events, children and young people discussed the issues and factors that had, in the past, contributed to them not being able to give their views. The same issues were raised again and again in each group. There were **two** main reasons that children and young people gave for not being able to give their views to adults when going through the Children's Hearings system. The first was that, more often than not, children and young people are

expected to talk to **groups of (mainly unknown) adults in a strange situation.**

"Talking to strangers" Young person Event 2

"Because there are lots of them" Young person Event 2

"When you are somewhere that you feel uncomfortable" Young person event 5

"If you don't trust the adult" Young person group 3

The impact that this has on these children and young people is to make them:

- "Intimidated by"
- "Uncomfortable"
- "Fearful"
- "Out numbered"
- "Embarrassed"

"When you have to sit there and tell things to people that you don't know and are not comfortable with, its intimidating...embarrassing" Young person group 1

"You're intimidated because you are facing a panel of 3 strangers who sit and stare at you and talk about you" Young person Event 1

"There are too many people in the room, it's not good" Young person group 4

The result being that these children and young people feel unable to present their views, wishes and feelings:

"You dinnae want to speak to lots of people, that makes you feel nervous and uncomfortable" Young person Event 5

The second reason related to **value** and **respect**. On the whole, children and young people felt that the adults they encountered through the Children's Hearings system did not value or respect them or their views:

"Adults don't listen to your views, they make decisions without consulting the young person even though the young person is the most important person there" Young person Event 1

"They don't care what you say, they don't listen to you anyway, they just do what they want to do" Young person Event 3

"You don't feel valued or respected" Young person Event 2

"Getting judged, you feel like they are looking at you like you are nothing, you feel that you are being judged" Young person Event 5

" You want to feel respected, like what you think is important, not made to feel like dirt" Young person Event 5

- **What would help you to give your views?**

Participants at each event then thought about what would need to happen to change the situation. Once again a small number of specific points came up over and over and were agreed across all five events.

The clear message was, that for children and young people to say what they think they need to feel, **confident** and **comfortable** and **valued**. It was agreed that this would only really be the case if they knew they were able to talk to **one** adult that they **know** and **trust**:

"If you know them or can build a relationship with someone, like your key worker, then you can talk to them and tell them your views and they can support you later [when talking to other adults] Young person Event 1

"If you trust them" Young person Event 2

"If its just one person and you on your own it would be scary telling lots of people" Young person Event 4

The majority of children and young people who had been through the Children's Hearings system felt, that the issues of feeling unvalued and not respected, would automatically be avoided if they were able to work with one adult that they knew and trusted.

However, it was thought that a number of smaller changes would also work to improve the system to enable children and young people to give their views.

Around half the suggestions referred to the panel members. Children and young people felt intimidated by the panel and thought that the situation could be improved by:

- Having a friend with you at the panel
- Having an opportunity to meet panel members before a hearing
- Having the same panel members at each hearing

- Having young people on the panel who have been through the system
- If the panel valued and respected the children and young people

"If you were comfortable with the people in the panel it would help you to give your views" Young person Event 1

"Panel members need to listen to children's issues and take their issues more seriously"

A suggestion by several young people was to have an advocacy system in place:

"Have an advocate, someone you can tell every thing to and talk with then [they] will tell all the people at a hearing what you want to say" Young Person Event 1

A further main area of comment referred to the physical environment and the importance of feeling comfortable in the surroundings:

"Children's Hearings should be held in a more friendly place where it is not so formal, it would make you feel more comfortable" Young person Event 5

"You should make a relaxed atmosphere, like by not having a long table with everyone looking at you but having a round table so you feel like you're part of the meeting" Young person Event 1

A number of children and young people thought that you should be able to visit the location prior to a hearing.

Finally, children and young people at several of the events felt that, every child or young person who attends a hearing should first have to sit down with someone that they know to talk over all the issues and work together to write down their views.

• **What is the best way of giving your views?**

The preferred method for children and young people to present their views to adults varied from person to person both within and between groups, as such a number of 'best ways' were suggested and received equal support. These included:

- Talk with one adult who knows and understands you
- Talk with someone you know and then write it down
- Talk with someone you know and then have them write it down for you
- Write it down and give it to someone you trust

- Video recordings

Each young person had a reason for their preferred method:

"You should be able to tell a video camera because if you are on your own with no other people you would feel less intimidated and uncomfortable and you would be able to say all the stuff you wanted to" Young person Event 5

"It would be better if you could write it down so you don't keep having to tell people the same things all the time" Young person Event 3

"Have a chat about things first like with your social worker because then you can get everything out and then write it down" Young person event 5

"You want to speak to someone who can relate to your circumstances you know like an adult who has been in your position before not someone who has no idea" Young Person Event 3

"Talk to someone you know or have met before, not a stranger because you need to trust them and feel comfortable otherwise you won't be confident enough to say what you think" Young person Event 2

It was agreed that you could not rank the suggestions in order of preference as all children and young people are different with different strengths, weaknesses and preferences. It was agreed that all the above options should be available and the child or young person could then choose.

Section Two: Information Sharing

All children and young people involved strongly supported the following two proposals:

- Everyone working with children has to work together
- Organisations have to help children and young people who are having problems

Groups then discussed; the positive and negative points associated with talking to one person compared to a number of people; who they would want to talk to; how they would feel about different organisations sharing information about them; and what sort of organisations they would agree to having information about them.

- **One or many?**

There was a universal consensus across events that, should children and young people need to portray their problems and views to adults, they would greatly prefer to talk to **one** adult who would take a written record and share it with the other people that need to know, rather than talking to a number of different adults on a number of different occasions:

"I would rather tell one person that I trust and they can explain everything that I said to the other people that should know" Young person Event 1

"You should talk to one person because then you will get to know the person and you will be happier talking to them" Young person Event 1

A number of professionals were nominated as the most desirable person to talk to. Key worker, social worker, support worker, doctor, youth worker, sports coach, were all suggested. However, there was an emphasis on the point that this person would need to know the young person well and be someone that they could trust and depend on. As such, it was agreed that it would be impossible to choose one person for all children and young people. The proposal was put forward by a number of groups that children and young people should be able to select the professional they felt comfortable talking to:

"It would be good to talk to one person but it would have to be someone that would actually do something" Young Person Event 1

"I would want to tell one person as long as I knew who they were telling afterwards"

- **How would you feel about people sharing information?**

Whilst all children and young people strongly favoured talking with one adult over talking with a number of adults (either together or at different times), there were a number of concerns over the concept of information sharing.

Overall participants agreed that adults would need to share information with other adults and felt that, as a concept, this would be "fine", but only within certain limits and under certain conditions.

The majority of participants felt that information should be shared with other organisations only when:

- **It is really necessary**

"I wouldn't like a lot of different people sharing information unless it was really necessary"

- **The person/organisation had met them**

"I wouldn't like it until I had met the person"

- **They are told what was going to be said**

"I would want to know who is sharing the information and what is being said"

- **They know who will be told**

"You would have to be told who will be told"

The final point was considered the most important. For the vast majority of participants this was essential to their support for this proposal.

"It would be good if they could ask you first and explain things" Young person Event 3

"It would be good if you were told who is getting information about you" Young person Event 5

A number of children and young people felt strongly that information should only be shared with other professionals/organisations once their permission had been gained:

"I would feel like my private life had been invaded if they gave my information with out my consent" Young person Event 1

"People should only be able to share information with your permission" Young person Event 1

A further small number of participants were against this proposal:

"I wouldn't be that happy in case they said something I didn't want them to say" Young person Event 1

"No a lot of people should not know about your personal stuff"

- **What sort of organisations would you agree to having information about you?**

There was considerable discussion over who participants would be happy for a professional to share information about them with. Whilst numerous professions and organisations were mentioned, a consensus was not reached, rather, it was agreed that it would depend on the individual child or young person. This was underpinned by the view that they would want to know the professional/organisation and to be asked before information was shared.

Section Three: Referrals and Safeguarders

- **Referrals to the Children's Hearings system**

Participants agreed that children and young people should only go to a hearing if there was a very serious problem either with their behaviour or with their family. However, it was thought that the definition of a 'serious' problem would be dependent on each individual child or young person and their specific circumstances.

The majority of children and young people who had direct experience of the Children's Hearings system felt that the referral system worked well in its current form:

"Its fine just the way it is now, you go for the right things, you don't need to change that" Young person Event 3

- **Safeguarders**

A small number of the children and young people involved in this consultation had previously had a safeguarder appointed to them (six children and young people). The general opinion of these children and young people was that, the role of the safeguarder **was not** beneficial to their experience of the system. All children and young people felt that it was "just another person that asked questions" and as such, "just another person they had to repeat the same information to":

"Too many questions" Young person Event 5

"Its just another person and it dinnae help and they just ask you the same things as everyone else" Young person Event 5

All children and young people wanted to have someone who knew and understood them, whose role it was to represent their views and preferences. A number of young people felt that a better alternative to the safeguarder would be " an advocate whose role is to get your views and your advice on what it best for you" (Young person Event 1).

Section Four: Victim Involvement

Participants were asked to consider the proposal relating to victim involvement. They then debated whether this proposal would help children and young people stop their actions.

Just over half the participants were in support of the basic idea of this proposal, the remaining participants were against it. Overall whilst children and young people thought that it **could** be helpful to meet with the people that their behaviour had affected and explain their actions they did not think that it would be helpful in all cases:

"It might help but probably not" Young Person Event 2

"It would put a face to what you had done" Young person Event 3

"It wouldn't help" Young person Event 5

"It would not be helpful for all children and young people, it might even make things worse"

It was also stated on several occasions that such a process could have negative implications for both parties:

"It could make it worse for young people" Young person event 5

"It would be really bad for two young people to meet like that, it could make things worse" Young Person Event 5

A large majority of participants felt, that whilst it may be beneficial for children and young people to explain their actions to the victims of their behaviour, it should not be part of a Hearing. Children and young people felt that were this proposal to be adopted, it would act to further distress the child or young person and make the experience of attending a hearing even more "daunting":

"It would make you more worried and more uncomfortable" Young person Event 3

"It would make the young person feel uncomfortable at the hearing when they are meant to feel comfortable" Young person Event 1

"Its private, its about you, not someone else...its meant to be about you, about moving on, about making decisions" Young Person Event 1

As such, it was agreed that should the Scottish Executive wish to adopt such a policy, it should be done outwith a Hearing, as part of another system.

Section Five: Information about the Children's Hearings System

- **Increased information?**

Of the forty-one children and young people involved in the consultation, six children and young people thought that there was currently enough information on the Children's Hearings system as things stand. One young person felt, very strongly, that information on the system and details of the system should only be provided to those who attend Hearings. This young person felt that the happenings of a Children's Hearing in a locality should not be discussed publicly, particularly in the case of welfare cases:

"You should only have information if you are going to a hearing, not for every one, you shouldn't advertise it, other people don't need to know"

The remaining, **large majority**, of children and young people felt that there was not enough information on the System and agreed with the proposal to disseminate information about Hearings in each local area:

"I've never really heard anything about it, all I know is that it is bad" Young person Event 2

"You dinnae know what its about when you are asked to come" Young person Event 5

"It would be good if you were told more about it and what happens and people know about it" Young person Event 4

- **What information would you like to have access to?**

On the whole it was felt that there should be more information and that information should be easier to access. The information that children and young people wanted was split in to two distinct categories, these were:

- General information about what the Children's Hearings system is and what happens, for all children and young people
- Specific information about the proceedings, for children and young people who are going through the system.

The main five areas children and young people wanted information on were: what the Children's Hearings system is; why you go to the panel; what happens at the panel; who will be at the panel; and what happens after the hearing. One young person also suggested that there should be readily available information

on what help there is for children and young people going through the Children's Hearings system.

- **How would you like to get information about how Children's Hearings work?**

Participants had lots of ideas about how to inform children and young people, the following suggestions were made:

How to give us information about the Children's Hearing System

- Posters
- Talks
- Panel member talks
- Examples
- Case studies
- Emails
- Credit Card flyers
- Leaflets
- Videos

When prioritising these suggestions, a clear preference emerged. The preferred method of receiving general information about the Children's Hearings system was 'through talks'. Children and young people wanted adults who knew about the system- possibly panel members or young people who have been through the system, to talk to them about it. It was felt that this could best be done through talks at schools, youth groups and clubs:

"Panel members should travel to school classes to talk about it" Young person Event 2

For specific information, for children and young people in contact with the system, children and young people said that they wanted people to talk to them about it on a one-to-one basis. One group agreed that using case studies and past example would really help:

"Case studies because that's more interesting and positive than just some information which doesn't really mean much if you have never been to a hearing" Young person Event 1

"Examples, you know like case studies so you know what's going to happen, who's going to be there, what will happen after, things like that" Young person Event 1

Email, posters and videos were also popular options. It was thought that emails and posters should contain information about Children's services in general as well as the Children's Hearings system.

Leaflets were by far the least popular option, however it was suggested that if information had to be in leaflets, that they should be "child friendly", eye catching and different. A well received suggestion was that they could be in the style and size of credit cards. Children and young people suggested that "Child friendly" would mean: short; to the point; simple words; and not too much writing. The strong message was that long leaflets (over one A4 page) are not read.

Section Six: What would be better?

Each participant had the chance to vote on a number of suggestions. These included whether: Hearings should be held in school time or out of school time; Hearings should be held before school, after school or at the weekend; Hearings should be held more frequently if children need more help or keep getting into trouble; and whether at least one panel member should be the same for each Hearing a young person attends. The results are detailed below¹.

- **When should Children's Hearings be held?**

As demonstrated by table one, whilst more children and young people wanted Hearings to be held in school time, there were mixed feelings about the timings of Children's Hearings. The main reason children and young people gave for hearings to be held in school time was to miss lessons. The main reason children and young people wanted hearings to be held outwith school hours, related to privacy:

"Out of school time because then you wouldn't have to tell your friends where you had been"

"In school time because you would get to miss your classes"

Table 1.

Should Children's Hearings be held:	
In school time	Out of school time
25	15

The majority of children and young people said they would prefer to attend a Hearing either before or after school, rather than at the weekend (see table 2.). However, opinions were mixed and based on individual preference.

Table 2.

If out of school time should Children's Hearings be held:		
At the weekend	Before School	After school
8	18	22

- **Should one or more of the panel members be the same at each hearing ?**

This issue was raised consistently throughout the consultation process. For children and young people, one of the major problems with the Children's

¹ Total numbers are variable as not every young person placed their vote for every question. *Children in Scotland is Scotland's national children's agency bringing together voluntary, statutory and professional organisations and individuals to improve the lives of Scotland's children and their families.* 22
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Hearings system in its current form, is the number of different, unknown adults they are required to meet and talk with. It is therefore unsurprising that the vast majority of participants warmly welcomed this proposal.

"[Yes] because then they would get to know you and you would get to know them" Young person Event 3

"They should be the same people on the panel each time so you don't have to keep repeating your business and personal information"

Ideally children and young people would like to see changes made to the system so that all three panel members are the same each time they attend a Hearing. However, it was recognised that the logistics of this could be problematic. Nevertheless, children and young people thought that the system should aim to ensure that there is as much continuity as possible throughout a young persons contact with the System.

"They should be the same, all three of them" Young person Event 5

Table 3.

Would you like one of the panel members to be the same every time you went to a hearing?	
Yes	No
39	2

The two children and young people who thought that panel members should not be the same at each hearing a young person attends, did so because they were concerned that children and young people would get more lenient treatment from panel members they had met previously.

- **Should Hearings happen more often if children and young people need more help or keep getting into trouble?**

All children and young people who voted agreed that Hearings should happen more often if children and young people keep getting into trouble or need more help. The general reason given was that it would help make decisions that would then improve the situation.

Table 4.

Should Children's Hearings happen more often if children or young people need more help or keep getting into trouble?	
Yes	No
16	0

Conclusion

The five participation events held to consult with children and young people on the Scottish Executives document *Getting it right for every child: proposals for action* were warmly received by participants across with a wide range of ages, experiences and geographical locations. Children and young people welcomed the opportunity to 'have their say' and stressed the importance of their experiences on influencing the future shape of the Children's Hearings system. The groups that had direct experiences of the system were, on the whole, more passionate and insistent on a number of issues. Whilst views expressed by participants naturally varied between groups and individuals, a number of points were raised consistently across groups.

All participants fully supported the Executives proposal that all adults working with children and young people should have to work together to help children and young people who are experiencing difficulties. Whilst the proposal lacked detail, children and young people raised the issue that one structure does not fit all, and as such, services must be flexible in how they work together to meet a child or young person's needs.

On the whole children and young people who had experience of the system did not feel able to express their views and wishes at the panel, nor did they feel that their views were valued by the panel. The main inhibiting factors for children and young people related to facing large number of unknown adults and feelings of worthlessness. Participants fully supported the proposal of having one adult as a contact point, but went further in arguing that this adult should be someone that they know and trust. As such, participants felt that this key contact would vary from person to person and welcomed the proposal of panel continuity.

Whilst the vast majority of participants recognised the benefits to children and young people that would be achieved through information sharing, they was a sense of their right to confidentiality and privacy. As such, proposals relating to information sharing received strong support, but only on the grounds that children and young people are involved in decisions over who information would be shared with.

Whilst only a small number of the participants had first hand experience of working with a safeguarder, these children and young people did not value the role. The overwhelming opinion was that it was simply another unknown person that they were made to talk to. A number of participants felt that the position should be replaced with an adult who would advocate their views.

Finally, the proposal relating to victim involvement received keen discussion across groups. However, whilst children and young people identified a number of potential benefits there was strong agreement that it should not become part of a Hearing. Children and young people felt that the system was already heavily in-balanced in terms of power relations between child or young person and adults. It was thought that adding this extra element would add further pressure and stress to an already

“daunting” process with out necessarily achieving an improved outcome for the child or young person.