

Response to the report of the National Residential Child Care Initiative: *Higher Aspirations, Brighter Futures*

Scottish ministers and the Convention of Scottish Local Authorities (COSLA) are very grateful to the Scottish Institute for Residential Child Care (SIRCC) and to the fifty plus members of the National Residential Child Care Initiative (NRCCI) working groups for the time and energy they spent examining in detail the challenges facing the residential childcare sector. The fruits of these efforts are a series of comprehensive and thought-provoking reports and carefully considered recommendations.

Recognition is also due to all those who were not part of the working groups but who fed in their views at the numerous consultation events, conferences and forums held around the country as part of this initiative. We particularly appreciate the contributions made by young people with experience of residential care. *Who Cares? Scotland* engaged with over a hundred children and young people so that their voices could be heard and their reflections incorporated into the reports.

What is striking on first reading of the reports is that while some of the recommendations call for fresh approaches, many of the points are not new at all. Views that we need a more highly skilled workforce; that we should have better care planning; that the health outcomes of looked after children are decidedly unhealthy; and that we must do better when it comes to improving the educational outcomes of those in the care system have been in circulation for a long time. Far too long a time.

What makes this report different is that it coincides with a unique combination of drivers for action. On one hand, we have a transformational change programme, *Getting it right for every child (GIRFEC)*¹, being implemented across the country with the potential to make the culture, systems and practice work around the child and thereby address many of the issues underlying poor outcomes for children in residential care.

At the same time, we are facing significant economic challenges. The risk is that this becomes a reason to disinvest in high quality care. But this is a false economy. The cost of not investing is one we can't afford, and not just because of the long term impact on individuals and society. What these reports show is that focusing on effective planning, commissioning and throughcare has the potential to make significant savings, in the short to medium term, by intervening early and preventing the costly cycle of crisis.

If this were not enough, the recent tragic deaths of children in residential care must cause us all to renew our determination to do better for the children in our care, to ensure their lives aren't just worth living, but are full of happiness and achievement.

¹ See <http://www.scotland.gov.uk/Topics/People/Young-People/childrenservices/girfec>.

Making it happen

We have already demonstrated in our joint response² to the first of the NRCCI reports, *Securing Our Future Initiative: A Way Forward For Scotland's Secure Estate*³, our willingness to provide bold leadership in turning these reports into change on the ground. We recognise that making an impact in this complex world requires focus and energy. Accordingly, the Scottish Government and COSLA have agreed five priority themes coming out of the NRCCI that comprise a call for action for us in working with our partners:

Culture change: we are in no doubt that residential childcare is part of the answer, for some children, for some of their lives. Given that, we need to ensure it is fully integrated into our approach for vulnerable children, and deployed and developed to meet their needs proactively and positively, rather than as a last resort. This will support effective transitions into and out of residential care, crucial to providing stability in a child's life, and getting value from the investment in terms of long-term outcomes.

Workforce: one constant in a world of variables is the fact that stable, positive and supportive relationships with trusted individuals are absolutely fundamental to a child's development. We need to ensure that residential childcare staff are equipped and motivated to support children with ever more complex needs to fulfil their potential.

Commissioning: we know that the cost of residential care is a major barrier to it being used as a planned intervention for children at the point where they can most benefit from it. In tough financial times, the challenges of a contractual relationship can also become an obstacle to effective joint working around a child. Strategic commissioning, based on integrated planning, is an opportunity to maximise the effectiveness of investment and secure consensus and transparency around expectations and outcomes.

Improving learning outcomes: *Looked After Children and Young People: We Can and Must Do Better*⁴ has ensured a focus on educational outcomes for looked after children, but persistent huge disparities mean we cannot be complacent. We need to ensure that children in residential childcare benefit fully from the move to Curriculum for Excellence, and are supported to fulfil their potential and sustain positive post-school destinations.

Improving health outcomes: time and again we are told that the children with the greatest health needs are those least likely to access services, including support to live a healthy life. We need to think and act creatively to ensure that the opportunity presented by a child being in residential care is maximised.

² See <http://www.scotland.gov.uk/Publications/2009/04/23163903/0>

³ See http://www.sircc.org.uk/sites/default/files/SOFI_report.pdf

⁴ See <http://www.scotland.gov.uk/Publications/2007/01/15084446/0>.

Next steps

It is clear from the reports that the challenges facing residential childcare are inextricably linked to broader issues for looked after children. So much of the answer lies in generic changes centred around culture, leadership, planning and joined-up working between universal and specialist services. We have an opportunity now to bring connected work on looked after children together, recognising that just as they have the same need for high-quality care wherever they are placed, we must have that same aspiration whatever the sector. In this way we will maximise our joint impact and strengthen the voice of looked after children. Accordingly, we are proposing to establish a high-level governance group on Improving Outcomes for Looked After Children, which will be drawn together by the Director of Children, Young People and Social Care in the Scottish Government and comprise key partners who together are committed to driving a programme of reform for our most vulnerable children. Through that group we will develop and monitor an ambitious but focused implementation programme. This will be based on supported peer learning, enabling us to draw on the strengths and opportunities that exist across the country, not least in the young lives that deserve the best we can give them.

The following section provides a more detailed response to each of the recommendations of the NRCCI reports.

The recommendations

We accept the reports of the National Residential Child Care Initiative and the key proposals within them. Many of the recommendations call for new ways of working, greater cooperation between partners and a shared sense of responsibility for the outcomes of looked after children.

Habits and customs are powerful forces. We know that there are widely held assumptions and deeply ingrained views about the use and impact of residential care. The effort required to change direction may seem daunting. In this response, agreed jointly between the Scottish Government and COSLA, we recognise that to achieve the culture change necessary to make residential care a first and best placement of choice for those children who need it, we need the whole team involved and pulling in the same direction: the Scottish Government; local authorities and their partners in Community Planning Partnerships; providers; and children, young people and their families.

MATCHING RESOURCES AND NEEDS

Recommendation 1

Residential care within a broad continuum of services

Addressing the needs and improving the outcomes for children and young people in residential care requires collaboration between agencies in the provision of relevant universal and specialist services. Virtually all children and young people in residential care need additional help beyond basic care and safety. There is scope for better co-operation between residential and fostering services, for example in relation to possible shared care, preparation for transfer, adjustment to placement changes, training and improved post-16 support.

1.1 Through the Children's Services Plan, each local authority and its planning partners should be able to evidence a robust continuum of care which supports the diverse needs of children and young people and provides a range of flexible community-based services, fostering and residential provision, including short breaks, and throughcare and aftercare services.

1.2 The Children's Services Plan should identify the particular strategic role which residential care will fulfil within the overall range of services. This must include attention to children with a disability and others with additional support needs.

1.3 Local authorities require access to a range of residential services, so that choices are available when children need placement and each child can be matched with a model of care that meets their individual needs and has access to any additional services required.

At the heart of *Getting it right for every child* (GIRFEC) is the child's plan, which requires partners to collaborate to meet the needs of the child in an appropriate, proportionate and timely way. Following the publication of the GIRFEC pathfinder evaluation⁵ last month, we are working intensively to support implementation across Scotland, and spanning all aspects of children's services.

In relation to looked after children, this will be underpinned by our ongoing

⁵ See Changing Professional Practice and Culture to Get it Right for Every Child: An Evaluation of the Development and Early Implementation Phases of *Getting it right for every child* in Highland: 2006 - 2009 <http://www.scotland.gov.uk/Publications/2009/11/20094407/0>.

work to promote corporate parenting, and the concept of the wider corporate family designed to ensure that everyone involved in bringing up children in care is working together effectively to meet their needs⁶.

We agree that in order to make GIRFEC a reality, where a child's needs are best met by residential childcare, there must be an appropriate range and quality of provision available. Planning is the key, and in time, the GIRFEC approach combined with eCare⁷ will enable the needs of individual children and young people to be aggregated to provide an overview of need in communities. In the meantime, we are committed to supporting integrated planning and strategic commissioning (see our response to recommendations 1 and 2 of the commissioning report) with a specific focus on residential childcare.

Recommendation 2 Information, research and planning

A significant amount of management information and other data is collected and consideration should be given as to how this can be most usefully deployed to improve understanding of the current and future needs of children and young people, as well as the role of residential care within the range of available options, in order to deliver improved outcomes for children.

There is very little Scottish research on the effectiveness of different interventions used in residential care which could help to inform the development of the sector.

2.1 The Scottish Government, COSLA and other appropriate agencies should jointly consider the production of an effective planning template which will support each local authority and its partners in identifying the information required, in order to undertake planning and commissioning for future need.

2.2 Building on work currently being undertaken by the Scottish Government, Care Commission and SIRCC, efforts should be made to ensure the compatibility of the various data sources and to identify information gaps. Additional information is required, for instance on children with a disability in residential care.

2.3 The Scottish Government, local authorities, residential care providers and other agencies should consider ways of using existing sources of data more effectively and innovatively, identify gaps in information and priorities for new research, and seek opportunities to commission research, in order to examine factors affecting the experiences and long-term outcomes for children and young people in residential child care, and the effectiveness of different approaches and interventions

2.4 The Scottish Government's Looked After Children website (www.LTScotland.org.uk/lookedafterchildren) should be utilised to hold more information about best practice, information and statistics relating to residential care, and to facilitate the sharing of practice amongst professionals and carers and other interested parties.

We agree that for planning to be effective, it must be underpinned by robust information. We will explore with partners what further support is required to underpin effective integrated children's services planning including the proposal for a planning template.

⁶ See These Are Our Bairns: A Guide For Community Planning Partnerships On Being A Good Corporate Parent <http://www.scotland.gov.uk/Publications/2008/08/29115839/0>.

⁷ See <http://www.scotland.gov.uk/Topics/Government/PublicServiceReform/efficientgovernment/DataStandardsAndeCare>

The Scottish Government is in the process of undertaking a review of data around children and young people which will look specifically at priorities and gaps in information. It will draw from the work of the *We Can and Must Do Better* working group, which recently published the new reporting framework for the educational outcomes of Scotland's looked after children. The group is continuing its work to improve the availability and quality of data, and promote its use in support of performance improvement and understanding what works. The Scottish Government also supports and participates in an emerging research network (led by colleagues from the universities of Strathclyde and Edinburgh) who have a focus on looked after children and care leavers.

Over the last two years, the Scottish Government has been working closely with local authorities and the providers of social work management information systems to develop an individualised collection of data for use in the Scottish Government's Children Looked After Statistics (CLAS). Currently, the CLAS publication is based on aggregated data provided by local authorities. The next CLAS publication, due to be published in February 2010, will be based on individualised data. This enables us for the first time to link data on looked after children to support better operational management and, at a strategic level, to examine the factors affecting the experiences and long-term outcomes for looked after children, including those in residential childcare, and the effectiveness of different approaches and interventions.

Since the launch of the Scottish Government's looked after children website (<http://www.ltscotland.org.uk/lookedafterchildren/>) in May 2008, the site has regularly received around 2,500 visitors each month. The website is a hub of information about looked after children in Scotland and the recommendation that it should hold more information about best practice in residential childcare, more statistics, and facilitate the sharing of good practice among professionals, carers and other interested parties fits well with our plans to further develop the site.

Recommendation 3

Active participation of young people

Children and young people in residential child care have a clear right to participate in the decisions made both about their individual care and the wider provision of services. This is closely linked to their rights for care and protection and we would strongly endorse the comments made in the Kerelaw report. The Scottish Government has commissioned a review of advocacy services for looked after children and the outcomes of this will be important in informing future practice.

3.1 Local Authorities and their planning partners should promote and evidence a rights based approach in Children's Services Planning

3.2 Local authorities, residential care providers and other agencies must ensure that clear mechanisms exist to promote the views of children and young people in service planning and decision-making. Important components include independent support, advice, and advocacy, as well as effective complaints processes.

3.3 All residential establishments must ensure that children and young people have their views taken seriously in the formulation of the child's plans and reviews, and that they understand as fully as possible the implications of plans affecting them. The expectations and rules that apply should also take into account young people's views.

We agree that children and young people must be actively involved in decisions that involve their care and their future. They are the key stakeholders and should be consulted not only in relation to their own care, but also in planning for the provision of services. The Looked After Children (Scotland) Regulations⁸, which came into force at the end of September 2009, embed the principle that children's views need to be taken into account when planning and reviewing the child's care.

The Scottish Government is committed to the United Nations Convention on the Rights of the Child (UNCRC) and to promoting and supporting the rights of all children in Scotland as a key strand of our activity to improve outcomes for all. The UNCRC outlines the rights of all children in a wide range of areas including health, education and justice and one of the underpinning key principles of the Convention is that children's views must be considered and taken into account in all matters affecting them (Article 12). The UN Committee issued recommendations in October 2008 highlighting areas where it felt the UK was not fully complying with the Convention. The Scottish Government published a response to the UN Committee recommendations on 1 September 2009, *Do the Right Thing*⁹. It will inform future activity on children's rights and will be used to monitor progress over the next reporting period (2008-2014) in Scotland. Advocacy services for children and young people were highlighted as a priority area for action in *Do the Right Thing* and a commitment was made in that document to commission a national advocacy scoping exercise in summer 2009 to identify what gaps there are and how we might look to make improvements.

The scoping study has recently been completed and will be published shortly. We will consider carefully its findings and work across government and with external colleagues to agree priorities for advocacy and to prepare a national plan of action to improve the quality, consistency and availability of advocacy support.

On 27 April 2009, the Scottish Government published *Valuing Young People - Principles And Connections To Support Young People To Achieve Their Potential*¹⁰. This paper has been shaped by organisations across the public and third sectors as well as young people themselves. It offers a set of common principles for organisations (locally and nationally and across all sectors) engaging with young people, with the embedding them in how we all operate. The common principles are:

- to deliver services that reflect the reality of young people's lives;
- to work with local partners to address barriers and gaps;
- to recognise and promote young people's positive contribution to their communities; and
- To involve young people at an early stage in developing services and opportunities.

⁸ See http://www.oqps.gov.uk/legislation/ssi/ssi2009/ssi_20090210_en_1.

⁹ See <http://www.scotland.gov.uk/Publications/2009/08/27111754/0>.

¹⁰ See <http://www.scotland.gov.uk/Publications/2009/04/21153700/0>.

We will continue to work in partnership, in particular with the inspectorates, to ensure that providers of residential care have effective arrangements in place to take account of the views of young people. This includes ensuring that, at the point of admission, information is available to children and young people (and their families) clearly outlining ways for the views of children and young people to be expressed and listened to.

Recommendation 4 Assessment and care planning

Integrated and holistic assessment is the key to identifying the needs of individual children and young people. Equally, ongoing care planning, assessment and review are crucial in meeting the changing needs of children and young people in residential care. Pressure within the system too often means that placement is resource-led rather than needs-led.

4.1 All assessments should follow the principles of GIRFEC. They should be multi-professional, child-centred, proportionate and timely. One assessment should cover all of the child's needs, whether education, health and well-being, safety, social or developmental. Assessments must include information related to the particular requirements of residential placements and identify long term goals.

4.2 Residential child care should be considered as an appropriate service for children and young people early in their care journey and should more often be contemplated as a realistic option for younger children who have serious attachment problems and complex needs.

4.3 Whenever possible admissions should be planned and prepared for well in advance. All those involved in care planning should articulate and commit to clear shared expectations about the planned outcomes for individual children and young people. The child's plan(s) should articulate how residential care interventions and those provided in collaboration with others can achieve agreed outcomes.

4.4 Children and young people's views and aspirations must be taken seriously at every stage, and support and advocacy provided; Young people should all be given a copy of their plan prior to admission, as well as copies of subsequent review documents.

4.5 It would be beneficial if admission and review meetings had independent chairpersons.

4.6 Stability and continuity of placement are a high priority. Placement changes and breakdowns should be regarded very seriously, monitored closely and reviewed for the lessons to be learned.

4.7 A national review is required of the experiences and needs of children with a disability in all forms of residential care. This should include examination of their legal status and focus on the commonalities and differences compared with the wider looked-after population in terms of needs and resources.

We fully support this recommendation. As highlighted earlier, our new Looked After Children (Scotland) Regulations came into force at the end of September 2009. This legislation will improve planning and decision making for looked after children, in line with *Getting it right for every child*, and requires that all looked after children have a plan that covers their immediate and longer-term needs. For the first time the Regulations set out specifically what needs to be the same for all looked after children, such as planning and reviews, regardless of where the child is looked after. They also support the GIRFEC approach by specifically referring to a child's plan rather than a service specific one. Guidance to help local authorities and other agencies implement the new regulations is being developed by the British Association for Adoption and Fostering (BAAF) and The Fostering Network (TFN) and will be published for consultation shortly. The guidance will help practitioners to consider the planning for children in the immediate, medium and long term.

We recognise the need for appropriate placements for younger children, where the alternative is highly damaging multiple placement breakdown at home or in kinship or foster care. Our support for strategic commissioning (see our response to recommendations 1 and 2 of the commissioning report) seeks to ensure such needs are identified and addressed through service planning.

We agree that the decisions relating to children's placements in residential care need to be consistent and transparent. The question of who is best placed to chair multi-agency meetings about our looked after children and young people is a matter that needs to be determined locally. In the context of GIRFEC, the lead professional will have a key role.

Stability and continuity of placement are often central to our looked after children achieving their potential and going onto lead positive and rewarding lives in the future. Through the local implementation of *These are our Bairns*¹¹ – a guide for community planning partnerships on being a good corporate parent – we will continue our support to local authorities and their community planning partners to encourage them to be active corporate parents to their looked after children. A corporate parent that takes an interest in their children and young people and promotes stability and continuity of placement is the norm, not the exception. Part of this will involve looking at ways to better monitor and review placement changes and breakdowns.

We recognise the need to look at the specific issues for disabled children in residential care. Accordingly, we will include an assessment of the resources available in residential care services for children with a disability within a forthcoming baseline survey of disabled children's services in Scotland conducted by the *for Scotland's Disabled Children* (fSDC) liaison project, and we will explore the experiences and needs of children with a disability in residential care in related fSDC liaison project activity to engage families and young people in articulating their experience of service design and delivery.

Recommendation 5 **The nature and roles of residential services**

Residential staff work on a daily basis with the young people in their care, and they know a great deal about their needs and preferences, and how they respond to stress. This knowledge and understanding is too often not used effectively to inform integrated assessments and decision making, both in relation to assessment and to future care planning. Residential staff are integral to changes of placement, planning the transitions and supporting the change. A model of care which is likely to be of great relevance in future, and therefore should be given due consideration, is analogous to shared care models used for children with disabilities. Young people would have recurrent short stays and/or spend parts of the week at the same residential facility at times which fitted with their needs as part of a long term plan.

5.1 The location, design and work of residential services should aim to support continuity of children's key relationships with family, friends, professionals, school and community, except when this is contrary to the child's interests.

¹¹ See <http://www.scotland.gov.uk/Publications/2008/08/29115839/0>.

5.2 The Initiative has highlighted that there are particular groups of children and young people, who have specific or complex needs, and residential care services with appropriately trained staff and ethos must be available to meet these needs. They include:

- children under 12;
- challenging young women;
- children with disabilities.

5.3 The contribution of residential staff in family and community assessment, joint work and post-placement support should be extended. This could include opportunities for families to obtain help on a residential basis.

We welcome the recognition of the important role of residential services, and their staff, in planning for and meeting the needs of children within and beyond care; and the requirement for more flexible and creative models of service delivery. We are confident that the introduction of strategic commissioning, and the activity that is involved in this approach – assessing and forecasting needs; agreeing outcomes; planning the nature, range and quality of services – will improve future care planning and help ensure that Scotland’s residential care services meet the more specific needs of particular groups of children and young people.

In the meantime, we are championing innovative models of care. As part of our response to the report of Securing Our Future Initiative, we committed to supporting providers of secure care to reconfigure excess capacity to strengthen transitions into and out of care. We are also planning to support the development by Glasgow City Council of an enhanced residential service, based on the innovative multi-systemic therapy model, and disseminate learning from that.

Specifically on challenging young women, the Scottish Government already supports the work of the University of Edinburgh’s Criminal Justice Social Work Development Centre and, through that, a champion’s group of practitioners and academics who share good practice on managing high risk young women. We recognise that providers of specialist residential services may need support to build capacity and capability. Through the Scottish Government’s Third Sector Enterprise Fund, we have provided £69,500 to the organisation Up-2-Us for a residential project to support highly vulnerable and challenging girls and young women at risk of long-term careers within the care and justice systems.

Recommendation 6 Education

Recent attention to educational attainment for looked after children through the We Can and Must do Better report and the range of work being undertaken following this report have undoubtedly led to improvements, but the challenge now is to ensure the policy and practice initiatives emanating directly and indirectly from the report are embedded into everyday practice. Too many young people are still not getting the learning opportunities and support they require. Many young people have to change school several times, receive only part-time education or do not receive appropriate additional support for learning.

6.1 All providers of residential child care must be able to demonstrate that their staff actively support and engage in the education of the children living in each of their establishments.

6.2 As part of their cycle of inspections the current Inspection agencies and the future scrutiny body (Social Care and Social Work Improvement Scotland – SCSWIS) should be asked to

report on the educational outcomes achieved by local authorities and other providers of residential child care in each establishment, and on the action plans aimed at improving educational outcomes and experiences, use of training materials, and self-evaluation.

Following the publication in 2007 of *Looked After Children and Young People: We Can and Must Do Better*, the Scottish Government, in partnership with key stakeholders, developed and launched a package of measures aimed at boosting looked after children's educational and other life experiences. These include:

- *comprehensive training and self study materials* for professionals involved in the lives of looked after children and care leavers;
- *These are Our Bairns*: a guide for community planning partnerships on being a good corporate parent;
- *core tasks for designated managers* in educational and residential establishments in Scotland;
- *a guide for local authorities and other service providers* about improving the education of looked after children based on the *national research* into ways educational attainment of looked after children can be improved; and
- *a national looked after children website* providing a hub of information and resources about working together to improve the life outcomes of Scotland's looked after children and care leavers.

This work has helped to raise the profile of looked after children in education, and most community planning partnerships have included in their Single Outcome Agreements commitments to raise attainment among that group. This will be underpinned by improved data, as discussed above.

*Curriculum for Excellence*¹² is the Scottish Government's transformational programme for learning in Scotland, designed to enable all children to develop the four capacities: successful learners, confident individuals, effective contributors and effective citizens. Its focus on personalised learning is well suited to the complex needs of looked after children, and we will work to ensure that in the implementation of the programme these opportunities are maximised.

We are working to ensure that looked after children and care leavers are prioritised through *More Choices, More Chances* activity at a local level. As part of the implementation of *16+ Learning Choices*, we are supporting a specific local initiative. This initiative aims to better align, coordinate and integrate the assessment and planning processes of three key services to ensure that all looked after children, young people and care leavers are supported to make a successful transition from school to further learning opportunities.

We will continue to work closely with Her Majesty's Inspectorate of Education and the new Social Care and Social Work Improvement Scotland (SCSWIS) to ensure appropriate support for, and scrutiny of, educational outcomes of the children and young people in residential childcare.

¹² See <http://www.ltscotland.org.uk/curriculumforexcellence/>.

Recommendation 7 Health

Children and young people in residential care have significant physical, mental and emotional health needs. The work of LAAC nurses must be built on to improve health assessment and care in residential establishments. The recent guidance to Health Boards in relation to Action 15 of We Can and Must do Better is welcomed and it is important that this is fully implemented as a matter of urgency.

7.1 There should be a national policy and practice initiative, which addresses the health needs of looked after children and young people, similar to that which has focused on the educational needs of looked after children. A key role for each health board director with responsibility for looked after children and young people and care leavers must be to drive continuous improvement in the health assessment and care of these children.

7.2 Each establishment should have a health improvement plan, detailing goals and actions to promote healthy diets, life-styles and oral care in accordance with key national health improvement messages, and support attendance at health appointments.

7.3 Building on best practice, it is important that multi-agency services are provided to support the mental health and well-being of children and young people in residential child care.

CAMHS teams have a crucial role in offering direct help. All residential services should have access to specialist consultancy to find the best approaches to help individual young people. Residential staff should be equipped and supported to identify and assist with common, non-psychotic mental health problems such as depression and anxiety, as well as addictions.

Improving the health outcomes of Scotland's looked after children is a priority area for the Scottish Government. Earlier this year, we wrote to all NHS board chief executives reinforcing their responsibilities for looked after children and young people and care leavers (CEL 16 2009). Further to CEL 16 2009, each territorial health board now has a nominated director whose responsibility includes ensuring that health boards have systems in place to identify all looked after children and young people and care leavers in their areas, including those who are looked after at home and those placed from outwith their health board areas.

An important part of the action required by CEL 16 is to ensure that all looked after children have improved access to universal services. Health boards are required to offer every currently looked after child and young person in their area a health assessment by April 2010. Any new child or young person coming into the system from March 2010 should have a health assessment within four weeks of notification to the health board. The director will ensure that for every looked after child or young person who has general and mental health needs identified as part of their health assessment, the person undertaking that health assessment takes responsibility for ensuring their care plan is delivered/coordinated as appropriate.

The performance of health boards in carrying out general and mental health assessments for looked after children and young people, and the health outcomes of those assessments, will be monitored through an annual report to the Scottish Government. We are also proposing to bring together the lead directors from each board on a regular basis to offer support and challenge around their critical role.

Specifically on mental health, boards will offer a mental health assessment to every looked after child or young person, in line with the implementation of

Mental Health of Children and Young People Framework for Promotion Prevention and Care (FPPC), by 2015.

We recognise that residential staff have a key role to play in supporting improved health outcomes, and need to be equipped to do so. We will work with the Scottish Institute for Residential Child Care to explore how we can build on good practice where specialist staff provide training and consultancy to care staff. This is supported by the approach set out in the child and adolescent mental health services (CAMHS) strategy, *The Mental Health of Children and Young People: A Framework for Promotion, Prevention and Care*¹³, where in addition to investing significantly in increasing the number of CAMHS staff, there is a focus on tiered models of support.

As part of our efforts to ensure children and young people in secure residential care have the same rights of access to health services as any other child in Scotland, and following the recommendations of Securing Our Future Initiative, we are working with providers and four health boards who have secure care services located in their areas to develop a service specification as a model for a local enhanced service. Once this scoping work is complete, we will agree next steps with partners. In the meantime, we are working with providers of secure care to look at a mental health service specification to meet the needs of young people in secure care. We are also committed to conducting an independent review of existing research to assess whether there is a need to update information previously gathered and to fill any gaps in the knowledge base. This exercise will be completed by the end of financial year 2009-10 to inform estate planning.

Recommendation 8
The transition out of care

Research tells us that the important progress that young people make during their period in residential care is not always sustained after they leave. There has been recent attention to the needs of care leavers at 16+ in the Sweet 16? report but the statistics show that young people of all ages experience many placement changes in care and these transitions ought to be equally well planned and supported by the staff who work with them.

8.1 As emphasised in the comprehensive guidance on corporate parenting, *These Are Our Bairns*, it is critical that the transition out of care and out of secure care for all young people, regardless of age, is well planned and supported and that pathway plans are in place for all young people.

8.2 The legislation and policies that require or enable continued care and educational support after 16 should be implemented more effectively. The recommendations of Sweet 16? about the age that children and young people leave residential care and the support they need should be embraced.

We agree that transitions out of care must be strengthened if the investment is to translate into improved outcomes for children. To drive change in this area, we propose to undertake a programme of supported action learning with a number of local authorities to help us to understand what works and the barriers; with a view to rapid dissemination of the learning. We are committed to seeking amendments to the 2004 regulations on throughcare and aftercare,

¹³ See <http://www.scotland.gov.uk/Publications/2005/10/2191333/13337>.

Supporting Young People Leaving Care in Scotland: Regulations and Guidance on Services for Young People Ceasing to be Looked After by Local Authorities, if it is shown through that work to be required.

In January 2009, we produced a template resource pack for care leavers. The aim of this pack is to provide information that care leavers need to help them make the right decisions about their future. We also provide financial support through the Unified Voluntary Sector Fund to Who Cares? Scotland and to the Scottish Throughcare and Aftercare Forum. Through its investment in Inspiring Scotland, the Scottish Government is supporting a major initiative run by the Venture Trust to provide a two-year intense personal development programme to care leavers and young carers in five local authorities. We will work closely with Venture Trust and its partners to ensure that learning about what works is shared.

In the meantime, through our continued support to local authorities and their community planning partners to implement *These are Our Bairns* locally, we will highlight the importance of ensuring the transition out of care experienced by the children and young people is both well planned and well managed. The improvements to the data collection in relation to looked after children, referred to above, will provide us and our local partners with better information about, for example, numbers of placements, the length of each looked after episode and aftercare arrangements.

COMMISSIONING

Here we identify the recommendations that arise from the foregoing report. We believe that the framework described here is also applicable to other children's services and has the potential to lead to the development of more integrated services and better outcomes for children and families.

Recommendation 1 National strategic commissioning

A national commissioning framework is required to promote the development of those highly specialist services which are required to meet the needs of children and young people with a combination of complex needs. These include: children and young people with very serious challenging or self-harming behaviours, those with a range of mental health disorders, disabilities and conditions, including those requiring secure accommodation. The Scottish Government is a commissioner of secure care for those sentenced by the Courts and also provides funding for six residential schools which provide specialist disability services (The Grant Aided Special Schools).

1.1 That a national strategic commissioning group be established to commission highly specialist residential services based on the principles set out in the NRCCI Commissioning Report. . The first priority will be secure care, and the group should aim to commission secure care services from 31 March 2010.

1.2 That local authorities should lead the Group on behalf of residential child care stakeholders across Scotland. The Scottish Government should participate in and support the work of the National Commissioning group.

1.3 That the national strategic commissioning group should bring forward proposals for other national services which could be commissioned. The NRCCI recommends that services for looked after children and young people with problematic sexual behaviour, those with serious mental health disorders or illnesses, those presenting serious self-harm behaviours, and

those with challenging behaviour associated with autism spectrum disorders, be prioritised. For such services, the NHS should lead national commissioning arrangements on behalf of its partners.

We fully support this recommendation and, as highlighted earlier, we are committed to the overall aim of strategic commissioning. Its role in bringing people together to secure the best possible outcomes from the available resource is more important than ever in the current financial climate.

The Scottish Government, COSLA and providers of secure care have already begun work to take this recommendation forward, and agreed the establishment of a national commissioning steering group. The first priority for the group, which meets for the first time in early December 2009, is to develop a national approach to the commissioning of secure care, starting with the development and agreement of a service specification for secure care and a national contract. The group will be independently chaired by Garry Coutts, chair of NHS Highland's board and the former chair of the NRCCI commissioning group, with membership drawn from local government, independent providers, the Scottish Government, inspectorates, health and Who Cares? Scotland.

The main partners – the Scottish Government, COSLA and the secure care providers – have agreed to fund jointly a national commissioning officer for children's services. The postholder, based in COSLA alongside an adult care commissioning officer, will support the aims of the group, initially in implementing a national approach to commissioning of secure care, but looking also to the development of strategic commissioning in children's services more generally.

Recommendation 2

Local strategic commissioning

Local Authorities with local and neighbouring partners should consider how they can best cooperate better to meet the needs of children and in their area and deliver the range of services required more effectively. Building on current children's services planning structures and adhering to the principles in this report, and the SWIA self-evaluation guide, such groups would include multiple stakeholders, among them children and young people or their representatives and their families or carers.

2.1 That each local authority take a strategic commissioning approach to children's services. This will require the setting up of a strategic commissioning group either within the local authority or, where appropriate, on an inter-authority basis. It is recommended that local authorities undertake the initial planning for such a group by March 2010 with a view to having them operating during 2010-2011.

2.2 That local authorities and their community planning partners prioritise existing resources, building on current integrated children's services planning structures, in order to resource the development of strategic commissioning.

2.3 That the strategic commissioning plan produced by the process should be approved at the highest level amongst partner organisations, including elected members, governing boards, chief executives and senior managers, and shared across Scotland to support the development of shared approaches and learning which will achieve improved outcomes for children and young people in residential child care as a result of an effective strategic commissioning approach.

2.4 That strategic commissioning groups develop their work in line with the findings of the NRCCI group with particular attention to ensuring that 'service users', providers, and other

strategic partners can influence the range of services provided in each area.

2.5 That while commissioning will develop in a way to suit each local authority area, all strategic commissioning will entail addressing a similar range of activities, including:

- Information gathering and data analysis
- Service planning and design
- Tendering and purchasing services
- Service delivery
- Contract monitoring.

2.6 That the arrangements for all transitions from an independent sector placement be included within the commissioning framework; at strategic, service, and individual level, in order to ensure the maximum benefit from the placement itself and to promote stability for each child or young person.

Commissioning should also address the mutual expectations around 'placement breakdowns' (unplanned moves). These expectations may be reflected in guidance on processes and notice periods in emergency situations.

We fully support this recommendation, and believe its implementation is critical to ensuring a continued focus on improved outcomes in the face of the economic downturn.

We are committed to supporting the development of strategic commissioning at a local level. We recognise there is already a degree of momentum around this issue with the publication of the Social Work Inspection Agency's self-evaluation guide on commissioning; the work of Scotland Excel; and the recent launch of the *Clyde Valley Review*, Sir John Arbuthnott's report on how councils and health boards in the west of Scotland might work more effectively together and share certain services. We are committed to supporting the practical implementation of this recommendation, and have begun discussions with a group of local authorities (Renfrewshire, East Renfrewshire, Inverclyde and Glasgow City) about their aspiration to take forward strategic, joint commissioning of residential childcare and related services. We propose to support a demonstration project that will involve these councils jointly commissioning services to address identified need. This will be based on a shared agreement of outcomes sought, followed by an analysis of population need, leading to the development of a service specification based on evidence, and taking into account available resources. The hypothesis we will be testing is that authorities can achieve better outcomes at the same or less cost by commissioning jointly. We will work with the Improvement Service and others to disseminate learning from this work across Scotland.

Recommendation 3 Improving outcomes

In order to improve outcomes for children, young people and their families, it is important to develop measures by which services can be evaluated and developed. The measurement of these outcomes should use existing sources of data as much as possible, in order to avoid any duplication of information gathering. However increased attention needs to be paid to gathering the views of children and parents/carers about a specific placement.

3.1 That sustained attention be given to the development of appropriate outcomes associated with residential placement. This will require agreement between purchasers and providers, based on careful and detailed assessment of need by the former, and statements of specific and measurable services provided by the latter.

3.2 That the measurement of outcomes make use of existing sources of information,

including: the placing social worker's assessment, Looked After Children reviews, Care Commission inspection reports, self-evaluation returns, individual care plans, standardised measures for educational attainment, psychological functioning, and others.

3.3 That methods of including the views and experiences of children, young people and their families be developed. These could include 'exit' interviews conducted by a Who Cares? Scotland worker or other agency. In recent years electronic and web-based technologies have been developed (for example, the 'computer assisted self-interviewing' system developed by the Viewpoint organisation) which allow young people to express their views in an informal and accessible way, rather than through a face-to-face interview.

We fully support this recommendation and would encourage both purchasers and providers to work together to establish agreed outcome measures at the point where services for children and young people are agreed.

At a national level, we will ask the looked after children data working group and the emerging looked after children research network to consider how their work can support the development of measures by which services can be evaluated and developed. This can then feed into ongoing work on indicators by the Scottish Government, COSLA, the Society of Local Authority Chief Executives and Senior Managers (SOLACE) and the Improvement Service, in support of Scotland Performs and single outcome agreements.

It is essential that the views of children and young people are actively and routinely sought, as discussed above. We will ask the Scottish Institute for Residential Child Care, as the Centre For Excellence, for further advice on the current use of "exit interviews" and technology to support feedback from young people.

Recommendation 4 Scrutiny

SWIA has played a major role in the promotion of a strategic commissioning approach to children's services, and has provided a guide for local authorities. A new external scrutiny body is being created and will have a role to play in scrutinising the new commissioning arrangements.

4.1 That scrutiny bodies monitor the effectiveness of the strategic commissioning arrangements and principles as set out in the NRCCI Commissioning Report.

We agree that the new scrutiny body will have an important role to play in supporting and promoting strategic commissioning by community planning partnerships. By bringing together responsibility for regulation of care providers with scrutiny of social work, the new arrangements will strengthen the opportunity to monitor and promote joined-up working. A representative of the scrutiny bodies will be a member of the children's services national commissioning steering group.

Recommendation 5 Additional services

Currently voluntary and independent providers need to negotiate separate service level agreements with every local authority, NHS Board and others for the provision of services such as independent advocacy. This is inefficient and may not complement the outcomes-based approach which will be developed through commissioning.

5.1 That commissioners at all levels identify those additional services, such as independent advocacy, which are currently funded through separate contracts and service level agreements but which are integral to residential child care. Commissioners should identify any improvements which can be made in both the content of these contracts and also the efficiency of the negotiating arrangements. There should be a clear alignment between these service level agreements or contracts and those agreed with residential providers in relation to the desired outcomes for children.

We agree that there is an opportunity through the development of commissioning to adopt arrangements for the provision of specialist services which are better for purchasers, providers and young people alike. We will promote this at a national level through the children's services national commissioning steering group.

WORKFORCE

Scotland aspires to a having a residential child care workforce which is internationally renowned for providing the best for our children and young people. This report supports this vision, and the view that residential care should be "the first and best placement of choice for those children whose needs it serves"¹⁴. To turn this rhetoric into reality, a programme of change and improvement is necessary.

Recruitment, Induction and Retention

Rigorous and safe recruitment

Choosing the right people, preparing them for a new role and keeping them motivated so that they give of their best is just as important as ensuring that the residential workforce is suitably skilled and qualified. Doing this badly will be costly in both financial and human terms. An excellent staff team begins with good safe recruitment based on a high degree of rigour. Senior corporate leaders must demonstrate consistent leadership in this area.

Recommendation 1

Employers should ensure all staff are recruited in accordance with Scottish Government Safer Recruitment guidance and the SSSC Codes of Practice.

It goes without saying that we strongly support this outcome. It is a matter of deep concern that staff would ever be recruited without the appropriate procedures being followed. We will ask the Care Commission to advise if any further action is required to tackle this issue, and to continue to work with the Scottish Institute for Residential Child Care to raise awareness and improve practice in this area.

Pay and conditions

Pay and remuneration across public private and voluntary sector is broadly consistent, with the exception of services with disabilities where there may be some disparity. Residential child care workers are generally paid less than their field social work colleagues and this impacts on recruitment and retention of social work qualified staff. We consider that there is a critical role for qualified social workers working within residential care teams and this disparity seriously undermines this aspiration.

Recommendation 2

Employers need to ensure that pay and conditions within the sector are competitive, attract the best people and are commensurate with the importance and complexity of

¹⁴ Adam Ingram, Minister for Early Years, 2008: Scottish Parliament, *Official Report 7 February 2008*, column 5928. Retrieved 1 Sep 2009.
<http://www.scottish.parliament.uk/business/officialreports/meetingsparliament/or-08/sor0207-02.htm>

the task.

We require a residential childcare workforce which is appropriately valued and equipped to meet the increasingly complex needs of the children and young people living in residential childcare. Residential childcare needs to be seen as a positive career choice for those who choose to work in the sector, with clear routes into and out of sector that are linked to the wider childcare workforce. It is a matter for employers to judge the right balance of reward and recognition to ensure they can recruit and retain the best people.

From a national perspective, we will continue to champion these staff, who do such an important and challenging job, and to raise awareness of the invest to save argument which recognises that failure in this sector can be catastrophic for individuals, organisations and society.

Qualifications, Learning and Continuous Professional Development

The workforce group asserts that there is a need to be collectively more aspirational for the qualification levels of the sector.

Research indicates there is an important relationship between the quality of a service and both the qualifications and the education levels of staff. Young people have said the training levels in residential child care are inadequate and that there needs to be much more attention paid to this area. Residential child care staff have reported that they are much more equipped to undertake their task and feel much more confident and competent after training and gaining relevant qualifications.

Qualifications

We propose a stepped process to reach these higher aspirations.

Step 1

As a first step we recommend a review of the current qualifications for registration with the intention of removing all but the most appropriate and relevant to care.

Recommendation 3

The Scottish Government should discuss with the SSSC a review of the current qualifications for registration with the intention of removing all but care specific qualifications.

We accept the need to rationalise the extensive list of qualifications in this area and Scottish Government officials will seek a meeting with the Scottish Social Services Council (SSSC) in the spring of 2010 to progress the work.

Step 2

A workforce charged with the care of children and young people who are looked after ought to meet—or be able to meet—reasonably high levels of academic achievement in order to understand and respond critically to the increasingly complex needs of the children and young people in their care.

This aim of a well-educated workforce is particularly important in light of both the compromised pre-care educational experiences of these children and young people, and the importance of successful educational outcomes for their future opportunities.

For the purposes of residential child care registration with the SSSC, the current required minimum levels of educational achievement are at SCQF level 8 for managers and supervisors, and at SCQF level 7 for main grade workers.

Given the increasingly complex needs of children and young people and the professional

tasks that require high-level academic abilities, the workforce group believes that a minimum level of education at SCQF level 9 for workers, supervisors and managers would best equip them to undertake their work most effectively.

Recommendation 4

The Scottish Government should discuss with the SSSC (who will consult with employers) the setting of new registration requirements so that from 2014 all new residential child care workers would be required to hold or be working towards a relevant care qualification at SCQF Level 9 (as the minimum) which includes or is in addition to the assessment of competence in practice.

This does not apply to those who are already registered as residential child care workers or as residential child care workers with supervisory responsibility; the qualifications that enabled them to achieve registration or which they are working towards achieving as a condition of registration should continue to be acceptable.

*Changing Lives*¹⁵, the report of the review of social work in Scotland, made clear the need for transformational change in social work services given the increasing and complex challenges to be tackled. To help realise the aspirations of *Changing Lives* and improve outcomes for children, families and communities, the Scottish Government is committed to the development of a confident, competent and valued social work and social care workforce. A key development in support of this ambition is the *Continuous Learning Framework* (published December 2008) to support learning, development and improved practice; promote continuous improvement in standards and practice; and provide transparency of pathways for career progression. The key elements within the Framework, which the Scottish Social Services Council (SSSC) is actively promoting across the sector, cover knowledge, skills, values and understanding; qualifications and training; and personal and organisational capabilities.

We recognise that residential childcare workers do demanding jobs and they need to be highly skilled, both to support the direct work they do with children and young people but also to ensure they are equipped to play a full role in the wider partnership necessary to meet needs holistically. Every other profession that works with children sees the value in having a highly qualified workforce. Residential childcare workers need to be able to communicate with these professionals, on the same level, with the same status and professional respect. Having a workforce qualified to similar levels, with similar skills and professional values not only helps create trust between different professionals but has the potential to open up additional career opportunities between residential childcare and other professions.

It is for this reason that the Scottish Government recently made it a requirement for residential childcare workers to be registered with the SSSC. We welcome in principle this proposal to leverage further development in the workforce. The Scottish Government, working in partnership with COSLA, will meet with the SSSC to discuss taking this commitment forward. We recognise that any discussions will need to consider the implications for employers. Care must also be taken to help the many dedicated and committed workers achieve the new qualification levels and continue to

¹⁵ See <http://www.scotland.gov.uk/Publications/2006/02/02094408/0>.

improve their skills throughout their careers. This includes those workers who have their predecessor qualifications accepted for registration but who will wish to continuously develop their skills and abilities.

Support for learning

Employers play a critical role in providing training and support for their staff they employ.

Recommendation 5

Employers who choose to employ people who have not yet attained the educational qualifications to do the job but who have the ability to do so must develop robust training and support schemes so that these staff are equipped to achieve the qualifications required for registration within the appropriate timescale. This would ensure the continued valuing and inclusion of staff who may have diverse life experiences, appropriate qualities, skills and attitude.

Courses for registration

The challenges of the residential work are continually changing as the needs of children and young people become increasingly more complex. Courses acceptable for registration of the workforce should reflect this.

Recommendation 6

HE and FE sectors, the Scottish Qualifications Authority and the SSSC should ensure all courses deemed acceptable for the registration of managers and other staff are regularly reviewed and updated. The views of employers, providers, children, young people and their families should be sought during these reviews.

Equipping managers swiftly

Given the influential role of the manager in the leadership and culture of any establishment, the workforce group supports the current legislation that requires managers to have both a care and management qualification.

Recommendation 7

Where employers require to appoint a manager who does not yet hold a management award required for registration they should ensure opportunities are put in place quickly to enable the manager to gain the appropriate qualification as soon as possible.

Recommendation 8

Employers should ensure that managers registered with regulatory bodies other than SSSC are expected to achieve a management qualification in line with those registering with the SSSC.

Registration of social work qualified staff

Registration itself has a role to play in not just raising the status of the sector, but also in the ways in which staff move about from one setting working with children and young people to another. The construction of the SSSC register, with its inflexibility to allow social work qualified staff to be registered on the residential child care register as social workers may impede the flow of social work qualified staff into residential child care.

Recommendation 9

The Scottish Government should identify a suitable legislative vehicle to amend legislation in order to enable social workers to be registered on more than one part of the register to reflect the original policy intention.

Continuing professional development

An important foundation for an open and continuously improving good practice is the enthusiastic support for ongoing critical reflection, the pursuit of new learning and knowledge and the advancement of professional skills. This culture is created and sustained primarily by the manager of an organisation. Individuals should take responsibility for their own learning and development throughout their careers with employers providing opportunities for them to

do so.

Recommendation 10

All staff must take responsibility for their own learning and development and employers should ensure support and advice is in place to help existing staff attain the necessary qualifications to improve their skills and their career opportunities.

Multi-disciplinary joint training and learning

Staff and managers require opportunities to come together with professionals from other areas of practice to ensure they are helped to continually reappraise the practice and culture within their unit.

Students on professional courses for those pursuing careers working with children (health, social work, education, etc) should have the opportunity to participate in joint initial training in order to integrate early the practice of effective joined-up working.

Recommendation 11

The HE and FE sectors and employers should ensure that managers and staff have relevant opportunities to learn alongside peers from the wider children's services workforce. This should be informed by recent research and practice.

We welcome and broadly support each of these recommendations.

The requirement for all residential childcare workers and managers to be registered with the SSSC provides the lever to ensure that providers of residential childcare give their staff with the necessary support and training opportunities within the required timescales.

Specifically on recommendation 9, we recognise that the register needs to reflect not only the current workforce practice but the workforce practice and needs for the future. The Scottish Government will meet with the SSSC to discuss this issue, the impact of this recommendation and how to take it forward during 2010.

On recommendations 6 and 11, we will ask SIRCC to establish a short life working group of key stakeholders to take these recommendations forward. In doing so, the working group will be asked to seek agreement on how the courses deemed acceptable for SSSC registration are routinely reviewed and updated, and to look at ways to enable residential childcare workers to learn alongside other colleagues from the wider childcare workforce.

Recommendation 12

The Scottish Government should liaise with sector skills bodies to build on the work already undertaken through the sector skills agreements to analyse further skills and skill gaps across the children and young people's workforce (across all relevant sectors including health, education and social services). This will ensure the residential child care workforce skills are in line with the needs of children and young people and encourage local and national action to plug skills gaps and strengthen joint training and learning across the workforce.

The Scottish Government is leading work to analyse skills across children's services to ensure the workforce is best equipped to meet the needs of children and families now and in the future. It is imperative that the skill needs of residential childcare workers form part of this work. The work is aiming to build on what different professionals have (or should have) in common around

working with children to help create trust and a shared understanding of each other's role and the unique contribution that different professionals bring.

Personal performance plans

An essential component in the success of continuing professional development is the effective transfer of that learning to the workplace. This transfer of knowledge is directly influenced by the culture of an organisation, and research has shown that knowledge transfer is strongly influenced by contextual factors and organisational conditions which can both enable or block the integration of learning to the workplace. In particular, research points to the behaviours of the supervisor in workers' ability to transfer learning to the workplace.

Given the important role that supervisors and managers play in the learning and development process, this suggests a clear need for more support for managers and supervisors of residential child care services to develop the skills necessary to effectively lead a culture of learning.

Recommendation 13

We fully endorse and reiterate the following recommendations about personal performance planning from the Independent Inquiry into Abuse at Kerelaw Residential School and Secure Unit:

Providers should ensure all heads of residential units have a personal performance plan for the year ahead covering organisational and personal objectives, including development objectives and accountability for the performance management of those reporting directly to them. The plan should be agreed in advance with the external manager and performance reviewed in a face-to-face discussion with the external manager at least twice a year. This management review should be in addition to any professional practice related supervision which may also take place (19.12).

Providers should ensure that other senior residential unit managers should have a similar plan, agreed by the head of the unit and reviewed by him or her in a face-to-face discussion at least twice a year. Plans should include the number and frequency of supervision sessions to be carried out with staff who report to them (19.13).

Management and Leadership

The task of supervision

Supervising and supporting staff is a key responsibility for managers. Residential child care staff have reported that regular supervision meetings, in-house training and performance management systems are important contributors to the improvement of residential services¹⁶.

Recommendation 14

We fully endorse and reiterate the following recommendations about supervision advised by the Independent Inquiry into abuse at Kerelaw Residential School and Secure Unit:

Providers of residential child care should develop and implement a supervision policy which is based on regular, planned and recorded supervision sessions between all grades of staff and their line managers up through the management chain.

In addition, in order to promote group learning, consideration should be given to introducing shift or other forms of group supervision.

Supervision should include three core elements: performance management; staff development and staff support – as suggested in the Report of the 21st Century Social Work Review (Changing Lives) in 2006. (19.16 – 19.18).

As set out in the Scottish Government's response to the Independent Inquiry

¹⁶ SIRCC stakeholder consultation 2009

into Abuse at Kerelaw Residential School and Secure Unit earlier this year, we fully support these recommendations. Following the publication of the inquiry report, the Minister for Children and Early Years wrote to the inspectorates and to all providers of residential childcare in Scotland urging them to consider carefully the findings and recommendations of the inquiry report and to evaluate the services they provide for children and young people.

We will continue to work with care regulators and others to support and monitor the implementation of these recommendations.

External Management and Governance

Roles and responsibilities

The external manager must be a champion of residential care and children and young people's services in general and have a good understanding of the nature of the residential task. It is important that s/he develop a good working relationship with the unit manager. Part of this role is to be constructive, supportive and challenging. Each needs to have confidence in the other

These key aspects are particularly important given that many inquiries, most recently the Kerelaw Inquiry, conclude that significant factors contributing to abuse have included tasks which extend beyond the boundaries of the home itself, but which are associated with systems which work closely with the home:

Recommendation 15

The Scottish Government should commission a piece of work that sets out the roles and responsibilities of the external manager and governing bodies of service providers and of those commissioning services similar to that undertaken for the Chief Social Work Officer, building on the requirements already set down in regulations¹⁷.

As we saw from the report of the Kerelaw inquiry, the role of the external manager and governing bodies of providers of residential childcare services must not be underestimated in terms of safeguarding the children and young people.

In partnership with the Scottish Government, COSLA, ADSW, providers of residential care and other key stakeholders, we will ask SIRCC to lead work to develop guidance on the roles and responsibilities of external managers and governing bodies of providers of residential care, and to provide any support required to ensure its effective implementation.

¹⁷ The Children (Scotland) Act 1995 Regulations and Guidance, Volume 2, paragraph 57. <http://www.scotland.gov.uk/Resource/Doc/26350/0023698.pdf>