

Office of the Chief Executive



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5th May 2021

Dear Deborah

Thank you for your letter dated 19th April 2021.

I very much enjoyed our meeting, and I too, hope that we can meet regularly together with Mark Rogers, who of course is the lead Government official for Children, Young People, Education and Skills (CYPES).

You have raised several concerns about the safety and wellbeing of children on the island. I am pleased to provide an initial response in writing, but I agree we should meet with Mark to discuss in detail. Mireille, my PA, will make the necessary arrangements.

You note that none of these issues were raised nor discussed at the last Children's Strategic Leadership Board. I believe that you were present at this meeting (as indeed I was myself) and so am unsure as to why you didn't take the opportunity to raise these concerns. It is surely axiomatic that we all contribute fully to any meeting in which we are a participant.

Nonetheless, I do recognise your concerns and I would like to reassure you that we are working hard to address them. In order to fully acknowledge the seriousness of these issues, this reply includes a level of detail from the department on recent, current and prospective work to ensure that all children in Jersey are safe and thriving.

High number of exclusions from schools -

The level of exclusions from schools is a shared concern for CYPES colleagues and all those working with our children and young people. The fact that Jersey does not have permanent exclusions is a strength and, whilst this may lead to a higher number of fixed-term exclusions (rather than a terminal permanent exclusion), the drive to be inclusive is an important distinction from other school systems. The most recent trend of exclusions, from full year data, is declining, with the 'average exclusion instance per pupil' dropping from 3.1 in 2018-19 to 2.4 in 2019-20, and the 'average days excluded per pupil' dropping from 4.9 in 2018-19 to 3.5 in 2019-20.

Nonetheless, the number of exclusions, and particularly their distribution, is of concern. Data analysis across our system is, of course, complicated by Covid effects. We have stepped up analysis to a 6 weekly review cycle under the new Head of Inclusion, with a more granular focus

on exclusions impacting on students who are in receipt of a Record of Need (RoN) and those with needs on the SEMH spectrum. Our analysis shows this group has a high proportion of incidences of exclusion linked to the verbal abuse of adults and the use of threatening behaviour, as you note in your letter.

A review of this work is a core part of the root and branch *Review of Inclusion* commissioned by the former Education Minister, nested now within the broader-ranging Education Reform Programme. Following procurement, the successful independent partner to deliver this review has been selected. The National Association for Special Educational Needs (NASEN) has now commenced this review work. I am advised that researchers will be on the island for stakeholder engagement, which will include your Office, as soon as possible in light of prevailing Covid restrictions. Please be assured that officers are addressing these shared and serious concerns.

Increasing rate of youth crime

The incidence of anti-social behaviour, offending and reoffending behaviour is of concern to the Government, the States of Jersey Police (SOJP) and, of course, the public. Analysis from 10 years of crime data shows that Children and Young People are responsible for over 20% of all crime. We also know that the vast majority of these crimes are committed by repeat offenders and repeat victims are children and young people. The Policing Plan and the Crime & Harm Reduction Plan identifies the need to reduce youth offending and the amount of repeat victims and offenders. The Government's Children's Plan commits to reducing the number of children and young people who become victims of crime.

Operation Optical

We worked together on Operation Optical in the Summer 2020 when the numbers spiked as a direct result of both Covid and the lack of availability of sufficient early intervention, targeted youth support and positive activities. There were 15 to 20 children and young people identified as committing a disproportionate level of crime and antisocial behaviour on a daily basis. These same individuals were involved in a range of situations or activities, including missing from home, school absence, inappropriate association, exposure to vulnerability and exploitation. A number of them were children looked after and all were open to the Child's Social Care Service and had an allocated social worker.

Over the course of the Optical initiative, social work staff from Children's Social Care attended the States of Jersey Police fortnightly meetings, and while the opportunities for information sharing were clearly beneficial, there was concern that the approach being taken by Police colleagues, though understandable from their perspective, lacked insight into the fact that the children and young people under discussion were the victims of childhood trauma and, that having endured a range of adverse childhood experiences throughout their short lives, they were compromised in terms of their ability to become socially compliant i.e. their behaviour reflected their trauma and their brains were hard wired to react in aggressive and antisocial ways. Following discussions between senior managers within Children's Social Care and the States of Jersey Police, it was agreed that the initiative would be taken forward by Children's Social Care using a trauma informed model of practice to reflect the fact that each of the children and young people under discussion were the victims of trauma.

Divert

In January 2021, we stood up the Divert Initiative, a joint pilot between CYPES and the SOJP. An analysis of the needs, and the antisocial/criminal activities of the 15 - 20 children who were the focus of Operation Optical, identified a cohort of 6 whose behaviour was of particular concern as they were primarily responsible for committing crime and engaging in anti-social behaviour in Jersey.

The initiative was specifically designed to:

- provide a multi-agency trauma informed intervention which will offer a proactive and effective response to the specific needs and issues presented by children and young people involved in anti-social behaviour and criminality;
- provide bespoke packages of intervention which reflect the child's/young person's individual needs, and which offers them alternative activities intended to be nurturing and which will encourage positive and pro-social behaviours;
- break the cycle of offending and ameliorate the impact on the local community, enabling children and young people to be safe, flourish and fulfil their potential; and
- monitor and review progress over a six months period across a number of measurements, the object being to evidence that an intensive trauma informed approach will serve as an effective method for supporting children and young people to be safe, make better choices and to make and sustain positive changes in their lives.

At the end of March 2021, we reviewed the progress of the initiative. It demonstrated that joint working in a coordinated approach with a multi-agency group is essential to breaking the cycle of criminality and reducing the amount of crime and antisocial behaviour being committed by these children and young people.

Intensive Youth Support Service

The CYPES Department is in the process of developing an integrated intensive support service for young people considered to be the most vulnerable, at risk or a risk to others. The young people will mainly be 11 to 18 years of age although, in exceptional circumstances, a younger child may receive services - although most likely on a bespoke individual basis due to their age.

This new service, to be led by the Director of Safeguarding and Care, is positioned as an alternative to care and for those already in care to assist in a return home or to positively stabilise their circumstances. The service will also work to the existing policy of preventing placements off island or to support a return from off island, reducing the unnecessary use of youth custody and secure care, and avoiding or reducing the risk of children going into the criminal justice system.

Assessment and care plans will be in place for each child with an identified lead worker and regular team around the child meetings in accordance with Jersey's Children First, our agreed practice framework. The service will not hold case management responsibility as this will be retained by the Children's Social Care Service.

Education, youth and social work and therapeutic support will be provided over seven days.

Education will be provided, acknowledging that most if not all these children will be 'out of education' even if formally 'on roll'. Many will have significant gaps in learning, have learning difficulties and need significant support to get back into education and achieve. It is anticipated that if a child is attending a mainstream school they will continue to attend and that placements at the service should aim to be short or medium term.

An educational psychological assessment will be critical in developing an individual educational plan within the service. Teaching will take place in very small groups and often individually and may be delivered using team teaching. A child will have a full timetable and will include core subjects, PSE, physical education/activity including outdoor learning and activity and with occasional residential experiences. Children will be helped to attend (transportation as appropriate).

Individual and groupwork will be part of the programme with programmes focussed on the individuals needs while recognising the importance of 'the group' to adolescents. It will be necessary that some groupwork will be generic while some of the programmes may require to be more specific such as offending focussed or gender specific work.

Detached, outreach and streetwork will be part of the support, with a particular role for the youth service, but not exclusively so as partners will be asked to add in resource.

A health assessment will be important with issues identified and a programme of support and care outlined to address any outstanding issues or deficits.

A systemic approach will be taken to work with the child in the family and/or care context and systemic practitioners will be employed to his end.

Therapeutic support to the young people will be available following assessment by a CAMHS practitioner. This will take the form of an agreed programme of treatment or therapy.

The service will have coaches who will work with individual young people taking on a motivational style, assist with practicalities, take on a befriending role and provide a positive, reliable, adult role model.

Support will be offered in the building, in the community and in the family or care home over 7 days as required.

A building will be required which has a mix of rooms to ensure appropriate timetabling of classroom activity, individual and groupwork, therapeutic activity along with some recreational, activity and chill out space along with space for meals and practical facilities such as showers and washing machine along with staff areas. The aim is to create an atmosphere of respect and nurture with meals provided - the day will start with a welcoming breakfast.

The service will primarily work with children and young people aged 11 years and over and anticipated that the majority may be 14-17years.

Younger children may benefit from the support offered however it is not anticipated that they would attend along with older young people but may receive an individualised bespoke package of support.

Service objectives

- To support and maintain young people in the community as an alternative to residential care.
- To assist young people being looked after to return to their own communities and family care.
- To implement programmes that address issues relevant to young people and their families.
- Deliver evidence-based programmes that address offending behaviour and the impact of offending on families and communities.
- Provide systemic therapy

- To maximise the educational potential of young people
- To encourage positive behaviour and promote the social integration of young people.
- To maximise the longer-term training and employment potential of young people.

Target outcomes include:

- Increased safety of young people and the public
- Reduction in offending, reoffending and anti-social behaviour
- Reduction in off island specialist placements
- The unnecessary use of youth custody
- Increased numbers of young people reunited with their families
- Reduction in missing persons episodes
- School attendance and attainment is increased
- Improved community safety

High number of missing children

The Government of Jersey acknowledges that the frequency of missing from care episodes needs to reduce. In part, the high frequency is because we have previously routinely notified the Police and the Care Commission of all missing episodes, even when a child is absent without permission but their whereabouts is known.

The Government of Jersey refreshed its Missing from Care Guidance in March 2021, together with key partners, including the States of Jersey Police. We have more clearly defined the distinction between:

- Missing - A child is not where they should be and their whereabouts are unknown; and
- Unauthorised absence - Some children absent themselves for a short period and then return, often their whereabouts are known. They are not considered at risk and usually they are testing boundaries. Sometimes children stay out longer than agreed either on purpose or unwittingly. This kind of boundary testing behaviour is well within the range of normal teenage behaviour and does not now come within the definition of 'missing' for the purpose of the Missing from Care procedure. These children should be regarded as children 'whose absence is unauthorised'.

Further, the guidance strengthens the protocol with local police and other partners the arrangements for dealing with children in the care of the minister who go missing. Together with learning and development opportunities, this will include:

- details of the lead person in Children's Social Care, police and other agencies responsible for children missing from home or care
- an agreed inter-agency framework for assessing and classifying the degree of risk when a child goes missing from home or care or when a missing child comes to agency notice
- guidance on what responses different agencies will offer in relation to each degree of risk
- an agreed list of measures to ensure that police 'missing' and 'absent' definitions are applied to children with due consideration given to their age, vulnerability and developmental factors
- details of what assessments will be carried out following missing and absent episodes, and how this information should be shared - responses for groups facing specific risks of going missing
- details of how safe and well checks are conducted

- arrangements for independent return interviews, agencies which can provide them and how they will be offered
- the actions residential or foster carers should take to locate the child before they are reported as missing (such as trying to contact the child by phone or contacting known friends)
- appropriate responses to children going missing or away from placement without authorisation, including an assessment of risk, the actions and arrangements for making reports to the police when looked after children go missing
- agreed reporting and recording systems on children missing and away from placement without authorisation
- details of any agencies providing independent advocacy services to looked after children - arrangements to monitor outcomes and analyse patterns
- arrangements for information sharing between CYPES, the police and other agencies - details of data to be analysed on a regular basis, arrangements and frequency for data monitoring by Safeguarding Partnership Boards
- agreed safeguards for runaways and missing children to identify those at risk of significant harm, particularly looking at the length of the missing episode, frequency of running away, risk factors, family history of the child - details of preventative approaches to avoid further instances of running away, including the provision of alternative accommodation when appropriate
- details of work with children in care, so that they understand the risks associated with going missing and the support that is available to them.

We will be appointing a Positive Parenting Practice Lead to support residential staff, foster carers and social workers to fully understand the new guidance and to improve their practice in the goal of reducing missing episodes.

The Registered Managers and staff teams have been following the new protocols since 12th February 2021. Every young person has an individual Missing from Care form that is completed by residential staff and emailed to the Police following the updated policy. Every young person has an individual Safety Plan led by their Social Worker which is developed with the young person and implemented by the children's homes staff.

The Director of Safeguarding and Care is chairing a weekly Missing from Care Management Meeting which focuses on:

- all missing from care episodes and unauthorised absences in the previous seven days and actions taken to prevent and understand each episode
- the actions residential staff have taken to locate each child before they were reported as missing
- review of what assessments have been carried out following missing and absent episodes, and how this information has been shared
- responses for groups facing specific risks of going missing
- review of safe and how safe and well checks have been conducted
- arrangements for information sharing between CYPES, SOJP and other agencies
- details of preventative approaches to avoid further instances of unauthorised absences and missing episodes
- details of work with children in care, so that they understand the risks associated with going missing and the support available to them.

Each of the Registered Managers, as the lead parent for the children and young people living in their home, is expected to have a thorough and up to date understanding of the needs and issues of each young person at the meeting.

Low number of children on the MASE list

The number of children on the MASE list is too low, particularly given the high incidence of missing episodes, though you will understand that there is not a direct correlation.

We are reviewing the needs of children and young people under the age of 18 who are at risk of, or are being sexually exploited (including support for parents and carers) and we will ensure there are multi-agency safeguarding and support plans in place, if not already. The Director of Safeguarding and Care will report back on this review to the next Children's Strategic Leadership Board Meetings. The Board should expect regular updates on the number of children and young people at risk of, or are being sexually exploited. This data will be considered alongside any relationship between the children and young people who regularly go missing from home and from care, including a measure of whether or not, those missing have been assessed for CSE, and circumstances in which MASE was identified as being necessary, or not.

We are planning to review our MASE procedures to ensure they are fit for purpose, particularly as partners we are developing our understanding of complex, contextual and transitional safeguarding, alongside the more traditional view of familiar safeguarding. This is within the context of the collective concerns of the Safeguarding Partnership Board of the low reporting of sexual abuse in the Island, which you will recall we discussed at the Children's Strategic Leadership Board Meeting. We have met with Sarah Elliot, the Chair of the SPB, and agreed that the CSE Sub-Group should undertake a review of the Island's Missing procedures with a particular focus on the extent to which the needs of children and young people under the age of 18 who are at risk of, or are being sexually exploited are effective. I will ensure the results of this review of shared with you.

High numbers of children awaiting CAMHS

The mental health and wellbeing of children and young people is a priority for the government. As you know, there has been a wide ranging CAMHS review involving stakeholders including those from your office. The findings of that review are informing the redesign of child and adolescent mental health services across the whole system, with planned allocated government plan investment. Darren Bowring, our new Head of Health and Wellbeing within CYPES has recently started in post and has senior management responsibility for CAMHS reporting to Susan Devlin.

The level and quality of external challenge to CYPES, in particular, to children's social care, is inadequate.

I would like to offer the following observations, in response:

- It is correct that the improvement plan 'The Children's Service – Our Plan 2020 -23 was presented to the Strategic Leadership Board in February 2020 as a draft document. The service has been working to the plan ever since, and it has been subsequently revised and recirculated to key stakeholders including your office, the SPB and the Jersey Care Commission. There has been a delay in the formal publication due to the pandemic and the Minister for Children changing on two occasions. The Plan has gone to the current Minister for Children and Education and we hope to publish it on Thursday 6th May 2021.

- The report on children's homes from the ICHA will be published alongside the Children's Social Care Plan on Thursday 6th May 2021.
- The Government of Jersey has full faith in the Independent Social Worker who is well regarded in the sector and he has a proven track record of leading outstanding social care services.
- The performance data is not yet been widely published but we have plans to do so, including written analysis. Our data is routinely benchmarked with our statistical neighbours as measured by the Local Government Association (LGA).
- External membership of the Board is limited and in the last meeting no third sector representation attended. We are endeavouring to address this.
- We do not believe that the strategic governance is confused. It is however evolving as CYPES develops as a new Government Department, as Early Help beds in, as the School Inclusion Review gets underway and as we redefine the working of the Children's Strategic Partnership Board.
- There was no Board meeting from June 2020 until March 2021 due to the pandemic and the two changes in the Minister for Children.
- I do not agree that the March 2021 Board meeting lacked focus. It was, however, the Minister's first opportunity to Chair the Board and alongside the fact that this was a hybrid virtual meeting, I am sure that hampered the flow of the meeting.
- I would like to understand your specific concerns about the pace of change not being enough to address critical weaknesses and what exactly you mean about the impact of Covid on this having not given sufficient emphasis. I'm sure we would benefit from a conversation about this.
- The experiences and voices of children in care, and CiN and CPP are not yet represented in the data dashboard on performance and we are working to develop this.
- The Review of Children's Homes by ICHA has very helpfully identified the strengths and key issues to address. Both the Jersey Care Commission's Overview Report and the ICHA report will inform our **Care Homes Improvement Programme**. Over the coming weeks, we will develop the programme plan together with children, staff and partners. The improvement programme will include:
 - a new therapeutic operating model in each home, based on an integrated care framework called SECURE STAIRS. The 'SECURE' elements focus on staff and establishing and maintaining effective foundations, 'STAIRS' outlines the key elements of a child or young person's pathway whilst they are placed in residential care. Other elements of the model include the standards expected by the Care Commission, protecting children's rights and positive parenting. Critically, this will include consistently rewarding positive behaviour and sanctioning negative behaviour in all homes.
 - staff training and development opportunities. This will include Trauma Informed Practice for SECURE STAIRS (TIPSS).

- Child development (including brain development). [L] [SEP]
 - Therapeutic parenting (PACE approaches). [L] [SEP]
 - Attachment and developmental trauma (including ACES).
 - Standards and expectations
 - Behaviour management plans [L] [SEP]
 - Formulation (shared understanding of the children and young people 'Story') and sequencing and scheduling of [L] [SEP] interventions and interactions. [L] [SEP]
 - Self-reflection and self-care. [L] [SEP]
 - Understanding trauma and the impact on organisations
- An agreed inter-agency framework for assessing and classifying the degree of risk when a child goes missing from care. And preventative approaches to avoid further instances of a child going missing.
 - Registered managers being responsible for only one home each and working 9-5, Monday to Friday, and not being on the rota.
 - Homes fully staffed with staff effectively supported, with weekly team meetings, monthly reflective supervision and quarterly review of individual objectives and performance expectations.
 - The development of Greenfields as a resource and support hub to enable the development and delivery of all homes and staff.

This must be a shared endeavour and a strengths based approach to ensure we continue to develop our care and practice.

The Care Homes Improvement Programme is an exciting opportunity for us to invest in our homes and our staff to build on our strengths. This will enable us to better safeguard and care for the children and young people living in our homes.

- The Safeguarding Partnership Board is working hard to strengthen how it provides assurance of our safeguarding services in Jersey. The new style Board will launch at the next meeting, made up of members of the Government's Executive Leadership Team (ELT), including Mark Rogers, to ensure the most senior officials take responsibility for safeguarding children. The sub-groups have become more focused, and now include the Safeguarding Operations Group which examines the day-to-day operations on a monthly basis. The SPB will be leading the development of the Island's first statutory guidance to safeguard children which will be launched as part of the new Children's law. The Board has overseen a number of important serious case reviews, including a Domestic Homicide Review (DHR), which are helpfully informing our practice and partnership improvements. It has also driven the development of the new Neglect Strategy for Jersey and the implementation of the Graded Care Profile 2, an assessment tool which helps practitioners measure the quality of care a child is receiving. We are pleased with the work of the Board and we look forward to working with Sarah Elliot to strengthen or working together arrangements.
- I would like to understand exactly what you mean in asserting that '*Ministerial oversight is weak with disconnect between ministerial portfolios.*' We can discuss this directly when we next meet.

- CYPES, and other Government Departments are working hard to address the Ofsted recommendations. It would be helpful for you to provide the details of the recommendations that you consider are not being addressed together with the evidence.
- The pace of change is not as we would hope. This has been affected by many things, most notably the global pandemic. I do not understand what you mean when you write '*there seems to be a paralysis in the system with officers seemingly powerless to effect change*'. I hope that this letter – describing as it does the change that is underway – provides some reassuring evidence to the contrary.

As you know, I am new to the Island and I am only just beginning to learn about the oversight of the work in the Department for Children, Young People, Education and Skills, including children's social care. I went to visit the service on Monday last week, which I found very helpful and insightful. As I write this letter, I have just returned from a meeting all of the Island's headteachers which discussed amongst other issues safeguarding vulnerable children. You are right there is much to do and there is no doubt that Covid has limited progress. I am committed, together with Mark Rogers, Scrutiny, the Safeguarding Partnership Board, the Jersey Care Commission, your office, and feedback from staff, partners and users, and to ensuring that there is robust oversight with sufficient rigour and direction.

I would very much welcome a meeting with yourself, Mark Rogers and the Minister for Children and Education to discuss these concerns at your earliest convenience.

Thank you again for your letter and for raising your concerns.

Yours sincerely



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