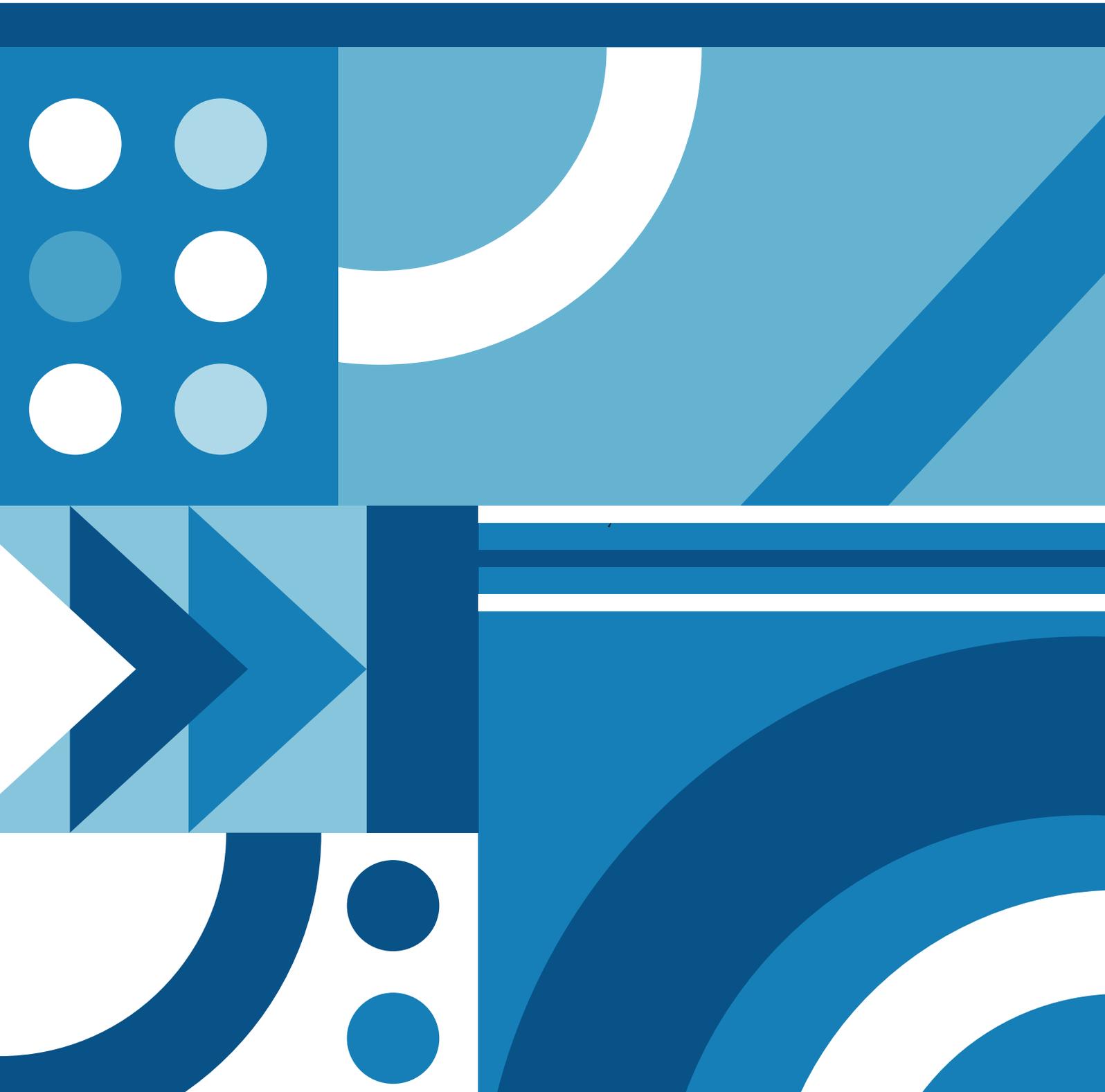




# Cross border thematic review

## July 2024



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## Introduction

The Scottish Government requested that the Care Inspectorate undertake a review of the experiences of children and young people who were living in **cross border placements**; that is children or young people placed in residential care settings in Scotland from other UK jurisdictions.

When we say **cross border placement**, we mean the placement of a child or young person in residential childcare in Scotland where the child was, immediately before the placement, resident in England, Wales or Northern Ireland, and the placement is authorised under the law in England, Wales, or Northern Ireland.

Since April 2021 care providers have been required to notify the Care Inspectorate when a child or young person has been placed on a cross border basis:

“You must inform us of the admission using the eForm notification: ‘Cross border young person admission.’ You must do this within 48 hours.

This notification applies to care homes for children and young people, residential special schools, and secure care services.

The notification should be updated when the young person leaves the placement or when circumstances (e.g. the care order young person is placed on) change.”

Care Inspectorate Notification Guidance (2023) p.5

The system of notifying the Care Inspectorate at the point of placement is now fairly well embedded across care providers. However, services were less diligent in submitting notifications when children move on from placement. As a result, at the initial review stage, we could not be confident that the data held on our cross border database was accurate. We have worked hard with care providers across Scotland to improve practice in submitting notifications, allowing us increased confidence in the data we now hold.

We conducted the review to understand the use and impact of cross border placements at a local and national level. The review builds on the work already undertaken by the Care Inspectorate, as outlined in the following reports:

[Short Thematic Review of CYP on Deprivation of Liberty order 2022](#)

[Report on distance placements – 2022](#)

In August 2020, the Care Inspectorate set up a short-life working group to explore and report on cross border and distance placements including those from within Scotland or elsewhere in the UK or Republic of Ireland. The decision to carry out this work followed concerns we identified during the course of our inspections and discussions with stakeholders about negative experience and impact on children and young people in cross border and distance placements. The report on distance placements referenced above is an output from that working group.

This review was also informed by the Independent Care Review and the findings of the independent care review (**The Promise**).

## How we conducted this review

### Aims

#### **1. Understand the experiences of young people while living in Scotland on a cross border basis.**

“Our findings highlight that many children do not have their rights protected due to inadequate planning, poor practice, and a lack of resources in their home communities. Concerns centre around family contact, advocacy, understanding of rights, transport methods, transitions, and a lack of planning for placement moves. We found a lack of information sharing from responsible authorities and instances where care providers accept placements without the specialist skills to provide the required level of care. The indefinite placement of children from outside Scotland on legislation from different legal jurisdictions - essentially placing children outside the Scottish care system and its protections - was also an issue.”

Report on distance placements (2022) p.3

Informed by the Care Inspectorate’s commitment to promoting care established on the assertion of human rights, we considered the extent to which young people’s rights had been respected and encouraged. While all the rights outlined in the UNCRC are pertinent to all young people, we chose the following rights to consider in more detail because they directly relate to previously identified concerns for young people residing in Scotland on a cross border basis.

- Right to have their views respected (Article 12)
- Right to education (Article 28 and 29)
- Right to health support (Article 24)
- Right to maintain connections with those important to them (Article 9 and Article 10)
- Right to have their best interest taken as primary consideration (Article 3 and Article 20)

#### **2. Understand the extent to which the placement of young people on a cross border basis impacts on public services on a local and national level.**

We engaged with senior leaders from Scottish local authorities to gather views in relation to impact at a local level. Alongside this work, on behalf of Scottish Government, we asked the three scrutiny partners who normally collaborate with the

Care Inspectorate to report on the impact of cross border placements on the areas of public services that they inspect.

- Healthcare Improvement Scotland (HIS) engaged with health professionals to determine the impact of cross border placements on health resources nationally.
- His Majesty's Inspectorate of Constabulary in Scotland (HMICS) engaged with Police Scotland colleagues to determine the impact of cross border placements on police resources nationally.
- Education Scotland engaged with education professionals to determine the impact of cross border placements on education resources nationally.

Detail from all review activity, and further discussion, should inform the development of regulations in relation to cross border placements of young people into Scotland from elsewhere in the UK following the passage of the [Children \(Care and Justice\) \(Scotland\) Bill](#) in April 2024.

### **Parameters**

All providers of care services for children are required to register with the Care Inspectorate, which has a duty to regulate care services and report on their quality, investigate complaints and help support improvement, when required. We undertake regular inspections of each residential children's house. These inspections focus on the quality of that service, the work that staff in the service do to support young people in their care and the contribution of that service in achieving good outcomes for young people.

This review aimed to complement the work of Care Inspectorate colleagues who routinely inspect registered care services by engaging with young people placed in those services on a cross border basis, and those who care for them, to better understand their views and young people's experiences. We included consideration of young people's experiences while living in those services, including their experiences of support from other sources than from the placement itself. We also asked about the support they experienced prior to being placed in Scotland.

This review did not seek to evaluate the performance of individual services, nor did it seek to assess the performance of the placing local authorities.

### **Methodology**

The Care Inspectorate carried out the review under Section 53 of the Public Services (Scotland) Reform Act 2010. This legislation enables us to interview staff, read records, speak with young people, reach conclusions, and identify opportunities for learning and progression.

In order to identify a sample of young people, we chose a date - 16 October 2023 - on which to take a snapshot of young people placed in a care home in Scotland from other parts of the UK by means of a Care Order. We asked all providers on our

cross border database to identify every **young person** who met the criteria on that date.

We obtained information about 115 young people. We then selected a sample of 30 young people, around a quarter of the overall group. We did this using a sampling process that meant that the 30 young people were as representative as possible of the wider group in relation to geographical spread; spread across care services; gender; age and education provision.

During the review, two young people left our sample due to moving on from their placement or their legal status being out with the review's scope. The remaining 28 young people were living in 28 different residential children's houses. All were operated by **independent child care providers**. We invited all 28 young people, and staff working with them to meet us. Twenty-five of these young people agreed to give us their views.

When we say **independent child care providers**, we mean organisations providing care services and operated by a third sector, charitable or private organisation, purchased by the authority responsible for the young person's care.

In total, we spoke with 93 professionals from across Scotland and from the respective **placing local authority** areas in other parts of the UK. This included 30 placing social work professionals and 40 social care staff from the 28 children's houses. We interviewed 23 representatives from the 19 **host authorities** who had at least one young person placed on a cross border basis in their area.

When we say the '**placing authority**' we mean the young person's home authority, who hold legal responsibility for the young person, in one of the other UK nations. When we say the '**host authority**' we mean the Scottish local authority, who hold no direct legal responsibility for the young person, but where the current care placement is located.

We are grateful to all the people who participated in this review, particularly we would like to thank the young people. We would also like to emphasise the commitment of the placing social workers and care staff who assisted us to obtain the views of the young people.

As the findings of our review are based on a sample of young people, we cannot assure the quality or experience of services for every young person in care homes who has been placed there from another part of the UK.

## Report structure

### **Part 1: respecting and upholding rights: young people's perspective.**

Here, we present the views and experiences of the young people and staff working with them in the care setting and from the placing local authority area. We are reporting in this way to ensure we represent the views of young people about how they felt and experienced their rights being upheld. We consider young people's

inclusion in decision making about their move to Scotland, education, health and wellbeing, opportunities to keep in touch with those important to them, and how well they had their views listened to and respected. The main sources of evidence in this section are the direct views and experiences of the young people as outlined by them and the staff working with them.

**Part 2: the impact locally and nationally and areas for further discussion.**

We share the findings from the engagement with host authority professionals, placing social workers and care providers. These directly related to what could be improved upon to address the needs of the young people prior to, during, and when moving on from their care placement.

We conclude with areas for further discussion to inform subsequent activity to support young people placed on a cross border basis.

## **Part 1: Respecting and upholding rights: young people's perspectives**

This part of the report focuses on how young people felt and how they experienced their rights when coming to live in Scotland and during their residential placement. The evidence base for this part of the report is young people's views and experiences and views of staff working with the young people.

### **The right to have their views respected**

Article 12 of the UNCRC focuses on the right of children to be heard. Every child has the right to express their views, feelings and wishes in all matters affecting them and to have their views considered and taken seriously. This means that children are not silent members of society; they are individuals who have their own thoughts, opinions, and feelings, and they have the right to share those in a meaningful way. Decisions made should take into consideration what children think and feel. Not that they can make all the decisions for themselves, but rather that they should be listened to and respected as part of the process.

The reason for a young person being placed in Scotland from another part of the UK is significant in understanding their experiences. The majority of young people in our sample required a placement on an emergency basis. This potentially put social workers under pressure to find a placement. The consequent limitations in choice meant that immediate availability of the placement at the time was of greater priority than finding exactly the right placement to meet the young person's specific needs. Where a placing authority had directly approached a provider already known to them, the positive experience of previous partnership work was noted as one of the drivers for selection of the placement. Three placements were made with providers known to the placing authority. None of the parties involved reported being able to fully act from a place of rights-based, empowered decision making, despite good intentions.

### **Preparation for placement and involvement in decision-making**

Professionals and young people reported differing views about how decisions were made. The young people felt they had less of a voice than adults perceived. The role of parents or carers in making decisions about placements was marginal, to the extent that it was difficult to make any assessment of the quality of engagement and consultation with them.

Out of 28 young people, none made the choice to come to Scotland. Three young people told us they were asked for their views; more reported being told of the decision. Some young people spoke about the shock of being sent so far from home or of being in more rural settings when they had been used to an urban environment, and away from people that matter to them.

Over half of the young people had no preparation, nor were they consulted with in any meaningful way. For a few, this meant a long journey, not really understanding

what was happening or where they were going. Two young people were only told on the journey that they were going to Scotland. Some used language that indicated they felt imprisoned and trapped.

It was evident from our discussions with placing authorities' social workers, who themselves are not key decision-makers in this regard, that protecting the young person from risk was a priority when a placement is required. Both professionals and young people mentioned being placed in a rural setting provided safety and a "time-out."

We heard examples of work being done to support good introductions, for example five young people received online introductions to staff and for others they received brochures which provided pictorial and written detail about the children's house and staff. For two young people staff travelled to their home area to meet them. However, the majority of young people in our sample did not have any opportunity to become familiar with where they were going. There was a difference of opinion between the efforts staff felt they made and how young people experienced this.

When we say '**staff**' we mean the members of the care team providing day-to-day care for the young people.

### **Travel to placement**

Twenty-five of the 28 young people were accompanied to their placement by someone they knew well, including parents, carers, and their social workers. Means of transport were social workers' cars or where distance required, by train or flights. For many of the young people, they had been asked whether and who they would like to accompany them.

Secure transport was used on just two occasions, directly related to the young people's safeguarding needs and risks. Staff who knew these young people either travelled in the transport with them or followed in their car to provide support on arrival.

## Access to independent advocacy, legal representation, independent reviewing officers and participation in the assessment review and plan.

The majority of young people had been aware of **independent advocacy** services at some point in the process of moving to their placement in Scotland. Ensuring that young people know about advocacy is the responsibility of the **Independent Reviewing Officer (IRO)** from the first review onwards. Of the young people who were aware of independent advocacy, fewer than half chose to use the services of an advocate. A small number of young people who were referred to independent advocacy were denied a service because the placing authority was outside Scotland. For an equally small number, access to advocacy services was secured by the care provider funding this. One placing authority continued to refer young people to its own commissioned advocacy service thus ensuring it would be available should the young person wish to take it up.

Some young people did not feel that they needed independent advocacy support because their relationship with their IRO meant they felt confident to share their views and be heard.

A small number of young people were involved in the youth justice system. They had access to legal representation when necessary and support from the placing authority's youth offending service. We heard examples of youth justice services in Scotland being accessed, supporting the legal process and disposals even though these were made by courts outside Scotland.

In accordance with the [IRO Handbook Statutory Guidance](#) in England, young people had contact with their IRO before the review and reviews were child focussed. In line with this statutory guidance, the majority of the young people in our sample had visits from their social workers every four to six weeks. This enabled their views to be heard when assessments were reviewed and prior to review meetings. Some young people had experienced consistent relationships with their IRO and spoke positively about the positive impact of that consistent relationship, despite having several changes of social worker. The majority of IROs had contact with the young person in, and immediately around, their review meetings. However, just over one-third had more regular contact, virtually and in-person. Young people spoke about positive relationships with their IRO. They clearly trusted their IROs, and they felt listened to by them.

When we say **Independent Reviewing Officer (IRO)** we mean an appointed professional, independent from the local authority which is responsible for, and has placed, the child. The IRO aims to ensure that decisions are made in the child's best interests, without undue influence. The role includes chairing reviews of children's care plans, monitoring the placing local authority's performance in managing cases, and ensuring that the child's views are taken into account. The IRO is tasked with identifying any areas where the placing local authority may not be meeting its legal obligations towards the child and has the authority to challenge the placing local authority about decisions.

Most young people attended their reviews and were able to share their views in their review meetings. There were examples of their views influencing decisions made about their lives. For those who did not attend reviews, this was clearly their choice, and their views were represented by the IRO, social worker, and care staff. Young people shared experiences which highlighted the added importance of participation in reviews particularly when living away from home, with the added challenge of different processes and systems. Young people clearly viewed their reviews as an opportunity to voice any concerns and some told us they enjoyed them and looked forward to the opportunity they presented.

## Right to education

All young people have a right to education. Article 28 of the UNCRC states that every child has the right to an education. Article 29 states that education must develop every child's personality, talents, and abilities to the full.

Through these provisions, the UNCRC promotes a comprehensive approach to education that is aimed not just at providing schooling, but also at fostering the overall development and well-being of the child in a multitude of ways.

## How well the young person was supported to engage and benefit from education

Half of the young people had been out of formal education for lengthy periods, some for a year or more. For many, their education had been sporadic. Given the emergency and unplanned nature of most young people's placements, planning for their education did not start until they arrived in Scotland. On occasion, there were significant delays putting plans for education in place.

Almost half of the young people in our sample attended an in-house provision organised by the placement provider. Education plans were described by staff and the placing social worker as being specific to the young person and their needs. In these situations, the provision included bespoke curricula, part time timetables consisting of 1-1 private tuition in-house, school attendance which ranged from as little as four hours per week to two or three hours per day, and work experience.

Some young people were participating in more than one type of activity. This was assessed by those who know the young person as meeting their educational needs. A few young people had achieved or were working towards formal qualifications. Additionally, plans for some young people incorporated activities reflecting their interests from attendance at sports activities, horse riding, youth groups, uniformed organisations, volunteering, music, and photography.

Six young people attended school in the local authority area where they were placed, with one young person's attendance being through the **virtual school**. Two schools were commended by care staff and the placing authority for their approach in that the schools were thought to have gone above and beyond expectations. Special mention was made in one instance about how the trauma informed approach taken by the school was benefiting the young person. Of the remaining five young people

who attended local authority provision two benefitted from full time attendance and were assessed as making good progress.

For the other three young people in receipt of mainstream education, two attended classes on a part time basis with one receiving additional input from the care provider's education service. Provision for the other young person had taken time to establish with one hour, 1:1 tuition per day provided, at this initial stage by a teacher from the local school.

Two young people were in paid employment. They reported that they enjoyed what they were doing. For one young person their education plan, delivered by the placement provider, supported their transition to work. Half of the young people in our sample agreed with staff and social workers that their education plans were both bespoke to them and meeting their needs. Some young people were keen to work towards increasing their attendance or to transition to mainstream education. However, a quarter of the young people in our sample reported that their education needs were unmet.

Twenty of the young people in the sample were of an age where transition planning from school to college or employment should have started. At the time of our review, Skills Development Scotland were supporting some young people to plan for their future however their involvement did not appear to be consistent for young people in cross border placements.

Two young people in the sample were attending college and benefiting from this. Four others had tried college, and this had not worked out for them for various reasons. Unfortunately, none had a contingency plan in place. In addition, eight young people were not in any form of education, employment, or training at the time we carried out this review.

The duration of placement for the young people in our sample emphasised the need for education provision to be planned and in place. Whether or not this was the original intention, the majority of young people were in long-term placements and required resources to be identified and provided to ensure their right to education in its widest sense was realised.

**Duration of placement:**

Of the 28 young people in the sample January 2024:

- 7% had been placed on a cross-border basis for less than 6 months
- 33% had been placed on a cross-border basis for between 6 and 12 months
- 39% had been placed on a cross-border basis for between 13 and 24 months
- 21% had been placed on a cross-border basis for more than 24 months

## Right to health and wellbeing

All young people have the right to the best possible health care. Article 24 of the UNCRC states that children have the right to the best possible health, and that governments must provide good quality healthcare.

Many of the UNCRC articles frame a holistic understanding of health as not only the absence of illness but also the presence of a supportive, nurturing environment that includes access to healthcare, nutrition, and a safe living environment, as well as educational and recreational opportunities – elements that are essential for the overall wellbeing of a child.

Most young people we spoke with were supported by staff to register with a range of primary health care providers. They were able to access primary health care support in the host health board area. Health care provision included GPs, looked after children's nurses and sexual health services. In the main, dentists were routinely involved when required. A few young people experienced difficulty accessing dental care with examples of them having to return to their placing authority area for treatment.

The majority of young people in our sample had been referred to Child and Adolescent Health Services (CAMHS) in the host area. Many experienced difficulties accessing CAMHS support, and, for some who had previously accessed CAMHS in their home area, there was a gap in support when arriving at the host authority. Over one-third of young people were identified, at point of placement by the placing local authority, as requiring commissioned or in-house counselling or psychological support. More than half did not receive such support. This means that the majority of young people in our sample were not receiving access to required mental health assessments and support.

We heard a few examples where support was provided due to a looked after (LAC) nurse being linked with a children's house and how this notably helped develop relationships and trust. LAC nurses were noted by staff to have been responsive to the young people's health needs. However, the support of the LAC nurses was available to just under half of the young people in our sample.

There were some good examples of staff encouraging the physical, emotional, and mental health of young people through planned activities and a managed diet. This was the case for more than a quarter of young people. A few young people spoke of the benefits of this, including improved physical appearance, healthy weight loss, improved mental health and better emotional regulation. Staff spoke about the importance of activities being led by young people and the need to spend time doing things they like at home. For example, some young people and staff enjoyed time together in the evening having movie or pamper nights.

## Right to keep in touch with those important to them

All young people have a right to family life. Article 9 of the UNCRC states that when children are separated from parents, they have a right to stay in contact with them unless this could cause them harm. Article 10 states young people should be able to stay in contact with and visit their parents, even if they live in different countries.

The UNCRC illustrates a complete framework for the protection of children's rights, and the right to family life is deemed critical for the child's development and protection. However, it is also recognised that the family environment is not always safe, and acting in the child's best interests may sometimes require authorities to intervene.

For the young people in our sample, the distance between their placing authority and the area where they were living in Scotland ranged between 98 and 575 miles.

Almost all young people were being supported to keep in touch with those who were important to them. This included visits home or visits from family and friends to the placement, telephone or video calls and letterbox contact.

The majority of young people had access to their own mobile device and the internet, meaning that they were able to speak with people who were important to them with no, or limited, restriction. Around a third of young people had telephone or online contact facilitated by staff, whilst a few maintained coordinated letterbox contact with adopted brothers and sisters and birth parents.

Most young people had in-person meetings with people, usually family members, who were important to them and who stayed out with the host authority area. The majority of these young people were supported by staff to travel for these meetings. We heard many positive examples of staff transporting young people and remaining close by to ensure they were available should support be required. For some young people, keeping in touch with those important to them took place in the host authority area, this was usually when there was a high level of risk associated with the young person visiting their home area. Other young people benefited from both visits to those who were important to them and being visited in the host area. We heard about the commitment of staff which ensured connections with those important to the young people were sustained.

When young people were unable to visit family members or friends, there were understandable reasons for this, and staff supported young people to understand the reasons.

Despite the best efforts made by many staff to help young people keep in touch in a meaningful way with important people in their home communities, half of the young people reported some negative impact from being placed so far from home and from those who were most important to them.

## Right to have their best interest taken as primary consideration

All young people have the right to have their best interest taken as a primary consideration. Article 3: The best interests of the child have been the primary consideration.

This obligation requires that when decisions are being made that will affect a child, the decision-makers must evaluate and balance all the elements necessary to make a decision in the best interests of the child.

Article 20: The child's right to special protection and assistance if removed from family and due regard has been given to ethnic, religious, cultural, and linguistic background.

### Understanding young people's needs

The circumstances around the young person and the speed at which decisions needed to be made seemed to impact on the ability of those making decisions to evaluate and balance all factors when considering the young person's best interests. The majority of care providers reported they found it hard to get sufficient quantity and quality of information to help them make a robust plan to meet the young person's needs and to fully understand and manage any risks.

When placing authorities did share detail about the young person with the host authority services this was at point of, or following, the young person's transition to the independent care provider in Scotland, not in advance. Young people's engagement with required local services was primarily initiated and supported by the staff directly involved in their care. The lack of involvement of host authority services prior to placement impacted negatively on the provision of required education and mental health provision for some of the young people in our sample. The accessibility and availability of services in local areas did not seem to have been fully considered by care providers prior to agreeing the placement for a young person. This is perhaps unsurprising, given the incompleteness of information about the young person's needs that care providers had beforehand.

The distance of the care service from the placing authority was considered at matching stage, albeit this was within the context of limited choice, as described above. For a few young people, the distance and rurality of placement was viewed as beneficial by professionals. We heard examples of benefits to young people when given the opportunity to be cared for in new surroundings away from their home areas and associates. However, the contrast between the placement location and the young person's home area notably impacted on some young people. The chance to independently access age-appropriate leisure activities, resources, and services was compromised.

We found the trauma-informed, relational based approach to care adopted by care staff positively impacted and assisted the young people in our sample. The ability to respond to young people who have experienced trauma or who have been exposed to, or exhibit profound behaviours and challenges were recognised across providers

as requiring a well-trained and skilled staff group with confidence in their approach to keep young people safe. Inspection of registered care services and our ongoing dialogue with providers and other stakeholders demonstrate the challenges of recruiting and maintaining staff with the required competence in the context of current national staffing shortages.

### **Legal and structural challenges in realising young people's best interests**

A small majority of staff in care services lacked confidence in their knowledge of the legal basis under which young people were placed by the placing authority. This was an identified area for development with clear recognition noted by staff that there was work to be done to better understand legislation from the other UK countries. They felt this was especially the case as the number of young people placed in Scotland from elsewhere in the UK had increased.

More than a third of the young people in our sample shared their wish to remain in Scotland following their transition from their current placement. The challenges related to this reflected the complexities for placing social workers with limited understanding of accessibility and availability of resources. The lack of understanding about Scottish systems and legislation were an identified challenge for placing social workers.

For the majority of young people in our sample their experience from the start of their placement was positive. They felt welcomed and we heard examples of staff helping them to feel at home, be involved and included in the children's house and the local community. Almost all the young people we spoke with experienced caring and supportive relationships with staff. Despite the way decisions often had to be made about cross border placements, many of the young people were thriving and benefiting from stable, caring relationships. They felt attached to the staff who had cared for them. For more than one third of the young people, the social worker and young person highlighted the level of positive care provided. However, a few social workers noted that the agreed provision of a therapeutic placement, funded by the placing authority, had not completely come to fruition. We heard examples where the agreed access to an in-house therapist to support the young person had not been consistent or accessible enough to encourage the young person to engage.

Staff providing the ongoing care understood the need for and provided culturally sensitive support to meet the needs of the young people in our sample. We heard good examples of young people being supported by staff to meet their individual needs in line with their culture and heritage. Overall, the young people in our sample had the opportunity to form meaningful relationships with staff, which helped ensure their needs were understood.

## **Key messages**

- **Decisions to place young people on a cross border basis were always prompted by safeguarding concerns and limited care provision in placing authority areas.**
- **Young people did not choose proactively to move to Scotland which was far from home for most.**
- **The use of secure transport when placing young people cross border was only used in small number of instances, directly related to a need to keep the young person safe.**
- **A lack of consistency in approach and pre-placement planning for education impacted on services being able to meet the young person's needs. For some, this resulted in the young person's education experience being limited.**
- **Young people were able to access primary health services in the host authority areas. However, when young people required mental health services, these were much less accessible or available.**
- **Young people were supported in various ways to keep in touch with the people who were important to them. For the majority, when travel was needed, care staff provided support.**
- **Most young people benefited from the involvement of an independent reviewing officer who helped them to feel listened to, heard and included. However, there were barriers to young people accessing independent advocacy if they needed this.**
- **Once placed in Scotland, young people were provided with opportunities to develop supportive and trusting relationships. Young people were listened to and respected.**
- **All young people felt they had their voices heard at reviews. Most attended review meetings in person.**
- **Staff working with young people did not always fully understand the legislation relating to the conditions of the young person's placement. At times this impacted on the confidence of those working with young people.**
- **Host authorities and placing authorities were not consistently working together effectively to plan support for the young person.**

## **Part 2: Impact locally and nationally and areas for further discussion**

In part 1, we presented the views and experiences of young people and staff working with them in relation to their rights. In this part of the report, we consider detail provided by senior leaders from host authority areas. We build on the views already

detailed from placing social workers and care staff, which directly related to what could be improved upon to address the needs of the young people prior to, during and when moving on from their care placement.

### **Pre-placement stage**

The context of placement sufficiency directly impacts on the planning and decision-making process. As noted earlier, the main or only reason young people in our sample had come to stay in Scotland was the inability of the placing authority in England, Wales, or Northern Ireland to find a suitable placement closer to home. A move to Scotland was made out of necessity, to minimise risk to the young person, in the context of complex social and emotional needs and, very often, a history of trauma. This resulted in decisions being taken *for* the young people not *with* them. The lack of resources across the UK to fully address young people's complex needs significantly impacted on those making the decision and the extent to which young people had a choice.

In most cases, care provision had been secured following a search of available placements from independent care providers across the UK. The need to move quickly impacted on the extent to which the young person could be prepared for the move. For many young people, the placement involved moving a significant distance away and to a location very different to their home area. The focus was on the care arrangements within the care home, with less account taken of broader needs and risks, such as the need for education and specialist health provision. We heard concerns from some independent providers that they had not received the required information prior to placement to ensure the needs and risks impacting the young person informed all aspects of planning and care provision. These criticisms tended to be levelled at the responsible placing authority rather than accepted as a shared responsibility by the independent provider. As outlined in the Care Inspectorate's [Matching Looked After Children and Young People: Admissions Guidance for Residential Services](#), our expectation is clear "When considering the referral of a child or young person for admission to a residential placement, the service provider must carry out its own assessment of whether it can meet the needs of the child or young person, and therefore whether the placement is appropriate."

There was significant disparity in relation to notification to the host local authority about young people placed in Scotland. Contact with the host local authority was not usually made until after the young person had moved to their placement. In most cases, contact was made by the care provider rather than by the placing authority. Scottish local authorities expressed concerns that detailed information regarding young people had to be sought after the young person had moved to their placement. Host authorities and local services were impacted by the lack of information held about the young person and the difficulties they encountered in securing it.

We heard about a range of ways host authority areas sought proportionate information from providers. For example, through agreement, with providers based in their local area, Renfrewshire Council developed a form to be completed as part of the providers admission procedures. The aim was to ensure placing authorities

discharge their responsibility for advising Renfrewshire Council that they have placed a child within their local authority boundaries. The form detailed the information the placing authority should provide. Renfrewshire told us they benefited from this level of detail.

The difficulty of a lack of notification to host authorities prior to young people's arrival was further compounded by the lack of involvement of the host authority and local services in the consideration of placement. Leaders from host authorities told us how important it was for them to be informed as soon as possible about young people's needs to minimise any gaps in education support, healthcare, and social services. Equally, where it was known there would be a lack of resources, the placing authority could be alerted pre-placement to let them consider alternative provision to meet the needs and address the rights and best interest of the young person.

### **During placement**

The lack of information available to local public services impacted on the way services could respond to young people. At both local and national level, the most significant impact was on police, education, and health services, specifically Child and Adolescent Mental Health services. Requests for education and health services once the placement had been made created significant demand on local services to assess and identify appropriate resources. Host authority leaders noted that with staffing and service capacity already under pressure, an expectation that they would be able to respond to the needs of young people in cross border placements caused them concern.

For more rural local authorities, where many care services involved in this review were based, the impact on local services could be particularly significant because specialist services to meet complex needs may be particularly scarce, because presenting needs were significantly different from those normally encountered in those areas or because the young person was more visible in a small community. A lack of understanding about the legislation relating to the conditions of the young person's placement and clarity of roles and responsibilities made it difficult for services where they needed to manage emergency situations. Also, the lack of adequate information-sharing was a barrier to both placing and host authorities preparing and responding appropriately to protect the young person's safety and wellbeing in an emergency.

While leaders in host authorities acknowledged the NHS board holds direct responsibility to meet the young people's health needs once placed, they felt the need for coordinated plans between all services was crucial. We met some young people in placements that had been purchased specifically because the care service had offered a range of education, health, and care provision. Whilst some young people were in receipt of all of the planned provision, for others we found that what had been promised was not delivered. This resulted in greater demand on local services and for some young people, their needs were not being met.

## Moving on from the placement

For young people who had experienced a more settled lifestyle in Scotland, the desire to remain here after leaving the placement was not uncommon. However, this can be complicated. Sustainable accommodation options, the need for ongoing support and sometimes specialist services need to be fully understood and considered by the placing authority to ensure the young person's wellbeing and safety as they move into adulthood. Experience was variable.

There is a question around the different entitlements of young people depending on whether their plan is the responsibility of a Scottish local authority or whether they are placed from other jurisdictions, regardless of the length of time they have been living in Scotland. The challenge for care staff with a responsibility for supporting young people was evident, not least because discussions and decisions, including decisions about funding, were often happening in another area. The constraints clearly impacted on the discussions those staff were able to have with young people about their futures. This was particularly the case when thinking about **continuing care** and who might meet the costs. Care staff often felt in an invidious position.

Many people we spoke to in the course of this review recognised the need for staff from Scotland to be closely involved in planning when young people want to remain here. Professionals from both placing and host authorities recognised the need for improved collaboration to ensure successful transitions. There is a need for a more constantly coordinated approach to better support young people's wellbeing, protect their rights and mitigate risks.

## Conclusion

Placing a young person in Scotland from another part of the UK is not, and should never be regarded as, an easy option. Cross border placements require careful and collaborative planning, where the wellbeing of the young person is of paramount concern and given the highest priority. While recognising that emergencies require decisions to be made, and action to be taken, in challenging circumstances and without undue delay, young people are ill-served if plans take account of immediate or short-term risks only. Young people need well thought out and appropriately resourced plans which also give due consideration to the complexities involved in working across different jurisdictions and the longer-term consequences for young people moving so far from home.

At present, the prevailing practice is for agreement to be made between the placing local authority and the provider of the care service. Even managers and staff of the care service in which the young person is placed are not always contributing as they feel they should be to key decisions. An independent care provider may be providing the young person's daily care but the placement of the young person in their local area frequently brings with it demands on, and expectations of, the host local authority, despite that they may have no knowledge of the young person and their needs. Where things do not go well with the placement, demands to respond can rapidly and significantly increase, putting local services under intense pressure.

While some practice is good, and placing social workers may demonstrate concern for, and commitment to, the young person for whom they hold responsibility, there can be a lack of accountability around execution of the young person's plan. We found examples where the commissioned care service was not providing all of the services which the placing local authority thought it was purchasing. This left everyone facing unenviable decisions about the least damaging course of action for the young person, with the young person themselves the greatest casualty.

In conducting this review, we heard directly from young people, staff working alongside them and professionals holding a leadership role across Scottish host local authorities. We saw some good practice examples, these included young people having an active role in decisions about their lives, support to keep in touch with those important to them, and the relationships with care staff supporting their cultural needs. For these young people, it was encouraging to see the efforts made to uphold and protect their rights while they were living in Scotland. Nonetheless, there was also clear evidence that young people are being let down by a lack of collaborative working, by inconsistency in planning processes, inadequate information-sharing and by difficulty accessing the services they need.

The complexities of working across different legal jurisdictions, and in particular the different approaches and entitlements around continuing support as young people transition into adulthood, are significant. These are too complex and too significant to be left to individuals and individual authorities to work out.

## Areas for further discussion

1. Pre-placement planning was identified as crucial by almost everyone in this review. Host authorities make a compelling case for needing information about young people coming into their area *before* the young person arrives, if they are to plan effectively. However, placing authorities are challenged by the speed at which they need to make decisions, by lack of knowledge about what might be available in the areas to which young people are being moved and sometimes, by a lack of clarity about what services will be included in the package of care the placing authority is commissioning.

**How could information-sharing be strengthened while ensuring it remains proportionate and respects the rights of young people to some measure of confidentiality? What points of contact could be identified? Would improved guidance assist and if so, how could its use be supported among local authorities outside Scotland?**

2. Being alerted to a young person entering your area will not necessarily mean that services can be made available, in the face of continued high demand, staffing shortages and financial constraint. It is inevitable that some needs will only emerge after the young person has moved to Scotland or new needs will develop as the young person lives in their new home. It will not always be

possible or practical for the care service to meet that need. However, in most cases the placing social worker should have identified key needs at the point of commissioning the placement. Commissioning practice on the part of the placing authority requires to be sufficiently robust to ensure that young people are placed appropriately, according to their identified needs, and that where services such as a therapeutic environment, education provision or mental health intervention has been contracted for, it is indeed provided. This would reduce reliance on services in the host authority area.

**How could Scottish Government support more robust commissioning practice on the part of local authorities in other jurisdictions?**

The Provider, who may be a different individual from the registered manager of the service, ultimately agrees to accept the placement and is accountable for ensuring the range of services they have agreed to provide are, indeed, provided.

**How might the regulator's powers to hold Providers to account for delivering the services they promise be strengthened to support better outcomes for young people?**

3. There needs to be greater clarity about roles and responsibilities, should there be a child protection concern requiring investigation and/or intervention. Expectations of both placing and host authorities could be outlined in an agreement similar to that in existence across local authorities in Scotland.

**What would be the best mechanism to support implementation of such an agreement across placing authorities which are outside Scotland?**

4. Part 2 of the report (Moving on from placement) outlines the current unsatisfactory position for young people who wish to remain in Scotland but whose entitlement to support, including continuing care, and the funding to realise that entitlement, is unclear. Local authorities and their children's services planning partners are differently financially impacted by cross-border placements, given the care services in which young people are placed are not spread evenly across the country. The costs involved of providing continuing care placements and ongoing support fall more heavily on some host authorities than others.

**What is needed to ensure that the human rights of young people who wish to remain in Scotland are protected, without significant detriment to host local authorities? What needs to be in place to support more effective planning?**

5. It is essential that national resource planning is based on the most accurate data possible. There has been some improvement in the reliability of notifications provided to the Care Inspectorate when placements are made. There is still room for improvement in notifications when placements end.

Host authorities also need to be able to collect accurate data, to inform local planning.

**What needs to be in place to support better data collection and analysis both locally and nationally?**

6. Placing authorities, local services and care providers agree on the need for a better and more comprehensive understanding of relevant legislation affecting young people placed across national borders. Placing authorities need to know about the legislation, requirements, and guidance in place here in Scotland. In turn, care providers and host authorities need to better understand the legislation and guidance underpinning the practice of placing authorities. It is helpful to have a common understanding of the duties, the powers, and the limits of the powers of the regulator.

**What needs to be in place to support better understanding of the relevant legislation, regulations, and guidance in respect of cross border placements?**

## Appendix 1: Statistical information

Table 1: Age of young people January 2024

Age	
11 – 13 years	6
14 – 16 years	18
17 – 18 years	4

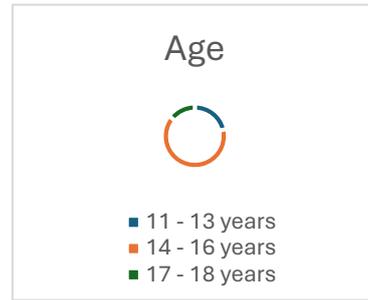


Table 2: Gender of young people in our sample

Gender	Number of young people
Male	15
Female	10
Other**	3

\*\* other refers to young people in gender categories other than male or female

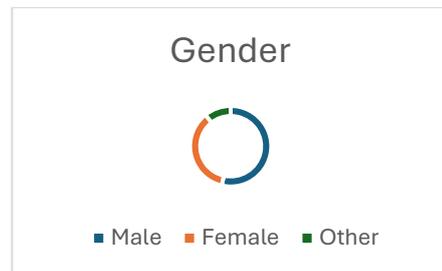


Table 3: Connections with those important to them are maintained

	Number of young people
Yes	19
No	2
Partially	7

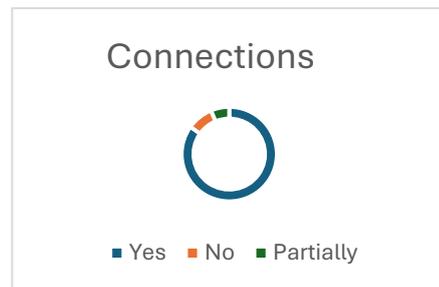


Table 4: Contact with Placing Authority:

	Number of young people
Yes	26
No	0
Partially	2

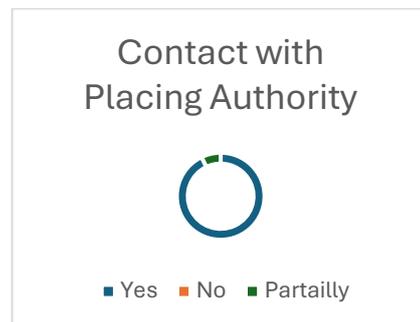


Table 5: Identification of additional support needs:

	Number of young people
Yes	23
No	5

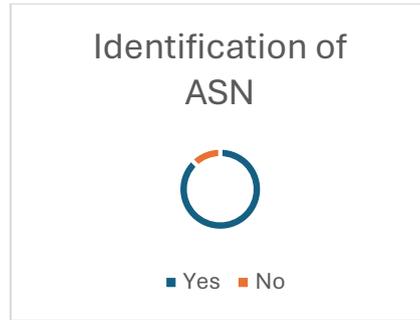


Table 6: Young People given opportunity to form meaningful relationships with staff:

	Number of young people
Yes	28
No	0



Table 7: Staff involvement in decision making:

Staff involvement	Number of staff
	27
	1



Table 8: Staff confidence in legislation:

Staff confidence in legislation	Number of staff
Yes	15
No	3
Partially	9
Other	1



## Appendix 2: The terms we use in this report

**Children's house** – refers to residential care for children and young people who are looked after and accommodated in small residential houses in the community. They are regulated as care services (children and young people) by the Care Inspectorate.

**Continuing care** - the **continuing care** provisions within the **Children and Young People (Scotland) Act 2014** offer looked after young people the right to remain in their care setting (if they are in kinship, foster or residential care) up to their twenty-first birthday.

**Cross border placements** – placement of a young person in residential care in Scotland where the child was, immediately before the placement, resident in England, Wales or Northern Ireland, and placement is authorised under the legislative framework in England, Wales, or Northern Ireland.

**Independent advocacy** – a service where advocacy workers support a child or adult to express their own needs and views and to make informed decisions on matters that influence their lives. Independent advocacy is when a person providing the advocacy is not involved in providing services to the child or adult, or in any decision-making process regarding their care.

**The Promise Scotland** was established in 2020 to take forward the findings of the Independent Care Review. The Promise is built on [the five foundations of family, voice, care, people and scaffolding](#). Key outcomes to be implemented by 2030 aim to ensure that Scotland's children and young people grow up loved, safe and respected, so they can realise their full potential.

**Virtual school** – a resource designed to support improvements in the educational progress, attainment and achievement of all children and young people looked after by the local authority, including those that are educated in other local authorities, virtual school is led by the virtual school head teacher with support from colleagues in social work, the educational psychology services, the third sector, the central education team and a looked after children's nurse.



## **Appendix 3: HMICS cross border review report**

### **Purpose:**

The purpose of this review is to contribute to the further development of a regulatory framework around cross border placements of children and young people. The Scottish Government has instructed the Care Inspectorate to undertake a strategic review to understand the demand and impact on organisations from these types of placements. We anticipate that the Care Inspectorate will outline the background and context for this review including the request made by Scottish Government, the purpose of the work and the request to include other scrutiny bodies to examine the potential impact of cross border placements on partner agencies. We also anticipate that data on the number of cross border placements across Scotland will also be outlined to provide context.

### **Methodology:**

To consider the potential impact of cross border placements on Police Scotland, HMICS:

- Requested and reviewed strategic policy documents and operational guidance used by them in their response to vulnerable children and young people.
- Engaged and interviewed staff within four local policing areas, namely Fife, Lanarkshire, Dumfries and Galloway and Ayrshire to establish the demand on frontline and specialised departments.

### **Demand:**

Following a review of the documentation provided by Police Scotland and interviews with staff, it is apparent that there is currently no structure in place to quantify the number of cross border placements and the demand on policing resulting from them. Police Scotland are not routinely provided with any information or data and are often unaware that this type of placement has been made until a young person comes to the attention of the police or through liaison with local social work services. The ambiguity in the definition of cross border placements and limited national guidance makes it difficult to capture any meaningful data. Police Scotland do not consider it necessary to have distinct policy or guidance in place for the relatively small number of children and young people that fall within this cohort and utilise existing policy, procedure and processes that have been developed to guide their response to any incident of concern regarding a vulnerable child or young person. This includes the

well-established partnership protocols for child protection, based on the principles of Getting it Right for Every Child, children's rights legislation, and their responsibilities as a Corporate Parent.

There is no specific training or guidance provided to staff as it is incorporated in the national response to child protection, early and effective intervention and liaison with care service providers at a local level. This approach adheres to national guidelines and protocols aimed to ensure equity in the police response to vulnerable groups.

### **Service Delivery:**

If a person is identified as being vulnerable, there is a requirement for staff to ensure the details are recorded in the Interim Vulnerable Persons Database ( iVPD) generating a concern form. This ensures that every incident involving a vulnerable individual is triaged, risk assessed and if appropriate shared with key partners. This process incorporates an escalation protocol which ensures that the individual's needs are consistently reviewed, and emerging issues or risk addressed. Officers report there are some difficulties in respect of individuals on cross border placements as the IT platform is not replicated across England and Wales, and a lack of ownership in both local and owning authorities often results in concern forms not being shared timeously with the relevant agency or encountering delay by passing through different departments.

We were advised that in Child Protection investigations issues arise around communication and identifying key staff for Inter-agency Referral Discussion. We were further advised that there can be difficulty in ensuring relevant agencies are represented and there is no suitable platform to share information, decisions, or minutes. In circumstances involving Child Sexual Exploitation where there is a need for coordinated diversion and disruption, officers informed us it is difficult to manage risks and safeguard children, families, and service workers when dealing with an informal framework. This current approach can result in disparity in thresholds, response and leads to professional boundaries becoming blurred. The failure to share relevant information with staff restricts their ability to safeguard the child or young person and protect them from risks.

Notwithstanding the above noted lack of data or measurable impact on policing resulting from cross border placements, police senior managers and officers we spoke with raised several issues of concern.

- An absence of national multi agency guidance in relation to cross border placements means staff are unaware of the legal gateways.
- Different legal frameworks are challenging, especially in circumstances involving restorative justice.
- Communication pathways are not always clear and trying to identify key staff can be difficult.

- There are no service level agreements between police and placing authorities meaning there is a reluctance in sharing information as boundaries are not clear.

### **Suggestions for Development:**

To address any of the potential impact on children in cross border placements i.e. safeguarding issues, limited opportunities for some children to become involved in EEI, diversion, the following should be considered:

- An enhanced framework to support the oversight of effective service delivery and to improve outcomes for children and young people involved in cross border placements.
- Clear definition of agency responsibilities regarding cross border placements i.e. those of the 'responsible authority' and of the placement providers.
- A framework to improve communication and to map out information sharing protocols.
- Improved liaison and inclusion of police at early stage of planning to ensure all risks are identified.

## **Appendix 4: HIS cross border review report**

### **Background**

The Scottish Government commissioned the Care Inspectorate to undertake a strategic review to understand the demand and impact on organisations from cross border placements of children and young people from England, Wales, and Northern Ireland. The background, context and purpose of this review will be outlined by the Care Inspectorate as lead agency and will include the request for other scrutiny bodies to consider the potential impact of cross border placements on partner agencies. The review is expected to contribute to the further development of a regulatory framework around cross border placements.

This report highlights the general impact of cross border placements on health services, noting issues arising with common themes and suggestions of areas for improvement.

### **Methodology**

To consider the actual and potential impact of cross border placements on NHS boards in Scotland, the Care Inspectorate, wrote to the 14 territorial health boards. Twelve health boards responded in total.

- We engaged and interviewed health staff providing support to children and young people in these types of placements.
- Meetings were arranged virtually, and question sets were informed by a range of available data provided by the Care Inspectorate.
- Questions sets were sent to boards in advance of meetings to provide them with the opportunity to prepare and respond accordingly.

### **Demand on Services**

Scottish health boards are required by the Scottish Government (through Chief Executive Letters CEL 06, 2013 & CEL 16, 2009) to provide healthcare commissioning arrangements for cross border placements to ensure continuity of healthcare which includes the provision of looked after children's health assessments.

Through the course of discussions, staff described the following experiences of providing cross border care across several services, such as Children and

Adolescent Mental Health Services (CAMHS), Child Protection health teams, Looked After Children and School Nursing teams.

### Notification

Health staff informed us that in many instances they were unaware of placements prior to the child or young person arriving in their area. Occasionally there was a discussion with the placing authority beforehand, but this was not always the case.

They described the challenges in securing essential background information and their efforts to gain more information as difficult to achieve. Background health and social information was viewed as an essential component in supporting the planning of placements and continuation of essential care and support.

Many of the residential units or homes were in rural and remote areas, some with poor communication systems and transport networks.

### Delivery/Operational

Rural and remote locations meant access to services were more difficult, for both workers and residents.

Health staff reported that Police Vulnerable Persons Database forms were often the first indication they had of a child or young person being placed in their area. Emergency department notifications were also described as the first indication that a vulnerable young person was residing in their area.

Many Looked After Nursing Teams set up links with known residential units and homes to ensure they were informed of cross border placements and to offer support to the child or young person. The homes were also able to inform the young people about the health worker in advance of any support.

Health staff advised that they were often requested to complete health assessments for the children and young people without access to any previous assessments or essential background information to assist with this. The format of health assessments differed and there was no universal format across all boards.

CAMHS staff spoke of the challenges in sharing information and differences in the commissioning of healthcare arrangements between England and Scotland. They described the requirement to undertake a re-assessment of the child or young person's needs which did not always meet the expectation of the placing authority. They also cited the challenges in receiving comprehensive background information, resulting in additional contact with the placing authority after the child or young person had been placed in their area.

Staff told us that each CAMHS referral would be re-assessed and prioritised accordingly. Some health boards included CAMHS in regular meetings about care experienced children and young people, which included discussions regarding cross border placements. In most cases there hadn't been a referral to CAMHS before placement.

Legislative differences across the borders required an understanding of permissions for health treatments.

CAMHS staff also expressed that there is often a need for the child or young person to have time to settle in their placement before being re-assessed.

Health staff reported there was often a lack of understanding of Scottish geography and legislation by the placing authorities.

Difficulties in communication with the placing authority was a common theme, though the Deprivation of Liberty regulations have recently improved the information provided at the beginning of a placement. Health staff were invited to review meetings in many cases.

#### Impact on Child or Young Person

Health staff frequently highlighted their concerns around isolation for some young people being placed so far from their family home, friends, and community.

Health staff did not always feel that children and young people understood why they'd been placed in this unfamiliar home, with little control over what was happening and cited this was often due to the speed of the placement at times of crisis. Many health staff felt that there was a greater risk for the child not having their rights upheld.

#### **Recommendations**

The health boards who responded were enthusiastic in their discussions, wanting to see improved outcomes for children and young people in these cross border placements and suggested the following recommendations:

- A central point for placing authorities to go to for contact details of the named health person in the area that the child or young person is moving to.
- Discussion with the placing authority re suitability of placement before it is finalised.
- Planned moves whenever possible, with local services informed in advance.
- Ensuring robust cross charging procedures are in place to mitigate against overwhelming demand for resources, and to ensure that all individual children and young people within the territorial footprint of the health board receive

high quality care that upholds their rights, regardless of their originating local authority.

- A Once for Scotland approach to standardise health assessment forms for care experienced children and young people.

## **Appendix 5: Education Scotland cross border review report**

### **Purpose**

The report will summarise:

- Common themes and issues arising through cross-border placements.
- The general impact of cross-border placements on education authorities and schools in Scotland.
- Suggestions as identified by education authorities and other stakeholders.

The comprehensive Care Inspectorate report covers the rights of, and impact on children and young people; it is therefore not covered in this summary report.

### **Methodology**

Research was based on qualitative data from interviews and written responses. Quantitative analysis was based on research data provided by the Care Inspectorate.

Meetings:

- Discussion at the national social, emotional and behavioural needs (SEBN) network.
- Discussion with local authority representatives.
- Group meeting with additional support for learning officers (ASLO).
- Discussions with stakeholders during the course of school inspection activity.

### **Introduction**

Schools in Scotland and education authorities aim to provide the most positive experiences for young people in their care, regardless of their home area. Almost all young people on cross-border placements have significant additional support needs, are likely to have disrupted education experiences and may also have experienced trauma. A successful school start for young people is reliant upon good information sharing and careful planning around needs. Regular reviews between the school and home authority should provide a platform to share important information on an ongoing basis. This helps the team around the young person plan to meet the young person's educational needs. Placements are most successful when the home education authority has agreed an education package prior to the commencement of the care placement. In successful placements, the placing authority collaborates with care and education providers to discuss and plan for provision and support. A high-quality package is likely to include input from specialist support services such as psychology assessments, therapeutic interventions and support for learning. This

report finds that overall, cross-border placements in education authority provision do not consistently benefit from well organised, carefully planned processes. This is likely to have a detrimental impact on young people's educational outcomes and health and wellbeing.

### **School placement**

In October 2023 there were 121 young people in cross-border placements across Scotland. The majority of young people attend independent special schools. In most cases, planning around independent special school placements is adequate and results in young people making a quick start in their new school. A minority of young people on cross-border placements in Scotland attend education authority mainstream or special provision. In these cases, there can be significant problems when arranging placements. This is usually because the placing authority has not sufficiently planned for education in advance of the young person arriving in their Scottish care placement. Negotiation about the arrangements to support the needs of the young person can be protracted, and result in the young person not accessing education for a significant period of time. Conversely, education authorities may accelerate the process, often resulting in insufficient identification of, and provision for, the young person's needs. Almost all education authorities acknowledged a delay in young people restarting school after an unplanned move. Delays can be up to a year and in a few cases, the young person never resumes their education in a school setting.

### **Information Sharing**

The school, care provider and home education authority should work together to coordinate the support package for the young person. Young people on cross-border placements normally have an Education, Health and Care Plan (EHCP). This is not a statutory document in Scotland, but it usefully outlines the young person's needs, what works well, and what should be avoided. It also links to an education and care chronology with important detail about significant events in the young person's life.

The majority of respondents and interviewees reported difficulties obtaining important documents prior to, or early into a young person's placement. Missing, yet crucial information included the EHCP, and/or accurate chronologies. Where information was missing, there was inevitably poorer scope for accurately identifying the young person's needs. Respondents highlighted that home education authorities did not routinely share child protection concerns with schools. Likewise, patterns of dis-regulated behaviour were often not flagged, leading to avoidable difficulties. On a few occasions, there were incorrect details regarding the extent of the support required for the young person. This may have been because the needs of the young person had changed or placing education authorities underestimated the level of support required.

A few education authorities reported no problems receiving important documents. Good professional relationships generally resulted in better information sharing, which respondents broadly associated with improved transitions for young people. An effective exchange of information currently works well in a few education authorities in Scotland where local arrangements are in place. For example, in one education authority in the west of Scotland, there is an effective, regular exchange of information. Partners in the host authority, including private care providers, education, Police Scotland, health and social work, meet regularly to share the information they have received from the placing authority.

### **Continuity of education - school transition**

Young people on cross-border placements are exchanging one education system for another. Young people begin to work towards Scottish qualifications, for example, National 5s or Highers. Teachers inevitably spend increased time on assessing the young person's level of progress and attainment, which leads to increased workload generally.

### **Impact on services**

Assessing and identifying an appropriate education resource for young people requires significant planning, often while a young person is out of education. This brings additional responsibility to ensure the young person is not denied their educational rights as set out in Scottish legislation. Education authorities are often unable to plan for this additional workload and it creates pressure which may detract from work required across other areas. Scottish education authorities seek to ensure that they are clear about the process and cost from the offset. Negotiations between education authorities can be protracted and time consuming. Education authorities report considerable resources being spent in identifying need, securing funding, arranging and attending meetings and generally planning to provide the best possible start for young people.

In discussions about how to fund additional support for learning, English education authorities often refer the host authority to the pupil premium payment. This is a payment to schools which helps meet the cost of supplementary requirements. This is not a funding stream easily accessible to host education authorities in Scotland and may require significant administrative resources to secure. There were no Scottish education authorities who reported successful access to this funding stream, although independent special schools had previously accessed this money for specific needs. Examples include funding for digital technology or sports equipment. In the absence of pupil premium funding, education authorities requested funding for additional staff is met either directly by the home education authority, or by the Scottish care provider. Again, arrangements to secure this funding can be protracted and time consuming.

## **Suggestions for Improvement**

- As a priority, placing education authorities should inform Scottish education authorities before, or immediately when, a child or young person is placed in their area. This should also apply to emergency placements.
- When a placing education authority seeks a cross-border placement, they should simultaneously inform the host education authority of their intentions around education provision.
- For more effective joint working, placing education authorities should be clear about the level of support that the young person requires and how this will be funded. There should be increased clarity regarding roles, responsibilities and expectations, particularly around funding for support.
- Placing education authorities should immediately provide a name and contact for correspondence. This would help improve information exchange. It would also provide a point of reference for host education authority officials when seeking further information.

## **Conclusion**

Scottish education authorities recognise their direct responsibility to meet young people's educational needs. This reflects host education authorities' commitment to ensure every young person has access to what they require. Given this, Scottish education authorities are keen that well-regulated guidance is in place for future cross-border placements.

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