

**BARNARDO'S CHILDREN'S  
HEARING ADVOCACY  
SERVICE ACTION  
RESEARCH PROJECT: AN  
INDEPENDENT EVALUATION**

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## **Acknowledgements**

We would like to thank the members of the Fife children's panel, the Children's Reporters and social workers who agreed to take part in this evaluation. Thank you also to the Scottish Children's Reporter Administration (SCRA) for allowing us to observe the Children's Hearings system in operation.

## **A note about terminology**

Throughout this report the 'advocacy service' refers to the Barnardo's Fife Children's Hearings advocacy service.

In addition, for the sake of brevity, the word 'child' is generally used throughout this report to refer both to a child or a young person.

## **EXECUTIVE SUMMARY**

1. This report presents findings from an independent evaluation of an advocacy service for children and young people referred to the Children's Hearings system in Fife. The advocacy service was delivered by Barnardo's as an action research project, and was funded by the Scottish Government initially from May 2015 – December 2015.

### **Introduction**

2. Section 122 of the Children's Hearings (Scotland) Act 2011 makes provision for children who attend a Children's Hearing to be informed by the chairing member of the panel about the availability of children's advocacy services, and for such services to be made available across Scotland. To help ensure that advocacy services provided under the 2011 Act are suitably designed and sustainably resourced, prior to this section being enacted, the Scottish Government funded different action research projects across Scotland to look at various models of provision.
3. The Barnardo's children's advocacy service was funded by the Scottish Government as one of these projects. The Barnardo's project was overseen by a multi-agency steering group comprising representatives from Fife Social Work, the Scottish Children's Reporter Administration (SCRA), Children's Hearings Scotland (who provide training and support to people who volunteer as children's panel members), Who Cares? Scotland, the Scottish Government and Barnardo's.
4. A key aspect of the Barnardo's model in Fife was that it sought to provide advocacy to children at the point at which they entered the Children's Hearings system for the first time – i.e. at the grounds hearing.
5. The aims of the independent evaluation were to: (i) examine the processes involved in delivering the service; (ii) assess the quality of the service; and (iii) assess the outcomes of the service, not only for the children who were referred to it, but also for the panel members in their decision-making.

### **About the service**

6. The service was set up to provide advocacy to children aged 3 to 17 who were referred by the Children's Reporter for an initial children's hearing. The service also provided advice and support to other individuals who agreed to act as informal advocates for children at Children's Hearings. These other individuals might include family members (but not the child's parents), teachers or carers. It was not within the scope of the service to manage any informal advocates.
7. Funding was provided to recruit two full-time staff to deliver the service. The Barnardo's service manager also provided cover during periods of staff sickness or holiday. The service accepted referrals from May to December 2015.

8. Early meetings of the steering group focused on establishing a process for referring children to the service. Due to data protection issues, referrals to Barnardo's had to be made through Social Work, rather than through SCRA. The process which was ultimately agreed built upon formal data sharing arrangements which already existed between Fife Council and Barnardo's.

### **Service activity**

9. Between 18 May and 31 December 2015, eighty-nine (89) children aged 3 to 17 were eligible to be referred to the Barnardo's advocacy service because they had an initial grounds hearing in the Children's Hearings system. Just over half of these (n=49, 56%) **were** referred to the service in this period, and the Barnardo's advocates provided support to 33 of those referred (67% of 49). In addition, one child received support from an informal advocate. Altogether during this period, just two out of five children (33 out of 89, 39%) eligible to receive advocacy support from Barnardo's did in fact receive a service.
10. The 33 children who received a service from Barnardo's comprised 19 girls and 14 boys, ranging in age from 3-16 (average age=9). This group included one child who had a disability.
11. Fifteen of the 49 children referred to the service (31%) did not receive support from an advocate. The two most common reasons for this were that: (i) the advocate had been unable to make contact with the family prior to the scheduled hearing date (n=6) and, (ii) having consented to social work for their contact details to be passed on to Barnardo's, the parents or child subsequently decided they did not want the service (n=5).

### **Service delivery process**

12. Each child referred to the advocacy service was assigned an advocate. This individual met with the child / family initially to obtain consent, and then, if consent was given, met with the child separately to find out about the child's views and prepare him/her for the hearing. In general, the advocate met with the child 2-3 times before the hearing. All the information gathered about the child's views were collated into a report, which provided the basis for sharing the child's views at the hearing. If the child attended the hearing, the advocate encouraged the child to speak to the panel directly. If the child had been excused from attending the hearing, the advocate attended on the child's behalf and gave their views. After each hearing, the advocate met with the child again to go through what happened at the hearing, to answer any questions the child had, and to discuss with the child why the panel made the decision they did.
13. A number of issues and challenges arose in delivering the service. Ongoing difficulties with the referral process had to be addressed throughout the period of the project. The advocates also identified a range of practical issues which needed to be considered. These included that: (i) some children were temporarily living in other (often distant) local authorities in the period before their hearing;

and (ii) different approaches had to be used for children of different ages and dispositions, or where the child lived in a household with multiple siblings. In addition, although the advocates aimed to meet with all children at least three times before the grounds hearing, this was an ongoing challenge given the 22-day time constraint (between the date of the hearing referral, and the date of the hearing). The issue of safety also had to be considered – specifically, where the child lived in a family affected by domestic abuse.

### **Service outcomes for children**

14. Feedback from children on their experience of the service suggested that children felt supported by their advocate and appreciated having someone who 'listened only to them'. Those children who had attended their grounds hearing largely felt supported during the hearing, and believed that their views had been put across, heard and taken into account in the panel's decision-making. Those who did not attend the grounds hearing were generally unable to comment on this aspect of the advocate's support, although some were aware that a report had been prepared by the advocate to share the child's views with the panel. Feedback suggested that children were **less** confident that they understood what was happening during the hearing. However, all the children who provided feedback stated that that having an advocate had helped them.
15. Panel members highlighted the important role of the advocate in: a) giving the child the confidence to share their views with the panel; and b) providing better, more in-depth information about the child's views than they might otherwise have been able to obtain.
16. Social workers identified several benefits from the advocacy service for children whom they had referred. These were that: (i) the child understood the grounds and was able to respond to them; (ii) the child attended the hearing (when they might not have done so otherwise); (iii) the child's voice was heard during the hearing; and (iv) the advocate gave the child confidence.
17. Children's Reporters noted that the involvement of an advocate helped to prepare the child for coming to the hearing. Reporters also highlighted the importance of having someone for the child to talk to who was independent from social work.

### **Outcomes from the service for the panel members and informal advocates**

18. Panel members, social workers and Reporters all thought that the service had helped to give panel members a better understanding of the child's views, feelings and preferences, thus enabling panel members to make more informed decisions.
19. Panel members commented positively on the clarity and quality of the information they received in relation to the child's views when a Barnardo's advocate was present. They particularly highlighted the importance of the



Barnardo's advocate in cases where the child had been excused from the hearing, or where the child might otherwise have found it difficult to speak to the panel members directly.

20. Social workers noted that having an advocate ensured that the child's rights were given priority at the hearing, and enabled a more rounded view of the child to be presented to the panel.
21. Reporters echoed these views and highlighted the value of the written reports submitted to the hearing by the Barnardo's advocates.
22. During the period of this project, there was just one individual who was supported by Barnardo's to act as an 'informal advocate'. There was no feedback available from this individual about her experience of the service; however, two of the three panel members who observed this individual in the hearing, separately rated her effectiveness in presenting the child's views as excellent and good, respectively.

### **Views on service quality**

23. In cases where a child had a Barnardo's advocate, panel members and Reporters were most likely to rate the quality of the information they received about the child's views as 'excellent'.
24. Issues of service quality were discussed in interviews with panel members, social workers and Reporters. When asked what aspects of the Barnardo's advocacy service had worked well, across all three of these groups, interviewees highlighted: (i) the apparent positive, supportive relationship the advocates had with the children during the hearing, and (ii) the quality and importance of the reports submitted to the hearing by Barnardo's.
25. Areas for improvement were identified in relation to the referral process and the information provided to children about the service, and in relation to ensuring the continuity of the advocate's relationship with the child.

### **Conclusion**

26. This evaluation has demonstrated the potential value of an advocacy service in supporting children through their initial contact with the Children's Hearing system. There were some challenges in delivering a service which sought to provide support to children at their **first** encounter with the Children's Hearings system. Some of these – including the difficulties with the referral process – could be partly attributed to the short-term nature of the project and the problems of establishing new **standard** procedures for what was essentially a time-limited service. Any similar service established in the future will benefit from regular stakeholder meetings to discuss and agree procedures and ongoing adaptations throughout the period of the service, and to deal with any challenges as they arise.

# 1 INTRODUCTION AND POLICY CONTEXT

- 1.1 This research was commissioned by the Scottish Government to evaluate a particular model of advocacy support for children and young people who have been referred to the Children's Hearings system in Fife.
- 1.2 The advocacy service was delivered by Barnardo's as an action research project and funded by the Scottish Government initially from May 2015 – December 2015.
- 1.3 This report presents findings from an independent evaluation of the service.

## The Scottish Children's Hearings system

- 1.4 The Children's Hearings System is the care and justice system for Scotland's children and young people. Established in April 1971 following the recommendations of the Kilbrandon Committee, the Children's Hearings system is based on a fundamental principle that children and young people who offend and those who require care and protection should both be considered as children in need.<sup>1</sup> The system aims to ensure that the best interests of the child are addressed, and that children and young people receive the most appropriate intervention and support.
- 1.5 Children from birth to age 16 (up to age 18 in certain circumstances) enter the system following a referral to a local Children's Reporter. Children can be referred to the Reporter by anyone who thinks the child may be in need of protection, guidance, treatment or control which may require compulsory supervision.
- 1.6 The Reporter investigates each referral and determines whether there is evidence for a ground of referral and, if so, whether compulsory measures are required.<sup>2</sup> If so, the Reporter will refer the child to a Children's Hearing.
- 1.7 One of the purposes of the initial hearing (or 'grounds hearing') is to determine whether the children's parents / carers and the child or young person him/herself understand and accept the legal grounds for compulsory intervention. If they do not accept the grounds, or the child is too young to understand, the case is referred to a Sheriff for proof. If they **do** accept the grounds, then the hearing proceeds.
- 1.8 The hearing consists of three panel members (including the Chair), who are all trained volunteers from the local community. Panel members usually

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<sup>1</sup> Kilbrandon Report, April 1964. Reprinted by HMSO: Edinburgh, 1995. Available at: <http://www.gov.scot/Resource/Doc/47049/0023863.pdf>

<sup>2</sup> The grounds or legal reasons for bringing a child or young person to a hearing are set down in section 67(2) of the Children's Hearings (Scotland) Act 2011.

attend three hearings in a morning or afternoon session.<sup>3</sup> The hearing listens to the child's circumstances and then decides what measures are required. In some cases, the panel members may decide that compulsory measures are not required and the case will be discharged. However, if the panel members decide that compulsory measures are necessary, they have the power to make several legally-binding orders, including a Compulsory Supervision Order (CSO) or an Interim Compulsory Supervision Order (ICSO). These may stipulate certain measures such as the child's attendance at a treatment (or other type of) programme, arrangements regarding the child's living arrangements (e.g. foster care, residential accommodation, secure accommodation), or restrictions on the child's contact with certain individuals in their lives (e.g. parents or other family members).

- 1.9 A Children's Reporter also attends all hearings. The role of the Children's Reporter in the hearing is to ensure that there is fair process in the proceedings and that the proceedings are accurately recorded.
- 1.10 According to the Scottish Children's Reporter Administration (SCRA), 18,858 children and young people in Scotland were referred to a Children's Reporter in 2014/15.<sup>4</sup> This represents 1.7% of all children and young people in Scotland.

### **Recent legislative changes – children's advocacy in the Children's Hearings system**

- 1.11 Since the Children's Hearing system was established, there has been an increasing commitment in Scottish Government policy and legislation to the right for children and young people to have their voices heard in matters that concern them. This right is based on Article 12 of the United Nations Convention on the Rights of the Child (UNCRC), which states that the opinions of children and young people should be considered when making decisions about things that affect them, and that children and young people should be given the information they need to make good decisions.
- 1.12 In situations where children and young people come into contact with services, the use of advocacy (both formal and informal) has been identified as one way of supporting them to make their views known, and in July 2014 the Scottish Government published guidance on good practice in relation to the delivery of children's advocacy services.<sup>5</sup>

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<sup>3</sup> Panel members may be substituted in cases where they have a personal relationship with the child / family, or if there may be a conflict of interest.

<sup>4</sup> See [http://www.scra.gov.uk/home/scra\\_annual\\_report\\_2014\\_15.cfm](http://www.scra.gov.uk/home/scra_annual_report_2014_15.cfm)

<sup>5</sup> See <http://www.gov.scot/Topics/People/Young-People/families/advocacy>.

- 1.13 A child or young person's right to advocacy has also been highlighted in policy and legislation. In relation to the Children's Hearings system, specifically, Section 122 of the Children's Hearings (Scotland) Act 2011 (the 2011 Act) makes provision for children attending a Children's Hearing to be informed by the chairing member of the panel about the availability of children's advocacy services, and for such services to be made available across Scotland.<sup>6</sup> To help ensure that advocacy services provided under the 2011 Act are suitably designed and sustainably resourced, prior to this section being enacted, the Scottish Government funded different action research projects across Scotland to look at various models of provision.

### **The Barnardo's children's advocacy service – action research project**

- 1.14 The Barnardo's children's advocacy service was funded by the Scottish Government as one of the action research projects to inform the development of national policy on advocacy for children at Children's Hearings.
- 1.15 As stated above in paragraph 1.13, Section 122 of the 2011 Act makes provision for children to be informed by the chairing member of the panel about the availability of advocacy services. However, this arrangement would generally require the child to attend their first (grounds) hearing without the benefit of advocacy support. A key aspect of the Barnardo's model in Fife was that it sought to provide advocacy to children at the point at which they entered the Children's Hearings system for the first time – i.e. at the grounds hearing. This required a process to be put in place to: (i) inform the child about the availability of advocacy when a decision was made to call a grounds hearing, and (ii) refer to Barnardo's any child interested in accessing the service.
- 1.16 A multi-agency steering group comprising key stakeholders was established to oversee the project. The steering group met monthly in the early stages of the project and approximately every six weeks thereafter. See Chapter 3 for details of the membership of the group.

### **Aims of the evaluation**

- 1.17 Arrangements were put in place by Barnardo's to undertake ongoing monitoring of the delivery of the service. Alongside this, the Scottish Government commissioned an external, independent evaluation.
- 1.18 The aims of the external evaluation were to:

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<sup>6</sup> See <http://www.legislation.gov.uk/asp/2011/1/section/122>.

- Examine the processes involved in delivering a children’s advocacy service to children (aged 3 to 17) who have been referred to a children’s hearing for the first time
- Assess the quality of the service and
- Assess the outcomes of the service – first, for children who have been involved with it, but also for the panel in their decision-making.

### **Structure of the report**

1.19 The remaining chapters of this report are as follows:

- Chapter 2 sets out the methods used in the external evaluation
- Chapter 3 describes the service – its aims and staffing, and the intended referral process
- Chapter 4 provides information about service activity and outputs
- Chapter 5 examines the way in which the service was delivered
- Chapter 6 discusses the outcomes of the service for children
- Chapter 7 examines outcomes for panel members and others
- Chapter 8 discusses perceptions of service quality
- Chapter 9 discusses the findings and draws conclusions which may be useful to others.

## 2 METHODS

- 2.1 This chapter briefly summarises the methods used for the external evaluation. A fuller description of the methods is given in Appendix 1.
- 2.2 To focus the evaluation, a logic model was developed at an early stage to identify service inputs, activities, outputs, and outcomes. This logic model was refined following discussion with the project steering group and the final version (see Appendix 2) was aligned with a national logic model developed concurrently by Inspiring Scotland.<sup>7</sup>
- 2.3 The service received referrals from 18 May to 31 December 2015. It continued to operate during the first few months of 2016, but accepted no new referrals during this time. The final report of the action research project (produced by Barnardo's) was submitted in March 2016, although the advocacy service continued to support children whose cases had not yet been closed. The external evaluation ran from April 2015 – March 2016, and the report of the external evaluation was produced in April 2016.
- 2.4 The evaluation sought to gather information from a range of perspectives about service processes, outputs, outcomes and quality.

### **Gathering information about service processes and outputs**

- 2.5 Information about service processes and outputs was collected from:
- Written reports produced by Barnardo's approximately every six weeks during the period of project, 18 May 2015 – 29 February 2016.
  - Discussions held at the six-weekly steering group meetings. Altogether, there were eight steering group meetings between April 2015 and March 2016.
  - Interviews with the Barnardo's advocates held in August 2015 and again in February 2016.

### **Gathering information about service outcomes and quality**

- 2.6 Information about service outcomes and quality was collected from children, Fife children's panel members, Children's reporters and social workers in the following ways:

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<sup>7</sup> During the period of this evaluation, the Scottish Government commissioned Inspiring Scotland to facilitate and support a national children's advocacy forum to assess different models of delivering advocacy to children in the Children's Hearings system. Part of this work involved building capacity within these services for monitoring and evaluation.

- Questionnaire survey of children: As part of the ongoing monitoring of the service, Barnardo's collected feedback from children who used the service. A copy of the questionnaire is attached at Appendix 3A.
- Questionnaire survey of panel members: A short questionnaire survey was carried out among panel members and Reporters following the grounds hearings of all children who were eligible for the service in the period 18 May 2015 – 29 February 2016. The survey contained two questions which requested information about: (i) who (if anyone) supported the child to make known their views during the hearing; and (ii) how effectively the child's views were put across to the hearing (on a four-point scale ranging from 'excellent' to 'poor'). The findings presented in Chapter 8 of this report are based on 212 responses to the survey. A copy of the questionnaire is attached at Appendix 3B.
- Telephone interviews with panel members, Children's Reporters and social workers: Short (10-minute) telephone interviews were carried out with panel members (12), Children's Reporters (4), and social workers (9) to get their views on the effectiveness and quality of the service. These interviews were also used to explore perspectives on specific issues, including the referral process.

### **3 ABOUT THE BARNARDO'S CHILDREN'S ADVOCACY SERVICE**

3.1 This chapter describes the Barnardo's children's advocacy service. It includes information about the aims of the service, its funding and staffing, and the process put in place to inform children (and their families) about the service and to refer them into it. A description of the process of delivering the service is given in Chapter 5, together with a discussion of the challenges that arose.

#### **Service aims**

3.2 The service was set up to provide advocacy for children aged 3 to 17 who were referred by the Children's Reporter for an initial Children's Hearing – and to children who had previously been on a Compulsory Supervision Order (CSO) if that CSO had been terminated and the child was referred again to the Reporter on new grounds. Based on data provided by SCRA, it was estimated during the planning stages that the service would provide support to approximately 40 children over the period of project.

3.3 The service also provided advice and support to other individuals who agreed to act as informal advocates for children at Children's Hearings. These other individuals might include family members (but not the child's parents), teachers or carers. An advocacy training pack was developed for this purpose. However, it was not within the scope of the service to manage any informal advocates.

3.4 As discussed in Chapter 1, the service was funded by the Scottish Government as an action research project, and it was overseen by a multi-agency steering group comprising representatives from Fife Social Work, SCRA, Children's Hearings Scotland (who provide training and support to volunteer panel members), Who Cares? Scotland, the Scottish Government and Barnardo's. One or both of the external evaluators attended all steering group meetings from April 2015 to March 2016.<sup>8</sup>

3.5 The service was intended to commence April 2015, with an initial development phase – to recruit and train staff – from January to April 2015. However, difficulties in agreeing referral arrangements resulted in a delay of 1.5 months for the service in receiving its first referrals.

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<sup>8</sup> Later meetings were attended by a representative of Inspiring Scotland, who had been contracted by the Scottish Government to provide evaluation support and a forum for sharing learning to three different services across Scotland (including Barnardo's). These services were all delivering different models of advocacy support to children involved in the Children's Hearing system.



## **Staffing**

- 3.6 The service employed two full-time staff, and was managed by the Barnardo's Children's Rights and Advocacy Team manager, who also provided cover during periods of staff sickness or holiday. One of the two advocates had previously been employed as a children's rights worker in the Barnardo's Children's Rights service, and this individual returned to that role once the advocacy project finished.
- 3.7 Senior management support for the advocacy service was provided by the Barnardo's Children's Service Manager for Fife.

## **The referral process – agreed procedures**

- 3.8 The early meetings of the steering group were dominated by discussions about how the process for referring children to the service should work. Due to data protection issues, referrals to Barnardo's had to be made through Social Work, rather than through SCRA.
- 3.9 After discussion, it was agreed that the process for referral would be as follows: (i) the social worker would inform the family / child about the availability of advocacy when speaking to them about a possible referral to the Children's Reporter and would ascertain if the family was willing to be contacted by Barnardo's if a Children's Hearing was called; and (ii) once a hearing date had been set, the Reporter would notify the social worker, who in turn would contact Barnardo's (by telephone) to pass on the details of families who had consented to be contacted, along with information about the hearing date.
- 3.10 One of the advocates would then follow up with the family directly to arrange a meeting to discuss the service. At the same time, SCRA included a leaflet about the service in the family's official notification about the hearing date. This leaflet reinforced the communication about the service which the family had received from social work, and also gave the family a further opportunity to consider the service again if they had not initially given consent to the social worker to have their details passed to Barnardo's.
- 3.11 This agreed process not only built on existing processes within SCRA and in Social Work, but also built upon a formal data sharing agreement which already existed between Fife Council and Barnardo's.
- 3.12 All Fife Social Work teams were informed about these arrangements, and leaflets about the service were distributed through social work team managers. At the same time, social work team managers developed a 'script' which social workers could use to introduce the service to parents / carers and children.

## 4 SERVICE ACTIVITY

4.1 This chapter provides information about service activity – the number of children the service worked with, the source of referrals, and basic demographic information about the children who engaged with the service.

### Number of children the service worked with

4.2 Between 18 May and 31 December, eighty-nine (89) children aged 3 to 17 were eligible to be referred to the Barnardo’s advocacy service because they had an initial grounds hearing in the Children’s Hearings system.

4.3 Table 4.1 below shows that just over half of these (n=49, 56%) were referred to the service in this period, and the Barnardo’s advocates provided support to 33 of those referred (67% of 49). In addition, one child received support from an informal advocate. Around a third of the children referred to the service (n=15, 31%) did not receive support from an advocate. There were several reasons for this. The two most common were that: (i) the advocate had been unable to make contact with the family prior to the scheduled hearing date (n=6) and, (ii) having consented to social work for their contact details to be passed on to Barnardo’s, the parents or child subsequently decided they did not want the service (n=5).

4.4 These figures indicate that, altogether during this period, two out of five children (33 out of 89, 39%) eligible to receive advocacy support from Barnardo’s received a service.

**Table 4.1: Number of referrals and allocations, and cases not allocated, 18 May – 31 Dec**

	May	Jun	Jul	Aug	Sep	Oct	Nov / Dec	Total
No. of children eligible for the service	25*		17*		14	12	21	89
<b>No. of referrals to Barnardo’s</b>	<b>3</b>	<b>17</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>11</b>	<b>7</b>	<b>49</b>
No. allocated to Barnardo’s advocate	1	11	3	2	5	7	4	33
No. allocated to a family member / friend	–	1	–	–	–	–	–	1
<b>No. not allocated</b>	<b>2</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>3</b>	<b>15</b>
* Unable to contact parent	–	–	–	–	–	3	3	6
* Did not consent to service	2	2	1	–	–	–	–	5
* Insufficient notice	–	2	–	–	–	–	–	2
* Consent not gained in time	–	1	–	–	–	–	–	1
* Child withdrew after initial allocation	–	–	–	–	–	1	–	1

Source: Barnardo’s Fife Advocacy Service

\* The combined total number of children eligible for the service across the first two months of the service was 25, and the combined total for July and August was 17.

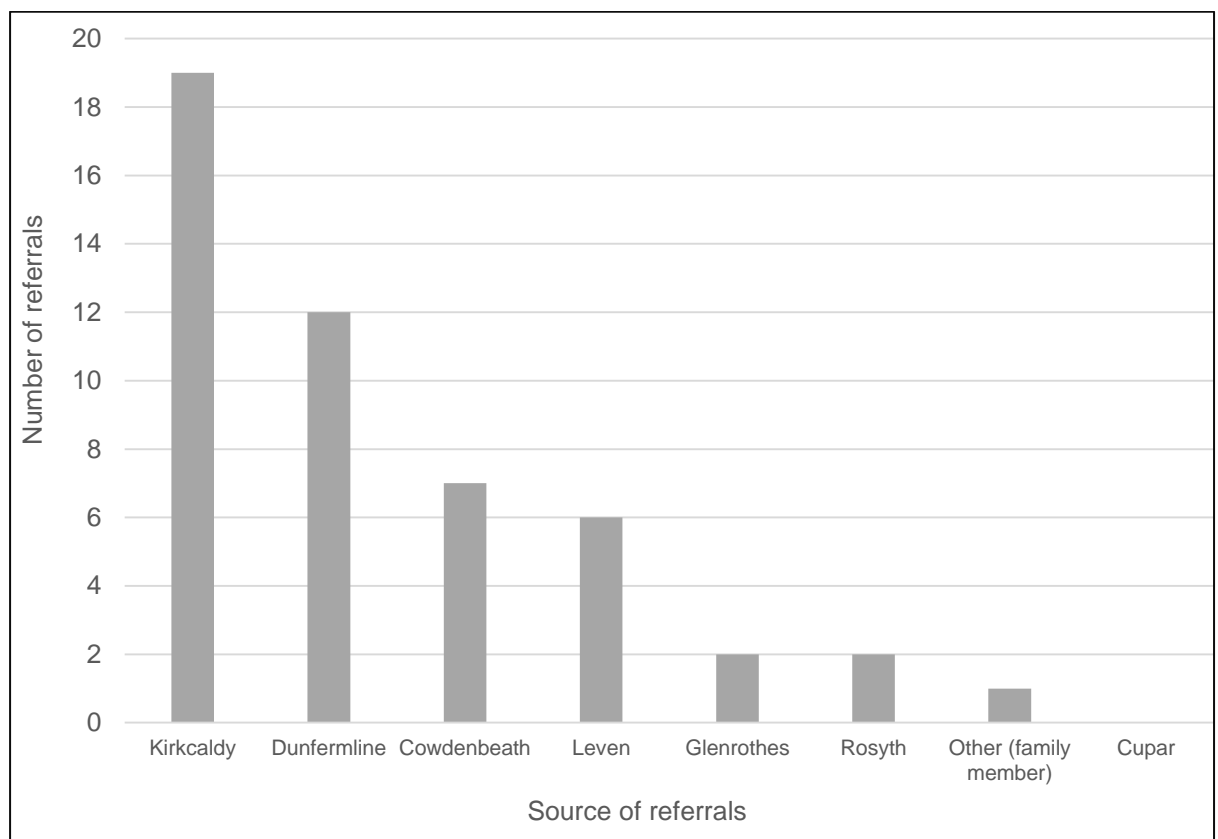
4.5 As mentioned in paragraph 4.3 above, the service also provided support to one individual (the aunt of a child referred to a Children’s Hearing) who was willing to act as an informal advocate on the child’s behalf.

### Source of referrals

4.6 All but one of the 49 referrals received by the service came via the Fife social work department. Figure 4.1 below shows that the largest number of referrals (19 of the 49) were made by the Kirkcaldy social work team.

4.7 The service also received one referral directly from a family member of a child. This individual had read a leaflet about the service enclosed with the family’s notification letter from the Children’s Reporter. In the case of this family, there had been no referral from the social worker.

**Figure 4.1: Number of referrals, by source, 18 May – 31 Dec, 2015**



Source: Barnardo’s Fife Advocacy Service

### About the children referred to the service

4.8 Of the 49 children who were referred to the Barnardo’s service, 41 had no previous experience of the Children’s Hearings system. Eight children had previous experience of the system, but had been re-referred to the Children’s Reporter on new grounds.

4.9 The 33 children who received a service from Barnardo's comprised 19 girls and 14 boys, ranging in age from 3-16 (average age=9). This group included one child who had a disability.

**Number of cases closed and ongoing**

4.10 As of 29 February 2016, cases had been closed for 29 of the 33 children who had received a service from Barnardo's. The cases for the four remaining children were transferred to the Barnardo's Children's Rights Service.

## 5 SERVICE DELIVERY PROCESS

5.1 This chapter describes the service delivery process and some of the issues and challenges that arose.

### Before the hearing

5.2 Each child referred to the advocacy service was assigned an advocate who arranged to meet with the family and the child to explain the service.

5.3 The advocates aimed to meet with the child at least three times before the hearing. This was achieved for about half of the 33 children who engaged with the service. Sixteen of the children met with their Barnardo's advocate just once or twice before their grounds hearing. However, in most cases, the grounds were sent to the Sheriff Court for proof, and this provided an opportunity for the advocate to arrange other meetings with the child before their next Children's Hearing.

5.4 Each meeting between the advocate and child was reported to last between 1.5 and 2 hours. The content of these meetings was described by the advocates as follows.

- **Meeting 1:** The initial meeting is with the child and his / her parent(s) / carer(s). The advocate explains the service and discusses the options available to the family – i.e. the advocate could support the child, or the advocate could provide training to a member of the family to support the child. (It was noted that the advocates are sometimes asked by the parent(s) / carer(s) to explain what a Children's Hearing is.) If the child expresses a preference for someone else to advocate for him / her, or if the child wishes to self-advocate, then the Barnardo's service offers advice and support.
- **Meeting 2:** If the child / parent(s) / carer(s) agree at the first meeting to support from the advocate, the advocate then spends time with the child one-to-one getting to know him / her. Depending on the age of the child, the advocate uses a variety of tools (e.g. 'Getting to Know You' form; Rickter Board; games, etc.) and uses play to explore what the child enjoys doing, what their favourite things are, what makes the child happy or sad. The advocate also uses this session to try to explore and discuss with the child any worries / concerns they may have.
- **Meeting 3:** In the final session, the advocate talks to the child about the hearing and what will happen in the hearing. Depending on the age of the child, the advocate goes through the statement of grounds from the Reporter in detail (i.e. why the child has been referred to the Reporter). As older children may be asked at the hearing if they accept or do not accept the grounds, this meeting provides an opportunity for the child to think about this in advance. The advocate tries to get the child's views about the

grounds: if the child thinks that certain things are not correct, or if they do not agree with aspects of the grounds, the advocate explores the child's views about this.

All the information gathered about the child's views are collated into a report which is subsequently forwarded to the Reporter and included in the papers given to the panel members prior to the child's hearing. This final meeting with the child provides an opportunity to go through the report – to check whether they would like to make changes before the report is submitted.

- 5.5 Finally, the advocate also arranges to meet the child immediately before the hearing to provide them with support and reassurance, and to find out if the child would prefer to speak to the panel separately, rather than with everyone else in the room.
- 5.6 All children were also given an opportunity to visit the hearing centre in Glenrothes prior to their hearing. However, none of the children took up this offer, and the advocates thought that, in practice, it would not have been easy to arrange this in any case – both because of constraints on the child's time, and also because of constraints at the hearing centre.
- 5.7 In some cases, one or both of the advocates also attended pre-panel hearings to give the child's views in relation to the question of whether the child should be excused from attending the grounds hearing.

### **During the hearing**

- 5.8 At the hearing, the report prepared by the advocate provided the basis for sharing the child's views with the panel. If the child was present in the hearing, the advocate encouraged the child to speak to the panel directly, and to expand on any statements made in the report.
- 5.9 Where a child had been excused from attending because they had met the legal criteria for being excused, the advocate attended the hearing to give the child's views.<sup>9</sup>

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<sup>9</sup> A child may be excused from attending a hearing if: (i) the hearing relates to an offence mentioned in Schedule 1 of the Criminal Procedure (Scotland) Act 1995 or the Sexual Offences (Scotland) Act 2009 and the attendance of the child at the hearing, or that part of the hearing, is not necessary for a fair hearing; (ii) the attendance of the child at the hearing, or that part of the hearing, would place the child's physical, mental or moral welfare in danger; or (iii) taking account of the child's age and maturity, the child would not be capable of understanding what happens at the hearing, or that part of the hearing. Once a child has been excused by a pre-hearing panel or a hearing, that excusal lasts until a substantive decision is made.

- 5.10 In cases where the child preferred to speak to the panel alone (without other adults present), the advocate informed the panel, and arrangements were made for this to happen.

### **After the hearing**

- 5.11 After each hearing, the advocate met again with the child to go through what happened at the hearing, to answer any questions the child had, and to discuss with the child why the panel made the decision they did. The advocate's meeting with the child after the grounds hearing was also an opportunity to gather feedback from the child about the advocacy service.
- 5.12 Only one case during the period of this project was closed immediately after the initial grounds hearing. In most cases, the grounds were referred to a Sheriff for proof and / or the child was placed on an Interim Compulsory Supervision Order. Thus, there was an ongoing requirement to attend hearings with the child (in some cases, every 22 days). The advocates commented that this provided an opportunity to build a relationship with the child, to understand their views in greater depth, and thus to represent their views more accurately / fully.

### **Issues and challenges in the delivery of the service**

- 5.13 A number of issues and challenges arose in delivering the service – both before, during and after the hearings – and these are summarised below. Issues arising in relation to the referral process are also discussed.

#### ***The referral process – from the social workers' point of view***

- 5.14 Social workers generally said (in interviews) that the referral process worked well from their perspective. Most commented specifically on the ease of the process (which just involved a telephone call to Barnardo's), and the promptness with which Barnardo's responded to referrals. However, there was confusion among a small number of social workers about the referral process, with one stating that, 'the website and referral form I was given weren't easy to find', and another suggesting that it would be better if a referral form were used (rather than simply a telephone call), as this would provide 'an audit trail'.
- 5.15 Some social workers said they had attended a team meeting in which a Barnardo's advocate came and introduced the service, and they found this helpful. However, not all social workers had attended such meetings, and there were clearly differing levels of knowledge and awareness about the service among the different social workers who were interviewed.
- 5.16 There seemed to be a particular issue with the leaflet Barnardo's had supplied to social workers to use to introduce the service to families. (This same leaflet was included in the material sent to families by SCRA.) Of the nine social

workers who were interviewed, five spontaneously raised the topic of the leaflet when asked whether they had enough information about the advocacy service to be able to discuss it with families. Two social workers appeared to be unaware of the existence of this leaflet, and so suggested that a leaflet would have been useful to have. Two knew about the leaflet and had used it, but commented that it was pitched at a very high level and did not provide sufficient detail for families to understand what advocacy for children involved. One social worker thought that the leaflet was fine for parents, but that it was not particularly child-friendly, or appropriate for young children.

- 5.17 As was seen in Chapter 4, only around half of the children who were eligible for the Barnardo's advocacy service were referred to the service. In some cases, this may have been due to a lack of consent either from the parents or from the child when the social worker discussed the service with them. However, in other cases, it appeared that social workers had not discussed the service with the family.
- 5.18 This issue was explored with social workers, and a range of reasons were identified including that it was a simple oversight, or that the child already had an advocate. However, the most common reason appeared to relate to an uncertainty about the age of eligibility for the service. In some cases, social workers mistakenly thought the child was too young for the service, or they took a decision that the child was too young to benefit from it.
- 5.19 One social worker suggested that staff changes within the social work service could have also accounted for low referrals to the advocacy service. This individual suggested a need to raise awareness (particularly among new staff) about the service in an ongoing way.
- 5.20 Despite these various issues which could explain the low referrals during the period in which the service was provided, social workers reported largely positive experiences of introducing the advocacy service to families. At the same time, however, they observed that older children were more likely to understand and see the benefit of advocacy when it was discussed with them, while younger children could not always understand what advocacy was about, and why they should wish to speak to another stranger about their views. Some suggested that a child-friendly leaflet or video for younger children could be helpful in these situations.

### ***Issues with the referral process – from the advocates' perspectives***

- 5.21 The advocates commented that, occasionally, delays in receiving referrals had been a problem in the early stages of the service, and this – often combined with difficulties in making contact with families – had a knock-on effect in relation to the time available to engage with the child. This was particularly an issue in families where there were multiple children.



### ***The attitudes towards and understanding of advocacy among social workers***

- 5.22 In interviews with social workers, some commented that they would have liked more detailed information about the advocacy service – i.e. how the service operates, how many meetings are held with the child, what the advocate talks about with the child. This, it was suggested, would have given them greater confidence in discussing the service with families / children. Other social workers seemed to be more relaxed about this, suggesting that they simply made the referral to Barnardo's and let Barnardo's take it from there.
- 5.23 Some social workers noted that they saw it as a part of their *own* role to be able to develop a good relationship with a child and to report on the child's views and feelings at the children's hearing. However, most also recognised the benefit to the child of having someone entirely independent of social work to talk to.

### ***Before the hearing***

- 5.24 **Parents' attitudes and beliefs about the child's ability to share their views.** An issue which arose in interviews with the advocates, social workers and Reporters was that some parents do not consent to the service because they may not appreciate that even very young children can express their views. In other cases, family members are not receptive to the idea of an advocate for the child, because the family believes they are best placed to represent the views of their own children.
- 5.25 **The issue of geography.** Most of the children who used the service were based in Fife. However, there were a small number of children referred to the service who were temporarily living elsewhere at the time of referral (two near Dumfries, one in Lochaber). In the case of these three children, despite significant efforts made by the advocates to meet with all three of them, only one was able to make use of the service.
- 5.26 **The child's age.** The advocates found that most of the children they worked with (even children as young as six) could easily understand the advocate's role – i.e. 'the advocate is there to help the child speak'. However, they made the point that younger children often do not understand what is happening in their family, and so cannot be asked their views about what is happening. In the case of younger children, the advocates generally focused on finding out about what the child likes and dislikes, and how they are feeling.
- 5.27 **The child's disposition.** The advocates found that some children are very open in talking about themselves. However, they also noted that others are more reticent and required more time to be able to open up about how they were feeling. For this reason, the advocates had to be flexible and use different approaches for different children.

- 5.28 **The child's home environment.** In some homes (particularly those where there were multiple children), it could be difficult to find a quiet place to talk to one of the children alone. In these cases, the advocates met with the child outside the home – i.e. they went for a walk with the child, or took them out to McDonalds. There were also cases (very occasionally) where the advocates met with children in homes where domestic abuse was an issue. In these cases, the advocates always went together in pairs to meet with the child.
- 5.29 **Staff sickness and holiday.** Given the time it takes to form a relationship with a child, the advocates stated that they made every effort to plan their holiday time around scheduled hearing dates for the children they were working with. However, it could be challenging for a second advocate to step in at short notice to cover staff sickness. This situation arose on occasion during the period of the project.

### ***During the hearing***

- 5.30 **Panels do things differently.** The point was made that no two hearings are alike, and different panels may also manage the hearing process slightly differently. In general, panels are very focused on wanting to hear the child's views; however, in some hearings, if multiple children are present, and there are also multiple other individuals attending from a range of services (in addition to the child's parents / carers), there can be a significant time pressure. One of the advocates commented that there were one or two hearings where (it was felt) the panel had not allowed the advocate sufficient time to go through the information that had been gathered from the child. However, it was also noted that these cases occurred in the early stages of the project. The advocates believed that, as the project went on, panel members' awareness of the service grew and the panel chair was much more alert to the presence of the advocates in the hearings where they attended.

### ***After the hearing***

- 5.31 **Bringing the relationship with the child to a close.** Once the advocate has established a relationship with the child, it can be difficult and disappointing for the child when this relationship ends because of the closure of the child's case. Sensitivity and care are therefore needed in relation to case closure. Many of the children who used the service were subsequently placed under Compulsory Supervision Orders, and so were eligible to use the Barnardo's Children's Rights service. This meant that, once the advocacy project had ended, the child continued to be supported at formal review meetings by the same individual who had been their advocate.
- 5.32 **Being clear with other professionals about when the service begins and ends.** There was some confusion expressed by one social worker about the ongoing remit of the Barnardo's advocacy service, once the child had been through the Hearing system. At the same time, another social worker commented that she appreciated the fact that the advocate assigned to one

child continued to provide advocacy support to that child (through the Barnardo's Children's Rights service) once the child had been through the Children's Hearing system and was now in a placement.

## 6 SERVICE OUTCOMES FOR CHILDREN

- 6.1 This chapter considers how the Barnardo's children's advocacy service contributed to meeting each of the outcomes expected from the service, as set out in the logic model in Appendix 2. The focus in this chapter is on the expected outcomes for children. Outcomes for panel members and for 'informal advocates' are discussed in Chapter 7.
- 6.2 This chapter looks first at children's outcomes from the perspective of the child – then from the perspectives of panel members, social workers and Reporters.
- 6.3 Key outcomes for the child against which the service was evaluated were that:
- The child feels supported before, during and after the Children's Hearing
  - The child feels his/her views are put across in the hearing
  - The child feels his/her views are heard and taken into account by the panel members
  - The child feels s/he understood what is happening during the hearing
  - The child feels s/he understood why the panel made the decision they did.

### Outcomes for children – from the child's perspective

- 6.4 During the period 18 May – 29 February, the service collected 22 completed feedback forms from children after the initial grounds hearing. This accounts for two-thirds of all the children the service engaged with.
- 6.5 In general, this feedback indicated that the expected outcomes for children from the service were achieved: children felt supported by their advocate and appreciated having someone who 'listened only to them'. Those who had attended their grounds hearing largely felt supported during the hearing, and believed that their views had been put across, heard and taken into account in the panel's decision-making. Those who did not attend the grounds hearing were generally unable to comment in relation to these outcomes, although some were aware that a report had been prepared by the advocate to discuss their views with the panel during the hearing.
- 6.6 The feedback suggests that children were **less** confident that they understood what was happening during the hearing, with less than half (10 out of 22) indicating agreement with this question. Just under a half (9 out of 22) said 'no' or 'not sure' in response to this question. (Three did not reply to the question.) Of the nine children who replied 'no' or 'not sure', three of these said they had not attended the hearing, while two others commented on 'the big words' that were used during the proceedings. Unfortunately, among the 22 children who gave feedback, it is not possible to determine retrospectively exactly how many, and which ones, attended their grounds hearing. Some may have attended part of the hearing and then been excused while others

may have been excused for the entire hearing. Appendix 4 contains further details of the feedback received from children.

- 6.7 All of the children who provided feedback stated that that having an advocate had helped them, and several provided additional comments on their feedback form:

*'[Advocate] was easy to talk to. She listened to me and told people how I felt.'* (Male, aged 12)

*'Someone listened to only me.'* (Male, aged 14)

*'When can you see me at school? You are welcome and I really like you.'* (Female, aged 9)

*'Someone listened to me, spoke to me and not at me.'* (Female, aged 15)

- 6.8 These findings also highlight the difficulties of measuring outcomes – from the child's perspective – if the child does not attend the hearing. In such situations, it may be necessary for the advocate to take extra time to explain to the child what was being done by the advocate to ensure that the child's views are made known to the panel and how the panel responded when they heard the child's views.

### **Outcomes for children – from the panel's perspective**

- 6.9 As discussed in Chapter 2, panel members who had experience of the Barnardo's advocacy service were invited to take part in a short telephone interview to explore their perspectives on the service in greater depth.
- 6.10 In these interviews, panel members were asked to consider the way in which the child's views were put across by the Barnardo's advocate – and to compare that with the way the child's views were put across in the other two hearings they attended in the same session.
- 6.11 In some cases, it was not possible to make a comparison since the children in the other hearings were too young to be able to express a view. However, where comparisons could be made, the panel members generally expressed greater confidence that they knew what the child's views were when there was a Barnardo's advocate supporting the child. The one exception highlighted by one panel member was where the child in the other hearing was old enough – and confident enough – to self-advocate.
- 6.12 Panel members repeatedly emphasised the important role of the advocate in:  
a) giving the child the confidence to share their views with the panel; and b) providing better, more in-depth information about the child's views than they might otherwise have been able to obtain.

6.13 The case study below illustrates some of these points.

### **Case study**

6.14 Two panel members discussed a hearing in which a Barnardo's advocate had attended with a male teenager. This hearing was compared with two hearings in the same session in which the children did not attend. In one of these, the child was an infant, and it would not have been possible for the child to communicate their own views. In the other, the child was a primary school-aged child, and potentially old enough to be asked for their views. Both panel members commented in relation to the hearing for the primary school-aged child that, although others had attended the hearing to represent the interests of the child, they did not feel confident that they knew what the child's views were:

*'[A]rrangements had been made for the child not to be there.... I think we missed out some of the interaction between that child and current carers, so I kind of felt that wasn't ideal.'* (Panel interviewee 2)

*'I don't think we had a great view [about what the child's views were]. We did have people there to represent him, but not actually how his views as such were put over.'* (Panel interviewee 1)

6.15 In contrast to this, these panel members spoke positively about the role of the Barnardo's advocate in giving the teenage boy the confidence to share his views with the panel.

*'...[S]he [the advocate] did a good job, because she kind of just talked through it [the advocate's report on the child's views]. It was clear that she'd been speaking to the child beforehand and they kind of agreed... you know, he's obviously been speaking to her and said, 'yeah, I'd like you to share X, Y and Z', and she's shared what he was feeling, and I think between the two ... I think that gave him also the confidence to do a lot of speaking as well.'* (Panel interviewee 2)

*'[W]hat I felt happened yesterday was... if she [the advocate] hadn't spent the time getting to know him and reassure him, and get his... to get his views – and I think she spent a lot of time going over the grounds and things with him as well – I don't think we'd have had the same outcome from the hearing. The paperwork we had for the child was not the same as the child that presented in front of us, if you like. He seemed a lot more open and engaging, and I think that was because she was there to support him.'* (Panel interviewee 1)

6.16 The comment that 'the paperwork we had for the child was not the same as the child that presented in front of us' was echoed by the second panel member, suggesting that the advocate had played an important role in helping the young man to present himself *well* to the panel:

*'When I was reading the papers beforehand, I thought, even if this child comes along... I thought he sounded from the reports, a character that would clam up and wouldn't engage well with us.... That changed quite dramatically during the hearing and I felt he spoke to us very well. I think he gave us a good account of what his thoughts were, but I also think the advocacy element was crucial in yesterday's hearing.'* (Panel interviewee 2)

### **Outcomes for children – from social workers' perspectives**

6.17 Social workers (in interviews) were asked if they had any comments about what (if any) difference it makes for a child to have a Barnardo's advocate during a grounds hearing. Social workers identified several benefits in relation to the specific children they had referred to the advocacy service, including that:

- The child understood the grounds and was able to respond to them.
- The child attended the hearing – when she probably would otherwise have not done so.
- The child was heard during the hearing / his voice did not get lost among everything else discussed in the hearing
- The advocate gave the child confidence – which put the child more in control in the situation.

6.18 One social worker highlighted the way in which the advocate had empowered one 15-year-old girl:

*'I think it was good for the young person to have somebody – to feel that she could ask questions about those grounds without feeling as if she was saying something to me that she shouldn't, if that makes sense? ... I mean, she had definitely more confidence to say, 'No, I don't agree with that ground', or 'I dispute that', or – my guess is that if maybe somebody hadn't sat and went through those grounds in detail with her, she might have just sat and agreed through all of those grounds. But I think because she'd had that discussion and maybe a bit of understanding about what they meant, she felt more empowered, I think, to probably say, 'No, I don't agree with that', and that wasn't necessarily great for me, because it meant that they had to go for proof, so I suppose in terms of the process, it delayed it. But that's essentially how it should be, because she was entitled to agree or disagree with those grounds, do you know what I mean?' (Social work interviewee 9)*

### **Outcomes for children – from the Reporters' perspectives**

6.19 Reporters (in interviews) largely echoed these views. Reporters believed that having an advocate helped the child to understand what the grounds hearing

is all about, and 'really prepares the child for coming to the hearing'. There was a recognition that this was something that a social worker could do too, but that a child would probably feel more comfortable talking to someone independent from social work. One Reporter noted that, 'Teenagers can get worried about social workers writing things down.'

- 6.20 Other Reporters commented on the extent to which having an advocate appeared to give children confidence and support during the hearing.
- 6.21 Given the queries raised by some of the social workers about the appropriateness of advocacy for children under five, Reporters were specifically asked whether they had any views about which children are most likely to benefit from having an advocate.
- 6.22 All four of the Reporters interviewed suggested that very young children are likely to get least benefit from the service. The following points were made by Reporters:
- Very young children (those aged three or four) are too young to understand the hearing proceedings.
  - Children aged three or four often do not understand what is happening in their own homes, and may not be able to articulate how they feel about what is happening.
  - Children of this age are able to express their views about issues that are important to them, but these views (for example, about what they like and dislike) are unlikely to be relevant in the significant decisions which need to be taken by panel members (for example, about where the child should live and whom they should live with).
- 6.23 Reporters had different opinions about the age of children most likely to benefit from the service. One said from age six or seven; another said from seven or eight; two others suggested from five upwards.
- 6.24 At the same time, Reporters thought that, unless there is a reason to limit the service in some way (for example, due to capacity within the service), that it could be helpful for even very young children (aged three and four) to have an advocate – otherwise there is a risk of their voices not being heard at all.



## 7 OTHER OUTCOMES FROM THE SERVICE

- 7.1 This chapter looks at the outcomes from the service for panel members and for 'informal advocates'.
- 7.2 The main expected outcome for panel members from the Barnardo's advocacy service was that panel members would have a better understanding of the child's views, feelings and preferences and be able to make more informed decisions.
- 7.3 The expected outcomes for 'informal advocates' were that:
- The informal advocate would understand the role and feel confident to carry it out.
  - The informal advocate would provide effective advocacy for the child.

### Outcomes for the panel

#### *From the panel's perspective*

- 7.4 In interviews, panel members repeatedly emphasised the role of the Barnardo's advocate in giving them a better, more in-depth understanding of the child's views in the hearing. The point was made that the role of the advocate is especially helpful when the child has been excused from the hearing, or where the child might otherwise find it difficult to speak to the panel members directly.
- 7.5 Panel members also referred to the clarity and quality of the information they received in relation to the child's views when a Barnardo's advocate was present. Specific positive comments were made in relation to the quality of the reports the advocates submitted to the hearing.
- 7.6 The independent nature of the Barnardo's advocacy service was noted by some panel members and appeared to be valued.

*'Because [the child] was quite young, I think it adds value to the children's panel, because we actually have somebody else who is independent to the other professionals who were involved, to give a view from the child.'* (Panel member interviewee 9)

*'Well I think it gave a more independent view of the child as opposed to her parent or another relative giving it, who could slant it in a different way, and I think it gave the child someone...that she wasn't related to, a chance to speak to that person.'* (Panel member interviewee 4)

- 7.7 The point was also made that, in certain cases, the information provided by the Barnardo's advocate was additional or different to that provided by social workers.

### **Case study**

- 7.8 Three panel members discussed a hearing in which the Barnardo's advocate spoke on behalf of a pre-school-aged girl who did not attend the hearing. This hearing was compared with two others in the same session in which the children were aged 12, both of whom had attended their respective hearings. In this case study, the three panel members each commented on the depth, clarity and reliability of the information shared by the Barnardo's advocate regarding the girl's views.

*'It was extremely useful, both the written and the verbal information that we received from the Barnardo's Advocacy Service. I've never had such in-depth and such reliable views of a young child being transmitted to the panel. It was really interesting and they were... there were little quotes from the child. I have a child of the same age, and so it was perhaps quite easy for me to relate to the things that the child was saying, because they do contradict themselves. But I think the important thing was that you saw that contradiction. In other words, you were able to come to the conclusion that she is a little confused... and that's completely fine, and normal given the circumstances.'* (Panel member interviewee 3)

*'I've got a grandson of that age, and I know they've got opinions and everything else. However, it's quite daunting, so you can get quite a reserved view from a younger child. However, in comparison to [the other hearings that day], all I would say was it was as clear as... you couldn't get any clearer for this particular child, who she was and what was happening to her.'* (Panel member interviewee 5)

- 7.9 Although in this case, the child was very young and had been excused from attending the hearing, one of the panel members commented that her 'parents agreed with everything the advocate was saying', again reinforcing the perceived reliability of the information shared by the advocate.
- 7.10 Two of the panel members also independently commented that they felt they had had a *clearer* understanding of the young girl's views (in her absence) than they did in the two other hearings that day where there were older children present.

*Panel member: 'The other two children were 12 and they were both present... You know, there's always a bit of, well, the child says this, and the mother says that, and social worker says something different. But when the child is actually there, obviously you're getting their views, they're coming out of their mouth in their own words, and you*

*see them and you see their expression and their body language. I'd say it was almost better having the report and listening to the advocacy service lady from Barnardo's.'*

*Interviewer: 'Better in what way?'*

*Panel member: 'I think she was able to convey to us a very honest image of the child's state of mind, and I think a 12-year-old child on the other hand is going to tell you what they want you to hear.... What I'm trying to imagine is, had one of the 12-year-old children had a Barnardo's advocacy representative, what that would have come back with.'* (Panel member interviewee 3)

### ***From social workers' perspectives***

7.11 Social workers identified the following benefits for panel members from the involvement of the Barnardo's children's advocacy service:

- Where a child has been excused from a hearing, the report submitted by the advocate can reassure them that they are making a fair decision based on good information about the child's views.
- The advocate ensures that the child's rights are given priority at the hearing – sometimes hearings can be overtaken by parent's rights and not enough attention is given to the rights of the child.
- The advocate's ability to focus *just* on the child allows a more rounded view of the child to be presented.

7.12 Although it was not identified as a potential outcome from the service, one social worker commented that the role of the advocate in discussing the grounds with the child prior the hearing – and ensuring that the child understands the grounds – can take some pressure off the panel during the hearing.

7.13 Some social workers echoed the point made by panel members, that panel members appreciate the **independent** representation of the child's views which an advocate can provide – that the advocate is there for the child, and not for anyone else.

### ***From the Reporters' perspectives***

7.14 Reporters largely echoed the views of panel members and social workers. They noted that panel members especially appreciated the reports submitted by the Barnardo's advocates – that these were seen as valuable in helping them to understand the child's views.

7.15 The point was also made that sometimes a child is not willing to engage with the panel, may have difficulty in expressing their own views, or may simply

feel intimidated in the context of the hearing. In these cases, being able to obtain the child's views through the advocate helps the panel a great deal in their decision-making.

*'The panel would always prefer to hear from the child directly. However, if the child's views are not clear, or if the child cannot easily express their views, then the panel appreciates the help the advocate provides.'* (Reporter interviewee 3)

### **Outcomes for informal advocates**

- 7.16 Where a child indicated a preference for someone else to advocate for them, the Barnardo's advocacy service contacted the nominated individual and provided information and 'training' to help support them to effectively carry out this role in the grounds hearing.
- 7.17 During the period of the project, there was just one individual who was supported by Barnardo's to act as an 'informal advocate' for a four-year-old girl. The individual nominated was the girl's aunt, who lived in the same house with the child and the child's carer.
- 7.18 The Barnardo's advocate met with the aunt on two occasions within the fortnight before the hearing, worked through the advocacy training pack developed by Barnardo's and answered any questions she had. Ongoing support was offered, but the aunt said that she felt confident about providing advocacy for the child.
- 7.19 The aunt subsequently contacted Barnardo's by phone on two occasions to ask questions about the hearing process before the grounds hearing took place, but there was no further contact with the aunt afterwards and she did not respond to requests for feedback about the service.
- 7.20 However, two panel members completed a survey form after the hearing in which the aunt provided advocacy support for the child, and separately rated the aunt's effectiveness in presenting the child's views as excellent and good.

## 8 VIEWS ON SERVICE QUALITY

8.1 This chapter assesses the quality of the service. Information about service quality was gathered from panel members, Reporters and social workers. Reporters and social workers were specifically asked to comment on whether any improvements could be made to the service.

### Quality of the service – from the perspectives of panel members and Reporters

8.2 Children’s panel members and Reporters were asked to complete a short questionnaire after all relevant grounds hearings during the period in which the Barnardo’s children’s advocacy service was delivered (18 May 2015 to 29 February 2016). Relevant grounds hearings were those in which the child was eligible for the Barnardo’s service – i.e. aged 3-17 and attending their first hearing. This questionnaire sought the perspectives of these individuals about how effectively the child’s views were put across during the hearing.

8.3 The questionnaires asked two main questions: (i) who was the main person supporting the child to have their views heard? And (ii) how effectively were the child’s views communicated to the Hearing? In response to the latter question, respondents could tick ‘excellent’, ‘good’, ‘fair’ or ‘poor’. Respondents were also invited to give any additional comments.

8.4 The findings, based on 212 responses and covering 62 grounds hearings, are set out in Table 8.1 below. *The quality and completeness of this data was highly variable, and so caution should be exercised in the interpretation of these findings.* Bearing this caveat in mind, the results indicate that:

- Overall, panel members and Reporters rated two-thirds of the people who supported a child to give their views as ‘excellent’ or ‘good’.
- The highest ratings were given to the Barnardo’s advocacy workers (86% rated excellent or good), followed by ‘other professionals’ (usually a key worker in a residential service, a member of the Fife Family and Community Support Team, or another independent advocacy service). Children who self-advocated were also given relatively high ratings.
- The lowest ratings were given in eighteen hearings where the person supporting the child was categorised as ‘Other’ (100% were rated fair or poor). This category included cases where the child was present, but neither the child nor the parent had been willing to engage with the advocacy service, and it included cases where the child had not attended the hearing (often because they were deemed to be too young). Relatively low ratings were also given where a family member / friend was the main person sharing the views of the child (over half were rated fair or poor).
- The Barnardo’s advocacy service also received poor ratings in eight surveys. Seven of these assessments related to a single hearing at which the cases of four children were considered. The eighth related to a hearing

on the same day (one hour earlier) at which the case of one child was discussed. Both these cases were heard by the same panel. The advocate attending both those hearings commented afterwards that she had felt very rushed by the panel.

**Table 8.1: How effectively were the child’s views communicated to the hearing? Ratings by panel members and Reporters**

Effectiveness rating	Excellent		Good		Fair		Poor		Total	
	n	%	n	%	n	%	n	%	n	%
Barnardo's Independent Advocacy Service	48	53%	30	33%	5	5%	8	9%	91	100%
Other professional	4	22%	13	72%	2	11%	2	11%	18	100%
Self-advocacy by child	4	16%	15	60%	4	16%	2	8%	25	100%
Social worker	–	0%	7	54%	5	38%	1	8%	13	100%
Informal (family member / friend)	16	36%	5	11%	14	32%	9	20%	44	100%
Other*	–	0%	–	0%	10	56%	8	44%	18	100%
<b>Total</b>	<b>72</b>	<b>34%</b>	<b>70</b>	<b>33%</b>	<b>40</b>	<b>19%</b>	<b>30</b>	<b>14%</b>	<b>212</b>	<b>100%</b>

\* This category is based on a range of comments noted by panel members / Reporters. For example, some said the child had ‘not consented to advocacy’; in others the child attended, but the ‘mother had not consented to advocacy’. This category also includes cases in which the child was described as ‘too young to express a view’.

- 8.5 Some of the positive comments made by panel members regarding the Barnardo’s advocacy support for children included the following:

*‘Advocacy service is proving to be very useful, especially when a child is too young to participate, but can still give their views to someone.’  
(Panel member)*

*‘Advocate was alert to the young person’s needs, explained and clarified any issues which arose that the young person didn’t understand.’ (Panel member)*

- 8.6 One critical remark including the following:

*‘Whilst input was offered, it was not always clear what the child’s views were. Instead some input appeared to be offered by advocate as a professional in their own regard – e.g. their views on safety of children at home with [relative] – issue may have been the child is quite young (3 years old).’ (Children’s Reporter)*

### Other comments on service quality

- 8.7 Issues of service quality were discussed in interviews with panel members, social workers and Reporters. When asked what aspects of the Barnardo’s advocacy service had worked well, across all three of these groups, interviewees highlighted: (i) the apparent positive, supportive relationship the advocates had with the children during the hearing, and (ii) the quality and

importance of the reports submitted by Barnardo's. Some areas for improvement were also highlighted.

### ***Quality of the relationship between the advocate and the child***

8.8 All three groups commented favourably on the relationship the advocate appeared to have established with the child in a very short timescale. The point was repeatedly made that without the advocate, in some cases, children might otherwise have been unwilling to engage with the panel – thus making it difficult for the panel to have a complete understanding of their views.

Interviewees commented on:

- The body language between the advocate and the child, which suggested a trusting relationship and strong communication between them
- The fact that the advocate sat beside the child during the hearing (in hearings where the child attended), which gave the child confidence.

8.9 The advocates' communication skills – and particularly, their skills in communicating with the child – were also noted:

- When the child seemed confused during the hearing, the advocate was able to rephrase questions from the panel members, or explain aspects of the proceedings in simpler language for the child
- In some cases, the advocate prompted the child during the hearing to remind him / her about things s/he wanted to say to panel members – ensuring that the child's views (as shared with the advocate) were expressed fully.

8.10 The following quotes illustrate some of these points:

*'It was clear that the Barnardo's worker had worked with the teenager prior to coming to the meeting, and it was very much a team effort between them. The worker was able to support the young person and also chip in when she felt the young person was stumbling with words or finding it difficult to express herself.... I think without that, that child wouldn't have been part of the process, and I think that would have been a great loss.'* (Social worker interviewee 6)

*'[Y]ou could see that although the advocacy worker hadn't spent... hadn't had the opportunity to spend a great deal of time with the child, nevertheless, you could see that there was a rapport. You just had to watch the body language.... The child felt at ease and she felt at ease with the panel.'* (Panel member interviewee 12)

8.11 There were, however, also very occasional comments that in one or two cases, the advocacy worker had struggled to build a relationship with a child (usually a younger child), who couldn't understand the purpose of the advocacy service. Furthermore, the advocacy workers also highlighted that it

takes time to develop a relationship with a child, and there can be difficulties in building trust if they have only had the opportunity to meet with the child once or twice.

### ***Quality of the reports submitted to the hearing by the advocate***

8.12 Chapter 7 above has already discussed the importance to panel members of the advocates' reports about the child. These reports were identified as one aspect of the service that worked particularly well, and the quality and in-depth nature of the reports were often spontaneously highlighted both by panel members and by Reporters.

8.13 However, Reporters also commented that in some cases, the reports arrived too late to be included in the papers given to panel members before the hearing. There was a view among Reporters that it would be better if panel members had time to consider the reports before the hearing, rather than having the information read out to them for the first time during the hearing.

### ***Possible areas for improvement***

8.14 Other potential areas for improvement in the service were in relation to the referral process, the information provided to children about the service, and ensuring continuity of the advocate's relationship with the child. Each of these is described briefly below.

#### *The referral process*

8.15 Panel members and Reporters appeared to be aware of difficulties with the referral process – that some children who were eligible for the advocacy service had not been referred. A small number of Reporters and social workers also commented that, on occasion, a referral **had** been made to the service, but the service did not accept it because (it was felt) there was insufficient time to meet with the child before the hearing.

8.16 One Reporter suggested that more thought was needed about how to make the best use of the limited time available between the child's referral to a hearing and the date of the hearing. One suggestion was that phone discussions could take place where there was insufficient time to arrange face-to-face meetings.

#### *Giving better, more tailored information to children about the service*

8.17 Some of the social workers thought that the leaflet supplied by Barnardo's to introduce the service to children and families was not necessarily appropriate for all children. It was suggested that a short video, or a link to a website – designed to communicate with children – would be more 'child-friendly', especially for younger children who are too young to read a leaflet.



*Ensure continuity of the service for the child*

- 8.18 Reporters noted that, in some cases, the advocate at the hearing was different to the advocate who met with the child before the hearing – or that the child had different advocates at two different hearings. Reporters felt that the continuity of the advocate’s relationship with the child was important. One of the social workers also remarked on this issue, saying that she appreciated that the same advocate would continue to support the child once the child was in a placement.
- 8.19 There was a suggestion from one Reporter that it may be possible for the advocacy service to liaise with the Reporter to try to schedule hearings so that the same advocate could attend with the child each time. However, since this situation would ordinarily have arisen only if the advocate was off sick (the advocates stated that they always tried to plan their holiday time when they had no hearings scheduled), this suggestion is unlikely to result in any improvement in continuity. Rather, it may be preferable if the advocates simply explain to all children – as a matter of routine – that, if they are unexpectedly unwell on the day of the hearing, a colleague will stand in for them.

## 9 DISCUSSION

- 9.1 Changes in legislation regarding the Children's Hearings system will result in a more prominent role for children's advocates in the future. This evaluation has examined the way in which one model of an advocacy service has been delivered over a ten-month period. A key feature of this service was that it sought to provide support to children **during their first encounter** with a Children's Hearing – at the (initial) grounds hearing. The service also aimed to provide assistance and training to 'informal advocates' – people who already had a relationship with the child who were willing to support the child in sharing his/her views at the grounds hearing.

### Outcomes of the advocacy service

- 9.2 The evaluation found largely positive outcomes for children, and for panel members from the service. However, information about outcomes for children was largely based on the views of professionals, as there was only very limited feedback on the service available from the children themselves.
- 9.3 What feedback there was suggested that children felt supported before, during and after their hearing; felt their views had been put across to the hearing and taken into account by panel members in their decision; and felt they understood why the panel members made the decision they did. Fewer of the children who provided feedback on the service said they understood what was happening during their hearing, and some specifically commented on the 'big words' that were used in the hearing. However, this finding may also be partly related to the fact that not all children attended their hearing.
- 9.4 Feedback from professionals indicated that children appeared to be well-supported during the hearing, that children appeared to feel confident to participate (in some cases, more confident than the professionals might have expected), that the child's views were put across to the hearing clearly and that these played an important part in the decision taken by panel members. Professionals commented on the positive relationships that the advocates appeared to have with the children they worked with, the quality and depth of the information shared about the child, and the importance for the child of having someone outside the family and separate from social work to help them to share their views in the hearing.
- 9.5 Outcomes from the service for panel members were also largely positive: panel members, social workers and Reporters all commented on the significant role that the advocate played in giving the panel members a better, more rounded understanding of the child's views, feelings and preferences. Panel members particularly appreciated the input from the advocate where the child had been excused from the hearing; however, they also appreciated that, when the child had **not** been excused, the advocate gave the child the confidence and support they needed to be able to speak directly to the panel

members. Panel members highlighted the importance for them of 'hearing the child's voice' – not only through (quotes in) a report from the advocate, but from the child directly.

- 9.6 It is not possible to comment on the effectiveness of the service in providing support and training to informal advocates. During the period of this study, only one individual came forward to take on this role and there was no feedback available from this person directly, although panel members rated her highly in relation to her contribution in sharing her niece's views in the hearing.

### **Challenges in establishing the advocacy service**

- 9.7 Although the overall outcomes from the service appeared positive, there were some challenges in delivering this type of service.
- 9.8 The early stages of the project were characterised by monthly meetings and intensive discussions among members of the steering group to establish how fundamental service processes would operate – in particular, how communication and data sharing between agencies would take place. These discussions were complex and challenging, and it took time and commitment on the part of all members to find workable solutions.
- 9.9 In particular, data protection requirements made it impossible for SCRA to share information directly with Barnardo's about which children had been referred to a hearing (although SCRA agreed to inform families about the service by including a leaflet with the notification sent to families). This meant the referral process for the service was not straightforward.
- 9.10 Given that there was already a data sharing protocol in place between Fife Council and Barnardo's, it was agreed that referrals to the service would be made via the social work department. This arrangement required social workers to obtain the consent of families / children for a Barnardo's advocate to contact them.
- 9.11 The referral arrangements that were ultimately put in place were the result of a commitment by all parties to make the service work. It took further time and commitment for the new referral processes to be communicated to social workers, and once these processes became established, they worked well for a period of months.
- 9.12 Unfortunately, after this initial positive beginning, referrals began to decline significantly. They increased again when reminders were sent to all social work managers by the social work representatives on the steering group, but the increase was not sustained, and overall just over half of all potentially eligible children were referred during the eight months that the service accepted referrals.

- 9.13 The effect of the relatively low number of referrals, combined with a fairly high non-engagement rate by families / children meant that overall, only around two-fifths of the children (33/89 – 40%) who were eligible for the service received it.
- 9.14 The reasons for the relatively low levels of referrals partly relate to the short-term nature of this project, and the difficulties of introducing new **standard** procedures for social workers for what was essentially a time-limited service. There was also some confusion among social workers about the age criteria for the service – and some believed that it was not appropriate to refer children under five for advocacy. Staff turnover within the social work service was also identified as a factor which contributed to the relatively low referral rate.
- 9.15 A smooth referral process is essential for this type of children’s advocacy service to work well. There is only a short period of time (usually a maximum of three weeks) available to the advocates between the child being referred to a hearing and the actual date of the hearing to: (i) contact the child / family, (ii) meet with the child (several times), (iii) prepare the child for the hearing, (iv) understand the child’s views and (v) produce a report for the hearing. Where there are multiple children in a family, the time pressures are particularly intensive. If this model of advocacy were to be continued in Fife, or rolled out in other areas of Scotland, establishing an efficient referral process would be essential.
- 9.16 There is only very limited information available from this evaluation about the outcomes for children who were eligible for the service but who did not receive it – either because they were not referred (n=40), or because they were referred and didn’t take it up (n=15).
- 9.17 The results of the panel / Reporter surveys suggest that where a child did not have a Barnardo’s advocate, and was not confident enough to self-advocate, panel members were less likely to rate the quality of the information they received about the child’s views as ‘excellent’.
- 9.18 During the period of this project, questions arose about the appropriateness of providing advocacy to children under five or six years old. Nevertheless, seven of the 33 children with whom the service worked were aged five or under, and both advocates firmly believed that children of this age were capable of expressing their views on issues that concern them. Moreover, two of the panel members who were interviewed for this study commented on the quality of information obtained by the advocate and presented during a hearing for a child aged four.
- 9.19 However, there was a recognition (including among the advocates) that very young children cannot often understand what is happening in the family home when problems arise. The Reporters who were interviewed for this study, who had a wider perspective on the work of the advocates with younger children,

were more measured about the significance of the information gathered by the advocates for children under five or six. While the Reporters acknowledged that even very young children are able to express their views, the value of those views in supporting panel members' decision making was questioned.

### **Challenges associated with the evaluation of the advocacy service**

- 9.20 There were several challenges in evaluating the advocacy service. First, the process for obtaining feedback from children (whereby the Barnardo's advocates asked the child to complete a feedback form after every hearing) did not work as originally planned.
- 9.21 Young children were not capable of providing feedback without a great deal of support. Furthermore, while the support should ideally come from someone other than the advocate who provided the service – to ensure that the child does not feel pressured to give only positive feedback – in practice this was impractical. Older children felt that the request to provide feedback after every hearing was too much, as successive hearings generally took place within a short space of time, and as far as the child was concerned, nothing had changed in that time. Given these issues, future evaluations might consider whether to obtain feedback only from older children, and only i) after the first hearing and ii) at the point at which the case is closed.
- 9.22 The other challenge for the evaluation was in obtaining robust quantitative data from panel members on their assessments of the quality of the presentation of the child's views during the hearing – where there were advocates present or where other people took on the role of presenting the child's views.
- 9.23 The time available to panel members between hearings is extremely pressured, and asking them to complete a short survey (even one with only two questions on it) seemed burdensome in the context of all the other documentation they are required to complete after a hearing. Alternative methods for obtaining the perspective of panel members which might have seemed less burdensome include: the use of an online questionnaire and a tablet which is passed from one panel member to the next immediately after the hearing – or short interviews with panel members immediately after a hearing session.

### **Conclusion**

- 9.24 This evaluation has demonstrated the potential value of an advocacy service in supporting children through their initial contact with the Children's Hearing system. The evaluation has also highlighted the importance and value of regular stakeholder meetings to discuss and agree procedures and ongoing adaptations throughout the period of the service, and to deal with any challenges as they arise.

## **APPENDIX 1: DETAILED DESCRIPTION OF EVALUATION METHODOLOGY**

### **Analysis of service monitoring data**

Barnardo's collected service activity data throughout the period 18 May 2015 – 29 February 2016. This included data on referrals, the number of children who made use of the service, basic demographic data about the children who used the service, and the number of cases closed by the end of the project. This data was made available to the external evaluation in the form of reports submitted to the steering group.

### **Steering group discussions**

One or both of the external evaluators attended all the steering group meetings held during the period of the project. These meetings acted as a forum for discussing any issues that arose in relation to: a) the delivery of the service and b) the evaluation of the service (both internal and external). Altogether, there were eight meetings between April 2015 and March 2016.

### **Interviews with advocacy staff**

The Barnardo's advocates were interviewed (together) twice during the period of the service, once in August 2015, and again in February 2016 as the service was winding down. These interviews both lasted about two hours and sought information about how the service was being delivered, what some of the challenges were, and what aspects of the service worked well and less well. These interviews also were used to get the perspective of the advocates on findings emerging from other sources of data.

### **Collecting data on outcomes for children**

There was an initial proposal that the external evaluation should also capture the views of children who had made use of the service. However, difficulties in obtaining consent for this aspect of the evaluation meant that this was not possible. As a result, information on outcomes for children was collected only by Barnardo's – as part of their ongoing monitoring of the service.

Barnardo's developed a short questionnaire to gather feedback from children who had used the service. The questionnaire comprised 12 questions with answers on a three-point scale (yes / not sure / no, or just right / too much / not enough), covering the child's views on:

- The ease of meeting the advocate
- The adequacy of time spent with the advocate

- Whether they felt able to talk to the advocate about what was happening to them
- Whether they felt supported by the advocate before, during and after the hearing
- Whether they felt their views were put across during the hearing, and were taken into consideration by the panel in making their decision
- Whether they understood what was going on during the hearing and why the panel made the decision they did
- Whether they found it helpful to have an advocate.

A copy of the full questionnaire is included in Appendix 3A.

The original plan was for the advocate to collect feedback from the child after each hearing (i.e. the grounds hearing and any other subsequent hearings the advocate attended with the child). However, this process for obtaining feedback proved to be impractical for younger children, and older children felt it was unnecessary to request their feedback so often (in some cases, hearings were held every 22 days). As a result, the advocates dispensed with the feedback form with younger children and sought feedback verbally, then recorded the feedback onto the forms. Older children continued to use the feedback forms. However, in both cases, the frequency of requesting feedback was reduced, so that feedback was sought only after the first hearing and at the point at which the case closed.

Despite these changes, there continued to be some challenges in obtaining feedback from children on the service – particularly for the younger children, and particularly in cases where the children had not attended the hearing. In such cases, the child could only comment on the advocate’s support before the hearing and after it.

### **Survey of children’s panel members and Reporters**

A questionnaire survey was undertaken with panel members and Reporters following all relevant grounds hearings during the period 18 May 2015 – 29 February 2016. Relevant grounds hearings were those in which the child was eligible for the Barnardo’s service – i.e. aged 3-17 and attending their first hearing. All three panel members and the Reporter were asked to complete a one-page questionnaire immediately following these hearings.<sup>10</sup> One questionnaire was completed for each eligible child; thus, in grounds hearings arranged for a group of siblings, each panel member and the Reporter were asked to complete multiple questionnaires – one for each child – following these hearings.

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<sup>10</sup> If a practice panel advisor was also present at the hearing, this individual was also invited to complete a copy of the questionnaire for each child.

The purpose of the survey was to obtain information about: (i) who (if anyone) supported the child to make known their views at the hearing (i.e. whether the child spoke him/herself, or whether their views were presented by one or more of the adults attending the hearing, including a Barnardo's advocate); and (ii) how effectively the child's views were made known to the hearing, based a four-point scale ranging from 'excellent' to 'poor'. Panel members and Reporters were also invited to provide any other comments about the way in which the child's views were expressed or presented at the hearing. A copy of the questionnaire is included in Appendix 3B.

The survey was administered with the assistance of SCRA. All children eligible for the service were identified by the Reporter (i.e. aged 3-17, attending an initial grounds hearing), and their case files were flagged before the hearing. Copies of the survey were then included with the documentation given to panel members on the day, and the Children's Reporter attending the hearing invited panel members to complete the survey immediately following the hearing. The Reporter also completed a copy of the survey at these hearings.<sup>11</sup> Completed questionnaires were collected by the Reporter and sent to Barnardo's, who then passed them on to the external evaluators at various stages throughout the period of the project.

In practice, not all panel members completed the questionnaire, and in some cases, one panel member completed the survey on behalf of the other panel members. Thus, there was a great deal of variability in the quality and consistency of this information.

During the period of the project, 89 children were eligible for the Barnardo's service. If all three panel members and the Reporter had completed a questionnaire for each of these 89 children following their grounds hearing, this would have resulted in 356 completed forms in total (267 from panel members and 89 from Reporters). If practice panel advisers were also present and completed a form, the total number would have been even greater.

However, in practice, only 224 responses were received (162 from panel members, 54 from Reporters and 8 from practice panel advisers) and only 212 of these completed both of the questions described above. The findings presented in Chapter 8 are therefore based on these 212 responses.

Altogether, the responses covered 62 grounds hearings held between 18 May 2015 and 29 February 2016. (As noted above, some of these hearings involved more than one child.)

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<sup>11</sup> If a practice panel adviser was in attendance at a grounds hearing, s/he was also invited to complete a copy of the questionnaire.



## **Interviews with panel members**

To complement the information received from the survey, between August 2015 and February 2016, panel members who had observed a Barnardo's advocate in a hearing were invited to take part in a 10-minute telephone interview to provide a more detailed perspective on the service. When a Barnardo's advocate attended a particular hearing, the Fife Children's Reporter service arranged for all the panel members attending that hearing to be given an invitation to be interviewed.

Those who agreed were contacted by one of the external evaluators by telephone and asked to consider how the child(ren)'s views were put across to the hearing by (or with the support of) the Barnardo's advocate, and to compare this with the way in which the child(ren)'s views were put across in the other two hearings the panel member attended in that same session. The interview explored not only the panel members' perspectives on whether the child's views were put across in the hearing effectively, but what benefit – if any – this had for panel members. Panel members were also invited to give further comments.

Since these questions required the panel members to recall the details of all three hearings in a particular session, every effort was made to contact panel members within 24 hours after the hearing. However, not all panel members who agreed to be interviewed were available within these timescales.

Altogether 14 interviews were carried out. However, two of the 14 panel members had requested that their interviews be arranged for one week after the relevant hearings had taken place. Unfortunately, these individuals were unable to remember any details of how the child(ren)'s views were presented in the hearings held the previous week and instead could only make general comments about the Barnardo's service. The findings presented in this report are therefore based on the 12 interviews with panel members (eight women and four men) who could recall details of the relevant hearings.

## **Interviews with Children's Reporters**

In January 2016, four of the Fife Children's Reporters who had observed one or more of the Barnardo's advocates in a hearing were invited to take part in a short telephone interview to discuss their views of the quality and effectiveness of the service. Reporters were also asked specifically to comment on what benefit (if any) the advocacy service had for children and panel members, respectively, and whether they had any views about which children are **most** likely to benefit from the service.

## **Interviews with social workers**

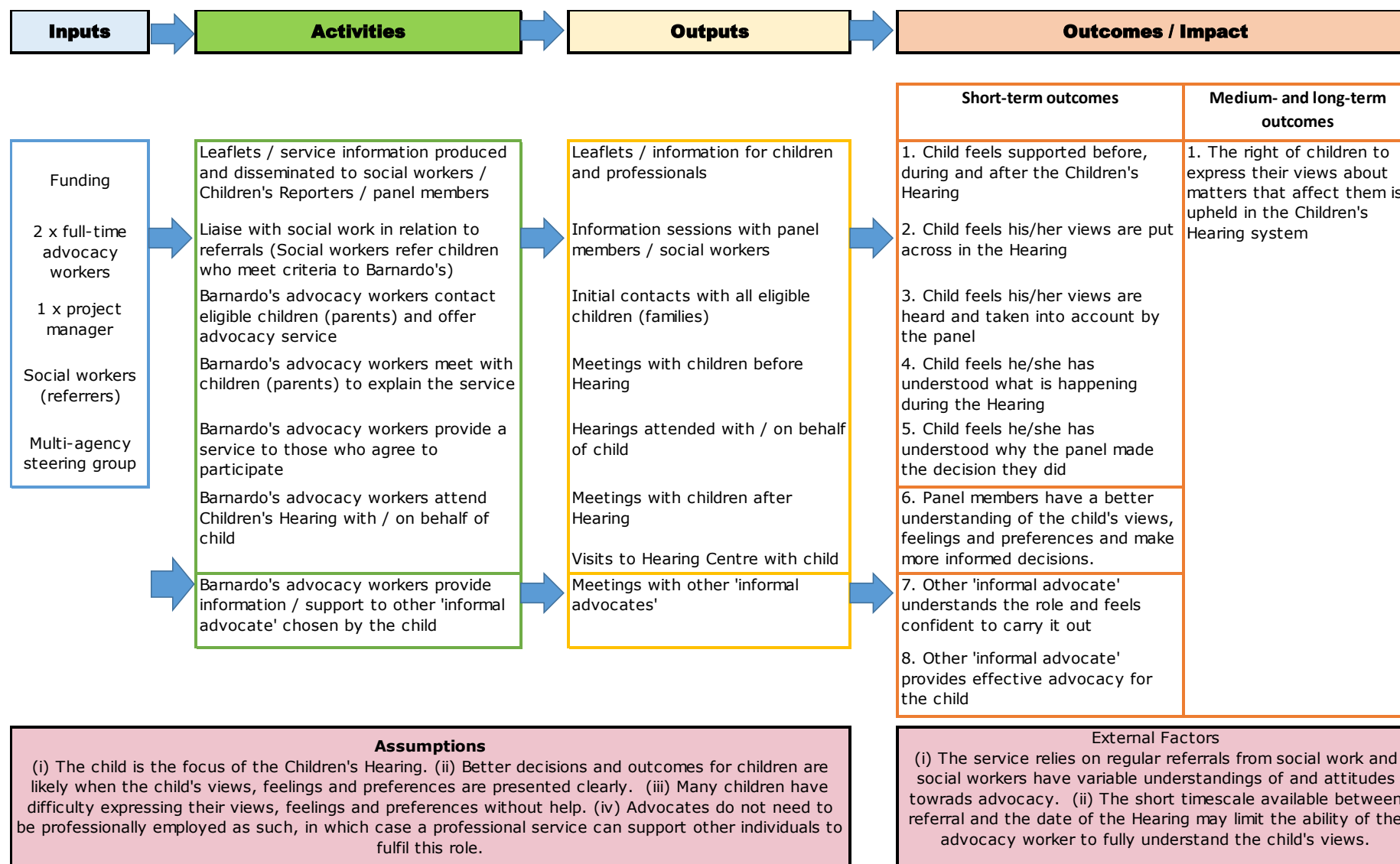
Between September 2015 and February 2016, social workers who had experience of referring one or more children to the Barnardo's advocacy service were invited to take part in a 10-minute telephone interview to discuss their experience of the

referral process and their views on the service.<sup>12</sup> Social workers were also specifically asked to comment on what, if any, benefit they saw for the child, and for the panel, if the child had the support of an advocate during a grounds hearing. Altogether, nine social workers were interviewed.

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<sup>12</sup> One interview was carried out with a social worker who had not referred a child to the service, but who was the case manager for a child who had been referred by a colleague. This interview focused just on the social worker's views of the service.

## APPENDIX 2: LOGIC MODEL FOR THE BARNARDO'S CHILDREN'S ADVOCACY SERVICE



## APPENDIX 3: SURVEYS FOR PANEL MEMBERS AND CHILDREN

### 3A. Panel survey (developed by steering group and administered by the Fife Children's Reporters' office)

#### Fife Advocacy Action Research Support Form

This form is to be completed for each child who meets the criteria of the Advocacy Action Research Project, i.e. the child is aged 3 – 17 years and this is their first referral to the Children's Hearing System.

Each Panel member is asked to complete one form for each child who has had a Hearing today. The purpose of the form is to gather information about the experience of having an advocacy worker present for the child and how this impacted on the views of the child being heard during the proceedings.

**Date of Children's Hearing:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Did the child / young person attend the hearing?**     Yes     No

#### **Form completed by**

- Panel member
- Reporter
- Practice panel advisor

#### **Who was the main person supporting the child / young person to have their views heard?**

- Barnardo's independent advocacy service
- Informal (family / friend)
- Other independent advocacy organisation
- Other professional (i.e. teacher, support worker, etc.) State who \_\_\_\_\_
- Self-advocacy
- Other

#### **How effectively were the child's views communicated to the Hearing?**

- Excellent      Child's views clearly articulated and presented throughout all aspects of the Hearing. Panel members had an excellent sense of the child's views
- Good              Child's views clearly articulated and presented throughout most aspects of hearing. Panel members had a good sense of child's views.
- Fair                Child's views were articulated but it was not always clear what the child's views were. The Panel members felt they needed to ask many questions to clarify the child's views.
- Poor                Child's views were not articulated well throughout the Hearing.

**Any other comments?**

### 3B. Children's feedback form (developed and administered by Barnardo's)

You have recently attended a children's hearing and have been supported by an advocate. If you did not attend the hearing, an advocate went in your place to express your views and opinions.

Please fill in this quick evaluation form to let us know how you felt About the service.

Name: .....

1. It was easy to meet with my advocate.



Yes



Not Sure



No

Would you like to say anything else?

2. I was able to spend enough time with my advocate before the hearing.



Just right



Too much



Not enough

Would you like to say anything else?

3. I was able to talk about what was happening to me with my advocate



Yes



Not Sure



No

Would you like to say anything else?

4. I was supported by my advocate before the hearing.



Just right



Too much



Not enough

Would you like to say anything else?

5. I was supported by my advocate during the hearing.



Just right



Too much



Not enough

Would you like to say anything else?

6. My views were put across at the hearing.



Yes



Not Sure



No

Would you like to say anything else?

7. My views were heard by the panel.



Yes



Not Sure



No

Would you like to say anything else?

8. My views were part of the decision that was made.



Yes



Not Sure



No

Would you like to say anything else?

9. I understood what was going on during the hearing.



Yes



Not Sure



No

Would you like to say anything else?

10. I understand why the panel made the decision they did.



Yes



Not Sure



No

Would you like to say anything else?

11. I was supported by my advocate after the hearing.



Yes



Not Sure



No

Would you like to say anything else?



12. Having an advocate helped me.



Yes



Not Sure



No

Would you like to say anything else?

**Thank you for taking the time to fill this in.**

## APPENDIX 4: RESULTS FROM CHILDREN'S FEEDBACK FORMS

This appendix summarises the feedback on the service provided by 22 children.

**Child feels supported before the hearing.** All 22 children indicated that they found it easy to meet with their advocate before the hearing, and 17 felt that the amount of time they spent with the advocate was 'just right'. Four children expressed the view that the time they had with their advocate before the hearing was 'not enough' and one replied 'not sure' in response to this question.

Sixteen of the 22 reported that they were able to talk to their advocate about what was happening in their lives (the remaining six said 'not sure'), and 19 felt the support given to them by their advocate before the hearing was 'just right', one said 'don't know' and the remaining two said they would have liked more support. These same individuals were two of the four children who also expressed a desire for more time with their advocate before the hearing.

**Child feels supported during the hearing.** Seventeen of the 22 children who gave feedback thought that the support their advocate gave them during the hearing was 'just right'. One commented that *'[the advocate] helped me to talk to the panel members'*. Some of the children who gave positive feedback did not, in fact, attend the hearing, but said they felt supported during the hearing *'because [the advocate] wrote a report'*. However, four other children answered 'not sure' in relation to this question because they had not attended the hearing themselves. One indicated that the support from the advocate was 'too much', but did not otherwise comment on the reason for this.

**Child feels their views were put across in the hearing:** Seventeen children felt that their views had been put across in the hearing – making comments such as *'Yes, because you said them'* or *'Yes, we spoke to them on our own'*. The remaining children (who had not attended) said they were not sure if their views were put across.

**Child feels their views are heard and taken into account by the Panel.** Those who had not attended the hearing were generally unable to comment on whether their *views were heard* by the panel. Those who had attended said they felt their views *had* been heard.

At the same time, 14 children said that they thought their views were taken into account in the decision made at the hearing, making comments such as, *'Yes, the panel listened to me'* and *'Yes, I get to stay at home'*. Five children answered 'not sure' in response to this question. In most cases, this was because the child was not present in the hearing. However, in one case, the child commented *'Not sure – didn't understand some things that were said'*. One child did not feel the panel had taken his/her views into account, saying, *'No – grounds went to court'*. The remaining two children did not reply to this question.

**Child understands what is happening during the hearing.** Ten of the 22 children said they understood what was happening during the hearing, with one commenting, *'They used a big word, so I had to ask what they meant'*. Most of the remaining children answered 'not sure' or 'no' to this question, usually because they did not attend the hearing. However, one who ticked 'not sure' noted, *'Sometimes they used big words'*, and one who ticked 'no' did not comment, but was the same individual who had expressed dissatisfaction that the 'grounds went to court'.

**Child understands why the panel made the decision they did:** Fifteen children said they understood why the panel made the decision they did, and some demonstrated their understanding in their comments: *'Yes, so my mum can keep up with the work'*, *'Yes, family problems, not going to school'*, *'Yes, I wanted to go into foster care'*. The remaining children who ticked 'no' or 'not sure' in response to this question did not comment further.

**Child feels supported by the advocate after the hearing:** Seventeen children said they felt supported by their advocate after the hearing – usually because *'[the advocate] came to see me'* or *'came to see how we were doing'*. Those who answered 'no' or 'not sure' to this question made no further comments.