Framework for Risk Assessment Management and Evaluation (FRAME) Planning for Local Authorities and partners

For Children and Young People under 18

Young People Who Offend (Managing High Risk and Transitions)

September 2011
Framework for Risk Assessment Management and Evaluation (FRAME) Planning for Local Authorities and partners

For Children and Young People under 18

Young People Who Offend (Managing High Risk and Transitions)

September 2011

The Scottish Government, Edinburgh 2011
# Contents

<table>
<thead>
<tr>
<th></th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introduction</td>
<td>1</td>
</tr>
<tr>
<td>2. Definitions</td>
<td>1</td>
</tr>
<tr>
<td>3. Legislative Context</td>
<td>1</td>
</tr>
<tr>
<td>4. Policy Context</td>
<td>2</td>
</tr>
<tr>
<td>5. Practice Context</td>
<td>3</td>
</tr>
<tr>
<td>6. FRAME Standards</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>15</td>
</tr>
<tr>
<td>7. Conclusion</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>24</td>
</tr>
</tbody>
</table>

Appendix 1 – Risk Management Plan

References

The Scottish Government would like to thank the working group for contributing to this guidance: Risk Management Authority; ACPOS; Criminal Justice Development Centre and Practice Team; SCRA; Youth Justice Advisory Group; SPS; FCHAMS and CJA.
1. Introduction

The Framework for Risk Assessment, Management and Evaluation (FRAME) produced by the Risk Management Authority and the standards that it recommends will apply to children and young people involved with offending behaviour as well as to adults who offend. There are key aspects of risk assessment and management practice with children and young people which vary from such practices with adults. This guidance outlines these fundamental differences in relation to legislation, policy and practice taking into account a tiered approach to the level of risk, under each of the 5 FRAME Standards.

This guidance also forms part of the Scottish Government’s whole system approach to addressing offending behaviour of young people. This approach involves putting in place a streamlined and consistent planning, assessment and decision making process for young people involved in offending to ensure they receive the right help at the right time. This approach works across all systems and agencies. It brings together this government’s key policy frameworks into one holistic approach to deal with young people who offend.

2. Definitions

For the purposes of this document, the term ‘child’ refers to individuals below the age of eighteen years. This definition is stated in article 1 of the 1989 United Nations Convention on the Rights of the Child (UNCRC), which was ratified by the UK government in 1991 and further endorsed through their agreement to the UNCRC rules. Accordingly any individual under the age of 18 who commits an offence should be considered a child who requires an age appropriate disposal adapted to and focused on their needs and rights. This view is echoed by the Council of Europe’s Guidelines on Child Friendly Justice (2010).

As young people can be in both child or adult justice system, for the purpose of this guidance, ‘single plan’ refers to the main plan (which will include a risk management plan) and lead professional is equivalent to case manager.

3. Legislative Context

The age of criminal responsibility in Scotland is currently 8 years. Since April 2011 no child under 12 years will be subject to prosecution on offence grounds further to the introduction of the Criminal Justice and Licensing (Scotland) Act 2010. The majority of children aged between 12 and 16 who commit offences will accordingly be dealt with by the Children’s Hearing system although they may be subject to the Criminal Justice system in exceptional circumstances because of the seriousness of the offence. Children between 16 and 18 may be dealt with by either the Criminal Justice system or the Children’s Hearing system, or both. Good practice involves diverting children and young people from the adult system whenever possible, even when cases are initially heard in the adult system. This principle is supported by Criminal Justice Social Work Reports and Court Based Services Practice Guidance.

---

1 www.rmascotland.gov.uk
4. Policy Context

There are 3 fundamental perspectives that should be considered when discussing the policy context of work with children and young people who offend in Scotland. Firstly, there is early intervention and prevention as outlined in Preventing Offending: A Framework for Action 2008. The over-arching purpose of this Framework is to deliver real improvements on the ground – to identify and develop good practice and embed this as standard practice, to support the development of effective interventions and improve the range, quality and effectiveness of provision. While concentrating effort primarily on prevention and early intervention for the 8 to 16 age group, the Framework also has a particular focus on successful transitions into adulthood.

Emphasis is placed on early intervention in the child's life before any concerns about behaviour or welfare begin to escalate and become more serious. Those young people that present a significant risk, should be managed within a community based setting wherever possible. This work is underpinned in primary legislation within the Social Work (Scotland) Act 1968 and the Children (Scotland) Act 1995.

Secondly, work with children and young people who offend should also take place within a child protection context. Approaches with children and young people who offend will often have to go hand in hand with protective work: many children and young people who display offending behaviours are often highly vulnerable and many will have experienced crime and trauma in their own lives. However, for a small proportion of young people, serious offending may occur with little or no indication in their early lives or environment. For others, it is increasingly recognised that negative early life experiences can leave some children extremely vulnerable to environmental pressures and this can lead to violence and other forms of harmful or anti-social behaviours in childhood and later life.

Responses to children need to prioritise their individual protection as much as tackling behaviours that have impact on others, promoting community safety and social wellbeing. This has most impact in relation to discussions about risk; when discussing risk assessment and management in relation to children, consideration of their vulnerability as well as the risk they may present to others in terms of harm need to be taken into account. Practice with these young people must therefore be in line with the government's Child Protection National Guidance and local child and adult protection procedures.

Thirdly, work with children and young people who offend should embrace the principles of "Getting it right for every child" (GIRFEC) and young person. GIRFEC is based on research, evidence and best practice and is designed to ensure all parents, carers and professionals work effectively together to give children and young people the best start to improve their life opportunities. It provides a common assessment framework in order to achieve this.

The GIRFEC approach is value based and places children and young people’s needs first. It ensures that they are listened to and understand the decisions which affect them and that they get more co-ordinated help where this is required for their well-being, health and development. It requires that all services for children, young people and their families - social work, health, education, police, housing and voluntary organisations - adapt and streamline their systems and practices to improve how they work together to support children and young people, including strengthening information sharing.

GIRFEC provides specific tools to help analyse the child’s world alongside their environment; such as Well-being Indicators, My World Triangle and the Resilience Matrix, as well as promoting a specific common assessment framework that should assist practitioners working with children. Further information about the use of the assessment framework can
be found in the GIRFEC guidance. The GIRFEC values therefore need to underpin all work in relation to risk assessment and management with children and young people who offend.

This approach to risk assessment and management builds on the previous two perspectives and conceptualises risk in a particular way, seeing risk and need as interrelated, and linking risk taking behaviour to the expression of unmet need.

These three perspectives in social policy - preventing offending, the child/adult protection context and GIRFEC - prioritise the welfare aspect of the criminalisation of children. Work with children and young people who offend in a Scottish context must therefore involve joined up planning at operational, tactical and strategic levels between criminal justice, adult protection\(^2\), child protection and childcare services if service provision to this vulnerable group is to be effective.

5. Practice context

When working with children and young people who offend the approach taken should be informed by thinking of them as children first and foremost. Children and young people see and experience the world in different ways from the manner in which adults see and experience the world. Their view of themselves and the people around them is profoundly influenced by factors such as the way they have been parented and the modelling provided by adults in their lives. The socialisation provided by education and the influence of peers is also highly significant in the development of attitudes and behaviours. Their ways of conceptualising and making sense of experience is still evolving and children’s thoughts, feelings and behaviours need to be considered by adults within a developmental context.

This extends to risk: the idea of what is considered a risk and what is not is conceptualised and experienced in very specific ways by children at different developmental stages and will be informed by a range of factors related to the family, environment and the individual.

In working directly with children and young people who offend, the challenge for professionals is in ensuring that communication and engagement are at the appropriate level to match the developmental stage of the child.

Less serious behaviour may be better dealt with by diversion and positive supports than with courses of action that label the child an offender\(^3\). More serious behaviours may involve degrees of risk management, but these processes will often rely heavily on the supervision and monitoring that is provided by parents and / or carers and be embedded in the practices of day to day family life\(^4\).

Children are not ‘mini-adults’ when it comes to crime. The reasons why children commit crimes are often different to the reasons why adults commit crimes. Due to the differences in the developmental needs of children and young people, assessments and interventions must differ from those used with adults. More detailed advice on good practice with young people who offend can be found in the national youth justice practice guidance.\(^5\)

\(^2\) [http://www.scotland.gov.uk/Publications/2009/01/06115617/0](http://www.scotland.gov.uk/Publications/2009/01/06115617/0)


\(^5\) [www.CJSW.ac.uk](http://www.CJSW.ac.uk)
6. FRAME

The FRAME document has produced 5 standards which aim to set a benchmark for risk practice across all agencies. As stated, it is important to consider how these standards should be applied when working with children and young people who offend.
STANDARD 1 - RISK ASSESSMENT

Standard Statement

‘Risk assessment will involve identification of key pieces of information, analysis of their meaning in the time and context of the assessment, and evaluation against the appropriate criteria. Risk assessment will be based on the best available information, gathered from documents and interviews. Risk assessment will be conducted in an evidence-based, structured manner, incorporating appropriate tools and professional decision making acknowledging any limitations of the assessment. The results of risk assessment will be communicated responsibly, in a way that is meaningful and understood by all involved. Risk will be communicated in terms of the likelihood, pattern, nature and seriousness of offending.’

Guidelines for applying the Standard

Any assessment process is crucial in identifying young people who require services, the type and intensity of service provision required and in guiding appropriate action planning. Many assessments may already exist in a variety of formats within different agencies that are not always known or linked to provide coordination of the available information. An integrated assessment framework aims to facilitate the development of a holistic perspective of the events, environment and situations surrounding individual children and young people as known to the agencies involved with them. Providing this information in a shared language by following agreed standards of practice that link to the single plan can assist the risk and need assessment processes.

Providing different depths of assessment in response to different levels of risk presented by individuals is vitally important. Children and young people can respond to change or challenges in their lives through their behaviour. In these cases, an assessment of need is more likely to help understand this than the use of an actuarial tool. Ascertaining when to re-assess a child or young person can also be challenging. For example, many young people will often not have lengthy criminal histories that help identify behaviours within the context of a long-standing pattern of offending.

Some children and young people who have not offended but display sexual behavioural problems may also require assessment and may need to be managed under child/adult protection or risk management procedures. Again, an assessment of need, involving families, carers and education professionals will be required in these situations, taking account of diversity and age and stage of development.

All risk assessments in relation to young people who have been involved with moderate to serious offending behaviour should be informed by a structured risk assessment tool. The selection of appropriate risk instruments is the responsibility of the practitioner and the agency, and may be guided by criteria outlined by the RMA. The assessment tool should be appropriate for the age and developmental level of the child or young person. Assessments need to be grounded in research and evidence in relation to children rather than a knowledge base exclusively relating to adult offending.

---

6 This reflects Standard 1 of the RMA Risk Assessment Standards 2006: Document Review The assessor must review a range of relevant documents concerning the offender’s social, criminal and medical context in order to inform their assessment.

7 This reflects Standard 7 of the RMA Standards and Guidelines: Risk Management of Offenders Subject to an Order for Lifelong Restriction 2007: Organisational Support
Assessments in relation to the risk of further offending behaviour are best undertaken within the context of structured professional judgement. This should be underpinned by holistic formulation of the relevant developmental, dispositional and environmental factors. Risk assessment tools are useful in informing this process but do not make up the entirety of the risk assessment. The purpose of assessment goes beyond the goal of classification and by virtue of its theoretical underpinning, offers a means to understand and respond to the behaviour.

Assessment is a process that involves three key steps. There are some considerations to be made when applying these steps with young people who offend.

- **Identifying information:** This should include gathering detailed information from the young person and where appropriate their parents/carers. A range of child-centred methods, strategies and skills may be required to interview and engage the young person in order to collate this information and different means of communicating may be required if the young person has communication difficulties. Facts and feelings will need to be explored at this stage. Having an account of the offence or risk taking behaviour other than that provided by the young person is extremely important. Information from a wide range of other sources will also be required. Previous reports from relevant agencies such as health or education are essential, as will be the views of the professionals in the child’s life. In comprehensive assessments this should involve developing a detailed chronology of key life events drawn from background reports and information from the parents/carers.

- **Analysing information:** Assessment must go beyond merely describing facts in order to move towards an understanding of a young person’s situation and the reasons for his/her offending behaviour. This should be grounded in an understanding of the child’s developmental history and experience of being parented. With respect to the behaviour itself, questions such as ‘is this a problem’, ‘how serious is it for whom’ ‘is it likely to require external assistance’ and ‘on what basis do we need to intervene – voluntary or compulsory’ may be useful. The behaviour needs to be understood within the context of the young person’s environment, taking into account economic, cultural and religious positions which shape attitudes and opportunities. An assessment of psychological wellbeing will also be required. Assessments should involve an estimate in relation to risk of future similar behaviour. It should also involve descriptions of possible future behaviour in terms of pattern, nature, seriousness and likelihood etc.

- **Evaluating Information:** To assist in formulating a view on the best way forward the results of assessment need to be formally presented in reports to courts, the children’s hearing or other forums including risk management meetings. Limitations relating to methodologies used or information available should be clearly communicated. Reasons for conclusions should be provided. Assessments should not be open-ended and there should be a reference to when, or in what circumstances, re-assessment is necessary. The report should be linked to a clear plan of action and included within the young person’s ‘single plan’.

Assessments of children and young people need to recognise that offending behaviour is often a response to unmet need and should take place within the context of a detailed assessment of social, developmental and psychological needs as set out in the GIRFEC approach and Child and Adult Protection contexts.

Assessments of children and young people should involve their parents and / or carers whenever possible and appropriate. An understanding of family functioning and family

---


strengths and challenges will be necessary in helping to understand the background to the child’s behaviour as well as formulating a plan to support the child or young person move to an offence free life. When this is not possible or appropriate, the reasons for not involving parents or carers, needs to be clearly communicated in any assessment.

Children and their parents, where appropriate, should be promptly and adequately informed of all decisions in relation to risk assessment and management. This information should be presented to children in a manner adapted to their age, maturity and disability where relevant and in a language which they can understand. Provision of the information to the parents should not be an alternative to communicating the information to a child or young person. Normally, both the child or young person and parents or legal representatives should directly receive the information, preferably on a face to face basis. Decisions in relation to risk assessment and management should clearly outline the child’s rights and the likely duration of processes and mechanisms for reviewing decisions affecting the child.

Further guidance in relation to general assessments of young people involved with offending behaviour can be found in the National Youth Justice Practice Guidance10.

**Serious Sexual or Violent Offending Behaviour**

In assessments relating to serious behaviours such as sexually harmful or violent offending, an understanding of the behaviour within its development and situational context is essential. If the behaviour took place in a consensual context it may be better responded to in the context of harm reduction by being sensitive to any child or adult protection issues that may arise rather than charging either participant with a sexual offence11.

There are a small but significant number of children and young people who present a serious risk to themselves and others. Some young people charged with serious sexual and violent offences are exclusively dealt with by the children’s hearing system. In these situations the risk posed by these young people will be assessed, identified and managed through local multi-agency arrangements. The development of a multi agency assessment and plan will be especially important when the risks identified cannot be managed by a single agency and where the needs and risks are sufficiently complex or significant to require a coordination of effort. Each Local Authority should have in place clear protocols in assisting with the early identification, assessment and management of children who display harmful behaviours12.

In a small number of cases young people will be considered under Multi Agency Public Protection Arrangements (MAPPA) and the sex offender notification requirements. These will be young people who are dealt with in the adult criminal justice system. As above, the risk and needs of these young people will also be taken into account when devising plans and managing risk. The adults involved in the lives of these children and young people should also be included, where appropriate, to support the young person’s understanding and ability to manage their own risk.

Children and young people who present a serious risk therefore will be managed in a multi-agency way regardless of the system they are in. The needs of the young people will be addressed and the risk they present managed, involving all relevant adults and professionals as appropriate for each young person.

A template of a risk management plan suitable for use with children and young people can be found in appendix 1.

---

10 [www.cjsw.ac.uk](http://www.cjsw.ac.uk)
11 For a fuller discussion of this kind of issue see the Scottish Government’s [Draft National Guidance on Under-age Sexual Activity - Meeting the Needs of Children and Young People and Identifying Child Protection Concerns](http://www.cjsw.ac.uk)
12 See pp 37 -41 of [Getting it Right For Children and Young People who Present a Risk of Serious Harm: Meeting Need, Managing Risk and Achieving Outcomes](http://www.cjsw.ac.uk)
STANDARD 2 - PLANNING AND RESPONDING TO CHANGE

Standard Statement

‘All management plans and decisions will be based on a risk assessment which is of the appropriate level to support such a decision or plan. The actions to be taken will be clearly documented and their rationale will link explicitly to risk assessment. The risk assessment and management processes will be dynamic, with the capacity to respond to changes in risk. Care will be taken to maintain the dynamic link between risk assessment and planning through ongoing assessment and review. The level and immediacy of any response to change will be proportionate to the significance of the change and risk. Reductions and increases in restrictions or interventions will be justified and supported by a suitable reassessment of risk.’

Guidelines for applying the standard

Risk is dynamic, changing with time and circumstances, so risk assessments must be regularly reviewed, particularly if there is a significant change in circumstances. Given the significant developmental changes that occur for children and young people, it is important to rely on the most recent information when making judgments about future risk. Indeed, estimates of risk that are more than 1 or 2 years old are probably of limited value. Frequency of reviews need to be proportional to level of concern about risks and unmet needs presented by the child or young person along with the level of child/adult protection concern in relation to their own vulnerability and risks that they may face.

As children and young people continue to grow and change, new information about their level of functioning will become available. Although there is currently no evidence to support the idea that adult criminal behaviour can reliably be predicted from youth behaviours, there is evidence suggesting that the behaviour of children and young people can be used to predict future behaviour while they are still in their adolescence, and this possibility should be considered within any assessment undertaken13.

Families should be involved with reviews and re-assessments as far as is possible or appropriate. Multiple reviews and meetings should be avoided by combining these where appropriate. GIRFEC encourages the development of review structures to assess and evaluate the child or young person’s progress through meetings with everyone involved with the child or young person.

Risk management plans should always contain clear contingency plans, outlining obvious scenarios that would suggest an increase in risk and courses of action that would be needed to be considered in such circumstances. Risk management plans should outline clearly how risk is to be reduced as well as managed, and the plan for risk reduction should link to the assessment of how the child or young person’s social, developmental and psychological needs can most appropriately be met at the present time to allow the individual to grow and mature.

One of the principles of GIRFEC is to avoid children and young people being dealt with in a variety of different systems. It is expected the management of risks, will take place within the context of the single plan regardless of which system they are in (youth or adult services) or where they are living (including prison or secure estates). This recognises the fact that children and young people involved with offending behaviour are often vulnerable themselves and adults/professionals around them need to safeguard and protect them as

well as manage any risks they present within the community. The risk management plan should flow from an assessment involving child centred approaches and tools, recognising both risks and needs, be integrated as part of the single plan, and case managed by the lead professional.
STANDARD 3 - RISK MANAGEMENT MEASURES

Standard Statement

‘Risk management measures will be based upon and updated in response to current research evidence. Risk strategies, and the associated activities of monitoring, supervision, intervention and victim-safety planning which are used to manage the risk posed by offending behaviour will be tailored to the needs of the individual and should be proportionate to the level of risk, defensible, and congruent to the remit of the responsible agencies.’

Guidelines for applying the standard

The notion of varying the intensity of risk management arrangements in line with a range of factors is clearly relevant with respect to the individualised approach when working with children and young people who present risks in the community. However this service standard needs to be understood within the context of the following points in relation to work with children and young people.

- Measures and sanctions should always be constructive and individualised. Responses made with the least possible emphasis on punitive sanctions, bearing in mind the principle of proportionality, the best interests of the individual as well as his/her age, physical and mental well-being and development and circumstances of the case. The link with education, vocational training, work, rehabilitation and reintegration should be maintained.

- The young person’s social, developmental and psychological needs should be addressed within the plan. A developmental perspective recognises that children and young people’s personality and behavioural patterns are far from fixed and that stabilizing and supporting the normal maturation process can lead them away from engagement in harmful, victimising conduct. Thus this view of risk management entails a holistic approach which considers the young person’s overall situation, including their personal and social relationships.

- Connected to this, risk management plans need to be proportionate so they manage risk robustly, but do not limit developmental opportunities for the child or young person to such an extent that normal maturation is impaired. To allow for this, it is important to balance the protection of the public and the management of risk with thinking about how particular activities could be undertaken in a safe, pro-social manner. To make this possible, where appropriate, the adults in a child or young person’s life – parents, carers, teachers etc – will be the main source of monitoring and supervision and need to be actively engaged with the risk management process.

- The overall aim of intervention for children and young people who present a risk of harm is for them to be able to take responsibility for managing their own risk. Many children and young people who present higher levels of risk have experienced multiple trauma in their lives. In the early stages of interventions, and based on what is known about the impact of trauma on children / young people’s development it will often not be possible for the child or young person to take responsibility for managing risk themselves. For children and young people who have experienced considerable abuse and deprivation in their lives, it is highly unlikely that they will have the capacity or internal resources to be

---

able to take full responsibility for their own behaviour at the beginning of an assessment or period of intervention. Children and young people in this situation will often have to learn skills relating to self-management through a process of work that will involve gaining insights and learning new social skills, all of which would have to be evidenced in a range of settings. It may also include working with them on issues relating to their own victimisation. The main responsibility for managing risk during the early stages of involvement with services has therefore to lie with adults. Nevertheless, wherever possible, a partnership approach where the child or young person, slowly takes more responsibility for their own management as more effective coping skills and social competences are developed is to be endorsed.15

Those children and young people who represent a level of risk that needs to be responded to in an intensive way may fall under the remit of an intensive service. An example of this includes Intensive Support and Monitoring Schemes (ISMS) (see guidance).

STANDARD 4 - PARTNERSHIP WORKING

Standard Statement

‘The appropriate agencies will work together in the assessment and management of risk. The degree of communication, co-ordination and collaboration will be commensurate to the risk and complexities of the case. Information will be shared responsibly, timeously and in a way that is meaningful to all involved. Information sharing will be at a level which is mindful of each individuals’ rights to privacy and confidentiality’

Guidelines for applying the standard

Effective inter-agency collaboration between different professionals should be encouraged to ensure a comprehensive understanding of the child or young person as well as an assessment of his/her legal, psychological, social, emotional and cognitive indicators. Such collaboration should always consider the child or young person’s right to privacy.

GIRFEC provides the context for collaborative work with children and young people in Scotland. The GIRFEC approach aims to have in place a network of support to promote well-being so that children and young people who are involved with offending get the right help at the right time. This network will include family and/or carers where appropriate and the universal health and education services if required.

Effective inter-agency collaboration requires:

- a shared understanding of the tasks, processes, principles, and roles and responsibilities outlined in national guidance and local arrangements for protecting children and meeting their needs;
- improved communication between practitioners, including a common understanding of key terms, definitions and thresholds for action;
- effective working relationships, including an ability to work in multi-disciplinary groups or teams; and
- sound decision-making, based on information-sharing, thorough assessment, critical analysis and professional judgement

The level of co-ordination or collaboration may relate to level of risk presented by the child or young person as noted above. It may however be put in place by the response necessary to safeguard the child or young person if there are child protection concerns.

Young people’s social networks are often very complex and fluid. For most young people day to day life involves spending time with family, attending school, mixing with peers and being involved with activities and pastimes which may involve attending clubs or groups. Adult based approaches to intervention and risk management tend not to take account of the needs that underpin healthy psychological development in childhood and adolescence and which are met by these complex social arrangements. Managing risk in this environment involves finding ways of collaborating with different services so that children can be provided with essential and necessary developmental opportunities in safe and protected ways.

There is considerable evidence that children and young people who are not supported to stay in school, who run away from home, or are known to the police are likely to fare worse
in the long run than those for whom this is not the case\textsuperscript{16}. Most of the child or young person’s needs will be met from within this network. Only when support from the family and community and the support services can no longer meet their needs will targeted and specialist help be required. Additionally only when voluntary measures no longer effectively address the needs or risks should statutory measures be invoked to support the child or young person.

Communication between professionals when sharing information about risk needs to be done with reference to relevant guidance and with a recognition of the rights of the child. Privacy and confidentiality are governed by legal provisions that aim to safeguard personal information including:

- the UN Convention on the Rights of the Child (1989);
- Article 8 of the European Convention on Human Rights;
- the Data Protection Act 1998;
- professional codes of conduct; and
- information sharing protocols

The same legal provisions also provide for sharing of information for purposes such as public protection, crime prevention and crime detection. The Management of Offenders etc. (Scotland) Act 2005 specifically instructs that the responsible authorities will share information in relation to the management of risk for those subject to sex offender notification requirements.

In general, information will normally only be shared with the consent of the child (and / or parents /carers depending on age and maturity and where appropriate). However, where the child is at risk of harm, or where there are wider crime prevention or public protection /child protection implications or such action would prejudice any subsequent investigation, information may need to be shared without consent – although the intention to share information and the reasons for this will normally be notified to the child and be recorded.

Local Authorities should follow the principles below when sharing information:

- all local authorities should have information sharing protocols in place to manage the risk presented by some (link to definition of serious harm in FRAME) young people age 12-18. These protocols should include clear direction in relation to information sharing, including why information is shared, with whom and in what manner. Risk cannot be managed effectively unless information is shared to all relevant parties;

- protocols should contain detailed guidance around communicating with agencies and the community in relation to risks a child or young person may present. Such protocols should be compatible with National Concordat on the Sharing of Information on Sex Offenders in line with the 2006 recommendation of the Expert Group on serious and high risk offenders which concluded that the principles of the Concordat should apply equally to children’s services thus ensuring a consistent approach across children and adult services;\textsuperscript{17}

- for young people who present a risk under age 12, information sharing guidance within Child Protection Procedures should be followed; \textsuperscript{18}(here)

\textsuperscript{17} http://www.scotland.gov.uk/Publications/2006/10/09094901
\textsuperscript{18} http://www.scotland.gov.uk/Publications/2010/05/27095252/0
• for young people age 16-18 who present a risk, information sharing guidance within Adult Protection or Child Protection procedures may be appropriate; 19

• information in relation to risk, assessment and management should be shared with decision makers to ensure that;

  - any young person presenting a significant risk (of harm or of entering the criminal justice system) should not have their supervision requirements through the Children’s Hearing system terminated due to this fact. Good practice would dictate that young people who present this level of risk evidence the need for compulsory measures of supervision by virtue of the fact that they find themselves in such circumstances; 20

  - Sheriff’s have confidence that risk can be managed within a community based setting, either through the Children’s Hearing system/Child Protection or under Multi Agency Public Protection Arrangements (MAPPA);

• for young people nearing their 18th birthday appropriate plans should be in place to manage risks, ensuring that these are shared with all relevant professionals and agencies who will have risk management responsibility; 21

• Criminal Justice Social Work report authors should request all previous information, and ensure that relevant information is included in their assessment of young people under age 18; 22

• the concordat in relation to information sharing protocols for young people should still be followed. This includes young people who are not subject to any statutory measures; 23

• local authorities have a responsibility to advise and share information with hosting authorities of any risks a young person presents if they have been placed in an out of region placement; 24

• a detailed plan(s) (appendix 1) to manage risk should be included in all reports to inform decision makers, especially if risk can be managed within the community;

• reintegratation plans (included within the ‘single plan’) for young people up to 18 returning to their local communities should detail how risk will be managed and shared with all appropriate agencies;

• disclosing of information to protect the public should be undertaken through self disclosure by the young person where appropriate or within the parameters of child protection, or through formal disclosure by the relevant chief constable; and

• a local authority is a responsible authority under the terms of Section 10 of the Management of Offenders etc. (Scotland) Act 2005 and has a statutory duty to jointly establish arrangements for the assessment and management of risks posed in their area by any person who is subject to the notification requirements of Part 2 of the Sexual Offences Act 2003.

19 http://www.scotland.gov.uk/Publications/2009/01/06115617/0
20 http://www.scotland.gov.uk/Publications/2006/10/09094901/0
21 http://www.scotland.gov.uk/Publications/2004/10/2006944789
22 http://www.scotland.gov.uk/Topics/People/Young-People/childrensservices/girfec/programme-overview
23 National Concordat on the Sharing of Information on Sex Offenders
24 Report to: National CPC Chairs and Lead Officers Group
STANDARD 5 – QUALITY ASSURANCE

Standard Statement

‘Individuals responsible for assessing risk, making decisions or designing plans on the basis of risk assessments, and implementing those plans will be appropriately qualified, skilled, knowledgeable and competent to carry out this work. They will be supported by sufficient continuous professional development opportunities, supervision, policies and structures.

Routine mechanisms will be employed to assure the quality of assessment and management practice. Self evaluation will occur at practitioner, agency and multi-agency levels. There will be commitment to wider scale evaluation of the framework and associated initiatives. Such evaluation will be used to inform national improvement and contribute to the evidence base.’

Guidelines for applying the standard

Quality assurance is defined as: “a program for the systematic monitoring and evaluation of the various aspects of a project, service, or facility to ensure that standards of quality are being met”. Professionals need to know what is meant by the term quality assurance and have a written set of objectives to measure and evaluate their interventions.

All professionals working with children and young people to address their risk taking behaviour should receive ongoing and in-depth multidisciplinary training on the specific rights and needs of children and young people of different age groups. To work effectively with young people on an on-going basis, practitioners need to have the following minimum core skills:

- an understanding of the legislative and policy context of working with children;
- training in communicating with children at all ages and stages of development, including children with special needs and/or disabilities.
- skills in engaging creatively with children to motivate and facilitate constructive change in their lives;
- skills in engaging with families and helping facilitate positive change;
- an understanding of child development;
- an understanding of child protection;
- an understanding of ‘what works’ with children and young people, both in relation to offending behaviour but also in relation to related childhood issues and difficulties e.g. low self esteem, impulsivity, poor problem solving skills etc.;
- an understanding of desistance and its application to young people’s pathways out of offending behaviour;
- a knowledge of particular factors relating to reintegration of young people into the community;
- an ability to self-evaluate;
- an understanding of good practice in working with children who have special needs, learning disabilities and difficulties and mental health issues, including the experience of trauma;
- skills in working with service users who do not comply with services; and
- knowledge of, and facility with, relevant tools for assessing children.

The training, experience and knowledge of the worker should link to the complexity of cases they are involved with in this field.

---

25 This reflects Standard 7 of the RMA Standards and Guidelines: Risk Management of Offenders Subject to an Order for Lifelong Restriction 2007: Organisational Support
26 Oxford English Medical Dictionary
Those involved with assessment of violent or sexual offending should have a relevant professional qualification, training and competence in therapeutic approaches with children and specialised training and/or specialist supervision in assessment and intervention with this client group. Local Authorities risk management protocols should assist in making risk more understandable to enable professionals to employ strategies for effective risk management.

It is expected that those who work with children and young people will endorse values of working with them as children within the context of their particular family whenever possible and support the principles of minimal intervention and avoiding the criminalisation of children wherever possible.

Work with the critical few who present the highest risks to the community can involve considerable challenges to professionals. Clinical supervision, external consultation and co-working arrangements should be considered in working with these young people, which should be overseen and managed through local risk management protocols.
7. Conclusion

Children and young people differ from adults in marked ways. Although the FRAME standards are applicable to children and young people who present risks within the community, they need to be applied in a ways that recognise the developmental needs of this client group and which foreground their right to care and protection. Accordingly risk assessment has to be undertaken with competence in the specific skills and knowledge required in engaging children and understanding their thoughts, feelings and behaviours. Intervention and risk management meanwhile needs to be undertaken in a way that understands how children’s experiences of the world are embedded within the family, environment and educational systems around them if they are to be effective. All of these tasks needs to occur within the unique policy and legal contexts that relate to work with children and young people in Scotland.
Appendix 1

Child or Young Person’s Risk Management Plan

There are a small but significant number of children and young people who present a high risk to themselves and others. This group includes children and young people involved in sexually harmful behaviour, sexual offending behaviour and serious acts of violence. Individuals within this group who present significant risks may need to be subject to a risk management plan to promote public protection, and indeed if the child or young person is subject to the notification requirements, they will be subject to a risk management plan.

It is expected that where agencies need to work together to identify and meet needs and manage risks, they will plan together using the Child’s or Young Person’s Plan. The Child’s or Young Person’s Plan should be the primary resource for interagency risk management planning. The Child or Young Person’s Plan allows us to place behavioural concerns in a holistic context and encourages us to find ways of reducing risk that are sympathetic to the individual’s stage of development and which build on the strengths and supports that are already in the child’s life.

The template below should be used to summarise key recommendations in relation to risk management that have been made in the Single Plan. It can help facilitate effective communication of decisions in relation to risk management, but should not be used as an alternative to the more comprehensive Single Plan.

Each feature of the management plan should relate directly to features of the risks, resiliencies and needs identified in the comprehensive assessment of the child. It also includes a contingency section to cover what actions need to take place if the risk management plan starts to break down.

The following notes cover relevant sections of the form:

- **Identified risks**: The start of the form provides a brief summary of nature and level of risk. It should not replace the more detailed risk formulation which should be part of the comprehensive assessment of the child or young person.

- **Monitoring**, or repeat assessment, aims to look for factors indicating changes in risk over time. These may be factors indicating imminence of offending, a change in the type of risk posed, or a decrease in current risk. This section should cover: what is being monitored; why is it being monitored; how will it be monitored; who will monitor it; when will it be monitored; where will it be monitored as well as how and when changes will be communicated with the case manager or lead professional who has responsibilities for the plan. This should link to the contingency plan.

- **Supervision** aims to decrease the likelihood of violence or offending by restricting an individual’s freedom. This section should cover activities and associations that are restricted or can only currently take place with supervision and support.

- **Intervention** covers all aspects of the Child or Young Person’s plan that are designed to reduce risk over time. This may cover offence related or offence specific work, family work or other therapeutic interventions. Interventions need to be targeted and measurable in terms of impact over time, although it should be noted that it is increasingly recognised that programmes of work designed to focus exclusively on offending behaviours in young people are limited in value and should be supported by enhancing the young person’s broader life skills, addressing social isolation, opening up
access to appropriate opportunities in the education system, addressing family problems and improving the young person’s relationships.

- **Victim safety planning** aims to reduce the likelihood and impact of psychological and physical harm to known previous and potential victims. The focus in victim safety planning is on working with victims and potential victims to improve their safety and maximise their resilience.

- **Contingency Planning** gives particular prominence to key factors which may indicate that risk of violence is escalating or imminent. There will also be less concerning factors indicating initial instability, disinhibition or movement towards offending which will require an appropriate, but less urgent response. Those involved in the case, including where appropriate the individual, his or her family and potential victims, should know what the key factors are to look out for, and what the response to them should be. There should be a clear plan as to what action should be taken by whom and how quickly. Emergency contacts should be identified both within and out with office hours. The contingency section of this document covers this.
CHILD OR YOUNG PERSON'S RISK MANAGEMENT PLAN

<table>
<thead>
<tr>
<th>IDENTIFIED RISK:</th>
<th>For example general violence / sexual violence etc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Risk Factors</td>
<td>List each factor highlighted in your formulation of risk</td>
</tr>
<tr>
<td>Level of Risk</td>
<td>State level based on the likelihood of the behaviour occurring; the imminence of the behaviour; and potential impact of the behaviour, potential victims, risk situations/scenarios</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Goal of Risk Management Activity</th>
<th>Priority</th>
<th>Preventive Strategies</th>
<th>Outcome</th>
<th>Time-scale</th>
<th>Responsible agency</th>
<th>Un-met need</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitoring</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supervision:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intervention:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victim Safety Planning:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Consider the weaknesses of the preventative strategies, what will be put into place if the early warning signs appear. Who is first to call; what requires immediate action; what should be discussed at the next meeting.

<table>
<thead>
<tr>
<th>Monitoring Activity and Contingency Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide brief summary of the nature and seriousness of sexual and/or violent offending, and the offence analysis: the ‘what’, ‘to whom’, ‘when’, ‘why’ and ‘how’:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Immediacy / Degree of Alert</th>
<th>Behaviours/ Events to Monitor; Early Warning Signs</th>
<th>Agreed Actions</th>
<th>Responsible Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Be Aware:</td>
<td>•</td>
<td>•</td>
<td>•</td>
</tr>
<tr>
<td>Be Prepared:</td>
<td>•</td>
<td>•</td>
<td>•</td>
</tr>
<tr>
<td>Take Immediate Action:</td>
<td>•</td>
<td>•</td>
<td>•</td>
</tr>
</tbody>
</table>

**Key Contacts:**

<table>
<thead>
<tr>
<th>Name:</th>
<th>Role:</th>
<th>Organisation:</th>
<th>Telephone Number (inc out of hours):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

RESTRICTED
COMMUNICATION OF THE RISK MANAGEMENT PLAN
Has the plan been communicated to all who need to know?
Is the young person/their family involvement considered inappropriate?

DISCLOSURE ISSUES
Details of disclosure:

REVIEW
Review of Plan – Routine and Responding to Change
The dynamic nature of risk of serious harm, and its effective management necessitate vigilance and continual review. You must be prepared to respond to positive or negative change appropriately.

What events would let the team know that the plan is working or that it requires further review?

<table>
<thead>
<tr>
<th>Date of next scheduled review:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>POSITIVE</strong></td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>---</td>
</tr>
</tbody>
</table>
### ADDITIONAL SPECIFIC ACTIONS/ADJUSTMENTS TO RISK MANAGEMENT PLAN

<table>
<thead>
<tr>
<th>Action</th>
<th>Responsible Agency/Person</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### ANY REQUIREMENTS TO REFER (provide further explanation)

- CHILD PROTECTION
- ADULTS AT RISK OF HARM
- ANY OTHER AGENCY

### ANY REQUIREMENTS TO ATTEND  
*(NB: note any required alterations to invitation list: additions / removals)*

### MANAGEMENT LEVEL

Should the management level increase or decrease?
Bibliography


RMA Risk Assessment Standards 2006: Document Review

RMA Standards and Guidelines: Risk Management of Offenders Subject to an Order for Lifelong Restriction 2007: Organisational Support
