

This is the prepublication version of

Bilson A, Macleod M., (2023) Social Work Interventions with Children under 5 in Scotland: Over a Quarter Referred and One in Seventeen Investigated with Wide Variations between Local Authorities. *British Journal of Social Work*
<https://doi.org/10.1093/bjsw/bcad079>

Social work interventions with children under five in Scotland

Over a quarter referred and one in 17 investigated with wide variations between local authorities

This paper uses information from freedom of information requests to find the rate of children under the age of five who were subject to social work interventions in Scotland. It finds that more than one in every four children were referred to social work and provides the rates for other types of interventions including children investigated for child protection, becoming looked after and being adopted. Despite differences in legislation and the judicial system the study shows many similarities in rates of intervention in Scotland to similar longitudinal studies in England. The study found wide variations between local authorities in rates of these different interventions, which for most interventions was moderately correlated with deprivation and, in the case of the high disparities in rates of referral and child protection investigation, had little correlation with deprivation. The likelihood of children's involvement with social work varied markedly depending on where they lived.

Keywords: adoption, child protection investigation, referral, Scotland, under-five

Teaser Text: This study used information from freedom of information requests to find how many children were subject of social work interventions before their fifth birthday. It showed that more than one in four children in Scotland had been referred to children's social care; one in 17 had been investigated for concerns about child protection; and one in 38 had been subject of compulsory measures of care. Involvement with social work varied widely between local authorities and this was not wholly due to differences in the levels of deprivation.

Introduction

The Independent Care Review in Scotland (2020) has called for a fundamental change of culture in child welfare services including more balance between the risk of harm to the child and the risk to the child of removing them from their families.

Following this review new national guidance for child protection was issued (Scottish Government, 2021b p. 1) with a key aim to “support greater consistency in what children and families can expect in terms of support and protection across Scotland”.

If Scotland is to make fundamental change it must have a sound knowledge of the current operation of the system. However, statistics published on children’s social work by the Scottish government are limited to snapshots or annual rates of involvement in services and headline that 1.5% of children were looked after or on the child protection register on 31st July 2021 (Scottish Government, 2022 p.1). This ‘snapshot’ approach to collecting data was criticised by the Scottish Independent Care Review saying it “means that an individual’s ‘journey of care’ ... and their progress over time is not represented in official statistics.” (Independent Care Review, 2020 p.13). It can also give the impression that children’s social work focusses on a small proportion of children.

In contrast to this impression, longitudinal studies using data from child protection information systems have started to show the high rate of children subject to social work interventions during their childhood in a range of English-speaking countries (Delfabbro et al, 2010; Kim et al, 2017; Rouland & Vaithianathan, 2018; Scott, 2014). In order to provide a longitudinal view on the operation of the children’s social work system in Scotland this paper considers the extent to which Scottish social work intervenes in the lives of children in their first five years of life through the use of social work interventions such as child protection investigations and children taken into care or adopted. It uses freedom of information requests to Scotland’s 32 local authority

social work departments to identify the number and proportion of children in Scotland who, before their fifth birthday, had been subject of children's social work interventions from referral through to adoption, and how these rates vary across the country. It uses an approach based on Bilson and Munro (2019) and Bilson and Martin's (2016) longitudinal studies in England. This common methodology also allows comparisons to be made with these English studies.

Background

The trend of increasing numbers and proportions of children being investigated for suspected abuse or neglect in Anglo-American child protection systems such as that operating in Scotland (Scottish Executive, 2002, Parton, 2020) has been called an investigative turn (Bilson et al, 2017). There have been rapid increases in annual rates of child protection investigations in Scotland (Bilson, 2022), England, Australia, Canada, and the US (Bilson, 2018). This trend means that social work activities are increasingly becoming child protection investigations, surveillance of families and in many cases removal of children into state care or adoption. Thus in England the proportion of referrals that were followed by a formal child protection investigation rose in the last fifteen years from 12.6% to 33.3% and for 70.1% of the children receiving a service on the 31st March 2021, social workers indicated this was primarily concerned with abuse or neglect.

This increasing trend leads to a large proportion of all children being subject to child protection interventions over their lifetime. In the United States 37% of all children had a "child protective services investigation" before the age of 18 (Kim et al, 2017) and around a quarter of all children in New Zealand (Roulund & Vaithianathan, 2018) and parts of Australia (Delfabbro et al., 2010; Scott , 2014). There are no studies showing

proportions investigated before ageing out of the system in the UK but, using data from the national child in need survey, Jay et al (2020) estimated that before the age of 16, 43% of all children in England were referred to children's social care and 25% had received services because they were 'in need'. In England a set of cohort studies of children followed until their fifth birthday showed that 22.5% of children were referred to children's social care; 17.0% had required a social work assessment; 11.1% had received services principally because of concerns about abuse or neglect (Bilson and Martin, 2016). The numbers formally investigated had risen by over a third from 4.7% of children who became 5 in 2012 to 6.4% or one in every 16 children who became 5 in 2017 (Bilson and Munro, 2019).

Lack of impact on maltreatment

Despite this high and growing involvement in child protection the limited research into whether the investigative approach to child protection reduces harm to children suggests it has little or limited impact. A study of the impact of child protection policies in 6 countries including England (Gilbert et al, 2012, p.758) examined hospital admissions, child protection statistics and crime figures over many years. They concluded that:

Despite several policy initiatives for child protection, we recorded no consistent evidence for a decrease in all types of indicators of child maltreatment. ... These analyses draw attention to the need for robust research to establish whether the high and rising rates of agency contacts and out-of-home care in some settings are effectively reducing child maltreatment.

Similarly, Bilson et al's research (2017) covering a 14-year period in Western Australia showed that, despite large increases in referrals, investigations, and children taken into care, there was no change in the number of children found to be harmed or

the type of harm found at case substantiation over the whole period. Higher levels of investigation neither found more children harmed nor were followed by fewer children harmed in following years.

Parton (2020, p.32) considering a wide range of data and comparative studies explains these findings, concluding that “child protection policies and practices are only very loosely connected to responding to the social problem of child maltreatment.”

Child protection and deprived communities

Child protection interventions focus on poor and excluded communities as acknowledged in the Scottish guidance on child protection. Internationally, studies show that child protection notifications were made on over half (52%) of all African American children in the US; 42.2% of Maori children in New Zealand; and over half of Aboriginal children in South Australia.

In the UK the work of the Child Welfare Inequalities Project (CWIP) showed that across the UK there is a social gradient with children in the most deprived areas many times more likely to be on the child protection register or its equivalent than those in the least deprived areas (Bywaters et al, 2020). CWIP found that, in the most deprived tenth of communities in Scotland, the rate of children looked after and placed away from home on their census date was almost 20 times higher and the rate of children on the child protection register was 18.5 times higher than in the least deprived areas (CWIP, 2017 p. 4). Analysis of data from England found that intervention rates at the local authority level were affected by supply and demand factors. Demand factors are the circumstances and conditions which affect children’s lives and development: “the social determinants of child well-being.” Supply factors which determine the supply of services include (Bywaters et al, 2020, p. 21): “the underlying legislation,

administrative structures, funding, processes and cultures of service provision.” For example, research in England found that:

... local authorities covering comparatively affluent areas tend to spend more on children’s services *relative to need* than in deprived areas ... [and] tend to intervene more readily using high end, expensive, more coercive forms of intervention. (Bywaters et al, 2020 p.6)

The research still found the social gradient within these more affluent local authorities but levels of intervention in their deprived areas were higher than in similar areas in less affluent local authorities.

Despite the acknowledgment that poverty caused harm to children and their families, the Child Welfare Inequalities Project (CWIP, 2017; p. 5) found that

Whilst social workers could, when prompted, articulate the effects of poverty on the families they were working with it was not routinely considered part of their role to try to help families maximise their income, manage debts, maintain stable and affordable accommodation or cope with the stresses of low and insecure incomes.

The child protection system in Scotland

The Scottish child protection system operates under separate legislation, policy and procedures, and organisational framework to that of other countries within the United Kingdom. The Independent Care Review (2020, p.25) criticised this system saying that it:

... operates within complex legislative frameworks, is bureaucratic and expensive, and does not operate as a single entity. It does not universally uphold the rights of children and does not provide the context for loving relationships to flourish.

The review described how organisations and individuals are prevented from doing what children need by fear and complex bureaucracy (2020 p.27). However, the new

guidance for child protection published after the Independent Review's criticisms, consists of 267 pages of detailed procedures along with 96 pages of "Practice Insights." This bureaucratic guidance changed little in terms of the process and has been criticised for being full of "professional and confusing jargon" (Clapton, 2020a p. 45), and "problematic conveyance of certainty and potential misdirection" (p.49).

Since 2006 the government has promoted a child rights approach aimed at improving the wellbeing of children called Getting it Right for Every Child (GIRFEC). It aims to ensure "[e]very child or young person should be safe, healthy, achieving, nurtured, active, respected, responsible and included" (Scottish Government, 2016). This approach encourages early intervention to promote wellbeing. A named person, who is a professional involved with the child, is appointed for every child to provide a point of contact. The implementation of GIRFEC policies have been challenged because they individualise problems taking attention from structural issues such as poverty and poor housing (McKendrick, 2016). There are also concerns that more children can be drawn into the child protection system and taken into care because: "The threshold for intervening in children and families' lives has been lowered significantly from 'significant harm' to any concern about wellbeing" (Mellon, 2015 p.69).

The diagram below (Figure 1) shows the process, operating at the time of this research. It shows how concerns, which can be raised by many agencies or people, were responded to. Initially information was gathered by police and social work who decided whether to launch an investigation. Thus, even at this stage information was shared about concerns often without the child or parent's consent. Where this information indicated that there was possible significant harm, a formal child protection investigation was carried out to assess the situation. The investigation was often carried out jointly by police and social work who interview the child, siblings, and parents as

well as other relevant parties. Information is gathered from health, education and other agencies as deemed necessary in the case. If the investigation found that there was a need to take further action a child protection case conference was held. The child protection conference decides about whether a child protection plan is necessary and if so, places the child on the child protection register. Under the new guidance the steps in the process are essentially the same though there is a change in the initial decision to consider action which is now taken by an Inter-agency Referral Discussion which can be convened by police, health or social work and focusses on the risk faced by the child.

Figure 1 The process of responding to child protection concerns in Scotland

Source: Based on Scottish Government, 2021b p. 3

At any of these stages a decision can be made that the child is better dealt with through voluntary support and the child protection process will cease. Likewise, at any time where it appears that the child is in need of protection, guidance, treatment or control; and that it might be necessary for a compulsory supervision order to be made, the child can be referred to the Reporter to the Children's Hearing System. The local authority will undertake all necessary inquiries into the child's circumstances and send this information to the reporter. The Reporter undertakes an investigation to decide if there is sufficient evidence that there is a legal ground for a Children's Hearing (the reporter has to go to court where grounds are contested) and that a compulsory supervision order is required to meet the child's needs. If these grounds are met the reporter calls a Children's Hearing (a panel of lay people) who can decide to discharge the child or make a supervision order which makes the child looked after. Looked after children can be in a range of accommodation or at home.

Trends in Scotland

This section considers trends of social work intervention in children's social care that can be found from currently published information.

Increase in child protection investigations

Scotland has not consistently gathered information on child protection investigations. Figure 2a and 2b are based on nationally published statistics covering the period from 2000/1 to 2009/10 which show annual numbers of child protection referrals and new registrations. All children referred will have received some level of investigation. Figure 2c, based on Bilson (2022), shows child protection investigations rather than referrals. Because of definition changes the graphs are not directly comparable, but each shows a rapid increase in child protection activity similar to that described as an investigative turn. However, the published statistics do not provide information on all referrals nor on the reasons for children having continuing services, so it isn't possible to assess how involvement with children for reasons other than child protection has changed.

The Scottish Government started to publish data on the number of child protection investigations in 2019/20. There were 12,934 investigations falling to 11,726 in 2020/21 whilst registrations changed little from 4,327 to 4,397 (Scottish Government, 2022). If this new data is comparable to Bilson's data for the earlier period, it suggests that numbers of investigations may have fallen back to rates found in 2015 though some of the fall in 2020/21 may be due to the impact of Coronavirus. Despite this fall in numbers, in 2020/21 only 37.5% of investigations led to a child protection registration and thus many families were put through an intrusive and harmful investigation (Buckley et al 2011; Clapton, 2020a; Morris et al, 2018; Smithson & Gibson, 2017) which did not lead to the child being placed on the register. It is likely that many of

these children and families could have been helped without the stigma and harm of parents being accused of abusing their children, a point which the new Scottish guidance on child protection appears to echo: “Many concerns raised over a child’s well-being will not need a child protection investigation” (Scottish Government, 2021, p.90).

Figure 2: Three graphs showing investigations or child protection referrals and annual number of child protection registrations in Scotland

Figure 2a Registrations & CP Referrals

INSERT Figure 2asmall.tif

* Child protection referrals count the number of children who had a child protection referral

Source: Scottish Government 2009 Table 1

Figure 2b Registrations & CP Referrals

INSERT Figure 2bsmall.tif

* Child protection referrals count the total number of child protection referrals

Source: Scottish Government 2009 Table 1

Figure 2c Registrations & CP investigations

INSERT Figure 2c small.tif

* In 2017/18 the City of Glasgow did not submit data on the number of investigations, figures for Glasgow's submission in 2016/17 have been added to the 2017/18 total

Source: Bilson 2022

Figure 3 Trends in rate of children looked after per 10,000 under 18 on 31st July 2001-2020

INSERT: Figure 3 small.tif

Source: Children's Social Work Statistics 2020-21

Rate of looked after children placed away from home almost twice as high as 20 years ago

Figure 3 shows that the rate of children looked after and placed away from home in Scotland has fallen slightly from a peak of 111 per 10,000 aged under 18 on 31st July 2016 to 102 per 10,000 in 2021. However, as the figure shows the rate in 2020 was 92% higher than in 2001. Over this period the placement of looked after children has changed with increases in children in kinship care and foster care alongside a slight fall in the use of residential accommodation (Scottish Government, 2021b – these breakdowns are published from 2006) and a large fall in placements at home. Whilst numbers in care are not directly comparable, the Scottish Government's statistics report shows that the rate of looked after children placed away from home in Scotland has risen from a similar rate to England in 2001 to 55% higher in 2020 (Figure 3). The statistics do not provide information by age and placement so it is not clear what the trend is for children aged under-five.

Methods

This study used a series of freedom of information (FoI) requests to all local authorities in Scotland. The FoI asked for information about how many children born in the year ending 31st July 2013 had reached the various stages of the child protection process reported below before their fifth birthday. Since someone can be referred or investigated more than once, two questions asked about how many occasions these children had been referred and had experienced a child protection investigation. This provided a

check that the response related to children rather than the number of referrals or investigations carried out on these children. Of the 27 local authorities providing data, six provided no data on the number of referrals (Clackmannanshire, East Renfrewshire, Falkirk, South Ayrshire, Shetland Islands and West Dunbartonshire) and five did not provide data on the number of child protection investigations (East Renfrewshire, Falkirk, Scottish Borders, Shetland Islands and West Dunbartonshire).

Some local authorities redacted data relating to less than five children within a category (see Table 4). The following categories had more than 3 redacted values: children adopted, kinship care orders, s80 permanence orders, s83 permanence orders. The mean value of the possible values of 1 to 4 (2.5) was used to allow inclusion in analysis to identify means. Comparison was made of means with and without these data items included and there was less than 3% difference in these results except for s80 and s83 permanence orders. The number of redacted values for these two items was particularly high (25 and 22 redacted out of 30 local authorities providing data) and it was decided that the substitution of 2.5 for redacted values was likely to give a more accurate result as it included all 30 local authorities.

The number of children aged 0 in June 2012 in Scotland and by local authority were taken from the National Records of Scotland's publication, *Midyear population estimates: Scotland and its council areas by single year of age and sex 1981 to 2019* (National Records of Scotland, 2020).

Limitations

This study was undertaken using freedom of information requests and this has certain limitations. The authors were unable to check the accuracy of the data other than to identify and query logical anomalies. The freedom of information act also limits the amount of time which can be used to fulfil a request. Because of this limitation

information was not requested on breakdowns such as for gender or ethnicity.

Some children may have moved between local authorities and be counted twice when calculating means at a national level because they combine results of local authorities.

The results included some redactions of data where less than five children fell into a category and the approach taken to this issue is discussed in the methods section.

Results

Results will be discussed first at national level before focussing on findings at local authority level.

National results

Table 1 Shows the rate of children experiencing different social work interventions in children's services before their 5th birthday using the results of the FOIs returned by local authorities. The table shows the rate per 10,000 children aged 0 in June 2012 having experienced a particular intervention before their fifth birthday and the number of local authorities which provided information on that intervention. Numbers of children in each category are not provided because they have a potential to mislead. For example, the number of children reported to be placed on a kinship care order is lower than the number placed for adoption, but the rate is higher, because it takes into account the population of the local authorities providing the data.

Thus, more than a quarter of all children were referred in the 27 local authorities providing that information (2653 per 10000, Table 1). The table also gives the rates of children who had been in care and left care to be adopted or placed on a kinship care order. It also shows the relationship between being on the child protection register and

becoming looked after. Fully 69% of children who became looked after had been on the child protection register and half (49.2%) of the children who had been on the child protection register had also been looked after before their fifth birthday.

Table 1 Involvement of children in children's services before their fifth birthday

	Rate per 10,000 children	Number of Local authorities
<i>Referred</i>	2653	27
<i>Child protection investigation</i>	594	27
<i>Case conference</i>	448	30
<i>Child protection register</i>	380	31
<i>Looked after</i>	264	31
<i>Looked after and placed away from home</i>	196	30
<i>Adopted</i>	38	25
<i>Kinship care order</i>	41	16
<i>Looked after never on CP register</i>	82	30
<i>CP register never looked after</i>	193	29

Legal status and placement at age 5

Table 2 shows the legal situation of the residence of looked after children at their 5th birthday. Thus whilst 196 per 10,000 children had been looked after and placed away from home before their 5th birthday, on their 5th birthday only 65 per 10,000 were currently being looked after. More than half of this difference is because children had left care to be adopted (38 per 10,000) or to be placed on a kinship care order (41 per 10,000). A further proportion of children will have been looked after and returned home.

Table 2 Child's residence situation at age 5

	Rate per 10,000 children	Number of Local authorities
<i>Age 5 looked after</i>	90	30
<i>Age 5 looked after away from home</i>	65	30
<i>Age 5 on a s.80 permanence order</i>	4*	30
<i>Age 5 s.83 permanence order</i>	6*	30

* these items had high levels of redacted values (see methods)

Comparison with the English study

Table 3 compares the findings of this study and those from a similar study in England (Bilson and Munro, 2019). Whilst the rate of referrals in Scotland is higher than that in England, the rates of children investigated for child abuse and those who had been placed on the child protection register are similar. Thus, despite the major differences in legislation and policy, it shows similar levels of involvement in these aspects of the child protection process. This contrasts with comparisons using snapshot data in the national statistics and CWIP study. Scottish Government statistics (2021a; p.26) show that for children of all ages on the register, the rate in Scotland is only half that in England in 2021, whilst Bywaters et al (2020; p. 32) showed a 45% lower rate of children aged under 5 on the register in Scotland than in England.

Table 3: Comparison of rates per 10,000 of involvement in children's services in this study and Bilson and Munro's study in England

	Scotland	England
<i>Referred</i>	2653	2114
<i>Investigated</i>	594	635
<i>CP Register</i>	380	375
<i>Looked after away from home before 5th Birthday</i>	196	173
<i>Looked after away from home at 5th birthday</i>	65	38
<i>Adopted</i>	38	56

Figures are in rates per 10,000 children

Whilst the rate of children having experienced a period looked after and away from home before their fifth birthday was 13% higher than in England, the rate of

children looked after and placed away from home at their fifth birthday was almost double that found in England. Some of this difference is due to the higher rate of children who left care to be adopted in England.

Results for local authorities

Table 3 shows wide variations between local authorities in rates of the different interventions. Thus, for the 27 local authorities providing this information the rate of children subject of child protection investigation before their fifth birthday had almost 9-fold difference from 1,847 per 10,000 in Clackmannanshire to 211 per 10,000 in Aberdeenshire (see Table 3). The rate of children adopted ranged from none in five local authorities to almost 2% of all children in Dundee. The rates of children who had been on the child protection register before the age of 5 also varied, but with a smaller range from 157 per 10,000 in Aberdeenshire to 761 per 10,000 in Angus. Thus, there is a major difference in a child's chances of being subject of a social work intervention depending on the local authority in which they live.

The "local share" of the 20% most deprived areas in the Scottish Index of Multiple Deprivation 2020 was used as a measure of deprivation (Scottish Government, 2020). Table 4 shows the local share and the rank of the local authority by deprivation with 1 being the most deprived local authority. There was a moderate degree of correlation between local authority deprivation and the rate of children who had been on the child protection register ($r=0.323$), looked after (0.482), looked after and placed away from home ($r= 0.411$), adopted ($r= 0.382$) or placed in kinship care ($r=0.474$).

This accords with CWIP's findings on how the social gradient in social work interventions interplays with contextual factors at the local authority level described above.

In contrast there was very little correlation between the rate of local authority deprivation and both the rate of children investigated ($r = 0.230$) and children referred to children's services ($r = 0.260$). This suggests that other factors than deprivation played a bigger part in child protection investigations and referrals than in these other areas of involvement with children's services. Whilst Clackmannanshire stands out with its rate of over 18% of all children having been investigated for abuse or neglect, five local authorities had rates above 9% of all children having been investigated whilst the seven lowest rates were all below 4% (Table 4). Whilst Clackmannanshire was ranked the eighth most deprived area, the other four local authorities with over 9% investigated were all in the least deprived half of Scotland's 32 local authorities (Table 4).

Table 4 Results by local authority shown in rate per 10,000 and measures of local authority deprivation

Local Authority	Rate per 10,000 children							Deprivation		
	Referred	CP Investigation	CP Case Conference	CP register	Looked After	Looked after & placed away from home	Adopted	Kinship Care Order	Proportion of 20% most deprived areas	Rank 1= most deprived
<i>Aberdeen City</i>	2634	-	446	379	278	261	55	0	10.25%	18
<i>Aberdeenshire</i>	1818	211	164	157	127	64	20	7	2.65%	29
<i>Angus</i>	3126	998	810	761	393	295	49	57	7.74%	22
<i>Argyll and Bute</i>	2964	909	461	461	250	250	40	40	10.40%	17
<i>City of Edinburgh</i>	3005	604	419	384	276	173	58	-	11.89%	16
<i>Clackmannanshire</i>	4452	1817	606	589	327	262	16	-	25.00%	8
<i>Dumfries & Galloway</i>	3581	801	615	586	422	293	x	50	9.45%	20
<i>Dundee City</i>	-	732	799	616	445	415	195	153	37.23%	5
<i>East Ayrshire</i>	2970	772	542	408	282	200	89	0	31.29%	7
<i>East Dunbartonshire</i>	1703	441	305	263	119	102	17	0	3.85%	27
<i>East Lothian</i>	474	342	246	158	158	105	18	0	6.06%	24
<i>East Renfrewshire</i>	1518	229	220	171	139	73	0	x	5.74%	26
<i>Falkirk</i>	3329	565	433	369	329	265	69	6	16.36%	13
<i>Fife</i>	2195	527	490	433	283	236	0	86	19.64%	11
<i>Glasgow City</i>	3266	-	-	421	287	160	12	95	45.44%	1
<i>Highland</i>	1659	355	346	317	236	182	30	-	9.62%	19
<i>Inverclyde</i>	3283	808	606	429	290	177	76	0	44.74%	2
<i>Midlothian</i>	3283	1103	726	574	296	269	x	x	8.70%	21
<i>Moray</i>	-	428	458	458	224	204	58	x	3.17%	28
<i>North Ayrshire</i>	1602	711	659	636	524	344	x	75	39.78%	3
<i>North Lanarkshire</i>	2784	382	256	191	168	139	0	-	34.23%	6
<i>Orkney Islands</i>	2095	x	x	x	x	x	x	x	0.00%	30
<i>Perth and Kinross</i>	-	-	346	300	220	153	-	-	5.91%	25
<i>Renfrewshire</i>	1542	728	514	346	341	224	61	0	24.89%	9
<i>Scottish Borders</i>	2213	271	263	247	159	143	0	0	6.29%	23
<i>Shetland Islands</i>	1138	966	207	207	x	0	x	0	0.00%	31
<i>South Ayrshire</i>	6276	764	605	363	391	270	74	0	18.30%	12
<i>South Lanarkshire</i>	1433	449	347	310	125	100	40	9	20.42%	10
<i>Stirling</i>	-	-	335	173	141	119	0	0	12.40%	15
<i>West Dunbartonshire</i>	2638	599	589	406	377	309	77	x	39.67%	4
<i>West Lothian</i>	3164	623	418	364	259	223	32	27	14.64%	14

Note - signifies that data was not provided x signifies that data was withheld because the number of children was between 1 and 5

Discussion

These findings show a high rate of social work intervention with children before their fifth birthday. More than a quarter of Scottish children (2653 per 10,000) had been referred to children's services, one in every 17 children (594 per 10,000) had been subject of a child protection investigation and one in 38 had become looked after (264 per 10,000).

In Scotland CWIP found that the rate of children on the child protection register was 2.6 times the mean rate it found for children on the register across Scotland and the rate of children looked after was 2.9 times the mean (CWIP, 2017 p. 4). If this ratio is applied to the rates found in this study then, before the age of five in the most deprived tenth of communities: one in every 13 (758 per 10,000) children would have become looked; one in 18 (562 per 10,000) would have been looked after and placed away from home; one in ten (996 per 10,000) would have been on the child protection register; and one in 6 (1557 per 10,000) children would have been investigated for child abuse. Given that 61% of children becoming looked after and 51% of children placed on the child protection register in 2020 were aged five and over, these rates of intervention will be significantly higher yet before these children age out of the system.

Such high levels of coercive intervention can only be justified if they lead to reductions in maltreatment, strengthen families and improve well-being for children. In the Independent Care Review's consultations with children it heard that:

Despite the system being focused, above all else, on protecting against harm, it can prolong the pain from which it is trying to protect." (Independent Care Review, 2020, p.7)

Clapton's literature review and survey (2020a) of the experience of Scottish parents involved in child protection shows the range of harmful impacts caused to parents and

families by this involvement from feelings of powerlessness and injustice to fear and threat with impacts on parental mental health, finances and a range of other areas. Many parents made statements such as:

Any involvement with social services make you fear for yours and your children's life. ... They have made me so scared and paranoid of losing my children, it's made me ill (Clapton 2020a p.15).

The link to deprivation indicates that to create more equity in social welfare interventions a greater focus is needed on social and economic inequalities as Webb et al (2020, p.9) state:

If national and local responses to high and rising levels of state intervention in family life are to promote greater equity in children's life chances they must address the impact of underlying socio-economic structures on families and on communities. Child protection strategies which fail to respond to social and economic inequalities and the contexts that exacerbate them risk being ineffective or even self-defeating.

The new Scottish Guidance and GIRFEC with their individualisation of child welfare (McKendrick, 2016; Clapton, 2020a) show no sign of offering such a change of focus and "emphasise that child protection systems are designed to protect children from parents, not from neglectful government policies and systemic injustices such as having to rely on food banks" (Clapton, 2022 p.90).

The large variations between local authorities in the rates of children having been subject of a child protection investigation is particularly concerning. The rate of children investigated varied almost 9-fold across the local authorities, from almost one in five of all children (1,847 per 10,000) in Clackmannanshire to just over one in fifty (211 per 10,000) in Aberdeenshire. Whilst Clackmannanshire stands out with its rate of over 18% of all children having been investigated for abuse or neglect, five local

authorities had rates above 9% of all children having been investigated whilst the seven lowest rates were all below 4% (Table 4). Only Clackmannanshire of the five local authorities with the highest rates of investigations was in the top half of the local authority deprivation and, if investigations are concentrated in the most deprived areas of these five local authorities, the rates of children involved will be worryingly high. This study cannot provide evidence of the reasons for this disparity or how it is distributed within these local authorities, but the anomalous nature of this finding deserves further research.

The other local authority that stands out from its neighbours is Dundee where almost 2% (195 per 10,000) of all children were adopted, a rate more than twice that of East Ayrshire which had the second highest rate. Dundee also had the highest rate of kinship care orders and of children looked after and placed away from home at more than 4% (415 per 10,000) of all children, a rate 21% higher than the second ranked local authority. A study of adoption trends for those aged under five in England (Bilson and Munro, 2019) suggested that increases in adoption there were likely due to cuts in family support and a change from a family preservation to a child rescue orientation in the system. The high rate of children taken into care and adoptions in Dundee deserves further investigation

Conclusion

This study found that, before the age of five, more than one in four children in Scotland had been referred to children's social care; one in 17 had been investigated for concerns about child protection; and one in 38 had been subject of compulsory measures of care.

The study found large disparities between local authorities in the rates of children involved in different aspects of the child protection system which for most

interventions were moderately correlated with local authority level deprivation and, in the case of the high disparities in rates of referral and child protection investigation, had little correlation. Almost one in five children in Clackmannanshire were subjected to a child protection investigation compared to just over one in fifty in Aberdeenshire. This indicates that the government's aim to promote greater consistency in what families can expect in terms of support and protection has a very long way to travel.

The Independent Review in Scotland has the aspiration for a fundamental change of culture in the child welfare system. The high level of intervention focussed on risk of harm found in this study which CWIP's evidence indicates will be substantially amplified in the most deprived localities of Scotland adds weight to this call for a paradigm change. At a time of growing inequality and a cost of living crisis we need a system that strengthens families and that addresses structural issues such as insecure work and housing, health and poverty at both policy and practice levels.

References

- Bilson, A. (2022). Child Protection Investigations in Scotland: A 33 Per Cent Increase in Two Years. *Child Abuse Review*, 31(2).
- Bilson A. (2018) More parents accused of child abuse than ever before *The Conversation* August 2018 <https://theconversation.com/more-parents-accused-of-child-abuse-than-ever-before-100477>
- Bilson, A., Featherstone, B. and Martin, K. (2017) How child protection's 'investigative turn' impacts on poor and deprived communities. *Family Law*, 47, 316-319.
- Bilson, A., & Martin, K. E. (2016). Referrals and child protection in England: One in five children referred to children's services and one in nineteen investigated before the age of five. *British Journal of Social Work*, 47(3), 793-811.

- Buckley, H. Carr, N. and Whelan, S. (2011). 'Like walking on eggshells': service user views and expectations of the child protection system. *Child and Family Social Work*, 16, 101–110.
- Bywaters, P., & the Child Welfare Inequalities Project Team (2020). The Child Welfare Inequalities Project: Final Report Downloaded from https://pure.hud.ac.uk/ws/files/21398145/CWIP_Final_Report.pdf
- Child Welfare Inequalities Project (2017) *Identifying and Understanding Inequalities in Child Welfare Intervention Rates: comparative studies in four UK countries. Briefing Paper 4: Scotland* Stirling: Child Welfare Inequalities Project https://cwp.stir.ac.uk/files/2018/10/BP_Scotland_0617.pdf
- Clapton, G. (2022). Beyond Intention. The Draft National Guidance for Child Protection in Scotland (2020): A Case Study of a Scottish Policy Document. *Scottish Affairs*, 31(1), 41-50.
- Clapton, G., (2020a) Uncovering The Pain: Parents' Experiences of Child Protection. *Parents Families and Allies Network* <https://www.pfan.uk/uncovering-the-pain/>
- Clapton, G. (2020b). Child Protection Anxieties and the Formation of UK Child Welfare and Protection Practices. In *Discourses of Anxiety over Childhood and Youth across Cultures* (pp. 75-98). Palgrave Macmillan, Cham.
- Delfabbro, P., Hirte, C., Rogers, N., & Wilson, R. (2010). The over-representation of young Aboriginal or Torres Strait Islander people in the South Australian child system: A longitudinal analysis. *Children and Youth Services Review*, 32(10), 1418–1425.
- Gilbert, Ruth, John Fluke, Melissa O'Donnell, Arturo Gonzalez-Izquierdo, Marni Brownell, Pauline Gulliver, Staffan Janson, and Peter Sidebotham. (2012). Child maltreatment: variation in trends and policies in six developed countries. *The Lancet* 379, no. 9817: 758-772.
- Independent Care Review, (2020) *The Promise* Independent Care Review <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>
- Jay MA, De Stavola B, Dorsett R, Thomson D, Gilbert R. (2020) Model estimates of cumulative incidence of children in need status and referral to children's social care Downloaded from <https://osf.io/6ecrz/>
- Kim, H., Wildeman, C., Jonson-Reid, M., & Drake, B. (2017). Lifetime prevalence of investigating child maltreatment among US children. *American journal of public health*, 107(2), 274–280.

- Mellon, M. (2015). The 'Named Person' debate: the case against. *Scottish Journal of Residential Child Care*, 14(3), 69-73.
- Morris, K., Featherstone, B., Hill, K. and Ward, M. (2018) *Stepping Up, Stepping Down. How families make sense of working with welfare services*. London: Family Rights Group.
- National Records of Scotland (2020) *Mid-year population estimates: Scotland and its council areas by single year of age and sex 1981 to 2019*. Retrieved from <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/population/population-estimates/mid-year-population-estimates/population-estimates-time-series-data>
- Parton, N. (2020). Addressing the relatively autonomous relationship between child maltreatment and child protection policies and practices. *International journal on child maltreatment: research, policy and practice*, 3(1), 19-34.
- Rouland, B., & Vaithianathan, R. (2018). Cumulative prevalence of maltreatment among New Zealand children, 1998–2015. *American Journal of Public Health*, 108(4), 511-513.
- Scott, D. (2014). Children in Australia: Harms and hopes. *Family Matters*, (96), 14.
- Scottish Executive (2002) *It's everyone's job to make sure I'm alright: report of the Child Protection Audit and Review*. Edinburgh: Scottish Government. <https://www.webarchive.org.uk/wayback/archive/3000/https://www.gov.scot/Resource/Doc/47007/0023992.pdf>
- Scottish Government (2020) *Introducing the Scottish Index of Multiple Deprivation 2020*, Edinburgh, Scottish Government.
- Scottish Government (2021a) *Children's Social Work Statistics Scotland, 2019-20*, Scottish Government, Edinburgh, available from <https://www.gov.scot/publications/childrens-social-work-statistics-2019-20/documents/>
- Scottish Government (2021b) *National Guidance for Child Protection in Scotland 2021* Scottish Government, Edinburgh, available from <https://scotgov.theapsgroup.scot/national-guidance-for-child-protection-in-scotland/>
- Scottish Government (2021c) *National Guidance for Child Protection in Scotland 2021: Stakeholder Supportive Statements*. Scottish Government, Edinburgh,

available from <https://www.gov.scot/publications/national-guidance-child-protection-scotland-2021/documents/>

- Smithson, R., & Gibson, M. (2017). Less than human: A qualitative study into the experience of parents involved in the child protection system. *Child & Family Social Work*, 22(2), 565–574.
- Webb, C., Bywaters, P., Scourfield, J., McCartan, C., Bunting, L., Davidson, G., & Morris, K. (2020). Untangling child welfare inequalities and the ‘inverse intervention law’ in England. *Children and Youth Services Review*, 111, 104849.

Table of figures

Figure 1 The process of responding to child protection concerns in Scotland

Figure 2: Three graphs showing investigations or child protection referrals and annual number of child protection registrations in Scotland

Figure 3 Trends in rate of children looked after per 10,000 under 18 on 31st July 2001-2020