



Scottish Women's Convention response to the Scottish Government:

Regulation of Child Contact Centre Services

July 2021

Premise

Child contact centres are safe venues for conflict-free contact between children, parents, and other people in the child's life. Child contact centres play an important role in helping children to have a relationship with a parent, or other adult, they do not live with by providing support in a child-friendly environment. These services can be crucial, as the child contact centre may be the only way a child can safely have contact with one of their parents.

The Children (Scotland) Act 2020 gives Scottish Ministers the power to make provision about regulation of a contact service provided in relation to the requirements of a contact order. This provision is to be made in regulations. It can include minimum standards for the training of contact service provider staff and in relation to child contact centre accommodation. The 2020 Act also gives the Scottish Ministers the power to appoint a body for the purposes of administering the registration of contact service providers and contact centres.

This consultation seeks views on what should be covered in the minimum standards for child contact services, how the standards should be monitored and what the complaints procedures should be.

The Scottish Women's Convention (SWC)

The Scottish Women's Convention (SWC) is funded to engage with women throughout Scotland in order that their views might influence public policy. The SWC uses the views of women to respond to a variety of parliamentary, governmental, and organisational consultation papers at both a Scottish and UK level.

The Scottish Women's Convention engages with women using numerous communication channels including roadshow events, thematic conferences, and regional contact groups. This submission provides the views of women and reflects their opinions and experiences in several key areas relevant to women's equality.

The SWC is currently engaging with women through digital roadshows, online surveys, asking women to comment by email and by telephoning those who want to talk. We are also using our wide network to ask women to collate views in their local communities and forward these to us on a regular basis. We are continuing to review innovative ways of engaging with women throughout Scotland using whichever medium is appropriate to them.

Question 1): How important do you feel it is that each of the following areas are included in the regulations for minimum standards of accommodation?

(Very important, somewhat important, fairly unimportant, very unimportant)

- a) are clean, bright, warm, well maintained and well ventilated – Very Important
- b) are safe and secure (including any outdoor areas), free from avoidable hazards and have a secure entry system – Very Important
- c) have toilets, nappy changing facilities and (where available) kitchen facilities that are in good condition with access to hot and cold water and compliant with existing environmental health and safety requirements – Very Important
- d) have furniture, soft furnishings, toys and equipment (including outdoor play equipment) and appliances/fittings that are in good condition and compliant with health and safety requirements, including British Standards Institution (BSI) safety standards – Very Important
- e) have adequate space to meet the needs of children and families using the centre, including sufficient waiting areas – Very Important
- f) have at least two separate entrances/exits, where possible – Very Important
- g) have access to age appropriate and good quality play equipment and play spaces, including outside space where possible – Very Important
- h) have clearly defined emergency evacuation plans in place that staff, parents and children are aware of and that are well signposted – Very Important
- i) have fire safety equipment that conforms with BSI safety standards – Very Important
- j) have a first aid box – Very Important

Do you have any further comments regarding your selections?

- The safety and security of the centres is vital, especially the inclusion of secure entry systems and at least two entrances/exits. Many of the women who use these services may have experienced domestic abuse and need to feel reassured that provisions are in place to keep them safe e.g. knowing that their abusive ex-partner will not be allowed into the building while they are there, or knowing there is a way for them to get out of the building without being seen. Unnecessary and unexpected contact with an abusive ex-partner can retraumatise women, and if children witness this interaction, this could be very damaging to them too.
- It is important that the spaces are kept in as good a condition as possible so that it is a warm and friendly environment. The process of using these centres may be surrounded by stigma, anxiety or trauma for service-users so it is important the environment within centres does not exacerbate this.
- It is important that these centres are a safe and nurturing space for children. There is a likelihood children using these centres have or are currently experiencing abuse or other difficulties at home. For instance, children from single-parent households

make up 40% of all children in poverty in Scotland and are therefore likely to be going without at home. Moreover, it should be an equalising space where children whose parents may not be able to afford to bring toys with them are not left out or made to feel disadvantaged. It is our collective responsibility to ensure there are good quality toys available to all children using the service.

- It is important from an equality point of view that the facilities should be disabled friendly for all and have adequate provisions such as toilets, toys and entry and exit points are suitable for all who are using them.
- Having separate waiting areas so ex family members do not have the trauma of accidentally bumping into one another is very important and all staff in the centre should be trained in a trauma informed way to minimise any potential risk of re-traumatisation for those involved.

Question 2): Are there any other areas that should be considered for the minimum standards for accommodation?

Yes

Why did you select your answer? If you have answered yes, please list the areas you consider should be covered.

- In addition to the nappy changing facilities and toilets, changing places should be included in all centres as a matter of course.
- Ramps should be included outside all centres to ensure the buildings are accessible and, if buildings are more than one floor, there should be lifts installed.
- Internal signage should also be provided in braille.
- There is no mention of spaces for women to breastfeed. These should be included because expecting women to breastfeed in toilets disrespects their dignity.
- As mentioned above, people using these centres may feel a lot of difficult and complex emotions about being there. Where possible, it would be valuable to include a separate room or space where people can go to have time by themselves if they are feeling overwhelmed or need to be alone.

Question 4) Do you agree/disagree with the proposed sanctions for non-compliance with the accommodation standards?

Agree

Why did you select your answer?

- Agree, but on the conditionality that those inspecting child contact centres receive all of the training mandatory of those working in the centres in order to fully understand how the spaces are actually used.

- In reference to the 'appropriate timeframe' given to address issues, there should be a maximum timeframe put down in writing in order that these processes do not become open-ended with problems never being properly addressed.

Question 5): Should the same minimum standards that apply to registered premises also apply to alternative premises?

Yes

Why did you select your answer?

- The minimum standards are being put in place to ensure service-users' needs are being met and they are being treated with dignity. There is no reason why someone should not be treated with the same respect or should be subjected to a sub-standard service just because they live in an area where there is not a permanent registered premises (e.g. rural areas or the islands).
- However, it is also important to ensure that these minimum standards are not used as an excuse for the service not to be provided at all in certain areas. There needs to be better cohesion between services and increased funding to ensure that there are more premises that meet the required standard and can therefore be used as child contact centres where necessary.

Question 6): Are there any other areas that you think should be included in the minimum standards for alternative premises used on an ad hoc basis?

Yes

Why did you select your answer? If you have answered yes, please list the areas you consider should be included.

- Consideration needs to be given to the other services provided in the alternative premises. For instance, if the alternative premises are multi-use buildings with a number of services or community facilities being run from them, efforts should be made to keep the services separate. Discretion needs to be used about which other services are provided from the same building so as not to cause undue distress to service-users. For instance, thinking about non-structural and temporary fixtures in the building such as posters or other features that may be triggering or inappropriate for a child contact centre.

Question 9): Do you think the proposed arrangements to help ensure compliance with existing duties under the 2010 Act in relation to disabled access at child contact centres are adequate?

No

Why did you select your answer?

- It leaves too much to the discretion of organisations providing the services. There needs to be a collective responsibility to improve disabled access as it is a real equalities issue when disabled people are precluded from access to the services they are entitled to.

Question 10): These are the key areas we consider staff and volunteers in child contact centres working with children and families should be trained in under the proposed standards (other than staff or volunteers carrying out administrative or maintenance roles). Please rate each on whether you feel it should be: Required for all staff (except those in administrative roles), Desirable for some staff to complete, but not required for all staff, or Not required for any staff to complete.

- a) child protection
- b) understanding domestic abuse, particularly the dynamic of coercive control - Required
- c) understanding the ways adults can influence a child - Required
- d) working with families in conflict - Required
- e) responding to children's needs and behaviour - Required
- f) child development, including learning disabilities and developmental disorders - Required
- g) risk assessments - Required
- h) parental mental health - Required
- i) drug and alcohol misuse - Required
- j) awareness of other services that are available for children and young people - Required
- k) proficient recording of contact - Required
- l) reporting on contact - Required
- m) observing supervised contact - Required
- n) complaints handling - Required

Do you have any further comments regarding your selections?

- The SWC recommends that decision-makers remain mindful of the fact that coercive control and abuse can continue even after a couple has separated. While we would welcome the proposed training on domestic abuse and mental health awareness, we are also acutely aware that such training provided in other fields is often insufficient. Therefore, in addition to the proposed training, practitioners should be encouraged

to observe whether women are making uncharacteristic changes to the ways in which they use the service in case this indicates manipulation by their former partner.

- We have also heard from many women that domestic abuse is still widely under-reported, especially when it has taken forms such as coercive control. Without full training, service providers at child contact centres may not have the necessary understanding or skills to be vigilant to family situations where unspoken abuse has been, or remains, a factor.
- The SWC welcomes the acknowledgement that there can be many complex issues involved for families using these services, such as childhood trauma, domestic abuse, family conflict or parental mental health issues. However we would emphasise that the government cannot just pay lip service to the complex needs of women, and a full commitment ought to be made to comprehensive training on these issues that disproportionately affect women. The SWC and the women we have spoken to believe that an understanding of trauma can help so therefore believe that staff should be trained in trauma informed approaches and look at scenarios through a trauma informed lens.

Question 11) These are the areas we consider that it may be desirable for certain staff at the child contact centre to have training in depending on their role, but wouldn't necessarily be required as minimum standards under the regulations. Please rate each area on whether you feel it should be: Required for all staff as a minimum standard (except those in administrative roles), Desirable for some staff to complete, but not required for all staff, or Not required for any staff to complete.

- a) an introduction to trauma - Required
- b) adverse childhood experiences - Required
- c) positive transitions - Desirable
- d) attachment theory in child development - Desirable
- e) brain development - Desirable
- f) working with families where English is not their first language -Required

Do you have any further comments regarding your selections?

- It is vital that options are made available for those whose first language is not English (for instance making translators and interpreters available) and that more work is done to ensure information about child contact centres is provided in a range of languages so that no one is excluded.

Question 13) Are there any other areas that should be considered for child contact centre staff training standards?

Yes

Why did you select your answer? If you have answered yes, please list the areas you consider should be covered.

- While it is vitally important that standards of training are sufficiently high in order to protect the wellbeing of service-users, consideration also needs to be given to the wellbeing of the staff and volunteers providing the service, and the majority of these are women. Many of these training topics may be triggering and there is a large quantity of knowledge that needs to be acquired. Provisions need to be put in place to ensure that staff and volunteers are given the support they need to complete ongoing training and that women staff are given the opportunity to use their gendered experiences to inform the development of training.

Question 20) As we continue to develop these policy proposals and work to understand their potential impact, do you have any comments about, or evidence relevant to, any of the following:

d) the draft Equality Impact Assessment - Yes

If you have answered yes, please provide your comments.

- As referenced throughout this submission, the SWC welcomes this consultation's recognition of the relationship between domestic abuse and the use of child contact centres. The mental and physical wellbeing of women and children needs to be front and centre in the decision-making process around how these centres function both systematically and on a day-to-day basis.
- Even in situations where there has not been abuse, women are still often disproportionately disadvantaged after a separation. For instance, women with children tend to earn less than men and other gendered issues such as car ownership being lower among women may mean that women experience more accessibility issues than men.
- As has been mentioned throughout this submission, many women using these centres may have had traumatic experiences with men. It is important to ensure that there is always at least one female member of fully trained staff on duty so that women feel confident they have someone they can talk to.
- Consideration needs to be given to the operating hours of these services. Many of the existing child contact centres across Scotland are only open for around 5 hours on one day a week, which is usually a Saturday. This is not very accessible since we know that women, especially young women who make up almost half of service users, are disproportionately likely to be in precarious employment. The implications

of this are that they are more likely to work in sectors such as retail or hospitality which require working on a weekend, or even that they may be given shifts at short notice. While some child contact centres do operate on some weekdays by arrangement, this is still not good enough and there needs to be more accessible, standardised operating hours to end people's geographic location disadvantaging their access to services.

Question 21) Do you have any further comments? Yes No If you have answered yes please provide your comments.

- There is a lot of variation between the services provided at different child contact centres across Scotland, for instance video contact is only available in certain centres and service-users can be charged varying amounts of money to use this service. If services are not effectively provided in a standardised way that is accessible to all those who need to use it, families may be forced to find alternative arrangements that may put the lives of vulnerable women and children in danger unnecessarily.
- Minimum standards need to be in place to ensure the security, health and wellbeing of staff and volunteers. The nature of the process in child contact centres may mean that service-users are emotionally volatile so staff and volunteers need to be supported to deal with the physical and mental wellbeing implications of this.

Conclusion

The SWC is grateful for the opportunity to respond to the Scottish Government's Consultation on the Regulation of Child Contact Centre Services. As an organisation, we will continue to work with women from across Scotland to gather voices and experiences relating to such legislation and the effect of this on women's equality.

For further information, please contact

The Scottish Women's Convention

Email – info@scottishwomensconvention.org

Telephone – 0141 339 4797

www.scottishwomensconvention.org

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