

Multi-agency Care and Risk Management (CaRM) procedure for children and young people who present a serious risk of harm to others

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CaRM Procedure

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1. Purpose

This guidance is for all agencies working with children and young people in West Lothian who present a serious risk of harm to others, with the purpose of identifying appropriate Care and Risk Management (CaRM) strategies to reduce the risk of significant harm occurring.

This guidance applies to children and young people aged 12 – 17 who are alleged to have been involved in:

- Harmful sexual behaviour, and/or
- Serious violence

Risk of serious harm (RoSH) is defined as:

“the likelihood of behaviour of a violent or sexual nature, which is life-threatening and/or traumatic and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible”

When considering RoSH, harmful sexual behaviour means violent or sexually coercive behaviour which has caused or risks causing harm (whether physical or not) to another person. Serious violence means behaving in a violent or dangerous way which has caused, or risks causing, serious physical harm to another person. Consideration must be given not only to the impact of threat and physical or psychological trauma caused, but also to the level of intent, use of force or coercion and potential as well as actual harm.

This guidance may also be applied in exceptional circumstances (irrespective of the legal status of the incident) when children and young people present a serious risk to others. Such behaviours might include, but are not restricted to, fire raising and stalking. It may also be applied where a pattern of significant escalation of lesser behaviours suggest that an incident of a serious nature may be imminent. Assessment of intent and the potential for harm should be the key measures which influence using this procedure.

Work with children and young people who display harmful behaviour must take place within a child protection context. Many children and young people who display such behaviour have complex needs, are highly vulnerable and may have experienced abuse and trauma in their own lives. An assessment of their vulnerability as well as the risk of harm they may present to others must be considered. Work with children and young people who display harmful behaviour must consider and prioritise their protection as well as tackling behaviour that can have a negative impact on others. Whilst this can be complex and challenging, it is critical in terms of the wellbeing of the child or young person, the people they have (or may potentially have) harmed and the confidence the community has in relation to the support, welfare and protection of children and young people.

Governance and oversight for CaRM in West Lothian is the responsibility of the Child Protection Committee with close links to the Offender Management Committee.

2. Context

The National Guidance for Child Protection in Scotland (2021)¹ and the Getting it Right for Every Child (GIRFEC)² approach provide a national framework to promote the welfare and safety of children and young people. There are circumstances in which children and young people may present a risk of serious harm to others, these can include harmful sexual or violent behaviour and/or the committing sexual or violent offences. This guidance provides a template for child centred practice in the risk assessment and management of the small number of children and young people who present a risk of serious harm to others.

¹ [National Child Protection Guidance 2021](#)

² [GIRFEC Practice Guidance 2022](#)

The practice outlined in this document is underpinned by the Scottish Government Framework for Risk Assessment, Management and Evaluation (FRAME)³ with children aged 12 – 17, Standards, Guidance and Operational Requirements for risk practice (2021), which includes guidance on Care and Risk Management (CaRM). This guidance is rooted in the principles of the United Nations Convention on the Rights of the Child (UNCRC), ensuring that the views of children and young people are listened to, responded to, and influence decisions which affect their lives.

In line with the National Guidance for Child Protection in Scotland 2021, for the purposes of this procedure children and young people are defined as those under the age of 18 years. The age of criminal responsibility in Scotland is 12. This procedure should not be used for any child under the age of 12. Where concerns exist in relation to the behaviour of a child under the age of 12, (which may include serious harmful behaviour) child protection procedures should be followed.

Where physical or sexual abuse of a child/young person is alleged to have been carried out by another child/young person, such behaviour should always be treated seriously. Child protection procedures must be followed, and consideration given to initiating an Inter-agency Referral Discussion (IRD), for all involved children and young people, either to protect the victim or to explore concerns about what has caused the child/young person who has caused harm to behave in such a way. An IRD is the start of the formal process of information sharing, assessment, analysis and decision making following reported concerns about abuse or neglect of a child/young person up to the age of 18 years. It may be appropriate for the risks presented by the child/young person responsible to be managed within child protection processes exclusively if they are also at risk of harm.

It is imperative that children and young people who present a risk of serious harm to others have the support and opportunities to grow, develop and realise their potential. This must be aided by proportionate and effective care and risk management strategies which include interventions that minimise the risks presented and reduce the likelihood of further harm.

This procedure is not to be used for children and young people who present a risk of harm to themselves because of their own behaviour such as self-harm or substance use.

3. Definitions

Harmful Sexual Behaviour

The National Society for the Prevention of Cruelty to Children (NSPCC) defines Harmful Sexual Behaviour (HSB) as developmentally inappropriate sexual behaviour which is displayed by children and young people and which may be harmful or abusive (Hackett, 2014). It can be displayed towards younger children, peers, older children or adults and is harmful to the children and young people who display it, as well as the people it is directed towards.

The NSPCC defines Technology Assisted Harmful Sexual Behaviour (TA-HSB) as sexualised behaviour using the internet or technology such as mobile phones. As with 'offline' HSB, TA-HSB encompasses a range of behaviours including:

- Revenge porn
- Viewing extreme pornography or indecent images of children
- Using devices for 'up skirting' or voyeurism

³ [FRAME 2021](#)

Violence

Violence is a broad term that has proven difficult to define precisely with distinctions made between various types of violence e.g. youth violence, gang violence, domestic violence, stalking and knife crime.

The World Health Organisation (WHO) defines violence as “the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation”. Key elements to be considered when assessing the impact of violence include the level of intent, the use of coercion or force and the potential for harm to the person, whether this is realised or not.

4. Information Sharing

Sharing information between professionals is a core component of effective risk assessment and risk management. All agencies must be guided by the imperatives of community safety, public protection and the welfare of the child/young person in deciding what information is relevant and proportionate to share.

The underpinning legislation and guidance that informs information sharing in this context includes:

- Antisocial Behaviour (Scotland) Act 2004
- Children (Scotland) Act 1995
- Children and Young People (Scotland) Act 2014
- Police Fire and Reform (Scotland) Act 2012
- Criminal Justice (Scotland) Act 2016
- General Data Protection Regulation 2018
- Data Protection Act 2018
- Human Rights Act 1998
- Getting it Right for Every Child Guidance

When taken together, these laws and guidance mean that it is permissible to share relevant personal data **when it is necessary** to do so in certain circumstances. Practitioners must comply with data protection legislation by ensuring that they have a lawful basis to share information, consideration is given to informing the data subject about the sharing and appropriate records are kept around what information is shared and why.

If practitioners are unclear about what information can or should be shared in certain circumstances, they should seek advice from their line manager.

Complying with Data Protection Legislation

Data protection legislation provides a number of lawful grounds upon which relevant personal data can be shared, and each organisation should identify what is appropriate to them in the circumstances.

In the context of this procedure, personal data will need to be shared to manage risk in child or adult protection scenarios, missing person reports, or to tackle serious offending. In such cases, the following lawful basis (also known as conditions of processing) are likely to be relevant:

- Sharing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

- This is also known as processing under an organisation's "public task". This will likely apply, for example, when the council finds it necessary to share information in the circumstances in order to deliver effective social work services.
- Sharing is necessary to protect the vital interests of the data subject or another person.
- This is likely to be relevant when information requires to be shared as part of a missing person enquiry or in the context of child or adult protection.
- Sharing is necessary for the prevention or detection of crime, or the apprehension and prosecution of offenders. (Schedule 2, Part 1, (2) of the Data Protection Act 2018.)

Keeping a Record

When decisions are taken about sharing, or not sharing, personal data about an individual, practitioners should record what they have done in accordance with their organisation's record keeping practices. These records should then be retained in accordance with the organisation's retention procedures. Keeping a record ensures that decisions can be revisited and understood if they are challenged either by the data subject or the regulator.

Complying with Human Rights Law

The Human Rights Act 1998, Schedule 1, Part 1, Article 8 states:

1. Everyone has the right to respect for private and family life, home and correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

In a similar way as complying with data protection legislation, public authorities must be satisfied that the sharing is permissible under human rights legislation because it is necessary in the pursuance of one of the elements noted in point 2. In the context of this procedure, sharing is likely to be necessary in the interests of public safety, the prevention of disorder or crime, the protection of health or morals, or the protection of the rights and freedoms of others.

5. Care and Risk Management (CaRM) Procedure

I. Referrals

Concerns about children/young people presenting a serious risk of harm should be referred to one of the core agencies as per child protection procedures. If the receiving agency concludes that there is a serious risk of harm they are responsible for initiating an Inter-agency Referral Discussion (IRD).

II. IRD

IRD participants will gather, share and analyse information. If the child/young person is in education then information must be sought from the school/college/university they attend.

The IRD should consider:

- How the views of the child/ young person and their parent(s) or carer(s) will be gathered;
- Settings where risk might be present such as living arrangements and education including relevant out of school activities such as football, dance, swimming, employment or training placements etc. and development of an Interim Risk Management Plan (IRMP);
- Whether the child/young person is also at risk of significant harm or a risk to themselves and an Interim Safety Plan (ISP) should be combined with an IRMP;
- Whether a community response is likely and any measures such as a Police marker is required on an address;

- Whether senior managers or the Care Inspectorate need to be notified, for example where a child/young person subject to a Community Payback Order has resulted in death or serious harm or a Communication Strategy is required to manage media enquiries;
- Whether a CaRM meeting is required and whether this should be combined with a Child Protection Planning meeting (CPPM) if appropriate; and
- Whether any immediate action is required to ensure the young person's safety.

Outcome of IRD

- No further multi-agency action;
- Current service provision via the child planning process is sufficient to manage the risks;
- CaRM meeting (combined with a CPPM if necessary). Youth Justice should be asked immediately for a risk assessment.

6. Decision to Convene a CaRM Meeting and Timescales

- The initial CaRM meeting should take place within 28 calendar days of the IRD.
- All agencies invited to the meeting are expected to provide a report, including a chronology, 10 days before the meeting.
- All agencies invited are expected to attend the meeting.
- The meeting will be chaired by an Independent Reviewing Officer on behalf of the Child Protection Committee
- The child/young person and parent(s)/carer(s) must be invited to the CaRM meeting unless there are justifiable reasons to exclude them. Their views must be represented.

In some situations, restricted access information will need to be shared at a CaRM meeting. This includes information that by its nature cannot be shared freely with the child/young person and/or parent(s)/carer(s). Such information may not be shared with any other person without the explicit permission of the provider. Restricted information includes:

- Sub-judice information that forms part of legal proceedings and which could compromise those proceedings;
- Information from a third party that could identify them if shared;
- Information about an individual that may not be known to others, even close family members, such as medical history and intelligence reports; and
- Information that, if shared, could place an individual(s) at risk.

If a child/young person is subject to ongoing Police investigation this should not delay organising a CaRM meeting.

7. CaRM Meeting (Initial)

CaRM meetings are chaired on behalf of the Child Protection Committee by an Independent Reviewing Officer.

In addition to the chair and minute-taker the following agencies should be represented at the meeting:

- Social Work
- Police
- Health (e.g. CAMHS, School nurse)
- Education (where child/young person is in Education)

Consideration may also be given to inviting:

- Children's Rights Officer or Advocacy Service;
- Housing;

- Skills Development Scotland (SDS)
- Youth Justice (if child/young person subject to supervised bail, Diversion, other Justice Intervention)
- Psychological Services;
- Multi Agency Public Protection Arrangements (MAPPA) representative; and
- Third Sector Representatives, such as Barnardo's, Stop It Now!, Action for Children, West Lothian Youth Action Project (WLYAP) etc.

The purpose of a CaRM meeting is to allow participants to share information, jointly assess that information (including the risks) and determine whether there is a likelihood of significant harm which needs to be addressed via a multi-agency CaRM plan. The meeting should also consider (where appropriate) whether the child/young person is at risk of significant harm and whether their name should be placed on the Child Protection Register. Actions to reduce the risk to the child/young person should be incorporated into the Risk Management Plan. (RMP)

The CaRM meeting must consider if the child/young person is subject to any form of statutory order(s) e.g. Interim or Compulsory Supervision Order (CSO) and any related conditions, Community Payback Order (CPO) and any related conditions, bail conditions etc. Consideration must be given to the implications of related legal obligations and any open IRD. In making decisions about the appropriateness of a child/young person's living arrangements, the CaRM meeting must consider:

- Strengths and protective factors;
- The nature and level of risk to others (particularly other children, young people and vulnerable adults) in the home environment;
- The impact of family dynamics in either sustaining or preventing further behaviour of a harmful nature;
- The nature and level of risk to others in the community
- The relationship between the child/young person and the victim(s);
- The views of the child/young person; and
- The potential negative impact of a sudden change to a child/young person's living arrangements.

CaRM meeting attendees must consider the home circumstances, educational arrangements and community integration of the child/young person to identify any ongoing and potential protection issues. Specifically, the CaRM meeting should consider:

- What further action (if any) needs to be taken to keep the child/young person safe;
- What further action (if any) needs to be taken to keep the child/young person's family member(s)/carer(s) safe; and
- What further action (if any) needs to be taken to keep other members of the community safe e.g. peers, teaching staff, victim(s), care staff etc.

In making decisions about the appropriateness of a child/young person's education, employment or training environment the CaRM meeting must consider:

- The safety of the child/young person's victim(s) if attending the same school, college or work environment;
- The safety of other students/colleagues both in the referred child/young person's classes/workplace and in the wider educational, training or employment setting;
- The safety of staff members at the institution/workplace;
- The potential risk to the referred child/young person of retribution in relation to the harmful behaviour;
- The safety of the referred child/young person when travelling to and from the institution/workplace;

- The nature of supervision and monitoring required to safely manage any identified risks;
- The internal disciplinary responses of the institution/workplace to the harmful behaviour e.g. exclusion; and
- Strengths and protective factors.

If a full and detailed risk assessment has not been completed in advance of a CaRM meeting and is required, the chair must identify an appropriate agency to complete the necessary risk assessments.

The Chair is responsible for making sure that any agency charged with completion of risk assessments is appropriately trained to do so. In recommending the completion of risk assessments, the CaRM chair must be clear on those which are required, taking into consideration the age of the child/young person, behaviour, circumstances and capacity. The selection of risk assessments should be guided by the Risk Management Authority (RMA) Risk Assessment Tool Evaluation Directory (RATED).⁴

If a risk assessment has been completed in advance of the CaRM meeting, the content of the assessment should be scrutinised by attendees and a decision made regarding whether any further information is required. Managing risk of harm in the community: A guide for managers and practitioners by the Centre for Youth and Criminal Justice (CYJC,2020)⁵ provides useful examples of risk assessment, formulation, scenario planning and victim safety planning. As a minimum, risk assessments must address the likelihood, patterns, nature, and seriousness of offending or harmful behaviour and implications for future risk. A risk assessment should provide a formulation of risk that offers an understanding of the interaction and respective role of risk and protective factors and will help identify triggers and early warning signs which may assist in recognising and responding to imminence of future harmful behaviour. Formulation is hypothetical and not predictive; any limitations and reasons must be recorded e.g. unavailable information. The risk assessment, informed by appropriate risk assessment tools, should assist robust scenario planning based on knowledge of how, why, where and when harmful behaviour has occurred in the past and the way it may present in the future.

8. CaRM Plans

Risk management strategies should build on the strengths of the child/young person and pro-actively promote development opportunities that can be realised safely.

The CaRM chair must ensure that consideration is given to the following risk management strategies:

Public Interest Disclosure involves sharing information with individuals, agencies or organisations to help them manage risk more effectively. This could involve sharing information with a college or employer, or with adults that are in the child/young person's life. Information sharing of this nature needs to be proportionate and justified in terms of safeguarding the protection of children and vulnerable individuals and there needs to be evidence of imminent risk. In all situations where this is deemed necessary, the justification for disclosure needs to be recorded in the CaRM minutes and a request submitted to the Police for a Public Interest Disclosure. Thought should be given to whether self-disclosure may be a more effective strategy. The child/young person and parents(s)/carer(s) should be informed of the decision of a request for a Public Interest Disclosure.

Supervision aims to decrease the likelihood of offending or harmful behaviour by restricting the child/young person's freedom but also provides an opportunity to build on strengths, create positive opportunities and encourage positive and meaningful relationships. This section should

⁴ <https://www.rma.scot/research/rated/>

⁵ <https://www.cycj.org.uk/wp-content/uploads/2020/06/Section-37b-final-paper.pdf>

cover activities and associations that are restricted or can only take place with supervision and support. The level of supervision needs to be proportionate to the risks and what is required to prevent harm.

Monitoring requires regular assessment and aims to look for factors indicating changes in risk over time. These may be factors indicating imminence of offending or harmful behaviour, a change in the type of risk posed, or a decrease in risk or change in attitude. This section should cover: what is being monitored; why is it being monitored; how it will be monitored; who will monitor it; when it will be monitored; where it will be monitored as well as how and when changes will be communicated with the lead professional who has responsibility for the Child/young person's Plan. This should link to the contingency plan (see below).

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

Victim Safety Planning aims to reduce the likelihood and impact of harm to known previous and future potential victims; this may be specific individuals or particular at-risk groups. Consideration should be given to what can improve safety and maximise resilience. When developing safety plans it will not always be possible or appropriate to do this with victims. Risk formulation, scenario and contingency planning will help inform victim safety plans.

Contingency Planning gives prominence to key factors which may indicate that risk of violence and/or harmful behaviour is escalating or imminent. It involves identifying the actions required to respond to risks identified in scenario planning to prevent harm from occurring or reduce its impact. There will also be concerning factors indicating initial instability, disinhibition or movement towards behaviour which will require an appropriate, but less urgent response. Those involved in the case, including where appropriate the child/young person, parent(s)/carer(s) and potential victim(s), should know what the key factors are to look out for and what the response to them should be. There should be a clear plan as to what action should be taken, by whom and how quickly on their identification. Emergency contacts should be identified for office hours and out of hours.

9. Tier of Risk

The chair should seek to establish views as to the tier of risk practice required to effectively manage the identified risks. Agreement should be sought on the risk management classification:

- Aware;
- Attentive; or
- Active and Alert.

If the view of the CaRM meeting is that being **Aware** of the child/young person's behaviour is a defensible position to take in relation to ongoing risk management, a further scheduled CaRM meeting will not be required. In such cases, the named person or the lead professional should address any further issues in relation to the child/young person's behaviour.

If the view of the CaRM meeting is that an **Attentive** response is required to support ongoing risk management, the meeting will identify a CaRM core group. For children and young people who require this level of response a lead professional should already be in place and, if not, one should be identified at the meeting. The frequency of core group meetings should be

stipulated. The child/young person and their parent(s)/carer(s) (where appropriate) should be members of the core group. A date for the first core group should be agreed at the initial CaRM meeting and a review CaRM meeting arranged to take place within six months.

If the view of the CaRM meeting is that an **Active and Alert** response is required to planning, a core group should be identified & the chair will make arrangement for a further CaRM meeting to review the child/young person's plan at three monthly intervals. Classification of active and alert is likely to occur only in the "critical few" cases.

10. Dissent at CaRM meetings or combined CaRM/Child Protection Planning meetings

Robust discussion, challenge and differences of opinion are a valuable part of CaRM and Child Protection Planning meetings (CPPMs) and enable professionals to reach consensus about the best way forward.

All professionals should be clear about the distinction between personally disagreeing with the outcome of the CaRM but making a professional judgement to uphold that decision, and formally dissenting; this is the process by which disagreement is formally recorded in the minute and taken further.

Concerns must be raised during the meeting and the Chair must explore the reasons for the concerns with all present in an attempt to reach consensus.

In the very few cases where no consensus can be reached and a professional(s) believes that the decision of the meeting or the plan leaves a child at risk of significant harm (where a CPPM and CaRM are combined) or others at risk of harm, dissent, and the reason for it, should be formally recorded in the minute. The status quo should remain. This means that for an initial combined meeting, the Interim Child Protection Safety Plan and interim Risk Management Plan remain in place and the child's name is not placed on the Register, and for Review meetings the child's name remains on the Register.

- The Chair of the meeting must advise the Lead Officer for Child Protection of the dissent immediately after the meeting, or at the latest the next working day;
- The Lead Officer will ensure that a multi-agency Review Group identified by the Child Protection Committee is advised and receives appropriate paperwork (i.e. all reports submitted to the CaRM and a copy of the draft minutes) within 72 hours;
- The Review Group will meet with the Chair of the CaRM and the professional who has dissented within 10 working days of the meeting. The purpose of the meeting is to consider all information, explore the reasons for the decisions made, and the concerns raised.
- The Review Group will produce an advisory note for the reconvened CaRM either:
 - Identifying gaps or areas for further consideration, or
 - Agreeing with the original assessment of risk.
- A reconvened CPPM should take place within 15 working days of Review Group meeting.

11. Minute of the CaRM Meeting

A minute of every CaRM meeting will be taken. If the child/young person and their parent(s)/carer(s) are not present at the meeting, reasons for this must be recorded. The minute must be approved by the Chair and circulated to all attendees within 15 calendar days.

12. CaRM Review Meeting

The Chair will facilitate:

- Consideration of the wellbeing indicators for the child/young person, including the risks they may pose to themselves and/or others;
- Consideration of any further offences, harmful behaviour or incidents of concern involving the child/young person in the period since the previous CaRM meeting;
- To consider whether any further assessment is required to inform risk management and safety planning;
- A review of the plan and consideration of what progress has been made;
- Consideration of whether modifications or additions to the existing risk management and safety plan are required;
- Evaluation of progress in relation to risk reduction; and
- Consideration of the views of the child/young person and their parent(s)/carer(s) and an assessment of their level of co-operation with the care, risk management and safety plan.

The final task of the CaRM review meeting will be to reassess the risk management classification to ensure clarity on the level of response required and whether further CaRM meetings are required. If the child/young person is also subject to Child Protection Registration the need for this to continue should also be considered.

13. CaRM Core Groups

Frequency of Core Group Meetings should be agreed at the CaRM meeting. However, these must take place at least every 8 weeks.

The functions of a CaRM core group include:

- Ensuring that the child/young person and parent(s)/carer(s) are active participants in the process of care and risk management, safety planning and risk reduction;
- Ongoing assessment of the needs of, and risks to, the child/young person subject to the CaRM process;
- Implementing, monitoring and reviewing care and risk management and safety plans so that the focus remains on improving outcomes for the child/young person. This will include evaluating the impact of work done and/or changes within the family in order to decide whether risks have increased or decreased;
- Activating contingency plans promptly when progress is not made, or circumstances deteriorate;
- Reporting to CaRM review meetings on progress; and
- Requesting an early CaRM review meeting if required.

It may be the case that the child/young person is already involved in another review process (e.g. Looked After and Accommodated Child (LAAC) reviews). To avoid unnecessary duplication the CaRM review meetings should consider all aspects of the child/young person's plan.

14. Links to Multi Agency Public Protection Arrangements (MAPPA)

When risk management strategies are in place for a child/young person charged but not yet convicted of an offence of a serious nature, it is possible that during the CaRM process their legal status will change. Due to a conviction in the criminal justice system, a child/young person under the age of 18 may become subject to Multi Agency Public Protection Arrangements (MAPPA). In these instances, the case should be transferred to Youth Justice (Justice Services) if not already open to them and will be managed under the MAPPA procedures. No further CaRM meetings will be required.

15. Exit from CaRM

In accordance with the principle of minimum intervention, every effort should be made to ensure that a child/young person is retained within CaRM processes for no longer than is necessary.

Preparation for a child/young person's exit from the CaRM process, as with any transition, should meet identified needs and risks.

Measuring progress regarding a child/young person's engagement with care and risk management safety plans can be challenging. Progress should be assessed referring to the four phases outlined below:

Phase One – Risk reduction is largely via the systems and responsibility is owned by the systems around the child/young person and not by the child/young person themselves. 'Systems' here are defined as the significant people in the child/young person's life who can have an impact on risk e.g. parents, carers, teachers, peers etc;

Phase Two – The child/young person is engaging in specific work on their harmful behaviour to allow a more meaningful discussion to take place about risk. In this phase individual care and risk management and safety plans are introduced and rehearsed by the child/young person and the systems. The systems move from a learning stage to proactively working with the child/young person to meet their needs and assist them in skills development;

Phase Three – Risk is now being reduced by the ongoing work with the child/young person. Responsibility for managing the risk is now a shared ownership between the child/young person and the systems;

Phase Four – In this phase it is important to use identified individual goals to determine if a child/young person can take responsibility for managing their risk. It is expected that the achievement of these goals (skills and insights) are evidenced in different settings. Where this is the case, risk is now reduced, and the child/young person has the ability and increased awareness to manage their own risk as developmentally appropriate.

The wellbeing indicators (safe, healthy, achieving, nurtured, active, respected, responsible, included) which underpin the GIRFEC practice model must be considered to support a holistic assessment of a child/young person's progress. The indicators need to be at the core of any Child/Young Person's Plan and related care and risk management and safety plans. A further consideration will be the extent to which dynamic risk factors have reduced over time with an associated increase in protective factors and attainment of any other desired outcomes.

The overriding objective in managing a child/young person's transition out of the CaRM process to an environment with reduced supervision and monitoring is to ensure that there is continuity in the provision of support, advice and guidance to the child/young person and their parent(s)/carer(s). A child/young person may transition out of CaRM arrangements but still be subject to other processes such as Looked After or Child Protection.

It is recognised that in some instances a child/young person's exit from the CaRM process will not be triggered by progress made but simply because of the passage of time, i.e. they reach their 18th birthday. In such instances, appropriate ongoing support should be identified.

16. Transfer of Children and Young People Subject to CaRM Arrangements

When a child/young person who is being actively supported through CaRM processes moves to a different local authority within Scotland, the lead professional must notify the receiving local authority to advise of the child or young person living in the area and of relevant information to support effective care and risk management, safety planning and public protection.

If it appears to be the case that the child/young person intends to reside in the receiving local authority on a permanent basis, arrangements should be made for responsibility for CaRM meetings to transfer. This will be managed through direct liaison between Social Work Services. All relevant information including the CaRM plan should be shared. If invited lead professional from the originating local authority should attend the first CaRM meeting to be held in the receiving local authority.

If a child/young person involved in CaRM processes moves out of Scotland all reasonable efforts must be made by the lead professional, to alert the appropriate authorities in the relevant area.

Should a child/young person's living arrangements change due to the decision of a Children's Hearing (e.g. imposition of an out of authority secure or residential placement) or the Court (e.g. remand or custodial sentence), this change will not automatically trigger the CaRM processes to transfer or end. The implications of any change in care arrangements and/or legal status should be considered at a CaRM meeting with the expectation that the CaRM process remains active for as long as is deemed necessary to manage the risks presented by the child/young person.

West Lothian will retain responsibility for CaRM whilst the child/young person is in an out of authority placement, but certain functions may, through negotiation, be devolved to the host local authority.

17. Relevant Legislation and Guidance

Legislation

Age of Criminal Responsibility (Scotland) Act 2019 Antisocial Behaviour (Scotland) Act 2004
Children (Scotland) Act 1995
Children's Hearings (Scotland) Act 2011 Children and Young People (Scotland) Act 2014
Criminal Justice (Scotland) Act 2016
Criminal Procedure (Scotland) Act 1995 Management of Offenders (Scotland) Act 2019
Police Fire and Reform (Scotland) act 2012 Rehabilitation of Offenders Act 1974
General Data Protection Regulation 2018 Equality Act 2010
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Guidance & Publications

[National Guidance for Child Protection in Scotland, September 2021](#)

[Framework for Risk Assessment Management and Evaluation \(FRAME\) 12-17-year-olds](#)

[Standards, Guidance and Operational Requirements for risk practice, June 2021](#)

[GIRFEC Policy Statement 2022](#)

[A Guide to Youth Justice in Scotland: Policy, Practice and Legislation, June 2021](#)

[Standards for those working with children in conflict with the law, June 2021](#)

[Multi-Agency Public Protection Arrangements \(MAPPA\): national guidance 2016](#)

[Risk Management Authority \(RMA\) - Risk Assessment Tools Evaluation Directory \(RATED\)](#)

[Managing Risk of Harm in the community: A Guide \(CYCJ 2020\)](#)

[Guidance on the Use of Movement Restriction Conditions in the Children's Hearings System](#)

[The Child's Journey: A Guide to the Scottish Justice System](#)