

AUDIT COMMITTEE

Tuesday 21 January 2003
(*Afternoon*)

Session 1

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CONTENTS

Tuesday 21 January 2003

	Col.
ITEMS IN PRIVATE	1261
“OVERVIEW OF THE NATIONAL HEALTH SERVICE IN SCOTLAND 2001/02”	1262
“DEALING WITH OFFENDING BY YOUNG PEOPLE”	1268

AUDIT COMMITTEE **2nd Meeting 2003, Session 1**

CONVENER

*Mr Andrew Welsh (Angus) (SNP)

DEPUTY CONVENER

*Mr David Davidson (North-East Scotland) (Con)

COMMITTEE MEMBERS

*Sarah Boyack (Edinburgh Central) (Lab)
*Rhona Brankin (Midlothian) (Lab)
*Margaret Jamieson (Kilmarnock and Loudoun) (Lab)
Mr Lloyd Quinan (West of Scotland) (SNP)
*Mr Keith Raffan (Mid Scotland and Fife) (LD)

COMMITTEE SUBSTITUTES

Miss Annabel Goldie (West of Scotland) (Con)
Mr Duncan Hamilton (Highlands and Islands) (SNP)
Janis Hughes (Glasgow Rutherglen) (Lab)
Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

THE FOLLOWING ALSO ATTENDED:

Mr Robert Black (Auditor General for Scotland)

WITNESSES

Mr Mike Ewart (Scottish Executive Education Department)
Ms Rachel Gwyon (Scottish Executive Education Department)
Mr Chris Hawkes (Association of Directors of Social Work)
Mr Colin Mackenzie (Association of Directors of Social Work)
Mr Alan Miller (Scottish Children's Reporter Administration)
Ms Sandra Paterson (Association of Directors of Social Work)
Mr Angus Skinner (Social Work Services Inspectorate)

CLERK TO THE COMMITTEE

Shelagh McKinlay

SENIOR ASSISTANT CLERK

Joanna Hardy

ASSISTANT CLERK

Seán Wixted

LOCATION

Committee Room 2

Scottish Parliament

Audit Committee

Tuesday 21 January 2003

(Afternoon)

[THE CONVENER *opened the meeting in private at 14:00*]

14:10

Meeting continued in public.

The Convener (Mr Andrew Welsh): I wish everybody a good afternoon and welcome them to the second meeting in 2003 of the Audit Committee. I make the usual announcement about mobile phones and pagers: please switch them off. I have received no apologies and I believe that Lloyd Quinan, who has been delayed, is on his way. The committee began the meeting in private today to allow us to consider lines of questioning for our witnesses under agenda item 4. That was agreed at our last meeting and is in line with the committee's standard practice.

Items in Private

The Convener: Item 2 is to seek the committee's agreement to take in private agenda items 6 and 7, as they relate to items of business that are normally conducted in private in line with established practice. Naturally, the results of our deliberations will be made public in due course. Do members agree that we should consider items 6 and 7 in private?

Members *indicated agreement.*

"Overview of the National Health Service in Scotland 2001/02"

The Convener: We move to agenda item 3. We will receive a briefing from the Auditor General for Scotland on his report entitled, "Overview of the National Health Service in Scotland 2001/02", which is the third annual overview report produced by the Auditor General on the NHS in Scotland. The report gives an overview of the main issues arising from the previous year's audit of national health service trusts and health boards and the audit work undertaken since previous overview reports. I invite the Auditor General to address the committee.

Mr Robert Black (Auditor General for Scotland): In the overview report, I say that the financial year 2001-02 is the first year for which it has been possible to produce financial statements on an accruals basis in the form of consolidated Scottish Executive resource accounts. Those include the income and expenditure of health authorities in Scotland. The audit of the consolidated accounts was completed just before Christmas.

In the report, which is included in the committee papers for today, I have provided supplementary information on the consolidated outturn of the NHS in Scotland for the financial year 2001-02. For the NHS as a whole, the net expenditure within the departmental expenditure limit amounted to £6.051 billion, against a budget of £6.056 billion. That means that the expenditure was within 1 per cent of the budget, which is a satisfactory position. There is more information on the consolidated outturn in the report, which features a table setting out some of the important numbers.

In general, the overall financial stewardship in the health service continues to be of a good standard, with auditors reporting improvements in the preparation of many accounts, quite often as a result of management having followed through some of the suggestions that auditors and the committee have made in previous years.

There were no qualifications to the core opinion, which is the true and fair opinion provided by auditors on the accounts of individual NHS bodies. However, there continues to be uncertainty over the regularity of primary care expenditure and income, as a result of which the auditors' opinions on regularity were qualified in respect of the accounts of primary care trusts and health boards. Responsibility for those payments rests with the Common Services Agency.

14:15

I am pleased to report that, in general, financial performance against financial targets improved in 2001-02, with only three trusts failing to achieve the main financial target, which is to break even. Those three trusts were Argyll and Clyde Acute Hospitals NHS Trust, which had a deficit of £1.7 million, Grampian University Hospitals NHS Trust, which had a deficit of £5.2 million, and Lanarkshire Acute Hospitals NHS Trust, which had a deficit of £6.3 million. I emphasise that, in all three cases, the deficit is small in relation to the total budget and that Lanarkshire Acute Hospitals NHS Trust's deficit was a result of a change in accounting treatment. That compares with deficits in eight trusts in the previous year. The overall net surplus for trusts was £18.6 million, compared with a net deficit of almost £32 million in 2000-01.

It is fairly clear that the Scottish Executive's injection of an additional £90 million in September 2000 assisted a number of trusts in achieving the break-even target. Without the injection of that money, it is possible that another 12 trusts would have had some difficulty, if not considerable difficulty, in achieving the break-even target. The £90 million was important for that reason.

I emphasise that a small deficit in an individual NHS trust in any one year is not necessarily unacceptable. The deficit might simply be an indication that the health system in that trust is working at its capacity. However, recurrent and cumulative deficits in a trust would be a matter of concern because they would indicate a persistent gap between the level of service that the trust delivers and the resources that are available to support that level of service. Deficits that build up over some years must be removed—the greater the cumulative deficit, the greater the adverse impact on service levels that is involved, ultimately, in balancing the books.

There is a risk that a reliance on one-off injections of funds over a number of years might mask an underlying financial position that is not improving or which is getting worse, although the books may balance in any given year. That point relates to the audit of the accounts for 2001-02. The indication from auditors is that a number of NHS bodies will face financial difficulties in 2002-03 and are likely to continue to rely on one-off income or in-year savings if they are to break even. The auditors of three trusts have expressed concerns in that regard, but it will not be possible to give a definitive report on the position for some months. At this point, it appears that the financial pressures are particularly significant for Lothian University Hospitals NHS Trust, Argyll and Clyde Acute Hospitals NHS Trust and Grampian University Hospitals NHS Trust.

Significant extra funding is to be made available for the NHS in Scotland in 2003-04 and 2005-06. As we understand the situation, the extra resources are intended to provide significant improvements in health services. At the same time, NHS bodies will continue to face the pressures of rising costs in relation to drugs, staff, new medical treatments, the aging population and other factors that the committee has considered in the past. As those factors will continue to prevail, there is no guarantee that health bodies will find it easier to balance their books in the future.

Within the structure of the new unified health boards, the health department is introducing a revised performance assessment framework, which will be critical in holding to account those who run local NHS systems. If we are to assess whether value for money is achieved from the extra resources, it will be important to ensure that the performance assessment framework is developed sufficiently to allow the additional health care improvements that arise from the extra funding to be identified explicitly.

In previous years, I have expressed concerns about the primary care payment systems in the NHS in Scotland and the Audit Committee has also ventilated those concerns. I remind the committee that, in 2001-02, the Common Services Agency's practitioner services division processed some 76 million transactions, with a value of £1.336 billion, which is more than 20 per cent of health service spending in Scotland as a whole.

It is understandable and correct that the Audit Committee should take an interest in the matter. I am pleased to report that the Common Services Agency, supported by recommendations from the auditor and the committee's findings, continues to make progress in strengthening its control environment. However, there is further scope for improvement.

I am also pleased to report that the CSA has made significant efforts to develop a robust framework for payment verification covering both patient charges and payments to contractors. Progress continues to be made, and there is now a fraud investigation unit, which continues its work in pursuing both contractors and patients who may have made inappropriate claims. It is important that progress continues to be made in those areas if we are to avoid a situation in which auditors are likely to qualify their opinion on regularity grounds in relation to primary care trusts in 2002-03—that is still a distinct possibility.

Finally, I should mention NHS Tayside, in which the Audit Committee has taken a particular interest in previous years. The auditor reported that, in 2001-02, health bodies in Tayside were taking the action that they said they would. NHS Tayside improved its accountability arrangements and

financial planning and monitoring. However, the auditor's opinion is that challenging issues still face Tayside University Hospitals NHS Trust, and NHS Tayside as a whole, before it can achieve the break-even target in the current financial year.

As always, my colleagues and I will be happy to answer any questions.

The Convener: I thank the Auditor General for that detailed speech. I remind members that we will deal with his report in detail under agenda item 6, so questions should be general.

I get the impression that, overall, the health authorities' systems have produced accurate budgeting. However, you have sounded a warning that, without continuing subsidy, the situation will be one of continuing deficit. Is it fair to say that there has been progress, but a careful eye should be kept on the overall picture?

Mr Black: That is fair in the sense that, as the report makes clear, there continue to be many pressures on the finances of NHS bodies. I suspect that that will continue to be the case, particularly if we expect the NHS to run at its maximum capacity. Generally speaking, the health service manages its finances well, and the occasional deficit in individual bodies should be viewed in that context.

Mr Keith Raffan (Mid Scotland and Fife) (LD): I would like to address the Auditor General's comments on NHS Tayside, and the fact that it is in what might be called in Scottish legal terms a "not proven" situation. You say that it still faces challenging circumstances, but to what extent has it taken sufficient action? Will it have to take more action before it can turn the situation around?

Mr Black: The audit report for the last financial year was positive about the action that NHS Tayside has taken. It is too early to say whether the action being taken in the current year will be sufficient. I must await the audit report, which I will not receive for some months. I apologise that I cannot help the committee with further information, but I do not have the evidence.

Mr Raffan: To what extent has non-recurring income been used?

Mr Black: I am not entirely sure. That is another issue on which I do not think we will have clarity until the end of the financial year. Often, information on non-recurring income is submitted during the last few months of the financial year, so that issue is yet to be resolved.

The Convener: Keith Raffan has flagged up an issue—non-recurring income—that has concerned the committee.

Mr David Davidson (North-East Scotland) (Con): Does the Auditor General feel that there is

still an element of structural deficit in the funding of the various trusts and boards?

Mr Black: There are clearly pressures in the health service. I am not entirely sure that the phrase "structural deficit" is appropriate, because it implies that there is some rigidity that cannot be managed, and that gives the wrong impression.

It is not unreasonable to say that local NHS bodies will spend whatever money they are given. There is pressure to run the system flat out, which means that it is difficult for NHS managers to ensure that they reach targets and break even—the budget for an acute trust could be more than £300 million a year. That is a challenging task.

Sarah Boyack (Edinburgh Central) (Lab): I want to pick up on the point about unified boards, and about how the new system will potentially enable trusts to be more accountable. I hope that with the monitoring that is going on and the new resources that are going in we will be able to get a feel for how the pressures are being managed. You make the point that substantial extra resources are going into the system, yet at the same time the existing system is managing those pressures. The new structure will be critical. Monitoring how the new boards work will be quite a task.

Mr Black: I suspect that boards, and trusts in particular, are having to make short-term, difficult decisions to ensure that they break even, and they may be delivering savings that are not necessarily sustainable in the long term. Therefore, it is important to monitor what happens to the new money to ascertain the extent to which it is going in to meet pressures that are building up in what might be called the base budget, and the extent to which the money is being devoted to improving levels of NHS service across the country as a whole.

It is also important that we continue to maintain the ability within the unified health boards to report through the audit process on what is going on at trust level—we have discussed that with the health department. We may be moving towards a unified system of planning and delivery, but we must know what is happening in large teaching trusts and primary care trusts to be fully informed about where the resources are being used.

The Convener: In fact, one of the committee's recommendations was that there should be the greatest clarity within the new structure, so that the way in which funds and resources are applied can be seen.

Rhona Brankin (Midlothian) (Lab): I think that the Auditor General has covered the point that I was going to make, which was about being able to identify the improvements that have been made as a result of the extra money, rather than it

disappearing into balancing the books. He mentioned the Scottish Executive revised performance assessment framework. What stage is that at?

Mr Black: It is at an advanced stage. I am not entirely sure whether it is in operation yet. I think that it is being introduced as we speak.

The Convener: If there are no further questions, I thank Audit Scotland for all its past, present and future work. We will return to this item in detail under item 6 on the agenda.

“Dealing with offending by young people”

The Convener: Item 4 is the main event of the day. We will hear evidence on the committee's inquiry into the report by the Auditor General for Scotland entitled “Dealing with offending by young people”. I welcome the witnesses: Mr Mike Ewart, head of the Scottish Executive education department, and his colleagues Mr Angus Skinner, the chief inspector for social work for Scotland, and Ms Rachel Gwyon, the head of the young people and looked-after children division. We also have with us Mr Colin Mackenzie, the convener of the criminal justice standing committee of the Association of Directors of Social Work, and his colleagues Mr Chris Hawkes, who is also on the criminal justice standing committee, and Ms Sandra Paterson, who is on the association's children and families standing committee. Also with us is Mr Alan Miller, the principal reporter to the Scottish Children's Reporter Administration.

We will have three sessions on our examination of “Dealing with offending by young people”, which is a joint report by the Auditor General and the Accounts Commission. It is a wide-ranging report, covering a complex area that involves services provided by a large number of public bodies. As members can see, it will be necessary to take evidence from a large number of witnesses. I make a plea for brief questions and short, informative answers. We have a great deal of ground to cover and it is important that we get to the facts of the matter.

This committee does not deal in policy: our task, on behalf of the general public, is to try to get to the truth, to find out the facts, to seek out and encourage best practice, and, through our recommendations, to suggest improvements. It is in that spirit that we approach our investigations. We would like you to share your expertise with us, so that the committee can consider and, I hope, make recommendations that will help. We are not in the blame game, but if blame is appropriate we will apply it.

The committee has decided that the best way in which to approach the subject is to have two separate sessions to focus on the children's hearings system and the criminal justice system and a third session to address outstanding points. We propose to put some questions to more than one witness, and it is important that we receive a balanced picture of how the services are working.

14:30

The first session today will largely cover the children's hearings system. In the second session,

we will hear evidence about the adult criminal justice system as it applies to young offenders, when our witnesses will be from the Scottish Executive justice department, the Crown Office and Procurator Fiscal Service and the Association of Chief Police Officers in Scotland. In our third session, we will take further evidence from key service providers such as local authorities and voluntary organisations.

A slight qualification to our approach is that, in the first two sessions we will ask the representatives of the ADSW and ACPOS questions about both systems, to save them from having to be present twice. Given that we have received written statements from the witnesses and that time is tight, I propose to move straight to questioning, unless there are objections.

My first question is for all the witnesses. Exhibit 9 on page 24 of the main report indicates that it takes, on average, 123 working days before a decision is reached on a case that goes to a children's hearing. What can be done to speed up decision making in the children's hearings system?

Mr Colin Mackenzie (Association of Directors of Social Work): In many ways, Sandra Paterson would be the best person to answer that question, given the experience that is being developed through the fast-track hearings.

The Convener: The buck has been passed in your direction, Ms Paterson.

Ms Sandra Paterson (Association of Directors of Social Work): A document on standards has been produced by the Scottish Executive, which is trying to reduce young people's reoffending by 10 per cent by 2006. The Executive is also setting targets to reduce to 80 days the length of time that a case takes in the children's hearings system. Each part of the system has been given targets to meet. For example, the social services department has 20 days to return its report; the reporter has 28 days to consider the decision; and the police have 10 days from the point at which they have contact with the young person to get a referral to the reporter. A document has been produced that recommends that we adhere to those standards, which will be piloted through the fast-track pilot hearings system. I presume that the issues will be picked up from there.

The Convener: The Executive has produced a document and set targets. Do you have any other suggestions as to what could be done to speed up the decision-making process?

Mr Alan Miller (Scottish Children's Reporter Administration): Since the Audit Scotland report was published, we have completed the national roll-out of our information technology system and

we now have, for the first time, clear and comprehensive national data on the children's hearings system. Our data suggest that the average time that it takes for an offence case to go from a caution from the police to a decision by a hearing is 134 calendar days, or four and a half months. I am not suggesting that the data produced by the Auditor General show that, miraculously, the system has speeded up by a month over the past six months; however, we now have a comprehensive picture and are more aware of the facts. During those four and a half months, those of us who work in the system process the case and address issues to do with the child's welfare and background.

There are two stages in the process when time could be saved. The first is reporting by the police. The police have signed up to the fairly challenging time scales that are set out in the new standards to which Sandra Paterson referred. The second is the submission of background reports by local authorities. It was clear from the Auditor General's report that the key reason why reports are often late is the extreme shortage of staff in many local authorities, particularly in children's and family services; therefore, one solution to the problem is to address staffing shortages. In the fast-track pilots, the issue will be addressed in the short term by the application of additional resources that the Executive has made available. That will let us see what the system can do with some of the most challenging young people when it is fully resourced and all agencies are working together to tight time scales. I suppose that the challenge beyond that will be to apply what has been learned across the system. To reach that point, staffing shortages—which are severe in local authority services—will have to be addressed for the long term.

Mr Mike Ewart (Scottish Executive Education Department): The Executive would certainly endorse the position that our colleagues have set out. It is important that the system as a whole has clear standards to work to and that each of the agencies that is involved is committed to delivering those standards. I believe that that is now happening. In order to ensure that standards are being achieved, we need improved information about the system's performance. As Alan Miller indicated, a key part of the improved system is now in place.

It is clear that the system as a whole must address the major issue of resourcing social work departments, as the Auditor General's report stated. However, there are indications from the national data that are now available that there is not always a direct read-across between the number of vacancies in a given area and overall performance in delivering reports. It is important that, as we address the supply of social workers to

staff the system in the longer term, we should also learn from good practice where it exists in the face of difficulties and share information and best practice with colleagues across the system.

Mr Chris Hawkes (Association of Directors of Social Work): We should learn from the experience of the adult criminal justice system. The Auditor General's report shows a 95 per cent achievement rate in getting reports to the adult courts on time. I think that that is the result of the introduction of standards in 1991 that included explicit performance indicators. Each performance indicator is subject to annual monitoring and evaluation. The combination of those elements means that we can recognise that the courts are receiving reports within the time scales that they specify. That addresses only one element of the process from charge to outcome, but it is significant. Things are seen to be falling behind in the children's hearings system.

The Convener: We have asked for action yet we hear about documents that have been produced, targets that have been set, data that have been collected, comprehensive pictures that have been achieved, clear standards to work to, resources and performance indicators. Sarah Boyack will probe those issues further.

Sarah Boyack: The main areas in which performance on time scales is poor have been focused on. I would like to discuss the multi-agency time intervals monitoring group. In September 2002, returns were received by that group from fewer areas than in the previous year. We are trying to emphasise meeting those time scales. How can performance be improved if information is not returned? It was suggested that we need performance indicators, but how will they work in practice and how will standards be delivered?

Ms Paterson: I have chaired local authority review groups in two authorities. As far as the people who attend the meetings are concerned, such groups have not been given the appropriate status and perhaps the information from them has not always been fed into the appropriate channels. Certainly, it would now be more appropriate for that information to go to the local multi-agency youth justice teams and to be reflected in the children's services plan.

The information put out with the standards suggests that all the standards that require to be achieved should be set within the context of the children's services plan. There has been a difficulty in collecting standardised information within children's services but over the past couple of years—certainly since the introduction of the children's services plan—people have set out their performance measurements better. That will probably be reflected in the most recent children's

services plan. In response to the issue that you raised, my answer is that more accountability is required and that the information should be fed through the youth strategy group.

Sarah Boyack: Does the Executive have a perspective on that issue? Does the Executive agree with those comments?

Mr Ewart: I agree in principle with the statement that colleagues have made that each of the agencies should be committed, at the appropriately senior level, to delivering the national standards. Both ministers and officials have sought to ensure that a sufficient degree of attention is paid at a senior level. Cathy Jamieson had a meeting with conveners and chief executives of local authorities about the issues that are raised across the children's system in order to ensure that the level of commitment of the local authorities was plain. We will continue to monitor the position as closely as we can.

Sarah Boyack: I have a follow-up question on time scales. I want to explore who falls outside the average range—obviously, some people are outside that range. Do we have information about cases in which young people are not dealt with in that average time? Do we have a sense of how many young people are significantly outwith that range? Do we know why some young people are not dealt with speedily? Are there trends? Can we explain that?

Mr Miller: Having brought before the committee the advert for the SCRA referral database, I have to acknowledge that it is my responsibility to produce that information. I do not have the detailed information with me today, but I could certainly have it forwarded to the committee. You are right that the average tells us only part of the story. The reality is that time scales will vary from a few days to, in some cases, many months or even more than a year. Almost inevitably, when a case takes so long the reason will be serious problems in obtaining information or in scheduling formal proceedings, in particular lengthy court hearings, which in some cases form part of the children's hearings process.

Rhona Brankin: How are local authorities monitored? Her Majesty's Inspectorate of Education will inspect the performance of local authorities in relation to education. Who inspects local authorities in relation to the performance of the children's hearings system?

Mr Angus Skinner (Social Work Services Inspectorate): The social work services inspectorate of the Scottish Executive inspects all local authorities once a year. It produces an annual report on those inspections, which is presented to all members of the Scottish Parliament and to others. In addition, the

inspectorate conducts thematic inspections; it takes a slice of different activities. It recently led the work on the child protection audit and review. In addition, there is a wide raft of evaluation and research reports and reports back from the time intervals working group and the youth justice teams.

Together with colleagues in the education department in respect of children and young people's services, we maintain an overview of those developments; a range of evaluative approaches is taken to establish what is going on. The inspection work of the SWSI looks in more detail at what appears to be happening at the front line.

Rhona Brankin: Overall, the SWSI has responsibility. Does it report to the Scottish Executive about the overall performance at local authority level and Scotland-wide?

Mr Skinner: It reports for each local authority and for Scotland as a whole.

Rhona Brankin: Does that also cover multi-agency work and the police performance? How is the police performance monitored? Does one agency monitor the whole lot or are different component parts monitored by different bodies?

Ms Rachel Gwyon (Scottish Executive Education Department): On the time intervals work specifically, we co-ordinate information from all agencies including the police, local authorities and the SCRA. That forms the basis for each part of the targets on time intervals. We circulate that information to all partners and are committed to making it public.

14:45

The Convener: Mr Skinner, could you explain what you mean by "thematic inspections"?

Mr Skinner: We take a theme, such as child protection, youth justice, sex offenders, female offenders or residential care—a slice of social work or disciplinary activity. Most of our thematic inspections are conducted with Her Majesty's inspectorate of constabulary, Her Majesty's Inspectorate of Education or some aspect of the health service.

The Convener: Thank you for that clarification.

I detect that there is a co-ordination problem. What is being done to improve cross-organisation working? I hear that information is being gathered, but who is in charge of co-ordinating work by the various organisations?

Mr Mackenzie: I will add to Mr Skinner's response and then deal with your question. Local authorities and social work services submit a raft of key performance indicators to the Executive

against which we are held to account. In addition to that, to answer your question, each year we produce, on an individual and a corporate partnership basis, a range of plans that set out what our task is, how we plan to achieve it and how we will measure our success. For example, we work on children's services with the health service and, increasingly, with the police, through the youth justice schemes that you have heard of. The plans that we submit to the Executive contain partnership working and, invariably, the Executive comes back to us for the clarification of various issues.

Mr Miller: Since the publication of the "It's a Criminal Waste: Stop Youth Crime Now" report in June 2000, all the agencies have been working extremely hard to address youth offending issues within the hearings system and more has probably been done in that regard over the past two years than in the previous 20.

The Executive has played a key leadership role in making that happen and has led the work to put in place objectives and standards to which all the other agencies have contributed. There is also no doubt that the range of cross-agency working has increased beyond imagination over the past two or three years. We are heavily involved in working with a number of local authorities and we have staff based in various local authorities' offices. Such initiatives would have been unimaginable a few years ago and are being driven by a focus on improving the effectiveness of the system, reducing offending and a determination to stabilise the lives of the young people involved.

The Convener: I see that our witnesses are nodding in agreement.

Mr Ewart: I would like to repeat in this context a point that I made at the outset of the session. We have to ensure that multi-agency working is effective. There is clearly no possibility within the system in which we are working of having a unified system driven by one agency. The process is necessarily a multi-agency one that involves a variety of disciplines and backgrounds. The key to effective working is therefore to agree stretching and demanding common standards for all the partners and to ensure that there is a common commitment to delivering them. That means working together to produce and deliver the standards.

I am grateful to Alan Miller for his remarks about the role of the Executive. We certainly see our role as providing the necessary leadership to ensure that the standards can be brought together, be properly derived and be properly disseminated. We aim to model the kind of multi-agency activity that we want to see at the local-delivery level by including partners in the development and dissemination of those standards.

Mr Skinner: There are three things that the committee might want to know in relation to co-ordination. First, all the national inspectorates—Her Majesty's inspectorate of constabulary, Her Majesty's Inspectorate of Education, the social work services inspectorate and others, such as the benefit fraud inspectorate—operate under the same charter and so have a common theme. The charter is publicly available and is agreed across the inspectorates.

Secondly, we have a joint scrutiny forum, which brings together all the inspectorates and compares our timetables. The forum attempts to co-ordinate our work and acts as a place in which we can discuss the possibility of joint activity in a variety of areas. Such joint activity has now taken place in several inspections across different aspects of local government.

Thirdly, with the passage of the Local Government in Scotland Bill earlier this month, we are in discussions with Audit Scotland—which is in similar discussions with other inspectorates—about how it will follow up that bill once it receives royal assent and is enacted later this year. We are discussing how the audit activity of local government as a whole by Audit Scotland will operate with the inspection activity of each of the inspectorates. There is a need to co-ordinate across the inspectorates and with Audit Scotland, but we have mechanisms to do that. Of course, co-ordinating that activity requires attention and work. A continuous drive is required to ensure that that co-ordination is effective.

The Convener: That sounds like a complex system of co-ordinating the co-ordinators of the co-ordinators. Is it too complex?

Mr Skinner: The joint scrutiny forum is not an organisation. It is a meeting of the inspectorates.

The Convener: Which involves organisation.

We will move on to Keith Raffan's question.

Mr Raffan: Leadership is relatively easy to provide, Mr Ewart, but the issue is resources. Mr Miller made the point that additional resources have been provided, but there is a severe shortage of social workers. We do not know whether the two match up.

That takes me back to the point that, with multi-agency working, things will vary from one part of the country to the other. As the convener just said, the system is highly complex. We have a plethora of performance indicators, a plethora of standards and a plethora of targets. We have co-ordination going on all over the place and there are the thematic reviews. I will therefore direct this question at Mr Skinner.

When Mr Skinner directs his thematic review, he directs his searchlight to one area in particular.

The social workers, who are already short of staff, immediately get highly edgy about that area, so they concentrate on trying to answer his concerns and to fulfil his recommendations. Presumably, that takes staff time away from other areas. Is the problem not that there is too much reviewing going on? We have so much setting of standards and such a plethora of targets—we know how the Executive loves targets and standards—but are the resources provided to address all that?

The thematic reviews add an extra dimension because, when Mr Skinner focuses on one area, the tendency for social services departments is presumably to focus on the area that he is examining. At the same time, those departments may perhaps be neglecting other areas from which they have taken staff away, but those people may just be doing what they have to do. Is that not a problem?

Mr Skinner: We have a commitment in place that thematic inspections will almost always be multidisciplinary. They will look at an issue such as child protection or youth justice that cuts across the important work of several different agencies.

In addition, we look at all social work services in each authority once a year. One principle on which we base that annual look at each authority is that we do not ask for any piece of information that the authority is not already obliged to submit to either the Scottish Executive or Audit Scotland. Our activity is based entirely on what each authority is already required to submit. We are conscious of the need to reduce in one way or another the burden of what we ask for, so we try to ensure that we keep a balance. That is one reason why such reviews are done once a year rather than once every three or four years. We do not want to miss a trick.

The Convener: I am in danger of disobeying my own strictures, but I will also let Mr Miller and Ms Paterson respond to Mr Raffan's question.

Mr Miller: Mr Raffan is right that it is certainly possible to have a plethora of standards that confuse and perplex everybody. However, I think that we are increasingly clear that the objectives that matter for the children's hearings system are simple and clear and should be stated simply and clearly. For example, there are really only two measurements that count for the fast-track hearing pilots that are about to begin. The two things against which those pilots should be measured are whether they cut reoffending by young people who are persistent offenders and whether they cut the time scales for dealing with those cases.

Ultimately, those are quite simple, clear-cut standards that tell us about issues that matter to the public and for accountability. Of course, several more detailed standards underlie each of

those standards, because different agencies are responsible for different aspects of the time scale. However, it is clear that those who are involved in the fast-track pilots recognise that we all contribute to those two overarching objectives. That is the way ahead for the system.

Mr Raffan: You mean outcomes, in other words.

Mr Miller: Exactly.

Ms Paterson: I agree with Alan Miller. Local authorities want standards and targets to meet. As I have responsibility for criminal justice social work and children and families social work, it is clear to me that work has moved on in the criminal justice system because clear targets and standards were set for it and they were backed by resources. One issue is the amount of resources that will be available to help us to attain the standards and meet the targets.

Financial resources have been made available for the pilot fast-track hearings. The issue of the shortage of qualified social workers will not be easily resolved, but steps are being taken to help us to secure people to work in children and families social work in particular. Local authorities have welcomed several such initiatives. In the next five years, we will require some assurance that the lack of qualified social workers will be taken into account when the pilot fast-track hearings and any of the other work that we are being asked to undertake are evaluated.

Keith Raffan is right about why we are talking about the youth justice audit. Angus Skinner referred to the child protection review, which will set similar standards and targets for qualified social workers. We will not be able to tackle everything to the same level and that requires to be acknowledged.

Rhona Brankin: In his recent report called "How government works in Scotland", the Auditor General drew attention to some of the difficulties in delivering cross-cutting policies in the Executive. I would like to hear an assurance that you are satisfied that lines of accountability to a department and to a minister are clear for the delivery of the system for cross-cutting work such as the work in the children's hearings system that has been described.

Mr Ewart: The lines of accountability are clear. An exemplar of that clarity is the fact that the committee has been able to draw a distinction between the two systems and call a distinct pattern of witnesses from the Executive. Nevertheless, organisations need to work effectively together externally and in the Executive. The political and official structures, such as the joint ministerial and joint official groups, are in place to do that. We have clarity and effective cross-cutting working.

Ms Paterson: I will comment on the allocation of resources and funding streams. There is no doubt that the way in which money has come down from the Executive in the past three years has been criticised for being short-termist and directed towards projects, but the general view is that the situation is changing. People are considering how we can be properly resourced. The Auditor General's report refers to the need to examine grant-aided expenditure.

There is no doubt that multi-agency working is difficult, even when people are keen to make it happen. When funding streams must be signed off by the director of social work, the director of education and the chief executive, that ensures that people work together and that those streams are properly integrated. There are some good examples of money coming through that way, but that could probably be improved because it is does not always happen. Funding streams are important for multi-agency working.

Sarah Boyack: I want a clear understanding of how all the information will be gathered and processed. One key point from the Auditor General's report is that, although there are time standards and new guidance is being prepared, it is not clear who exactly will provide the information or how it will be processed. Will it all go through your new IT system? In a year's time, will we have universal information across the whole of Scotland that will allow us to analyse data more effectively than we can at present, because data are not currently being reported back to the centre?

15:00

Mr Miller: All the required time scale information, from caution and charge to final disposal of a case, will be available through the SCRA system. Every case is logged and all key dates are automatically tracked. There are obviously some key time scales that are outwith our direct control; for example, the time between a children's hearing deciding that a child should be under supervision and that decision taking effect.

There are some specific aspects of time scale data that other bodies would be better able to come up with. In the example that I gave, it would be the local authority. However, the vast majority of the time scale data will come from our system and will be capable of providing the analysis to which Sarah Boyack referred.

Ms Paterson: My counterpart on the ADSW criminal justice standing committee, Mairi Brackenridge, who is responsible for a youth court pilot in South Lanarkshire, and I have requested that the children and families standing committee and the criminal justice standing committee consider the information that should be collected.

We have arranged a meeting for local authorities and have requested that they send a professional member of staff and an IT member of staff to examine information that is already being collected on performance and other information that we think that we should have as baseline information. That may include other information about young people such as whether they are in full-time education and whether they fall into the definition of young people who are persistent offenders. We are taking steps to do that and will involve officials from the Executive.

Mr Mackenzie: There is a very important role for the Executive to play in that work. In the adult criminal justice system, there is a more advanced set of computerised information systems. However, in the past, local authorities developed bespoke systems and other systems around certain suppliers, so to a certain extent the systems did not fit. It is important for the youth justice agenda that the systems that we are developing interrelate and communicate with one another from the start. That is why the ADSW has taken the initiative to bring representatives from councils across Scotland together. There is an important role for the Executive in ensuring that any funding is targeted on systems that work together.

Mr Skinner: Mr Mackenzie is absolutely right. That initiative fits within the overarching initiative of the modernising government fund, which funds quite a few of those systems within local government. That activity is co-ordinated within the Executive, which we are leading through the secondment of director of social work to the Executive to help with the co-ordination of those tailored packages as they are rolled out.

The modernising government fund finances projects in each local authority. However, it is also worth mentioning the social work information review group, which brings together the Convention of Scottish Local Authorities, Audit Scotland, the ADSW, all interests in the Executive and others. The aim of the group is to ensure that the information infrastructure is consistent, effective and efficient and not gathering mince, as it were—the figures should mean the same thing in different parts of the country. That is a very tricky piece of work, and one that we are doing very closely in collaboration with all the relevant agencies.

Mr Raffan: I wonder whether Ms Paterson or Mr Mackenzie could give an indication of the extent to which the amount of time that individual social workers spend on providing all that information has increased over the past 10 years. What percentage of their working week does that take up? I know that those are difficult questions to answer.

Mr Mackenzie: The amount of time has certainly increased as part of the quality assurance systems that we have in place for social work and other staff. Introducing those systems has meant moving from paper systems, which the staff used 10 years ago—not always in an effective way—to computerised systems. Those new systems initially cause more work, as they involve running two systems in tandem; then they begin to make things easier.

It used to be rare for social work staff to have personal computers on their desks. There has been a gradual move to a situation in which it is virtually standard to have at least one PC between two social workers. In the adult criminal justice field, the ratio is 1:1, although things have not moved quite so far in children's services. Our staff have become much more computer literate and it is clear that entrants into the profession have skills in that area. In answer to your question, the time spent on information gathering is not very significant.

Ms Paterson: I agree with that. We have moved to a computerised system. Within the area of children and families, we are in a period of transition. Although staff are finding the new system a burden at the moment, that should not be the case in the future. It should be possible to collect the necessary information much more easily using computerised systems. There will also be proper feedback of that information. That element has been missing. People will not invest in a system unless they see some kind of payback. The fact that the development of our services shows them what that payback is makes people more committed to the new system.

Sarah Boyack: We have been talking about the children's panel. I want to move on to discuss 16 to 21-year-olds. Exhibit 16 shows that, on average, it takes eight months to reach a court decision on a case involving a 16 to 21-year-old. What can be done to speed up decision making for young offenders in the criminal justice system? There are pressures in relation to young people knowing what will happen to them when. If young people are not being picked up, that raises reoffending issues. I think that that question is for Mr Mackenzie.

The Convener: Mr Hawkes might want to answer it.

Sarah Boyack: My question paper says that the question is for Mr Mackenzie.

The Convener: We will hear from Mr Hawkes first, then from Mr Mackenzie.

Mr Hawkes: The report shows that the main constraint within the process from charge through to conviction occurs at the procurator fiscal stage. We are aware of the work-load pressures that our

colleagues within the Crown Office and Procurator Fiscal Service are under. It would be for the procurators fiscal to comment on the specific difficulties that they are experiencing.

I want to emphasise that, on 95 per cent of occasions, adult criminal justice social work is able to achieve the production of the information that is necessary for sentence. That has come about through the introduction of national standards and performance indicators and through the evaluation of those standards and indicators.

Mr Mackenzie: One of the main reasons for the ability of the adult criminal justice service to produce such a high level of information is the fact that the funding streams for that service are based on a different formula from the funding stream that local authorities receive under the GAE mechanism. The adult service has a work-load indicator built into it, which ensures that if the amount of work that is undertaken increases over time, the amount of money that is received increases. The converse is also true.

The GAE system is far more complex than that. We know from the Auditor General's report that there is a huge disparity between spend in local authorities and the GAE indicators on children's services. That needs to be addressed. In the adult service, we have the standards and people know what is expected. We also have a funding stream that allows us to increase the number of staff to meet additional work load. In all those respects, the adult service is different from the system that pertains within children's services. That is worth remembering.

A lot has been said this afternoon about the shortage of social workers. However, the committee may want to come back to that issue. If so, I will hold back from addressing it until then.

The Convener: That is appreciated. Let us move to the next issue, which is variations in the treatment of offenders.

Mr Davidson: The report clearly shows wide variations in the treatment of young offenders. Some variation is appropriate—even expected—but it appears that the way in which a young offender is treated depends as much on where they live as on the circumstances of their case.

I will address a couple of questions to Mr Miller. Exhibit 10 in the main report shows that the proportion of offence grounds sent to children's hearings by reporters ranges from 10 per cent to 47 per cent. Can you explain how that variation occurs, how it is monitored and what action is being taken to remedy it?

Mr Miller: Reporters' decisions are made on a case-by-case basis—that is driven by the terms of the legislation under which we work. There are,

therefore, no quotas: no one level is more appropriate than another. The decisions are highly contextual and there may be significant differences from one area to another not just in the pattern of offending in the community, but in the way in which the police force responds to that. Some police forces make much greater use of police warnings so that, when a child offender is referred to us, they are already at a more serious stage in the pattern of offending and we are more likely to respond in a different way. There are also differences between the services, interventions and resources that are available in different areas, although those differences are being addressed by local authorities and their partners. To some extent, there will always be differences.

Your second question was about how that is monitored. We are now in a position—which we were not in until recently—to monitor the situation and to produce much more easily the kind of data that you see in the report. We are doing that internally and people are using the information to review their practice. We are also introducing for our staff who are working in the fast-track hearings areas a risk assessment and decision-making framework for reporters, to ensure that people are making decisions according to consistent criteria. That does not mean that decisions will be regimented in some way; it means that we will be confident and able to demonstrate that decisions that reporters make around the country are always based on similar criteria—in practice, they mostly are at the moment.

However, to improve our service and to make it more accountable, it is important to have that kind of framework in place. That framework will be established in the fast-track pilot areas initially, but it will quickly be rolled out throughout the country. By the end of 2003 or 2004, we will have undertaken an internal practice audit to ensure that reporters throughout the country are using the framework appropriately and consistently.

Mr Davidson: Paragraph 77 of the main report shows that the proportion of offence grounds discharged by hearings varies from 9 per cent to 55 per cent. That seems an extravagant range. Do you have any comments to make about that?

Mr Miller: I am particularly cautious about commenting on decisions that are made by children's hearings. It is rather like asking fiscals to comment on sheriffs' decisions. The decisions are contextual. Quite often, if a child is brought to a hearing following a number of alleged offences and admits to committing some but denies committing others, the hearing may feel that it is more important to deal quickly with the offences that have been accepted. Those that have been denied may be discharged at that point. That allows a quick decision to be made about

intervention. Again, the range may reflect differences in patterns of offending from one area to another.

Mr Davidson: In other words, using the flexibility that you have just described, people find it more important to get the child into the process than to tick all the boxes for all the offences. Is that what you are saying?

Mr Miller: We recognise, and hearings recognise, the importance of the speed of response. Decisions have to be made on the basis of the facts of the day. If a child accepts two offences under the Litter Act 1983 but denies a serious assault, I would expect the hearing to want to find out whether the assault allegation was correct and not to base intervention on a plan to address the child's littering tendency. The important matter would have to be investigated, tested before the sheriff and brought back. On the other hand, if the child accepted the serious assault but denied the litter offence, I expect that the hearing would want to address the reasons for the violent behaviour without delaying the process for a couple of months to investigate the other matters.

15:15

Mr Raffan: It is difficult to generalise. There is bound to be flexibility and variation, but there are huge variations in the cases that are sent to children's hearings. What work has been done in correlating the variations in different parts of the country with outcomes, reoffending rates and reduction in offending? The outcomes are crucial. Is there any correlation between the way in which young offenders are treated and outcomes? I would have thought that that is fairly important in determining effectiveness.

Mr Miller: Very much so. My sense from the evidence to date is that the key factor is the availability of effective programmes of intervention. That is the factor that the Auditor General's report identifies and I support that finding.

How the system responds in overall terms is in some ways secondary—it is important case by case. The system provides various ways in which we can identify the children who need that intervention and put them in touch with it either voluntarily or compulsorily but the key factors that will make the difference to the pattern of offending—as with child protection—are the quality, the availability and the effectiveness of services on the ground to work with the children and their families.

Mr Mackenzie: I agree with that absolutely. The report flags up the important dilemma that the reporters and the hearings appear to be reluctant to divert children out of the hearings system or to

place them on voluntary supervision, because they feel that those children would not be the priority of hard-pressed social work staff that they deserve to be, given their situation. On the other hand, we know from research that the most effective way of dealing with offending is to target our services on persistent offenders, because those who commit one-off or two-off offences do not need such intensive support.

We have a system that tries to deal with the whole lot. As we begin to develop the range of services in youth justice, the reporters and the children's hearings will have more confidence in not bringing children and young people right through the system. We will divert people, as we do in the adult service, and ensure that services are in place to work with them when they are diverted from the system.

Mr Davidson: I would like to broaden the discussion, because we have a fair bit of expertise before us this afternoon. What needs to change to ensure that young people are treated more consistently across the country?

Mr Ewart: We need to ensure that the information is available both locally and nationally to allow us to understand variations in types of offending and patterns of offending. We also need to ensure that the services that are available match local needs. One of our initiatives in 2001 and 2002 was to ask the youth justice teams to undertake a mapping exercise locally using the kind of information that Alan Miller indicated is now becoming available. That sort of initiative will ensure that the kinds of offending and the patterns of offending are understood locally and that the services that are coming on stream now, as the range of responses is developed, are appropriate to local needs. It will ensure that there is a match, rather than a sort of cookie-cutter approach, as it were, which does not address particular issues.

Mr Davidson: Is that intended to be a one-off mapping exercise or will it be a rolling review?

Mr Ewart: It will be a continuous process. The information from the mapping exercise will be published so that the outcomes can be shared among the various partners.

The Convener: When do you expect the initial work to be completed?

Mr Ewart: The 2001 audit has been completed and a refresh was done in 2002.

Ms Gwyon: The initial information was published in September last year. We were able to draw out examples of best practice from that, which has been shared with the teams and fed back into, for example, service planning in the fast-track hearings implementation group, which Sandra Paterson mentioned. A refresh is planned

for later this year to update the information with which the local youth justice teams supply us.

Margaret Jamieson (Kilmarnock and Loudoun) (Lab): I assume that the information relates to local authority boundaries, but is it broken down below that level? Some local authority areas are quite different in the north, south, east or west.

Ms Gwyon: We publish the information that is sent back. Different teams take a different approach to identifying crime. For example, the presentations at the Executive-led national network meetings for front-line practitioners showed how some teams break down the information and identify the pattern of crime in individual communities. That has flagged up variations—both between areas and between communities within an area—in patterns of offending and in the most prevalent types of offending.

Margaret Jamieson: How can you interact with local authorities? Some members have real concerns about how local authorities disburse GAE. We are concerned about how much goes to social work and how that money is disbursed within the various sections of social work. How can you influence local authorities on that issue? Where there is a particular problem with youth offending, significant pressure might come from MSPs, but we find that there is nowhere to go. When we track the matter back, we find that insufficient funds are being put into children's services and that the social work budget is not as near to the GAE level as we would like. How can you square that circle?

Ms Gwyon: There are a couple of questions there. I will discuss how we have tried to introduce service developments and perhaps my colleagues will answer the wider funding question.

An example of our approach to service development is the fast-track hearings implementation group. As Sandra Paterson acknowledged, collecting the data can add an initial extra burden, so we went to local authorities ahead of the preparation for the implementation group to ask how they wished to organise collective working and accountability. The message that we received was that the authorities wanted to work through youth justice teams.

When the implementation group came together, all the relevant agencies were involved, including the police, the youth justice teams, the voluntary sector agencies that provide programmes, children's panel members, the children's panel advisory committees and training organisations. We fed back the central data and the data from the local teams—the local teams took a strong lead in presenting their data. We also had

information from the SCRA, which was represented on the group. That information gave a breakdown of historic numbers of persistent offenders and patterns of offending, which enabled us to deal with service planning and delivery issues such as work load and required staffing levels. That in turn allowed us to plan to meet time scales and services proactively rather than to wait for persistent young offenders to show up. The work led into a full consideration of the disposals that are required and how they should be funded. All that information will be made public.

Mr Davidson: Witnesses have already mentioned the different forms and applications of GAE and the issue that we are discussing seems to have stirred the matter up again. As Mr Ewart is closest to home on the matter, I want to ask him whether the Executive's work and the Auditor General's report are likely to result in a review of the GAE system for children's services.

Mr Ewart: There have been a number of reviews of the detail of the GAE formula. The situation is not fixed; that detail is regularly considered in the context of discussions with local authorities. The particular issue raised in the Auditor General's report is the distinction between local authorities' actual expenditure and the amounts that are included in the revenue support grant and distributed through the GAE formula. Those patterns vary across the country. However, it would be foolish to ignore the fact that such a difference exists at national and—in varying degrees—at local level. We will have to discuss the issue with local authorities.

Mr Davidson: Does current funding have any influence on the variation that the report has highlighted?

Mr Ewart: There appears to be no direct correlation of that kind, just as there appears to be no direct correlation between numbers of social work vacancies and actual performance in time intervals issues. Nevertheless, an issue has been raised across the piece, which we will consider with local authorities in the usual discussions.

Mr Raffan: I do not want to pursue the issue of GAE just now, because we will return to it later. However, others have made numerous vague references to additional resources. Have all those additional resources been allocated through GAE or have any been ring fenced or hypothecated for specific use to ensure that they are not spent on other things?

Mr Ewart: Some of the substantial resources that have been allocated to the youth justice system—which we have outlined in our written submission in order to save the committee's time—are indeed ring fenced instead of being distributed through the GAE system. Others are

distributed across the piece through the GAE system.

As a matter of broad principle in Executive relations with the local authorities, we would usually expect to distribute resources through the revenue support grant and GAE mechanisms to allow local discretion over expenditure decisions on particular services in response to local circumstances and needs. That is plainly an important part of the local authorities' role and their specific democratic accountabilities to their local communities.

That said, we ring fence, earmark or hypothecate resources for particular purposes, mainly to drive or pump-prime new activity that subsequently becomes mainstreamed into local authorities' expenditure or to protect particular services that might appear to be vulnerable for any one of a number of reasons.

Mr Raffan: Local authorities hate ring fencing, but surely there is a strong argument for that sort of approach in multi-agency work, both on a wide scale and in relation to specific projects. After all, if one agency lets the side down, that might weigh down performance or indeed cause the whole structure to collapse.

Mr Ewart: One could make such an argument for ring fencing resources for specific functions within the local authority settlement. However, one could also strongly argue that such ring fencing would increase the number of funding streams, which is no help in the development of effective multi-agency working. On balance, I think that the partner agencies would have a strong view on the matter. Despite all its imperfections, the current balance is nearly right.

The Convener: As our witnesses probably realise, we have been having problems with the microphones this afternoon. As a result, I propose to suspend the meeting for five minutes. However, I ask Mr Mackenzie to finish off this section for us.

Mr Mackenzie: I will be brief, convener.

I entirely agree with most of what Mr Ewart has said. However, multiple funding streams are one of the issues that we face just now. It can become quite confusing to work out which funding stream is being used and to know the opportunities that lie within each of them.

Ring fencing might seem like a good idea and indeed has served us well as far as adult criminal justice services are concerned. However, it is not the answer as far as children and young offenders are concerned, because the situation is much more complex. Perhaps a reasonable compromise is some sort of challenge funding in which funds are targeted at certain areas and over time are incorporated into our normal funding mechanisms.

More could be done to signpost the different funding streams and how partnerships might use them.

Sandra Paterson mentioned signing off expenditure in the complex system of partnership working. That good practice ensures that people collectively set targets and priorities and are delivering on them.

The Convener: I will now suspend the meeting for five minutes to allow the microphones to be adjusted.

15:30

Meeting suspended.

15:40

On resuming—

The Convener: We will now consider the effectiveness and efficiency of services to tackle offending behaviour.

Rhona Brankin: Earlier, I asked a couple of questions about inspections and evaluation, which I would like to go into in a little more detail. Paragraphs 186 and 187 in the main report point out that there is no systematic inspection of community-based services for children with offending problems, whereas there is inspection of residential custodial services and of police, fire and education services. Why is there that seeming inconsistency?

Mr Ewart: The development of community-based services is fairly new. Further development is planned, and research shows that such services are the most effective way of dealing with a substantial number of types of offending behaviour. We accept the general principle that there should be more systematic inspection and evaluation. Provision for evaluation is being built into each of the programmes that are currently under development and money is being made available to assist evaluation of existing services. We are also moving towards the formation of the national accreditation panel, and appointments to that panel were announced just a few days ago, on 16 January.

Rhona Brankin: Given multidisciplinary working and the various cogs in the wheel in relation to accountability, is not there a need for a multidisciplinary inspection team?

Mr Ewart: We expect the process of evaluation and accreditation to reflect that multi-agency approach. In evaluations that have been conducted, that has been a characteristic of the reporting.

Rhona Brankin: Is the Scottish Children's Reporter Administration currently inspected?

Mr Miller: No, it is not. There is a suggestion in the report that an independent inspectorate should be set up in parallel with the proposed inspectorate for the Procurator Fiscal Service. We would certainly welcome that as a clarification of external accountability.

Margaret Jamieson: It is all very well getting all the statutory agencies inspected and accredited, but determining the disposal is in the hands of lay individuals. How do we ensure that we have individuals who are appropriately trained and the appropriate leadership, instead of the situation that exists in some systems in Scotland?

15:45

Mr Miller: Members of children's hearings carry out a quasi-judicial function, because they make decisions about statutory intervention. A comprehensive programme of pre-service selection and training and in-service training is already in place for children's panel members. That programme is delivered consistently throughout the country. Panel members are subject to monitoring and evaluation and to regular consideration for reappointment by local children's panel advisory committees. From April, the advisory committees themselves will benefit from a national training programme.

A number of checks and balances are in place. We have to take into account the nature of the panels' function and recognise that they need a degree of independence. Part of the panel members' strength is that they are members of the community. They come to their role with an awareness of the community's concerns.

Margaret Jamieson: I have particular concerns in relation to my constituency, where the chair of the children's panel considers it to be her personal fiefdom. If a view is not hers, then it is nobody's, and that causes all sorts of problems. In such instances, one individual's influence can destroy morale and affect the way in which other panel members wish to work, particularly in partnership with others. Can you assure me that the advisory committees are as independent as they should be, and that their views are considered appropriately, without the intervention of the chair of the children's panel?

Mr Ewart: I think that we can offer you that assurance. The advisory councils are independent.

Rhona Brankin: Paragraph 166 of the report describes the difficulties in providing consistent, high-quality mental health services to residential schools and secure units. Those institutions look after young people with the greatest need for help and support. How does the Scottish Executive propose to guarantee a service for them?

Mr Ewart: We currently have information on looked-after children with diagnosed psychiatric needs, but the data on young offenders with more general mental health issues are not as good. We recognise the need to provide additional services, and we are working jointly with existing service providers and through the recently introduced intensive support fund to provide enhanced psychological services in existing secure units.

We are working with health colleagues to develop plans for a secure national health service facility for young people who need to be admitted to hospital compulsorily. We will seek to enhance the general availability of mental health services for those young offenders who require it. There is work to do in that area based on the information that the report contains.

The Convener: How far off guaranteeing a service are you?

Mr Ewart: I think that, within the context of diagnosed needs, that guarantee exists at present. I would not like to give you a response in relation to a wider specific commitment at the moment.

The Convener: But the attempt is to provide consistent, quality mental health services. How far do you have to go to achieve that?

Mr Ewart: We are well on the way to achieving that, but the evidence in the report is clear: we are not there yet.

Mr Raffan: To say that there is work to do in that area is the greatest understatement of all time. There is a huge amount to be done. Specifically, there is the question of contracting work to Cranstoun Drug Services Scotland, which deals with drug offenders in prisons. How much research has been done on work involving group therapy, psychotherapy, psychiatrists and so on, which is crucial to breaking the pattern of offending? Such research requires huge investment, and it may require outside organisations such as Cranstoun Drug Services Scotland that work in the Scottish Prison Service to be brought in to help to break patterns of drug offending. Of those in residential care, 60 per cent reoffend within two years of release. We want to break that pattern. What specifically is being done?

Mr Ewart: As I hope I made clear, within the scope of secure and residential accommodation, services are being provided for those with specific, identified needs. We are trying to enhance the availability of services across the range of provision. Admittedly, we have work yet to do.

Mr Miller: Just as we acknowledged that there is a severe shortage of social work staff, we must acknowledge that there is a severe shortage of medical staff working in the field of child and

adolescent psychiatry. Although health providers have the resources available, they find it extremely difficult to fill both medical and nursing specialist posts.

Mr Raffan: I must come back on that. Psychiatrists do not have to be trained for six to eight years or whatever in areas such as cognitive therapy. I agree that there is a major staff shortage problem, but if we consider the work that Cranstoun has done on changing behaviour by using short-term cognitive therapy, we see that kids are particularly impressionable and are liable to be influenced. Cognitive therapy could be introduced. Cranstoun was brought into the Scottish Prison Service virtually overnight. Why cannot something similar be achieved for young offenders institutions?

Mr Miller: Your point is well made. I was simply giving the perspective of members of children's panels who are often looking for psychiatric assessment of and input to the treatment of young people who offend. In practice, it is often difficult to find such input. I entirely accept Mr Raffan's point that there is scope for further service development.

Mr Skinner: There are two related points. One is about the availability of psychiatric and psychological input in secure and residential care. There are clearly problems and shortages in some areas. The second point is about the skills of care staff, social work staff and education staff in secure and residential care establishments and their training in cognitive and behavioural therapy, which Mr Raffan mentioned. The Executive has invested substantially in such training. Through the Scottish Institute for Residential Child Care, it is currently investing several million pounds a year in the training and upskilling of care staff. We are starting from a low base, so there is a long way to go, but Scotland is undoubtedly in the lead internationally when it comes to investing in residential care staff to equip them to work with fully qualified professional psychologists, social workers and others.

The Convener: You said that there was a shortage in some areas. Can you quantify or clarify that?

Mr Skinner: There are some excellent examples of psychiatrists and psychologists working closely with social work services in residential and community settings. We have highlighted those in East Dunbartonshire and elsewhere in previous years. Such examples of the specialist skills of psychiatrists and psychologists shine out against the lack of provision in some areas of secure care. Residential child care staff who work in secure care are increasingly attracted to working with children and other professionals in therapeutic

ways, including cognitive behavioural therapy, as a skilled occupation. The Executive's investment in that area over three or four years is beginning to pay off.

Mr Mackenzie: The Association of Directors of Social Work certainly shares Mr Raffan's concern that young offenders who enter secure accommodation and young offenders institutions should not spend up to a year or two without their offending behaviour and underlying emotional and psychological needs being addressed. Programmes in secure accommodation and young offenders institutions must be linked to what is happening in communities. There must be a confluence of the two. A lot of work needs to be done in that respect. I agree that it does not all have to be done by psychologists or psychiatrists—there can be skilling of other staff.

The report also flags up the fact that those who leave young offenders institutions are not subject to any form of supervision. A number of years ago, young people were subject to supervision when they left such institutions, but that was done away with for a variety of reasons—it was not thought to be a good thing. We must return to the issue of throughcare for people who leave young offenders institutions, but we must prioritise and not say that all young offenders should be on throughcare programmes.

Sarah Boyack: I want to discuss how we can identify the right number of community services in the right places. The Auditor General's report mentioned a lack of facilities, particularly for the under-12s. We have mainly focused on older children.

How can we identify projects? What should the youth justice teams do? I know that the Executive is making a lot of money available. How should what is needed be identified? I am conscious that if the matter is considered in individual local authority areas, it might be difficult to get going the right projects for the number of kids who need them. Who has an overview? How can such projects be generated? You have all discussed the lack of appropriate staff in local authorities and the need for community-based projects, but how should things come together, particularly in respect of the under-12s? If we do not manage to reach those children at that young age, they will be back in the system for years to come.

Mr Ewart: I agree. We need to ensure appropriate provision across the range of services. The mapping exercise by the youth justice teams and the national co-ordination of information to which I referred are the appropriate mechanisms for producing the relevant information.

Ms Paterson: The youth justice strategic teams in local authorities are now considering the under-12s. When information was requested, we

considered providing information in respect of eight-year-olds to 12-year-olds. I think that the youth justice teams thought that they should deal primarily with 12-year-olds and those who are older than that, but it is now clear that we require to consider the younger age range and so we will need to make clearer links—even for children who are younger than eight—with our early years education colleagues. We need to know what they are doing in respect of the childcare partnership and with sure start and home start moneys. In many respects, we should deal with the matter through the children's services planning arena to ensure that our services are joined up and that we provide different programmes for children who are under 12.

We have not mentioned parenting programmes, which are important. Sure start moneys have been given to consider parenting programmes for under-fives and early-years development.

All local authorities have work to do to ensure that we address the younger age group and devise appropriate programmes. It is clear that the programmes will not be the same as those for children who are 12 and older. There should be a range of services. Consideration of the agenda is only beginning.

In our area, a number of applications were submitted—for example, by Children 1st—for youth crime prevention moneys to target the younger age range. A number of voluntary organisations have considered targeting younger children.

Mr Miller: One of the key in-built strengths of the Scottish system is that we deal with both youth crime and the causes of youth crime. Increasingly, a network of resources is being put in place—for example, from the sure start programme—that targets the pre-school years, early support in schools and the programmes and interventions that Sandra Paterson mentioned.

One of the strengths of how our system operates, which we should probably build on, is the preventive early identification of children who face problems in their family, school or community so that those problems can be addressed as early as possible.

Mr Ewart: The matter that we are discussing takes us into the territory of the work done by the “For Scotland's children” report team and the broader integration of children's services that the report deals with.

Rhona Brankin: We have talked about the importance of providing mental health services for young people in residential schools, secure units and young offenders institutions. The development of more inclusive practice in mainstream schools has resulted in many youngsters who exhibit offending behaviour attending those schools. I

accept that the report talks about prioritising the development of such services. Is there a recognition that we also need to do preventive work and to investigate the possibility of providing services in mainstream schools?

16:00

Mr Hawkes: I will use the situation in the Scottish Borders as an example. We have recognised that, more often than not, young people's dysfunctional behaviour will first appear at school. One of the mechanisms that we have put in place to recognise that is a joint team of workers to co-ordinate education and social work and the children's reporter and the police. That is called a local liaison group. Its task is to identify young people who are beginning to show disruptive behaviour in their educational facility. We have moved from that to an attempt to put together a joint resource that will enable such young people to have a period out of their ordinary school. They come into an educational environment that is specifically adapted to meet their broader range of needs, including their offending behaviour.

We have found that there are significant outcomes. We have managed to reduce our residential population by 50 per cent in three years and are able to retain young people in their local community. Further, the programme is designed not to exclude the young people but to reintegrate them back into normal schooling and we achieve that in 90 per cent of cases. There are models that pick up the areas of concern that you raise.

Rhona Brankin: I am aware of such models, but I am getting at the issue of the scarcity of mental health services. From my experience of working in an interdisciplinary way with youngsters, I am aware that that scarcity is a problem in mainstream schools.

Mr Hawkes: I can only concur with that.

The Convener: I ask Rhona Brankin to lead the questioning on the 16 to 21-year-old group.

Rhona Brankin: Paragraph 139 deals with the lack of aftercare for young offenders who leave young offenders institutions after having served sentences of fewer than four years. Mr Mackenzie has referred to that. The Scottish Executive is proposing that young offenders should be a priority group for voluntary aftercare. Given the staffing pressures that we have heard about, how can we ensure that the service is made available in practice? Is there a case for making that a statutory requirement?

Mr Mackenzie: The solution is a bit of both. As we know, voluntary aftercare does not always work, particularly for the most challenging young

people, and the reconviction rate among young offenders leads us to suggest that there needs to be a system that differentiates, using a wider range of factors than simply the length of sentence.

Mr Hawkes: A working group known as the tripartite group, which is headed by the Scottish Executive and includes COSLA and the Scottish Prison Service, has been working for the past 12 months on the provision of transitional services for people who come out of custody, including young offenders. The proposal is to take that forward, to try to formalise the process by which young persons come out of custody, and to ensure that appropriate services are available for them within the community to provide transitional care. The problem is that we already have a statutory requirement within the adult criminal justice service to provide voluntary aftercare for up to 12 months after a young person comes out of custody. Unfortunately, the take-up is low, so we are now beginning to discuss how we can build in an element of compulsion, and we are discussing the tricky issue of what happens to young people if they breach the compulsion. We have not yet got answers to that question.

The Convener: Does anyone else wish to respond?

Mr Ewart: I do not think that there is much to add to the comments that colleagues have made, other than to reaffirm the importance that we place on ensuring that aftercare is provided.

Rhona Brankin: I may have missed it, but did somebody refer to staffing shortages being a potential barrier to the implementation of aftercare programmes?

Mr Mackenzie: I certainly did not raise that issue, nor would I wish to. I would like to return to the matter when we come to the vexed question of the shortage of social workers, which has been referred to a number of times.

The Convener: We shall come to that.

We now turn to youth offending and the use of financial resources, and whether the balance can shift from processes to services, and from custody in residential schools to community-based services.

We have come a long way, but we still have some distance to go, so I urge short questions and precise answers.

Mr Raffan: I want to follow on from Rhona Brankin's last point, because it leads into this issue. We hear all the time about pilots and models, but my concern is that they are not being rolled out. Preventive work, such as the truancy pilot scheme at Alloa Academy, has been successful. Today's truants are tomorrow's young

offenders. Organisations such as The Corner in Dundee and Off the Record in Stirling are one-stop shops for young people that could provide a forum for throughcare. I just wish that we had more imagination in addressing the issues.

That brings me to services and the vexed question of balance, to which Mr Skinner referred. Mr Mackenzie said that the key to breaking the pattern of offending is the availability of services on the ground, yet 60 per cent of the money that is spent on youth offending is spent on processes—on bringing kids to court and making decisions—rather than services. How can we change that grotesque imbalance? Can Mr Ewart and Mr Mackenzie respond to that?

The Convener: Those were not short questions, but they were important.

Mr Mackenzie: I am reminded of the analogy of the rowing boat and the number of steerers and the number of rowers. The diagram graphically shows that the balance is not quite right. Whether we have the right number of steerers is not for me to comment on, but we certainly need many more rowers. I disagree with Mr Raffan that all truants become offenders, because that is not borne out by research or experience.

Mr Raffan: I said that they can be tomorrow's offenders.

Margaret Jamieson: You did not say that.

Mr Raffan: Well, I should have done.

The Convener: Is anyone else brave enough to take on this issue?

Mr Ewart: I will not get into the choppy waters of truancy with or without rowers and steerers. I do not disagree that substantially more needs to be invested in services—indeed, new resources are going into the provision and evaluation of services—but it is important that the processes of decision making in the systems for adults and children are right and thorough. I do not think that anybody would disagree with that.

Mr Miller: I really do not know whether I am a rower or a steerer, but one of the key functions of the hearings system is to decide which children need intense intervention to turn around their difficulties. Many children who offend once or twice, or who encounter other minor difficulties, do not need intensive intervention. A fair part of the cost of the process is about enabling good decisions to be made about the prioritisation of front-line service resources.

Mr Raffan: We have discussed the need for more resources for services. The way in which those resources are spent brings us back to the question of residential services and secure units, as opposed to community-based services.

Residential services do not have a good record—60 per cent of people reoffend within two years. If a service does not work, we should not use it.

We heard that there has been a 50 per cent reduction in the number of young people in residential schools, but to what extent are we moving rapidly towards a more community-based service? Do you agree that that is the direction in which we should be going?

Mr Miller: The thrust of the fast-track hearing pilots is to pump prime additional intensive resources in the community. Research evidence shows that we need intensive services in place, on an every-night and all-weekend basis, to work with some of the young people who offend persistently. There is no doubt that if, with such input, we could stabilise those young people's lives significantly and reduce their offending, the cost-effectiveness of that input would be considerable for the community in the long run.

Mr Raffan: I phrased that like a policy question, but it is a question of reallocating resources from residential to community-based services such as drop-in centres.

Mr Miller: Yes, but some initial pump priming might be needed to ensure that we have the resources in place that could provide that turnaround. Many young people require intensive residential, and perhaps secure, services. If we can begin to address differently the needs of those who would otherwise have gone that way, over time—say, over a five-year period—we could move to a different place.

Mr Raffan: Does Mr Ewart recognise the need for that pump priming?

Mr Ewart: A substantial amount of the new resources is going into precisely such areas to develop the responsive services that are required. However, there is another strand to the action plan that ministers have announced. There is a need for improvement of and extension to the secure estate. That requirement will be expensive, but it is needed for a small number of young people. It is important that that secure estate should be of the right kind to deal appropriately with the young people who require such treatment.

Mr Raffan: When we talk about mental health services, everybody thinks immediately of psychiatrists and huge costs. Psychiatrists might be needed for an initial assessment, but many more cost-effective measures, such as anger management courses, can be provided.

Mr Ewart: I do not disagree with that.

Ms Paterson: I do not agree with the comments about the secure estate. The position of the children and families standing committee is that we may not need the 25 extra beds. However,

aside from the moneys that are directed at the pilot hearings, we are considering how we can provide other intensive support.

The issue about local authorities and how they shift and realign their services is quite difficult. A lot of their money is tied up in residential schools, but not necessarily in secure accommodation. There has been a major shift over the past five years. As Chris Hawkes said about his area, there has been a 50 per cent reduction in my area in the number of young people in residential schools. Therefore, that money has been reinvested in community-based resources. The difficulty is that the costs for residential schools have increased by approximately 40 per cent in the past five years. As a result, we have not been able to reinvest that money in community-based services because we are still providing for a small number of young people in residential schools.

Another issue about the secure estate, which will be borne out by our research, is that several of the residential schools no longer hold on to some of the young people and that has led to greater pressure on secure accommodation. People are requesting secure accommodation because the residential schools are basically putting out young people on an emergency basis or not taking them in. There is absolutely no doubt that everybody believes that residential capacity should be reduced, but I am not sure that we are clear yet about the capacity that is required. There may be a small number of young people who will always have a need for residential care.

16:15

Mr Raffan: Mr Davidson and I have already touched on GAE, but I want to ask again about the large gap between the GAE for children's social work services of £224 million and what was actually spent on such services, which was £344 million. The expenditure was 54 per cent higher than the GAE. I presume that the Executive does not think that too much is being spent, so why is the GAE not higher? Will Mr Ewart amplify on his previous response?

Mr Ewart: I am not sure that I can amplify on it very much. The purely technical answer is that GAE is not a spending limit. Therefore, such a gap does not indicate that the Executive believes that too much is being spent on children's services. In our written response to the committee, we indicated the significant increases in resources that have been made available in recent years. In my earlier reply, I pointed out that the patterns of spend against GAE showed considerable variation across a number of local authorities. Plainly, we will need to address the issue that is raised by the report. We will need to do so in discussion with local authority colleagues.

Mr Raffan: When Mr Mackenzie referred to the issue, he said that the gap was serious. He did not use that word, but he used an even more dramatic adjective to describe the gap between GAE and what is spent. Presumably, the implications for local authorities are huge. Will Mr Mackenzie indicate what those implications are?

Mr Mackenzie: The implications are considerable. Local authorities receive a pot of money that must be distributed amongst a range of services, so some services are perhaps not receiving the spend that they require because of the amount of money that is, rightly, being prioritised for children's services. There is an issue that local authorities should have the ability to make such decisions, but when the disparity is as large as it is in this case, the GAE indicator must be fundamentally flawed. That issue needs to be addressed.

Mr Skinner: Without detracting from the need for the issue to be examined, I think that it is important to remind the committee that the GAE is not a method of calculating the size of the cake, either nationally or by local authority. Rather, the GAE is a method for deciding the distribution of the cake once its size has been decided.

Some flaws have emerged in the distinction between the GAE and the services in a variety of areas, including children's services. That is one reason for the Executive, with COSLA and local authorities, piloting outcome agreements. We want to shift away from the sense that the issue is how need and the size of the cake are calculated, as that is not what happens. Instead, we need an agreement about the outcomes that the money will buy. We need to think about what the money will buy for the people of Scotland consistently across each part of the country. The issue is complicated.

Rhona Brankin: I missed the questions that were asked about residential schools and secure units. Given the varied reasons for the steep rise in the costs of sending youngsters to such institutions, what provision is being made for alternatives such as specialised foster care?

Mr Mackenzie: The report flags up specialised fostering schemes as more effective—or, at least, no less effective—in working with such youngsters. Those schemes are being developed across Scotland and we will begin to see them over time. However, as Sandra Paterson pointed out, the dilemma is that, as we reduce the number of children involved, the costs go up. Therefore, there must be some way of putting in the kind of money that is required. The issue comes back to the bridging argument that was raised earlier.

Rhona Brankin: What sort of value for money do the specialised fostering schemes provide in comparison with residential schools? What are the outcomes like?

Mr Mackenzie: The research shows that the outcomes are no worse. In fact, I think that a longer study would show that the outcomes are better. The report outlines the clear difference in the costs, so if we are following the pound, specialised fostering schemes provide more value for money and are a far better option to pursue.

Mr Raffan: I have a final question about ring fencing and hypothecation, which I raised briefly before. The resources for criminal justice social work are ring fenced, and powers exist to ring fence services for 16 and 17-year-olds in the children's hearings system. Why are those powers not being used to ensure that the services are in place?

Mr Ewart: I do not have anything to add to what was said during the earlier discussion about the balance between ring fencing and local discretion and the issue of the multiplicity of funding streams.

The Convener: We move to a topic that should be to Mr Mackenzie's taste: the growing problems in finding social work staff to provide the core supervision service for children.

Margaret Jamieson: These are the questions that Mr Mackenzie and his colleagues have been waiting for. My first question is for Mr Ewart. The Executive has announced various initiatives to tackle recruitment and retention problems in social work services. However, it will be some years before those initiatives will be delivered on the ground. How can the new moneys that are being allocated to those initiatives result in effective additional services if there is a continuing shortage of social workers?

Mr Ewart: The number of social workers who are involved in providing children's services is increasing and has increased over the past couple of years. However, as you say, it will take some time before the current recruitment and retention work flows through into further increases in numbers to address the shortage that exists in many areas. Nonetheless, it would not be right to hold back on the development of services, provided that they can be delivered and administered effectively by the existing staff in the system. There is a balance to be struck. The Executive believes that we can achieve effective implementation of the services that we expect to be delivered as a result of the investment that is being made. I would be interested to hear whether colleagues who are delivering those services on the ground share that view.

Margaret Jamieson: I ask the same question of Mr Mackenzie.

The Convener: I think that Mr Miller wants to speak first.

Mr Miller: I have just a brief comment. In legal terms, the responsibility for supervising a child who is subject to supervision lies with the local authority, not just with the social work department. Local authorities are increasingly waking up to that quite significant change in the law, which was little noticed in 1997.

Margaret Jamieson: They smelt the coffee a bit late, though.

Mr Miller: They are now recognising that there are appropriate roles for other professional groups such as educational specialists and community workers. Clearly, social work professionals bring specific skills to working with young offenders and other groups of young people. However, there is considerable scope for the involvement of other professional groups as well as community foster carers, mentors and other members of the community.

There is a sense of growing diversity in the kinds of people who work with young offenders. The strategy for the future must be for social work staff to be focused on the specialist and highly skilled contribution that they can make—part of which is case managing the provision of other services—and for other agencies and services, within and outwith the local authority, to have a part to play as well.

Mr Mackenzie: As I said earlier, much has been said about the apparent shortage of social workers. An article in one of the newspapers today talks about a crisis, but the crisis is clearly in the mathematical abilities of the journalist concerned. It is true that there is a shortage of social workers, but that shortage has come about because of the new projects and developments and because there has been such a large increase, over the past few years, in the capacity of social care. The fact that that capacity has increased dramatically has meant that people have chosen different paths.

Unfortunately, a lot of social workers seem to be leaving our children and families teams and going into other sorts of posts. As employers, we need to look at that issue and to find ways of not only recruiting people into the profession, but retaining them. Many local authorities are looking seriously at that issue. We need to find ways of achieving a better skills mix, which is exactly what Alan Miller was talking about.

We cannot expect social workers to do everything. We have to be clearer about what a social worker's skills are and what tasks they will take on. I am thinking about tasks such as assessment and care management and about the effect of working with and overseeing people in programmes. Social workers require new skills to do all that.

A lot of work with children and young offenders can be done by a range of other people, as long as they have the right level of skills and training. The key to opening up the debate is how to broaden the range of staff that work on similar tasks to include colleagues from education and health and volunteers from the community. The issue remains, however, of how to recruit people into the profession. The initiatives that will be announced on Monday include the new degree for social workers, which is an important step forward.

One of the problems stems from the changes that were made to the way in which students were funded. In the past, social work attracted people who were looking for a second career. Those people had some experience of life or had done something else before they came into social work. Unfortunately, the dramatic drop in applications for social work courses reflects the fact that second-career people can no longer afford to come into the profession. We need to find a way of enticing such people in. Increased bursary support would be one such way forward and we are in discussion with the Executive about that possibility.

We need to help people to move up the ladder in terms of skills and experience. People who might be working at the moment as semi-skilled members of staff, including social work assistants and family helpers, need to be helped to progress through the system. All those initiatives are being considered at the moment and they need to be followed through.

Margaret Jamieson: You said that, given some of the legislation that regulates aspects of social work, we will not return to the time of the generic social worker. I am quite happy about that, as it is the view of the ADSW. However, I am concerned about aspects of the new degree. What about the age barrier? I understand that 19-year-old applicants to the current degree programme are told to come back when they are 21. They are eager to get into the profession, but they are told to do something else for two years.

If there were to be a variety of routes into the degree, that would allow individuals who had worked as family support workers for a number of years to get into the second year of the degree programme. I am aware that their level of practical experience would have to be assessed. We cannot continue down the route that has been used in the past to encourage people into the profession. We need to open up social work to allow a cross-section of society and ages to come into social work.

Mr Mackenzie: Indeed. The fact that someone is 19 should not prevent them from entering a degree programme. The duration of the degree is not specified, which opens up the gateway. Depending on people's experience, the degree

would last for four years or less. The fact that people's prior learning and experience can be taken into account should allow them to move through the process and to come out of it at different stages. That will all be helpful.

Margaret Jamieson: Good.

Mr Raffan: I will be brief. We have talked about getting more people into the profession and about continuing training and career development, which you touched on briefly in respect of skill updates. If social workers are under such pressure, I assume that it will be difficult for them to be released for specialist training and skill updates.

My second point is about bringing in outside organisations—Mr Miller alluded to that. I am thinking of Crew 2000's work in the drugs field. Kids might respond more to Crew 2000's more experienced, specialist workers than to social workers. To what extent are organisations such as Crew 2000 used? If they are not, is it because of a lack of resources?

Mr Mackenzie: Lots of local authorities commission services from a range of organisations; there is not a barrier to that. The organisation that you mentioned might well be used in that way, although not in my area because it does not exist there. We have to recognise that a mixed economy is a good way forward. That concept was introduced a number of years ago for community care, so it is not a new lesson for local authorities, which have experience of it.

Very soon, all qualified social workers will have to be registered with the Scottish Social Services Council. Part of that registration will require them to have continual professional development in what they are doing, so the pressure will move to staff and employers to ensure that they keep their skills up to date. It is difficult to juggle the different priorities, but we have to do that or we will end up with people who get disillusioned and leave, or who do not have the skills to face the new challenges of the future.

16:30

Mr Skinner: Mr Mackenzie has set out the current position, about which he is absolutely right; I am grateful to him for doing so. Cathy Jamieson will make a number of announcements on Monday, which will complete the cycle. The 12-month action plan that was announced last April has pretty well been completed. The plan included a return-to-learn project that was launched in October and is proving successful and other aspects of widening access. One or two elements are still to come and one or two announcements are still to be made. We will have to wait until Monday for those, but the committee might want to take them into consideration when it comes to its conclusions.

The Convener: Thank you for the trailer of forthcoming attractions.

Rhona Brankin: You talked about initial education of social workers. Given our discussion about multidisciplinary working, can we be assured that with the review of initial teacher education, the approach is becoming more integrated?

Mr Skinner: We will be announcing this on Monday, but I think that it is widely known that the structure and formulation of the standards for the new degree will match those of the recently announced standards for initial teacher training and nursing. We have had teachers on the working group considering that project, so it has been well informed. Next year, in Dundee, we will have a course that will train together, in the first year, teachers, social workers and nurses and which will build on that thereafter. We have done everything that we possibly can. We are in negotiations with the Scottish Higher Education Funding Council about how to support the significant academic and cultural change that is involved in the new approach to multiprofessional education.

Margaret Jamieson: How is the Executive monitoring the position in different local authorities in relation to social work staff in children's services? Does the Executive have information on the number of unallocated cases, the delays in allocation of cases, the numbers of vacant posts and the varying sick rates?

Mr Skinner: I shall tackle at least some of that list. We publish information on social work services staff in local authorities. There are three sources of information. First, there is the publication by the social work services statistics part of the Scottish Executive, which covers social work services staff in local authorities and vacancy rates; those figures are often quoted, accurately or inaccurately, in the press. Secondly, there are COSLA's staffing watch returns, which provide additional information. Thirdly, Audit Scotland provides returns on the professional staff numbers and sickness rates; those returns are broken down for teachers and police, but not for social workers.

We have accepted the recommendation in the report and we are considering how to ensure that the information is brought together in the most coherent, easily used and easily assimilated way across the piece. Through ADSW's work on the support for funding staff management practice a couple of years ago, each local authority has methods of monitoring sickness and absence levels, but those methods vary from authority to authority. That is of interest to us, and perhaps there is a need to have a national view on sickness rates. We will consider how that might best be handled.

A series of issues relates to whether we can determine what an unallocated or allocated case is. Alan Miller was right to say that the statutory responsibility lies with the local authority and not with a named individual in the local authority or with any significant part of it. We are concerned not about whether a name for a person with responsibility has been attached to a child, but about the service that that child and his or her family receive and the resources that are available. We do not have good systems for gathering that information. The report, which has been well prepared, highlights that point. We must examine such systems in conjunction with Alan Miller and the SCRA and we are actively doing so.

Ms Gwyon: I will answer one point that we might have left hanging from Ms Jamieson's questions. She asked whether we were sure that the extra resources for community programmes could be delivered. We have noticed that part of the increase in children and families workers is represented by an increase in the voluntary and independent sectors. That is partly why the decision was taken to prioritise the youth crime prevention fund on the independent sector, to bring that sector, its skills and its qualifications into the service provision tent.

That is similar to the reason for opening up the intensive support fund across the voluntary and independent sectors, so that the agencies that applied to us for funding could reach their own view about whether they had or could obtain the multidisciplinary staff resources to deliver those services. When we received those applications, we could check whether a combination of service providers could deliver increased national resources.

Margaret Jamieson: If a local authority had too many vacancies and high sickness levels, when would the Executive expect to intervene?

The Convener: Mr Ewart will answer that question on unsustainability.

Mr Ewart: I thank the committee for the opportunity to walk on warm and inviting ground. The best way in which I can answer Ms Jamieson's question, and remain helpful without hanging myself, is to say that what is at issue is whether the local authority can deliver its statutory responsibilities effectively. Rather than picking indicators and a point at which they become unacceptable, the question to be answered is the broader one of whether the statutory responsibilities are being, and can be, effectively delivered by an authority.

The Convener: Would your monitoring set enough alarm bells ringing at an early enough stage?

Mr Ewart: I am fairly sure that, if we reached such territory, we would hear many alarm bells ringing in a variety of quarters. The numerical infelicities of the stories that we have seen today indicate that people are watching that territory closely, even if they cannot do the sums.

Margaret Jamieson: Is it safe to say that registered social work staff who felt that the situation was reaching that stage would be under a duty to report that to a professional organisation, as nurses and doctors would?

Mr Skinner: Two codes of practice have been published. One is for employees—people who are registered—and one is for employers. To an extent, the responsibility that the Scottish Social Services Council and the Scottish Commission for the Regulation of Care will exercise will be to ensure that employees and employers fulfil the requirements on them. The commission will do that for all the services that it regulates and registers and the social work services inspectorate will do that for the other social work services. There is a range of matters that are germane to ensuring that employees can fulfil their responsibilities without undue stress and difficulty.

Ms Paterson: My local authority has a high vacancy level within the children and families section, but a low absence rate. There seemed to be an implication that vacancy levels and absence rates went hand in hand, but that might not be the case.

The other issues that have been raised are extremely pertinent. I have, in the knowledge that I was unlikely to fill those children and families posts with qualified workers, back-filled them with social work assistants. We have clear protocols relating to what work those social work assistants can undertake, which have been developed on the back of work by the children and families arm of the ADSW on defining what a qualified social worker does. We set that within the context of tiered intervention with workers in fields such as housing and education, and we have a framework that we use in relation to that.

Unallocated work, which is a difficult area to examine, was mentioned. There is no doubt that there might be cases that cannot be allocated to qualified workers, so we need to consider what other services will be involved. There has been a culture in which it was not accepted that work could be considered as being unallocated, but we are no longer in that position. Unless we start quantifying what we can and cannot do, we will not be able to make a case for what we require. That issue affects work with children and families in particular.

The fact that there is a formula for funding the criminal justice service has been referred to. I am

not saying that funding would solve the problem; it is clear that it would not. However, local authorities are addressing other issues within their localities, for example, by having a supervision policy that means that the work load is reviewed regularly. A work-load management system guards against the overwork and stress that people complain about. Local authorities are considering a range of matters in relation to recruitment and retention and have embraced the need to consider issues such as work-life balance, compressed working, flexible hours and crèche facilities for workers.

The other sticky issue, which no one has addressed, is pay and the question whether there should be a national framework. That is a thorny issue, because local authorities are tied into the job evaluation and single-service agreement. Many social work colleagues feel that perhaps that exercise does not compare them with education and health staff, who fall outwith that agreement, but with whom they interface regularly.

Sarah Boyack: The report comments that there is difficulty in recruiting and retaining good quality staff in children's services and it contrasts that situation with that in criminal justice social work services, where the profile of staff is more stable and experienced. It is clear that there are many issues underneath the surface.

A section of the report refers to the number of unallocated cases involving young people and to the fact that someone who is referred for voluntary support is unlikely to receive a service. The report mentions some big gaps, which will need to be returned to. Although many new services are being sparked off, which the witnesses have all mentioned, the report has flushed out issues of concern. I hope that our consideration of the report will stimulate further examination of how some of the gaps might be plugged because the evidence gives cause for concern.

The Convener: We move on to the final topics, which are multi-agency working and youth justice teams.

Rhona Brankin: Paragraph 188 of the main report says that too few senior officials are involved in some youth justice teams and that some key agencies are not participating. How well do you think that the key agencies are engaging in multi-agency youth justice teams?

Ms Paterson: A sea change has clearly taken place over the past five or six years, which was instigated because of the unitary authorities and the development of children's services plans, and because of the publication of "For Scotland's children", which examined how we work together. I said earlier that joint working is difficult, but joint standards, joint performance indicators and the funding streams that we must all sign off all lead

down the path to joint working. In a number of the authorities in which I have worked, I have seen such a shift in working practices.

16:45

Previously, people did not necessarily work jointly not because they did not wish to work in an integrated manner, but because it is easier to work within one's own service and in one way. Social services must take the lead in joint working; social services departments work with a targeted group of young people—that group is their bread and butter—whereas some of the other services have been working universally. Those services need to be led towards accepting that they too, rather than social services alone, are responsible for children who have difficulties. I have been aware of that for the 30 years that I have worked in social services, but the matter has been focused on only in the past five or six years. Joint working in some authorities has been hard going, but it might have been easier in others. There is no doubt that we are definitely on track for joint working, but it will take another five years before we can say that we are properly working together.

Mr Miller: I commented on the matter earlier. The range of innovative, exciting and highly effective projects and interventions on working with offending young people in Scotland is increasing. To say that they all arose from multi-agency planning and a desire to improve planning might tempt fate, but the vast majority are multi-agency service innovations. There is a groundswell and everybody realises that joint working is the way to go. The SCRA is heavily engaged in joint working and we have in every authority area staff who are working with partners in the local authority and other services. That is the way that working practices will increasingly go in the future.

Fast-track hearings are a good, real and practical example of making joint working function. On child protection, ministers have already signalled in response to the child protection review that the way forward is to consider how the system works as a whole and to seek improvements across all agencies.

The Convener: How long will that process take? We have heard that it will take five years, but could it come sooner or later?

Mr Miller: The end point that we seek to reach is our being able to say confidently that effective services are available at a range of levels of need, and that those services can be put in touch quickly with the children and young people who need them. If we put the target in such terms, we will always be striving to achieve it. However, in five years, we ought to be much more confident about saying that we are at that point.

The Convener: You have used phrases like “on track” or “lead down the path to joint working”. How far down that path are you now and how far do you still have to travel?

Mr Miller: Joint working happens now, but all our experience of really making a difference for children and young people through joint working demonstrates that we can go further.

Mr Ewart: I concur with that. The key point is that joint working is not just a desirable way forward, it is the only way forward.

The key to success is a common focus on what the services are for, rather than on the specific circumstances of individual services. That is well summed up in all the major national work that has been done and in the title of the influential initial report, “For Scotland’s children”, which is what the services are about. The key to making the system work is ensuring that all the players recognise that. Rather than ask when will we have effective joint working, the solution might be to pose the question, “Can we set specific targets that will be achieved by effective joint working?” The Executive has committed itself to national targets in “Building a Better Scotland: Spending Proposals 2003-2006: What the money buys”. The targets relate to the delivery of coherent support packages for children who need support, and to the reduction of rates of offending. All the agencies have signed up to support those targets.

The Convener: I asked the question because I was trying to illuminate how far the process has gone.

Mr Raffan: I want to get an exact angle on how multi-agency youth justice teams work, apart from one-on-one relationships between people in different agencies. Do they operate in the same way as DAATs—drug and alcohol action teams—which meet in their territory once a month so that everybody can get round the table? I know that those teams are different because they share resources, but such meetings are a way of sorting out problems and achieving more effective joint working.

What is the mechanism for ensuring that good practice and information about new programmes that have been seen to work are shared as quickly as possible? If good practice is simply shared through newsletters and on paper, it might not be put into action quickly enough in other areas.

Mr Hawkes: The mechanism that we have used in one of the pilot areas for fast-track hearings is to bring to one building all the players; staff from social work, education, health and the police work together on the delivery of the new service.

Sarah Boyack: We have talked about sharing practice. It has been suggested to me that sharing

information is a problem and that there are legal difficulties with passing information between different parts of the system. Do the witnesses share that concern?

Mr Mackenzie: The Data Protection Act 1998 is often used as a barrier to sharing information. To link the issue to the previous question, various models are being developed for youth justice teams. Some models are at strategic level—such as the DAATs and other such organisations—and some link to the children’s services plan. At the service delivery level, police, health, education and social work staff come together to share information. When a youngster needs a service, those people decide how best to target the service. That system gets past some of the issues that are often thrown up in relation to joint working.

Rhona Brankin: How can we ensure that sufficiently senior officers become involved in local youth justice teams? We have covered the matter a little already, but there are other issues such as opportunities for continuing professional development and senior management training. Who is responsible for ensuring that senior officers become involved?

Ms Paterson: I can speak only from my experience. The youth audit identified that there is a range of multi-agency strategic teams. The guidance indicates clearly the range of people that is required for the teams to function. The issue must be set in the context of the children’s services plan—we cannot get away from that because it is the context within which the teams should operate. Whatever form the children’s services plan steering group takes, it will have senior personnel on it. That might mean that the group below the steering group that will inform the plan might not be required to include the same level of seniority. However, senior staff should sign off any work that that group does.

The facts that resources are coming in and that the issue is high up the political agenda—locally and nationally—mean that there is now an impetus to ensure that there are appropriate personnel on the teams. Our team has been enhanced by the social services committee and the education committee conveners’ being on it, which clearly makes people politically accountable for the kinds of services that we develop across the board in the authority. I see that as an advantage. As we share information, we learn from one another how well the strategic groups are working and we learn lessons from groups that are working well.

Mr Miller: Rhona Brankin’s question is relatively simple for the SCRA. Our senior local staff are authority reporters who manage the children’s reporter teams in each local authority area. The authority reporters are closely involved in planning children’s services and youth justice locally. We

are a small organisation—a few individuals can spread themselves only so far. However, it is appropriate that those are the people who are engaged in that work.

Ms Paterson: The other important factor that I should have mentioned is that our group is chaired by a person from the chief executive's department. That person is corporate and is therefore seen not to have a particular agenda, such as might come, for example, from the social services or education departments. That has lent weight to the view that youth justice is a corporate responsibility, and that is how it is seen throughout the council. There can, therefore, be an advantage in the work's being led by someone from a council's chief executive's department.

Mr Mackenzie: Local authorities are struggling with the fact that all the organisations have different layers: we have community planning, which will be the overall umbrella; we have the joint futures agenda and the whole business of how we work together in community care; we have the changing children's services strategic imperative; we have community safety policy; and we have DAATs. We must find out how all those can feed into community planning so that we can bring the most senior members of staff around the table to make sense of the agenda and to ensure that the priorities are aligned properly across the council and its partner organisations. I would not want community planning to be missed out of the agenda—it is an important part of it.

The Convener: I feel that we have seen a good example of joint working today, given the range of witnesses whom we have welcomed and the contributions that we have heard. This market day is wearing late and we have reached the end of our questions. We have covered a considerable range of topics, and what we have heard will help to educate and inform the committee's view of the subject. The evidence will certainly inform our final recommendations.

I thank all our witnesses. I will not read out all your names and titles again, but your contributions have been greatly appreciated.

16:57

Meeting continued in private until 17:37.

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