

# GETTING IT RIGHT FOR LOOKED AFTER CHILDREN AND YOUNG PEOPLE

Early engagement, early permanence and  
improving the quality of care



The Scottish  
Government  
Riaghaltas na h-Alba

# **GETTING IT RIGHT FOR LOOKED AFTER CHILDREN AND YOUNG PEOPLE**

Early engagement, early permanence and  
improving the quality of care

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This strategy has been developed with input from partners across the statutory and voluntary sectors and looked after children and young people. We are grateful for their engagement and contributions.

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## Foreword

We want Scotland to be the best place for all our children to grow up and for all our children to get the best possible start in life. Our looked after children and young people face more challenges than most but when they feel safe, secure, cared for and happy, looked after children can thrive and succeed.

We have come a long way in recent years in improving the outcomes for our looked after children and young people -there is good work underway across Scotland – but there is still more to do. Our challenge now is to accelerate the pace of change, to make sure we are providing the care and support we would want for our own children. We need to be even more ambitious and work together to make a real and lasting difference to the lives of our looked after children and young people.

The strategy sets out our priorities to improve the lives of looked after children and young people. It has relationships at its heart. When looked after children and young people talk about what makes a difference for them it is people, not systems, they talk about: a foster carer who made them feel safe and loved; a social worker who listened; an advocate or mentor who valued them for who they were. We want every looked after child to have these kinds of relationships.

This strategy reflects the on-going collaborative work between Scottish Government, local authorities, professionals, carers, families and children and young people. I would like to thank everyone who has been involved in developing the strategy. In particular, I want to thank the many thousands of people – paid and unpaid – who will deliver it and who will go the extra mile every day to give our looked after children and young people the fulfilling life they deserve.



A handwritten signature in black ink that reads "Aileen Campbell". The signature is written in a cursive style.

Aileen Campbell MSP  
Minister for Children and Young People

# Introduction

1. We want Scotland to be the best place for all our children to grow up.
2. Tackling inequality is at the heart of the Scottish Government's commitment to creating a better country for all. The Programme for Government 2015-2016 focuses on four themes: a stronger and fairer Scotland; a strong, sustainable economy; protecting and reforming our public services; and strengthening our communities. The Scottish Government seeks to provide opportunities for all to flourish and to remove barriers which prevent people from achieving their full potential. Improving the life chances and outcomes for looked after children and young people is crucial if we are to tackle inequality. These children and young people face some of the biggest barriers to achieving their potential.
3. The publication of *We Can and Must Do Better*<sup>1</sup> in 2007 reflected a desire to see a step change in outcomes for looked after children. Since 2007 we have established the Centre for Excellence for Looked After Children in Scotland (CELCIS), with funding of £2.7 million per annum; revised our adoption and permanence legislation; reformed the Children's Hearings System; and most recently passed the Children and Young People (Scotland) Act 2014 ("the 2014 Act").<sup>2</sup> The 2014 Act contains far-reaching provisions to improve the lives of looked after children and young people. It also puts Getting It Right For Every Child (GIRFEC) on a statutory basis, providing the foundation for all our work with children and families.
4. We have seen signs of improvement. Attendance and attainment in school are improving and more looked after children are in positive destinations upon leaving school. There has also been an increase in the number of children achieving permanence through adoption or permanence orders. The rate of improvement is still not fast enough, however, and we are not yet seeing the systemic improvements that are needed to make a lasting difference to the lives of these children and young people.
5. This strategy is built on the principles of GIRFEC, reaffirms our commitment to improve outcomes for looked after children and lays out our vision for the future. It is not about a change of direction, but consolidates the aims that have become well understood within the sector over recent years, reaffirms ambitions and builds on work underway. The strategy reflects the things that young people, practitioners and carers have told us are important and rests on the best available evidence.
6. Our approach is based on the United Nations Convention on the Rights of the Child (UNCRC) – which makes clear what children can expect from us and what our responsibilities are towards them. The UNCRC particularly sets out

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<sup>1</sup> <http://scotland.gov.uk/Publications/2007/01/15084446/0>

<sup>2</sup> <http://www.legislation.gov.uk/asp/2014/8/contents/enacted>

children's rights to care and protection where they are looked after or adopted, and their right to have their views heard.

7. At the heart of the strategy is the importance of relationships for our looked after children and young people. For children and young people the quality of relationships with carers, their birth families, social workers, other trusted adults and corporate parents is fundamental to their ability to develop and thrive. The priorities and activities outlined in this strategy reflect this.
8. The strategy has been developed with input from partners across the statutory and voluntary sectors and looked after children and young people. We are grateful for their engagement and contributions.

### **What do we know about our looked after children?**

9. Over the last decade we have seen rising numbers of looked after children, peaking in 2012 and then starting to fall again. We have also seen changes in the way in which they are being accommodated, with more children being looked after by friends or relatives and fewer being looked after at home with parents. With an increased focus on early intervention, children have started to become looked after at younger ages. They are also ceasing to be looked after at younger ages. However, for children of all ages, the numbers of children looked after for more than three years doubled since 2004, which suggests permanence is not happening quickly enough for all children.
10. Research by the Scottish Children's Reporter Administration (SCRA)<sup>3</sup>, with a sample of 100 looked after children, identified that only 8% (7 children) achieved permanence within two years and 53% (44 children) took more than 4 years (SCRA, 2011). We are seeing progress with Scotland's Adoption Register which has now been put on a statutory footing through the Children and Young People (Scotland) Act 2014. In July 2015 there had been 200 matches made since the Register began operation in April 2011. Despite the progress there is still much more to do to ensure that more children achieve permanence and do so more quickly.
11. Looked after young people tend to leave school at younger ages than other young people. Partly because of this, they tend to have lower levels of educational qualifications and are less likely to go on to positive destinations after school than other young people. The attainment of looked after young people has significantly improved over the last three years, but the gap between looked after children and other children is still too wide – progress needs to be accelerated.

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<sup>3</sup>[http://www.scra.gov.uk/cms\\_resources/Care%20and%20Permanence%20Planning%20for%20Looked%20After%20Children%20in%20Scotland.pdf](http://www.scra.gov.uk/cms_resources/Care%20and%20Permanence%20Planning%20for%20Looked%20After%20Children%20in%20Scotland.pdf)



# Key statistics<sup>4</sup>

## The number of looked after children is starting to fall after increasing for more than a decade



There were 15,580 looked after children in Scotland in 2014.



The number of children looked after **at home** peaked at over 6,000 in 2008 and has since fallen by 35%.

**4x**

The number of children looked after by **friends and family** more than quadrupled between 2001 and 2014, to over 4000. This increase is likely to be due to a transfer from informal kinship care.



The number of children looked after in **residential care** settings have been fairly static over recent years but with a slight downward trend since 2007.

## Children are becoming looked after (and leaving care) at younger ages

Proportion of children starting to be looked after aged under 5

**40%**

up from

**26%**  
in 2001

Proportion ceasing to be looked after aged under 5

**24%**

up from

**14%**  
in 2001

The number of adoptions of looked after children have nearly tripled since 2004

**3x**

<sup>4</sup> (Source: Children's Social Work Statistics Scotland, 2013-2014 <http://www.gov.scot/Publications/2015/03/4375> and Education Outcomes for Scotland's Looked After Children 2013/14 <http://www.gov.scot/Publications/2015/06/6439>)

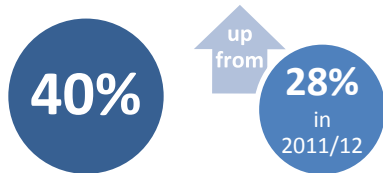
## Post-care destinations for looked after children are improving but more to do to eliminate drift and delay

**2,020** Children aged **under 12** had been on Supervision Orders for more than 2 years in 2014

**1,568** Children aged **12 and over** had been on Supervision Orders for more than 2 years in 2014

## Looked after leavers continue to have lower attainment but this is improving

### Looked after school leavers

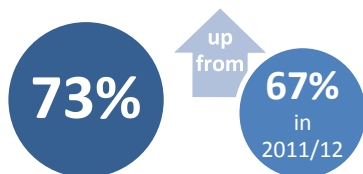


have 1 or more **qualification** at **SCQF Level 5** or better

### All school leavers



## Looked after leavers are less likely to go into positive destinations after they leave school but the gap is narrowing



are in a **positive destination** 9 months after leaving school



are in **Higher Education** 9 months after leaving school



are in **Further Education** 9 months after leaving school



# Better outcomes for looked after children and young people

## What are we trying to achieve?

12. Getting It Right For Every Child (GIRFEC)<sup>5</sup> is the national approach to improving the wellbeing of children and young people in Scotland. This strategy outlines how we will use the GIRFEC approach to improve the wellbeing of our looked after children. The approach:
  - Puts the best interests of the child at the heart of decision-making
  - Takes a holistic approach to the wellbeing of the child
  - Works with children, young people and families on ways to improve wellbeing
  - Advocates preventative work and early intervention to support children, young people and their families
  - Believe professionals must work together in the best interests of the child
  
13. Our vision is to make Scotland the best place in the world for our looked after children to grow up.
  - We want to engage early to support and build on the assets within families and communities to prevent children becoming looked after where possible.
  - We want to secure early permanence for as many as possible of those who do become looked after.
  - Where children need to remain looked after, we want to improve their wellbeing. We will narrow the gap in outcomes between looked after and other children by supporting them to build the loving nurturing relationships they need, and by providing high quality care and support to improve their wellbeing and enable them to reach their full potential.
  - We want high quality care, support and relationships to be provided to care leavers to allow them to feel in control of their lives and be able to overcome the barriers they may face in adulthood.
  - We want to do this in a way that reflects the rights, needs, best interests and views of each child.
  
14. We aim to have a care system where fewer children need to become looked after; where quicker decisions are made about permanence; where there is a substantial reduction in the number of children and young people on long-term statutory supervision; and where the outcomes for each child are improved.

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<sup>5</sup> <http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright>

## **Conditions for success**

15. In our approach to improving outcomes for looked after children and young people, we are putting into practice the Scottish Approach to Government which focuses on working with the people of Scotland to deliver the best possible outcomes. Its key components are an asset-based approach, co-production and improvement.
16. The aims that we outline in this strategy will only be achieved if we create the right conditions for improvement. Three factors are crucial if we are to see real progress and reflect the distinctive Scottish Approach: listening to the views and experiences of looked after children and young people; developing partnership across systems; creating an improvement culture that empowers practitioners, families and communities.

## **Listening to the voices of children and young people**

17. We have seen the powerful impact that listening to the views of looked after children and care leavers can have in the development of the continuing care provisions in the Children and Young People (Scotland) Act 2014. These provisions entitle eligible young people in foster, kinship and residential care to remain in their care setting after they cease to be looked after to support their transition to independence at a pace that better suits their needs.
18. The development of these provisions showed a real partnership approach between government, the voluntary sector and children and young people. Working with partners such as Who Cares? Scotland, Barnardo's, Aberlour and CELCIS, we will continue to engage with children and young people in the work that we do. We must challenge ourselves to make sure that this engagement continues to be meaningful and we must be able to demonstrate the impact that it has had.
19. We will also encourage our partners to consider how they hear the views of all of our children and young people, particularly those who may find it harder to have their views heard, such as younger children and disabled children and young people. This is in line with Part 1 of the 2014 Act which places duties on public authorities to report every three years on the steps they have taken to advance the meeting of requirements imposed upon them under the United Nations Convention on the Rights of the Child.

## **Developing partnership across systems**

20. GIRFEC emphasises that professionals must work together in the best interests of the child. Across the sector there is genuine desire to improve outcomes for our looked after children and young people, but at times the complexity of the different organisations and systems involved with looked after children can itself act as a barrier to progress. No part of the care system works in isolation, most of what we each try to do is deeply connected and

dependent on others and what they can do. In addition to local authorities, there are a range of partners in children's hearings, health, education, the voluntary sector and the justice system, whose work is crucial to delivering the best outcomes for our looked after children.

21. We require a renewed commitment to partnership at a local and national level with a focus on delivering the best outcomes for children - rather than focusing on the needs and limitations of the systems and processes themselves. A better understanding of each other's roles and what each can offer, along with a shared approach to problem solving and improvement, is needed.
22. The GIRFEC approach, now enshrined in legislation, supports better, co-ordinated partnership working in a single planning process for those children and young people who need extra support. Having the child or young person and their wellbeing at the centre of the design and delivery of services for them is at the heart of GIRFEC. Partnership approaches, such as the Children's Hearings Improvement Partnership (CHIP), provide an opportunity to cultivate this approach. CHIP brings together strategic leaders from central and local government, the Children's Hearings System, the legal system and other agencies to support and drive improvement in the Children's Hearings System and the wider landscape. It identifies areas of strategic focus, prioritising those that require multi-agency action. The Permanence and Care Excellence (PACE) programme (discussed below) is also demonstrating the powerful and positive impact of bringing together partners across organisations and systems to address shared challenges.
23. The corporate parenting duties introduced by the Children and Young People (Scotland) Act 2014 create new drivers to support organisations to work together to deliver better outcomes for children and young people. Feedback from our stakeholder event demonstrated that organisations were keen to work together and learn from one another.

### **Creating an improvement culture that empowers practitioners, families and communities**

24. We believe that those working with children and families are often the ones who are best placed to identify where change is needed and what improvements can be made. They see the impact of policies and practice on individual children and families, experience the frustration where things do not work and hear the views of those who are affected. Many organisations are already developing an improvement culture, through involvement in the Early Years Collaborative<sup>6</sup>, Raising Attainment for All<sup>7</sup>, the PACE programme or through local improvement activities. We will build on this and work to create the conditions where all those involved with children and families are empowered to develop their own knowledge and skills and identify ways to improve practice.

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<sup>6</sup> <http://www.gov.scot/Topics/People/Young-People/early-years/early-years-collaborative>

<sup>7</sup> <http://www.gov.scot/Topics/Education/Schools/Raisingeducationalattainment/RAFA>

25. Furthermore, we recognise the importance for Community Planning Partnerships (“CPPs”) of understanding the assets available to families and communities, working closely with them to strengthen and increase these. This will encourage both a greater cohesion in the communities and very local relevance for families without the likelihood of stigmatisation that a connection with statutory services often brings. Strong communities supporting the collective parenting effort can improve the overall quality of parenting and reduce a reliance on services provided by the local authorities and health boards.
26. Improvement methodology covers only one aspect of wider implementation science which concerns itself with closing the gap in existence between what we know about best practice and seeing this best practice carried out on the ground. Successful implementation of best practice relies not only on knowing what works best but also depends strongly on factors related to leadership, communication and good knowledge of the local situation.

### Strategic priorities

27. We have identified three priority areas of work that are necessary if we are to achieve our aims. These are **early engagement, early permanence and improving the quality of care**. Taken together, and underpinned by the conditions for success outlined above, they provide a coherent approach to improving outcomes for looked after children. Our approach focuses on:
- Building on the assets within families and communities to prevent children from becoming looked after where possible
  - High quality support and assessment for families
  - Delivering permanence without drift and delay - while taking account of the needs, rights and views of the child
  - High quality care and support for those children who need to be looked after, including those who are looked after at home
  - A planned and supported transition to interdependent<sup>8</sup> living which meets the needs of each child and young person
28. The strategy discusses each of these priority areas in turn. It also looks at our aims, some of the progress we have made so far by working closely with our stakeholders, and future actions for the Scottish Government and the sector.

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<sup>8</sup> The term “interdependent” reflects the day-to-day reality of an extended range of healthy inter-personal relationships, social support and networks (see Staying Put Scotland: providing care leavers with connectedness and belonging <http://www.gov.scot/Publications/2013/10/7452>)

# Early engagement

## What do we mean by “early engagement”?

29. In recent years the case has been clearly made for early intervention to deliver the best outcomes for children and young people. By early intervention we mean both:
- Intervening **at a young age** - recognising the importance of children’s development up to the age of three and the profound effect that neglect and abuse during this time can have on their future outcomes
  - Intervening **at any age** but as early as possible - to respond to family difficulties before they escalate and potentially cause significant harm
30. The Scottish Government published the Early Years Framework<sup>9</sup> in 2008, setting out a joint commitment from the Scottish Government and the Convention of Scottish Local Authorities (COSLA) to prioritise early years and early intervention. The Scottish Government’s commitment to early intervention has been demonstrated across a range of policies and funding streams, including the Early Years Change Fund (£274.5 million), the Third Sector Early Intervention Fund and Strategic Funding Partnerships (£45 million over 2013-2016).
31. The Scottish Government established the Early Years Collaborative, the world’s first national multi-agency quality improvement programme; published the Parenting Strategy<sup>10</sup> that is being supported by £18 million over 2012–2015; and has supported the delivery of the Family Nurse Partnership, a programme working with first-time teenage parents to give their children the best start in life.
32. Given the wide-ranging work already in place, this strategy is particularly focused on intervention to support those families with children “at the edge of care” – those who require support and may be at risk of becoming looked after. In the strategy we are using the term “early engagement” to refer specifically to support and engagement for families in those circumstances. We are using this to focus this work within the broader “early intervention” approach and because our partners and stakeholders consider this distinction is helpful in reflecting the focus on relationships that is needed at this stage.
33. Underpinning all our work with children and young people is GIRFEC. It recognises that as children and young people progress on their journey through life, some may have temporary difficulties, some may live with challenges and some may experience more complex issues and that sometimes they – and their families – are going to need help and support. Through the 2014 Act we have put GIRFEC on a statutory basis, providing the

<sup>9</sup> <http://www.scotland.gov.uk/Publications/2009/01/13095148/1>

<sup>10</sup> <http://www.scotland.gov.uk/Topics/People/Young-People/early-years/parenting-early-learning/families/national-parenting-strategy>

tools to ensure that each child's needs, and those of their family, are at the heart of any support provided and that early action is taken at the first signs of any difficulty, rather than waiting until a situation reaches crisis point.

34. On a day to day basis, the Named Person, as set out in Part 4 of the 2014 Act, means that every child and young person has someone to go to for help and advice, and who holds the full picture of concerns so that their wellbeing can be assessed in a holistic way. The Named Person is able to call on other services for support if it is needed. If the child or young person requires a targeted intervention to support their wellbeing, then a co-ordinated planning process through the Child's Plan, as set out in Part 5 of the Act, will be initiated. This will help ensure that no child who needs it is left without support, and that concerns are identified and addressed as early as possible. A single planning process using the GIRFEC approach should streamline and simplify the system for children and their families, and also for the range of practitioners who need to support them.
35. Early engagement, underpinned by GIRFEC, can ensure that fewer children need to become looked after over the longer term. Supporting families to ensure that children have the best start in life and ensuring that families get the right support at the right time can prevent difficulties arising or escalating. Some families, however, may still struggle and, by definition, a focus on early engagement may mean earlier decisions and more frequent interventions are made to improve the situation for those who need it. The trend for children becoming looked after at a younger age indicates that social workers are already acting more quickly to assess families and intervene earlier.

### **Our aims for early engagement**

36. The Scottish Government believes that early engagement can support and build on the assets within families, preventing some children from becoming looked after, although some will still need compulsory measures. We have to understand the needs of children and families and make sure the right support and services are in place. GIRFEC provides the principles for this, ensuring that children and their families are at the centre of any support provided.
37. Families with complex issues and circumstances may still struggle. For these families "at the edge of care" further and more intensive support should be available to stabilise families or explore family options and prevent children coming into care where appropriate. This may mean intervention to address particular family issues or, in some cases, long-term parenting or other support. This will include providing families, where appropriate, with the options available to them under the Social Care (Self-directed Support) (Scotland) Act 2013.
38. Compulsory supervision at home may have a role to play where families are not engaging with the support and services they need. Compulsory measures can secure the initial engagement of these families. Home supervision should not be seen, however, as a long-term solution.



## **We aim to:**

- Reduce the number of children who need to become looked after by:
  - Embedding the use of the GIRFEC approach to ensure that children and their families are at the centre of planning and services, alongside the existing provisions of the Social Care (Self-directed Support) (Scotland) Act 2013.
  - Increasing the use of strategic commissioning to ensure that the needs of families are understood and the right services are in place to meet families' needs at an early stage.
  - Providing additional support to families at the edge of care, e.g. through Third Sector Fund and bespoke improvement programmes.
- Ensure that children are only looked after at home where this is the best option for them, and there is a clear plan and services in place to meet their needs.
- Ensure that those children who do require statutory intervention are identified at an early stage and that a plan for permanence (either with the birth family or an alternative permanent home) is in place.

## **Our priorities:**

- **Ensuring the right services are available to meet the needs of children and families.**
- **Supporting and building on assets within families.**
- **Children who are looked after at home.**

## **Ensuring the right services are available**

39. Strategic commissioning is about identifying the needs of the population and putting in place the right services to meet those needs. The term is used for all the activities involved in assessing and forecasting needs; linking investment to agreed desired outcomes; considering options; planning the nature, range and quality of future services; and working in partnership to put these in place. Joint Strategic Commissioning (JSC) is where these actions are undertaken by two or more agencies working together, typically health and local government, and often from a pooled or aligned budget.
40. Central to the process of JSC is the greater requirement for services to gather evidence. This means gathering outcomes-focused data based around the eight wellbeing indicators defined in the 2014 Act (safe, healthy, achieving, nurtured, active, respected, responsible, included (SHANARRI)) and child population needs data. This will help local authorities meet their duties to report on outcomes, while at the same time linking investment to outcomes.

41. The need for a move towards a JSC approach was identified in the National Residential Child Care Initiative<sup>11</sup> (NRCCI) and was raised as part of the Audit Scotland review of social care commissioning<sup>12</sup> in 2012. Progress has, however, been slow.
42. The Scottish Government is rolling out the Realigning Children's Services (RCS) programme to support Community Planning Partnerships (CPPs) in making strategic commissioning decisions. RCS seeks to support local improvement in joint strategic commissioning practice, focusing on improved evidence collection and analysis and a strengthening of partnership working across children's services. These partnerships should involve statutory services, independent service providers and children and their families. RCS will provide a focused input into a minimum of six CPPs by 2017, working with up to three CPPs at any one time. RCS helps and encourages CPPs to make tangible, sustainable, measurable improvements that shift their children's services' expenditure towards prevention and intervention at the earliest opportunity in order to improve children's outcomes.
43. The catalyst for this will be child epidemiological wellbeing and need surveys linked to current service provision. These provide a baseline on how well existing services align with children's needs and help identify specific opportunities for improvement. They also provide an analytical framework for the measurement of improvement. This, combined with a landscaping of services currently available to children across CPPs and associated spend and purpose, will provide a comprehensive, evidenced picture for those with strategic commissioning decision-making responsibilities. The quality of the data gathered will allow both assessment of the overall need for standalone services and provide the basis for small scale tests of change. This will allow CPPs to get the most out of services that best suit their population's needs.
44. Knowing what needs to change and what forms best practice is not enough. RCS therefore provides a development and facilitation programme for those involved in decision-making roles (eg in finance, education, health and social care), as well as those providing children's services from the voluntary and independent sector. This takes into account the longer engagement required to make the transformational changes that we seek through JSC. It also focuses on strengthening partnerships between statutory services and providers, as well as within communities. It seeks to instil a continuous improvement approach to commissioning, emphasising the importance of engagement with everyone involved in providing children's services at all levels.

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<sup>11</sup> <http://www.scotland.gov.uk/Topics/People/Young-People/protecting/lac/residentialcare/NRCCI>

<sup>12</sup> [http://www.audit-scotland.gov.uk/docs/health/2012/nr\\_120301\\_social\\_care.pdf](http://www.audit-scotland.gov.uk/docs/health/2012/nr_120301_social_care.pdf)

## **Actions:**

- We expect CPPs to consider how to use a joint strategic commissioning approach to ensure the right services are available to meet the needs of children and families in their area.

## **The Scottish Government will:**

- Roll out the RCS programme to support a minimum of six CPPs by 2017.
- Share data and learning from the RCS programme with CPPs.

## **Supporting and building on assets within families**

45. Where children and their families reach a point where the children are at risk of becoming looked after, families should have access to additional support to prevent this happening where possible.
46. Part 12 (Services in relation to children at risk of becoming looked after, etc.) of the 2014 Act introduced a duty on local authorities to ensure that families in the early stages of distress who seek help are provided with appropriate forms of support. Support under Part 12 is not intended to be a substitute for well-established compulsory intervention systems where these are needed. Rather, the provisions are intended to act as an early and effective support mechanism, helping families who experience difficulties to try and resolve them before compulsory supervision measures are necessary. An important feature of this entitlement is that families must be willing to engage with their issues and be motivated to take control over the challenges they face. This approach builds on the assets within families and links with the provisions in Parts 3, 4 and 5 of the 2014 Act, relating to the Children's Services Planning, Named Person and Child's Plan.
47. Services can be provided to anyone related to an eligible child; who has parental rights and responsibilities in relation to an eligible child; with whom an eligible child lives; or to the eligible child themselves. An "eligible child" is a child at risk of becoming looked after. Services can also be provided to a pregnant woman whom a local authority considers is going to give birth to an eligible child, and to the qualifying people in relation to her. This means that services can be provided to a wide range of people, including informal kinship carers, if that would help to prevent a child from becoming looked after.
48. The provisions in the 2014 Act are intended to complement the provisions contained within the Social Care (Self-directed Support) (Scotland) Act 2013. The 2013 Act places a duty on authorities to offer people four self-directed support options. These options allow the supported person to decide how much on-going control and responsibility they will have over their own support arrangements.

## Actions:

- We expect local authorities to work with other corporate parents to design and implement the services that are needed in their area for children who are at risk of being looked after.
- We expect CPPs to ensure that services are available to children and families on a voluntary basis to ensure that compulsory measures are not recommended in order to access services. This should include, where appropriate, active use of Part 12 services.

## The Scottish Government will

- Work with key stakeholders around Part 12 of the Act to ensure it complements self-directed support provisions and Parts 3, 4 and 5 of the Act relating to Children's Services Planning, Named Person and Child's Plan.

## Children who are looked after at home

49. Children who are looked after at home have been identified as a particular priority as they tend to have the worst outcomes of all looked after children and have a complex range of needs. Too many are living with low-level chaos for too long, leading to long-term cumulative neglect. This leads to them being marginalised, left to drift in the system and becoming practically invisible to service providers.
50. Children who are looked after at home are not a single homogenous group. They are on compulsory supervision for a range of reasons including neglect, abuse, offending and non-attendance at school. They range in age from newborn babies to teenagers. We need to understand more about why compulsory supervision orders at home are used for so many reasons, beyond Kilbrandon's<sup>13</sup> initial suggestion that they be used to deal with offending behaviour. We also need to understand and provide the support and services that will make a difference to these children and young people.
51. Research shows that being looked after at home is not working for many children supervised this way,<sup>14</sup> yet Scottish Government statistics<sup>15</sup> show that 27% of looked after children are still supervised at home.
52. Children who are looked after at home have, on average, the lowest school attendance (79%) compared with the average for all looked after children (89%), which in turn is lower than for all children (93%). They are also the

<sup>13</sup> <http://www.gov.scot/Publications/2003/10/18259/26879>

<sup>14</sup> See for example Happer, H. McCreadie, J. & Aldgate, J. (2006), Celebrating success: what helps looked after children succeed, Social Work Inspection Agency  
<http://www.gov.scot/Resource/Doc/129024/0030718.pdf>;

Gadda, A. & Fitzpatrick, JP. (2012), Home Supervision Requirements: Messages from the research, [http://www.academia.edu/2521337/Home\\_Supervision\\_Requirements\\_Messages\\_from\\_Research](http://www.academia.edu/2521337/Home_Supervision_Requirements_Messages_from_Research)

<sup>15</sup> <http://www.gov.scot/Publications/2015/03/4375>

most likely children who are supervised in a community setting to be excluded from school,<sup>16</sup> and have the lowest average educational tariff figures. Only 10% of children who are looked after at home achieve qualifications at level 5, compared to 25% of all looked after children. Just under 60% of children who are looked after at home are in positive destinations 9 months after leaving school, almost 15% behind all looked after children and over 30% behind all school leavers.<sup>17</sup>

53. Too many children and young people remain on compulsory supervision at home for too long. Home supervision should support children and families to address issues - it should not become a long-term outcome for children. It should not be used as a way to trigger access to resources or as a “parking place” because of a lack of resources to accommodate a child. Evidence supports the idea that when parents are given clear expectations and timescales for improvement, the quality and effectiveness of decision-making improves. This in turn supports faster and more effective permanence planning for the child.
54. Being looked after at home does work for some children, mostly (older) young people who offend. However, there is little evidence that it works for primary school age children and less still that it works for pre-school age children.
55. There is no “one-size fits all” path to a better life for children looked after at home so decision-makers must ask: “what is the purpose of the child being looked after at home?” and “would being looked after at home add anything to their life prospects?”. Care planning and reviewing for children who are looked after at home is vital to ensure that there is a clear purpose to the child being on compulsory measures of supervision at home, that the right supports and services are being put in place and that parents are clear about what is expected of them.
56. There are four linked ambitions for improving how we support children likely to become looked after children at home:
  - Services should engage before the need for compulsory supervision orders, such as through section 22 of the Children (Scotland) Act 1995 or Part 12 of the 2014 Act
  - Families should have high quality care planning, assessment and support to prevent those children who become supervised at home drifting in the system for years, or until their situations reach crisis point
  - Local authorities should plan for permanence for children supervised at home in the same way as for children accommodated away from home
  - Resources should be focused on high impact services and support
57. To meet these ambitions, local authorities should provide early and intensive support to the family using multi-disciplinary teams. They should provide support when the children are on the edge of care, rather than waiting for a

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<sup>16</sup> <http://www.gov.scot/Publications/2014/09/6499>

<sup>17</sup> <http://www.gov.scot/Publications/2015/06/6439>

compulsory supervision order and, where the children are known to them, before they reach the edge of care. Parents should be given timetables to address their issues and if they are unable to meet these or do not engage, then accommodation away from home should be considered. There should be no tolerance of drift in the system.

58. Services across Scotland, realigned in the above way, have been shown to achieve both long and short-term savings. Their interventions have been made with an initial small investment of resources (not always requiring new money). This has allowed them to use the savings to expand and help more children and families and at an earlier point, reducing the requirement for more intensive support when the children are older. Involvement in the RCS Programme may help service providers to consider how they deliver services to any vulnerable child to meet these ambitions.

### **Actions:**

- We expect local authorities to “presume against” looked after at home status when planning interventions and when making recommendations to managers, Children’s Hearings and courts, except where “at home” status is an essential part of a clear plan to remedy a short-term issue or towards permanence.

### **The Scottish Government will:**

- Support CPPs, through our RCS Programme, to ensure that the right services are in place to meet the needs of all children and young people in their area, including those who are looked after at home.
- Use PACE to focus on earlier permanence for children who are looked after at home by the end of 2016.
- Evaluate the impact on the wider system of falling numbers of children looked after at home and will collaborate with our partners on how to ensure this promotes better outcomes while reducing systemic waste.
- Collect data on the changing profile of care placements and will publish this data for use by agencies to improve planning and practice.
- Work with local authorities and the third sector to share best practice and initiatives.

## Early permanence

### What do we mean by “early permanence”?

59. A secure, stable, nurturing home supports children’s wellbeing, allowing them to be happy, thrive and achieve the best outcomes possible. The Scottish Government believes all our looked after children should have this.
60. Research evidence shows us the lifelong impact of early experiences for children. We know that children who have experienced neglect and abuse are significantly more likely to develop insecure and disorganised attachments and that this can have an impact throughout their lives, with a heightened risk of emotional and behavioural problems and impacts on learning and health.
61. A sense of permanence is vital to children’s wellbeing. In order for children to thrive they need to be able to develop strong and trusted relationships with their carers. Children who have a number of different placements tend to have poorer health, greater social and behavioural difficulties and poorer educational participation and progress compared to those who are adopted or are in long-term stable foster care.
62. We have recognised the importance of early intervention and engagement and the potential that early engagement can divert children and families before they enter statutory systems. We also acknowledge, however, that early intervention can also mean children becoming looked after at an earlier age and potentially more children becoming looked after where that is appropriate. It is clear that we do not want more children coming into care and staying there. In order to address this we need to focus on early permanence.
63. At present too many children take too long to achieve permanence and some do not achieve it at all. Evidence shows us the importance of achieving stable placements as quickly as possible and that outcomes are better for those who achieve stability at a younger age. Research into adoption shows that not only is age a key factor in whether or not a child is adopted, the age at which a child joins their new family also has the major impact on adoption outcomes, including placement disruption.
64. The Scottish Government defines “permanence” as providing children with a stable, secure, nurturing relationship and home, where possible within a family setting, that continues into adulthood. We recognise that there are a range of different routes to permanence and the most appropriate route to permanence will depend on the needs and the circumstances of the child.
65. Routes to permanence include:
  - **Returning or remaining at home with or after support, where family functioning has stabilised and the parent(s) can provide a safe, sustainable home which supports the wellbeing of the child. This may require on-going support for the family.**

- **Permanence through a permanence order. This can be in kinship care, foster care or residential care.**
- **A section 11(1) order (for parental responsibilities and rights, residence or guardianship) under the Children (Scotland) Act 1995. From April 2016, where kinship carers have such an order it will be known as a kinship care order.**
- **Adoption, where the child has the potential to become a full member of another family.**

66. These routes to permanence are informed by the view that long-term compulsory supervision within the Children’s Hearings System is not the best way to improve the wellbeing of most children. We recognise that at the heart of permanence are secure relationships. Where children have a compulsory supervision order this must be reviewed at least annually by a Children’s Hearing, with the potential for changes to be made to fundamental aspects of their life, such as where they live and contact with their birth families. This can be very distressing for children and young people, making it difficult for them to form trusting relationships with carers and lead to intervention where it is not required. While we recognise that children may be in long-term arrangements for foster or residential care which deliver positive relationships for them, both children and carers deserve to have their relationship underpinned by a more stable and secure legal status.

67. We are very clear that remaining or returning home should be the first option for permanence for children and young people. As outlined previously, high quality support and services should be provided to families to prevent the need for compulsory measures wherever possible. This support and services should also extend to those who do become looked after and must be combined with robust assessments so that realistic and timely decisions can be taken about rehabilitation.

68. Models of support and intervention are often based on engaging early, setting clear expectations, providing support and challenge, and stepping back once issues are resolved. For children living with persistent, low-level neglect however, applied long-term, low-level parenting support may be needed to achieve and sustain improvements. Evidence tells us that successful reunification relies on the availability of high quality family support, combined with robust assessments and good planning, to avoid repeated unsuccessful efforts at rehabilitation.

69. Where children cannot return to their family they need an alternative permanent and nurturing home, which should be underpinned by legal security, whether this is a kinship care order, permanence order or an adoption order. Statistics and research show that some children are less likely to achieve permanence, particularly older children, disabled children and sibling groups<sup>18</sup>. Children should not be ruled out for permanence because of

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<sup>18</sup> See for example research on achieving permanence for disabled children [http://www.celcis.org/media/resources/publications/Achieving\\_permanence\\_for\\_disabled\\_children\\_in\\_foster\\_care\\_and\\_adoption.pdf](http://www.celcis.org/media/resources/publications/Achieving_permanence_for_disabled_children_in_foster_care_and_adoption.pdf)



their age, disability, because they are part of a sibling group or because they are in residential care. We need to be more ambitious in securing permanence for all our children.

70. We need to ensure that we listen to children and young people's views about how we can best provide them with the security they need. We recognise that some may be uncomfortable with the concept of moving away from the independent assurance that the Children's Hearings System can offer. Recent research by Who Cares? Scotland<sup>19</sup> found that some young people had concerns about how the quality of placements would be monitored if they were to find themselves outside the Children's Hearings System. Those who had positive experiences of permanence were more positive. This emphasises the need to involve and consult children and young people in planning for permanence.

### **Our aims for permanence**

71. We believe that every child should have a stable home which offers them nurturing relationships, in order to support their wellbeing.

72. Families should be supported to provide that home wherever possible. Where a child cannot remain with their family they should achieve a permanent home as quickly as possible with the minimum number of placements, taking account of their individual needs and views.

#### **We aim to:**

- Reduce the number of children and young people on long-term compulsory supervision (over two years) by:
  - Increasing the number of children and young people achieving and sustaining permanence through returning home, kinship care orders, permanence orders or adoption.
  - Increasing the number of older children, children with disabilities and sibling groups achieving permanence.
  - Reducing the length of time it takes for children and young people to achieve permanence.
- Ensure that where children are looked after away from home they have the minimum number of placements possible before achieving permanence
- Build the capacity of carers to take on harder to place children

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<sup>19</sup> Who Cares? Scotland (2014) Permanence: The Views of Care Experienced Young People <http://www.whocarescotland.org/professionals/publications-briefings-research/>

## Our priorities:

- **Whole system improvements to permanence, focusing on the experience and outcomes for the child.**
- **Increasing the availability of permanent placements for all children.**
- **Improving data and information to support improved outcomes.**
- **Ensuring the legal process operates effectively for children and young people.**

### **Whole system improvements to permanence focusing on the experience and outcomes for the child**

73. Substantive and transformative improvements in early permanence can only come about where all partners drive improvement based on the needs of children rather than the requirements of individual systems. A good system will be characterised by a shared commitment from all partners – including local authorities and wider CPPs, fostering and adoption agencies, the Children’s Hearings System and the courts - to deliver the best outcomes for looked after children and young people.
74. We have already worked with the sector to deliver improvements in permanence. In 2012 we established the Permanence and Care (PaCT) team<sup>20</sup> at CELCIS to work with local authorities and other key partners to deliver improvements in permanence. Our Care and Permanence Plan outlines activities that can best be taken forward at a national level to underpin local improvement. Particular priorities include improving the quality of care planning and guidance on contact. Good quality care planning within the GIRFEC approach is crucial in ensuring that children and families receive the right kind of support, that decisions are made in a timely way and children do not have unnecessary placement moves. The PaCT team have been supporting and will continue to support local authorities to improve the quality of their care planning.
75. We established the Permanence and Care Excellence (PACE) Programme<sup>21</sup> in early 2014 to bring together all partners in a local area to develop improvement projects that identify ways of improving children’s journeys to permanence, focusing on the needs of children rather than the needs of the various systems.
76. Aberdeen City, Renfrewshire and Aberdeenshire CPPs and their partners in the Children’s Hearings System and the courts are using improvement methodology to agree shared aims, identify delays, difficulties and potential improvements and test changes to address these. They are being facilitated in this work by the PaCT team and the Scottish Government’s Leading Improvement team.

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<sup>20</sup> For more information: [www.celcis.org/pact](http://www.celcis.org/pact)

<sup>21</sup> For more information: <http://www.gov.scot/Topics/People/Young-People/protecting/lac/pace>

## Case Study

**Aim: 90% of children will be presented to the adoption and permanence panel within 12 weeks of the LAC review to rule out rehabilitation to parental care.**

Aberdeen City Council identified that whilst they completed robust assessments and reached a view about whether a child could return home relatively quickly, their data showed that there was some drift and delay between the plan for permanence being presented and agreed at the Looked After Child (LAC) Review and this then being presented to the internal adoption and permanence panel.

Initially prioritising under-fives, tests of change were developed that supported their aim. These included the introduction of individual timelines for each child, with these being co-ordinated by the LAC chair; the use of a single assessment to replace the existing Form E; and, in conjunction with this, the introduction of a support/mentoring discussion conducted by a practice improvement officer within 2 weeks of the recommendation being made at the LAC review; and redesign and change of the administrative process providing the appropriate notifications. At the same time, SCRA began testing recorded delivery notification to parents and awareness raising sessions were held with Children's Hearings System panel members specifically on permanence and contact.

These tests are in various cycles but recently a child has been presented to the adoption and permanence panel within 5.1 weeks with a previous average time being over 30 weeks.

77. The aim of PACE is to deliver local improvements and to share the learning from the process to support local improvement across Scotland. During 2015 and 2016 we will extend the PACE programme to provide support on improvement to a larger number of areas and develop a stretch aim for the PACE programme as a whole about the time taken to achieve permanence.
78. In order to complement local improvement work, the Children's Hearings Improvement Partnership (CHIP) has established a permanence workstream to look at issues that can only be addressed by partners at a national level. The initial priority for CHIP is to improve and streamline the reports that are written as part of the permanence process.

## **Actions:**

- We expect all local authorities to work with their partners to improve the permanence process in their area focusing on clear permanence objectives for each child, stripping out drift and delay at every step and preventing unnecessary placement moves.
- We expect all local authorities to monitor the quality of their care planning within an overall GIRFEC approach and put in place plans for improvement where necessary.

## **The Scottish Government will:**

- Share the learning and extend involvement in the PACE programme. This will include a focus in at least one area on children who are looked after at home.
- Learn from each PACE area to improve the PACE programme and how it is implemented in new areas. We will work with partners to develop a stretch aim for PACE.
- Publish a practice note for frontline workers, local service managers and leaders in relation to care and permanence planning and develop an online resource to share learning and good practice in 2016. We will continue to provide support on care planning through the work of CELCIS.
- Ensure that the guidance and support materials for Parts 4 and 5 of the Act support developments in care planning.
- Publish guidance on contact and organise a series of local events to support practice on contact issues.
- Support CHIP to take forward work on improving reports, testing improvements through PACE

## **Increasing availability of permanent placements for all children**

79. In order for children to achieve permanence away from home more quickly we need increased availability of adopters, kinship carers and permanent foster carers. We need to ensure that carers have the support and skills that they need to deliver the best outcomes for their children. We also need to ensure that we engage with potential carers who are willing to care for children who are more difficult to place, including older children, sibling groups and children with disabilities.
80. We have established **Scotland's Adoption Register** on a statutory footing through the 2014 Act. This makes its use by adoption agencies compulsory and regulates the way in which adoption agencies interact with it. Our intention in making adoption agencies' use of the Adoption Register mandatory is to maximise opportunities for, and accelerate the process of, finding suitable placements for children for whom adoption has been identified as the best route to permanence.

81. Since the introduction of the Adoption Register, the number of matches of children with adoptive families has been increasing year on year. In addition to its core linking service, the Adoption Register is implementing new approaches to matching children with families. Adoption “exchange days” feature profiles of children waiting for adoption, including photographs, drawings and letters, which help approved prospective adopters to gain an insight into those children as individuals, with their own needs and personalities. These developments enable prospective adopters and children to make a real connection, and can challenge adopters’ preconceptions about the kind of child they might initially feel they want to adopt.
82. We know that the payment of **interagency fees** (in situations where adopters approved by one agency are matched with a child in the care of another) currently varies throughout Scotland. We believe that this can create a disincentive amongst placing local authorities to pursue adoptions with other agencies – which, in turn, can cause drift and delay in the permanence process, as a child waits for a suitable adopter from within his or her own authority area.
83. Requiring all adoption agencies to refer their approved prospective adopters to the Adoption Register will go some way towards overcoming this potential barrier – enabling us to match children with families on a national basis, where it has not been possible to identify a suitable placement through more localised arrangements.
84. We are also considering recommending a standard inter-agency fee, which would establish a level playing field across all agencies. By covering the costs of recruiting prospective adopters, a standard inter-agency fee would serve to allay any concerns adoption agencies might have that referring their prospective adopters to the Adoption Register (or otherwise matching them with children from outwith their local area) would cause them to lose out on their investment in recruiting those prospective adopters.
85. We recognise the importance of families, including the wider family and friends, in providing early support which helps children to retain a sense of family, identity and heritage and in turn helps them to feel safe, protected and valued. We want to support those **kinship carers** able and willing to take on the responsibilities and rights of a parent and potentially avoid a complex and time-consuming involvement by statutory services where it is not required. Through the 2014 Act we have for the first time placed a duty on local authorities to support children in informal kinship care where a carer has taken long-term responsibility for a child. This is done through an order under section 11(1) of the Children (Scotland) Act 1995 (for parental responsibilities and rights, residence or guardianship), which will be deemed to be a **kinship care order (KCO)** from April 2016.
86. This follows from our view that kinship care underpinned by a compulsory supervision order should be a temporary measure. The KCO should be seen as the route to permanence where the kinship arrangement is intended to be a stable, long-term solution. We want to ensure that wider families get the

support they need to take ownership of their own issues and to avoid children coming into, or staying in, long-term care when that is not appropriate.

87. Funding of £2.6 million was made available through the local government settlement for implementation of kinship care support. Additional funding of £10.1 million is being made available to local authorities to improve the kinship care support for looked after children in kinship care and children subject to a KCO. We need to ensure that kinship carers, like any other carers, have the support and skills that they need to deliver the best outcomes for their children. Children in kinship care may have experienced very similar situations to looked after children, and both they and their kinship carer may struggle to deal with the consequences.
88. The **Foster Care Review**, which was carried out during 2013, recognised the importance of permanence and that many children repeatedly went in and out of foster care over extended periods of time. The review recommended the use of clearer terminology on types of placements and the development of a learning and development framework for foster carers to help placements' long-term stability – key to supporting permanence. The Scottish Government has been taking forward these recommendations through a number of Short Life Working Groups.

#### **Actions:**

- We expect all local authorities to refer children and prospective adopters to Scotland's Adoption Register.
- We expect all local authorities to ensure that families who might benefit from the KCO are aware of the order and are supported to apply for it where appropriate.
- We expect all local authorities to implement the agreement we have reached with COSLA on kinship care allowances.
- We expect all local authorities and foster care providers to implement new definitions of foster care placements by 2016-17.

#### **The Scottish Government will:**

- Commence the Adoption Register Regulations by April 2016.
- Consult on introducing a standard inter-agency fee for adoption.
- Commence the support for kinship care provided for in the 2014 Act by April 2016.
- Convene a working group to comprehensively evaluate a national allowance scheme for kinship and foster care.
- Map the availability of support in relation to social, emotional and behavioural difficulties and consider how to improve access for kinship carers.
- Develop guidance and implement new definitions of foster care placements.

## Improving data and information to support improved outcomes

89. At present consistent information is not collected about the experience of each child in achieving permanence and where delays are encountered. Some local authorities collect information that they use to monitor the progress of each child but this is not collected for all children across Scotland. Data has been a key part of PACE, with partners reviewing the data they hold and how they use it to support improvement. Data can be a powerful tool for driving improvement if it is actively used to monitor progress, identify trends and test change.
90. All local authorities should be tracking their looked after children for permanence. This is important at an individual level, at a service level and at a national level. At an individual level, appropriate collection and use of data can ensure that individual children do not experience drift and delay. At a service level, it can enable managers to identify factors causing delays and ways of to improve this. At a national level, data can identify changes that may be needed to policy and legislation and help areas to share good practice.
91. The PaCT team at CELCIS are already working with some local authorities to develop the way in which they track children and use this information to avoid drift and delay. The PaCT team will continue to develop this support to local authorities to ensure that no child is lost in the system.
92. We have worked with a group of local authorities and partners to consider what data about permanence could most usefully be recorded to support improvement. From 2016-17 we will collect data about permanence from all local authorities through the Children Looked After Statistics.
93. We will also work with the Scottish Courts and Tribunals Service to improve data on the progress of adoption and permanence cases in court.

### Actions

- We expect all local authorities to track each child for permanence, using consistent data agreed nationally.

### The Scottish Government will:

- Work with the CELCIS PaCT team in 2015 and 2016 to support local authorities to track their looked after children for permanence.
- Take forward recommendations of the Permanence Data working group to collect permanence data through the Children Looked After Statistics from 2016-17.

## **Ensuring the legal process operates effectively for children and young people**

94. Some stakeholders have raised concerns about whether the legal process and legislation currently operates most effectively to deliver the best outcomes for looked after children and young people.
95. While we have seen a rise in adoptions and permanence orders since the Adoption and Children (Scotland) Act 2007 was introduced, there may be more that we can do to ensure that the legislation and legal process delivers the best outcomes for children and young people. During 2015 and 2016 we will gather evidence about the operation of the legislation and the legal process in practice. We have commissioned SCRA to undertake research on permanence to be published in 2015.
96. Through our PACE programme we aim to address issues about the legal process at a local level where appropriate, through the joint involvement of local authorities, the Children's Hearings System and the courts. Where issues of national policy, practice or legislation are identified we will take these issues to CHIP to take a joint approach to addressing them. We will also work with the Scottish Courts and Tribunals Service to explore ways of getting better data about how the court processes work for looked after children and young people.
97. Further opportunities for improvements in this area include the implementation of the Courts Reform (Scotland) Act 2014, which enables the Lord President to designate categories of cases that are suited to judicial specialisation and gives Sheriffs Principal the power to designate such specialist sheriffs in their sheriffdoms. It will be for the Lord President to decide which categories of sheriff court case are suitable to be dealt with by specialist sheriffs, but one category that has been suggested is family cases.
98. In the context of this and other reforms, the Scottish Government will work with stakeholders to improve children's experiences of the courts and ensure reforms have better outcomes for children at their heart.
99. Once we have gathered evidence from PACE and the SCRA research and considered the impact of the court reforms, we will review how effectively the legal processes are working and whether more can be done to make the legislation and processes work more effectively for children and young people.



### **The Scottish Government will:**

- Publish research about permanence being undertaken by SCRA in 2015.
- Identify national issues arising from the PACE programme.
- Work with the Scottish Courts and Tribunals Service to get better data about adoption and permanence cases.
- Work with stakeholders to improve children's experience of the court process.
- Work with stakeholders to review evidence about the operation of the Adoption and Children (Scotland) Act 2007 and the permanence process and consider whether changes are required, by the end of 2016.

# Improving the quality of care

## What do we mean by “improving the quality of care”?

100. We want to prevent children becoming looked after where appropriate, and achieve permanence quickly for those who do. There will always be some children, however, for whom long term support from corporate parents is the best way of meeting their needs. We must ensure that they receive the highest quality of care and support in order to support their wellbeing.
101. Already in the strategy we have emphasised the importance of relationships. We know that children who are looked after may already have had a number of their most important relationships break down. Strong relationships that last throughout any child’s life are crucial and if a key relationship is broken it should be treated as a major concern in relation to that child or young person’s wellbeing. It is also important that looked after children are supported to recover from these experiences by being given the opportunity to build, and/or rebuild, strong relationships with those in their lives - their carers, extended family members, social workers, mentors, corporate parents, teachers and others.
102. We know that the outcomes for our looked after children and care leavers are still not good enough. While we have seen some improvements, looked after children and care leavers tend to have lower levels of attainment than those who are not in care, are more likely to have health issues or become homeless, and are less likely to go on to positive destinations when they leave school.
103. We believe that high quality care, trusting consistent relationships, and support that is flexible to meet the needs of individual children are needed in order to improve outcomes for our looked after children across all the wellbeing indicators (safe, healthy, achieving, nurtured, active, respected, responsible, included).
104. Many of the aims we wish to achieve here are also reflected in the Preventing Offending: Getting it right for children and young people (the Scottish Government’s youth justice strategy) which identifies improving life chances as a priority. The children and young people identified in both strategies share many similarities in their vulnerability and experience of early adversity and some will be the same children and young people. Both strategies recognise the importance of relationships for children and young people and the importance of improving education, health and wellbeing if they are to achieve better outcomes.

## Our aims for improving the quality of care

105. We need a care system that ensures children are looked after by people they trust, people who can meet their needs and are willing to build a caring relationship with them.

### We aim to improve outcomes for looked after children across all the wellbeing indicators through:

- Requiring corporate parents to work collaboratively to provide the support and services needed to improve outcomes for looked after children and young people.
- Requiring corporate parents to prepare, keep under review and publish a corporate parenting plan setting out how responsibilities will be met.
- Enabling looked after young people to leave care at a time and pace that is appropriate for their needs, supporting them through their transition to interdependency reflecting the policy aims set out in Staying Put Scotland<sup>22</sup> and reflecting the ambition that young people are more fully integrated into their community.
- Supporting all looked after children and young people to have a trusting, consistent relationship in their lives and ensuring these key people are involved in supporting our young people to make key decisions.
- Ensuring carers have the necessary skills, experience and support to meet the increasingly complex needs of children and young people they care for.

### Our Priorities:

- **Improving outcomes for looked after children through corporate parenting.**
- **Extending aftercare, continuing care and considering return to care.**
- **Enabling children to build strong relationships.**
- **Improving outcomes for looked after children through corporate parenting.**

106. Good corporate parenting is key to improving outcomes for looked after children in all aspects of their lives. It is about listening to the needs, fears and wishes of children and young people, and being proactive and determined in our collective efforts to meet them. In 2008 the Scottish Government and local authorities confirmed their commitment to the approach in These Are Our Bairns: A Guide for Community Planning Partnerships on Being a Good Corporate Parent.<sup>23</sup> The Scottish Government is building on this policy, extending corporate parenting duties to a wider group of public bodies and establishing requirements for corporate parents to plan and report on their activities.

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<sup>22</sup> <http://www.gov.scot/Resource/0043/00435935.pdf>

<sup>23</sup> <http://www.gov.scot/Resource/Doc/236882/0064989.pdf>

107. The term “corporate parenting” is defined as: “An organisation's performance of actions necessary to uphold the rights and safeguard the wellbeing of a looked after child or care leaver, and through which physical, emotional, spiritual, social and educational development is promoted.”<sup>24</sup>

108. The necessary actions are set out in section 58 of the 2014 Act, some key elements of corporate parenting are:

- The statutory duty on all parts of a local authority to co-operate in promoting the wellbeing of children and young people who are looked after by them.
- Taking a strategic, child-centred approach to service delivery.
- Shifting the emphasis from “corporate” to “parenting” and taking all actions necessary to promote and support the physical, emotional, social and cognitive development of a child from infancy to adulthood.

109. The 2014 Act puts the concept and policy of corporate parenting onto a statutory basis in Scotland and expands the number of public bodies who are corporate parents. It establishes a framework of duties and responsibilities for relevant public bodies, requiring them to be systematic and proactive in their efforts to meet the needs of looked after children and care leavers. It also introduces new reporting and accountability structures, with national progress on improving outcomes to be reported to the Scottish Parliament every three years. This part of the Act came into force in April 2015. Success relies on many different organisations - including local authorities, health boards, the police and schools - recognising they have a critical contribution to make.

110. We have already identified that partnership is one of the conditions necessary for success. All the public bodies listed in Schedule 4<sup>25</sup> of the 2014 Act will have a corporate parenting duty to be aware of the needs of looked after children and care leavers in their area up to 26 years of age. The expectation is that all corporate parents should be considering how to support looked after children and care leavers and to deliver the best possible care to them. This includes individuals and organisations taking the opportunity to think and act a little beyond their current role and considering how to work creatively in partnership with other corporate parents to ensure that our

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<sup>24</sup> Definition is adapted from Sonia Jackson's definition of 'parenting' presented in M. Davies (ed) (2000) *The Blackwell Encyclopaedia of Social Work*, Oxford, Blackwell, and cited in the Scottish Government (2008) [These Are Our Bairns: A Guide for Community Planning Partnerships on Being a Good Corporate Parent](#).

<sup>25</sup> Corporate Parents listed in schedule 4 as 'Scottish Ministers' also include all Executive Agencies- Accountant in Bankruptcy, Disclosure Scotland, Education Scotland, Historic Scotland, Scottish Prison Service, Scottish Public Pensions Agency, Student Awards Agency for Scotland and Transport Scotland.

children and young people can overcome the barriers in their lives and, most importantly, live a life they feel they have more control over.

111. Corporate parents should also be listening to what children and young people need from them. Research by Who Cares? Scotland found that looked after young people wanted to be meaningfully included in planning how corporate parents will operate.<sup>26</sup>
112. Statutory guidance to accompany the 2014 Act setting out detailed information on the duties and responsibilities of corporate parents<sup>27</sup> was published on 14 August 2015. The guidance defines the duties around collaboration, which includes seeking opportunities for co-funding and more effective co-ordination between different corporate parents to maximize opportunities to promote the wellbeing of children and young people. This emphasizes the importance of avoiding ineffective duplication of effort, and encourages joint working, joint funding and joint reporting, where appropriate, to ensure young people going through and leaving the care system have a strong relationship to guide them.
113. Two particular areas of concern are education, including wider life skills, and health, where we know outcomes for looked after children are often poor.

## Education

114. In education we have seen improvement in attendance, attainment, and positive destinations for looked after young people, but the gap is not closing fast enough between looked after and other young people. In order for children and young people to learn and develop skills, they need to feel safe and secure and be able to develop positive relationships with their carers and teachers. They need to be supported to learn and develop skills and a growth mindset that takes into account the particular challenges they may face.
115. A range of resources are available to support corporate parents in relation to education.<sup>28</sup> It is legally required that all looked after children should have the extra support they need to get the most out of their education and achieve their full potential, as set out in the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended). The school inspection system assesses schools' ability to cater for looked after children and young people. HM Inspectors have been tasked to identify national sector leading practice for looked after children in schools and centres in Scotland as part of the 2015 Ministerial Report to Parliament on the implementation of the Education (Additional Support for Learning) Scotland Act 2009<sup>29</sup>.

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<sup>26</sup> Who Cares? Scotland (2014) Interpreting the Children and Young People Act 2014: Care Experienced Young People's Views on Part 4, 9, 10 & 11.

<http://www.whocarescotland.org/professionals/publications-briefings-research/>

<sup>27</sup> Consultation on Draft Statutory Guidance -

<http://www.scotland.gov.uk/Publications/2014/12/2912/downloads>

<sup>28</sup> <http://www.wecanandmustdobetter.org/>

<sup>29</sup> <http://www.gov.scot/Publications/2015/04/5650>

116. Wider work to close the attainment gap between children and young people who are most and least advantaged also has the potential to support improvement for looked after children. This includes the Raising Attainment for All Programme,<sup>30</sup> which was launched in June 2014; the Scottish Attainment Challenge, backed by an Attainment Scotland Fund of more than £100 million over four years; and the new duty on local authorities to narrow the attainment gap proposed as part of the Education (Scotland) Bill.

117. Developing the Young Workforce: Scotland's Youth Employment Strategy<sup>31</sup> also commits to improving positive destinations and includes a Key Performance Indicator (KPI) to increase positive destinations for looked after children after leaving school by four percentage points per annum.

## Health

118. Looked after children and young people share many of the same health risks and problems as those who have not been in care. In addition they may have been exposed to additional risks to their wellbeing, including poverty, abuse, neglect and other adverse childhood events<sup>32</sup>. All looked after children and young people should enjoy the highest attainable standard of health and wellbeing. Looked after children and young people will be supported by Health Boards to access high quality health and social care services which are sensitive and responsive to their needs.

### 119. Health Boards will:

- Appoint a health Board Executive Lead as directed by CEL 16 (2009).<sup>33</sup>
- Undertake an initial comprehensive health assessment (including a mental health assessment) with each looked after child or young person within four weeks of notification from the local authority that the child or young person has become looked after.
- Ensure health information from the comprehensive health assessment is embedded in all relevant statutory plans.
- Appoint a designated health professional with responsibility for the on-going coordination of services to meet the child or young person's identified health needs. This individual should be formally noted on the relevant plan.
- Provide ready and responsive access to a GP, dentist, LAC nurse, mental health and sexual health services as required.
- Provide regular on-going one to one reviews of health assessment needs to ensure information recorded in plans is up to date.
- Ensure that future health needs are recorded on the relevant plan and interventions that can be put in place early to mitigate against these are undertaken.

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<sup>30</sup> <http://www.scotland.gov.uk/Topics/Education/Schools/Raisingeducationalattainment/RAFA>

<sup>31</sup> <http://www.gov.scot/Publications/2014/12/7750>

<sup>32</sup> <http://www.acestudy.org/>

<sup>33</sup> [http://www.sehd.scot.nhs.uk/mels/CEL2009\\_16.pdf](http://www.sehd.scot.nhs.uk/mels/CEL2009_16.pdf)

- Follow the requirements laid out in Scottish Government Guidance on Health Assessments for Looked after Children.

120. Guidance on Health Assessments for Looked After Children in Scotland<sup>34</sup> was published in 2014 to support Health Boards, local authorities and health professionals involved in carrying out health assessments for looked after children. It sets out the minimum standardised elements of a health care pathway which we would expect Health Boards to implement in collaboration with local authorities and other organisations.

121. All Scottish Health Boards were asked a series of questions about their health services and looked after children. All Health Boards responded and these were analysed and details fed back to them. In addition to this information from Health Boards, we continue to listen to what children and young people tell us are the difficulties they face and we will use this information to inform our future engagement with Health Boards to support improvements for looked after children.

122. A particular issue that was highlighted during engagement around this strategy was about the mental health and wellbeing of looked after children and young people. It was suggested that it could be difficult for looked after children and young people to access services such as Child and Adolescent Mental Health Services (CAMHS). In addition, a broader issue appeared to be a lack of services for looked after children and young people experiencing social, emotional and behavioural difficulties, as a result of adverse childhood events and/or attachment issues, who did not meet the clinical criteria for accessing CAMHS.

123. There has been significant investment, £16.9 million since 2009, to deliver faster access to specialist child and adolescent mental health services in the community. There has also been investment in the CAMHS workforce which has increased by 47% since 2008. Following the introduction of a CAMHS HEAT target<sup>35</sup> in 2013, from 2015 there will be an NHS Standard of a maximum waiting time of 18 weeks from a patient's referral to treatment for specialist CAMH services<sup>36</sup>.

124. An additional £100 million over the next five years will be invested to improve mental health services. The funding will be used in part to improve CAMHS services and reduce waiting times.

125. Over the period of this strategy we will work with other corporate parents to look at how support and services can be developed to meet the mental health and wellbeing needs of looked after children. We recognise that there is a

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<sup>34</sup> <http://www.gov.scot/Resource/0045/00450743.pdf>

<sup>35</sup> The HEAT targets are grouped into 4 priorities: **H** Health Improvement for the people of Scotland – improving life expectancy and healthy life expectancy; **E** Efficiency and Governance Improvements – continually improve the efficiency and effectiveness of the NHS; **A** Access to Services – recognising patient's need for quicker and easier use of NHS services; and **T** Treatment Appropriate to Individuals – ensure patients receive high quality services that meet their needs.

<sup>36</sup> <http://www.gov.scot/Resource/0048/00483995.pdf>

need to revisit the most recent research evidence on the effectiveness of different relational interventions in supporting looked after children and young people who are experiencing social, emotional and behavioural difficulties but who do not meet the clinical thresholds of CAMHS.

126. In order to deliver improvements we need to make sure that we are collecting the right data to support policy making and improved practice, and that we do not collect data unnecessarily. A data review for looked after children has been undertaken and the outcome of this review has been used to inform a new data strategy which is being published alongside this strategy. The strategy focuses on maximising the potential of the data we currently collect; improving the quality of the data; and enhancing the information we hold through linking it to data from other policy areas. It will set out clear priorities for improving data on process, systems and outcomes.

### **Actions:**

- In accordance with the provisions in the 2014 Act, corporate parents will:
  - listen to the views of looked after children and young people and care leavers to promote their wellbeing and improve their life chances.
  - work collaboratively with each other.
  - demonstrate the impact of their efforts regularly.
  - report in 2018 on how these duties were met since the commencement of the Act in April 2015.
- Corporate parents should work with CELCIS which is developing a data dashboard to collate data around improvement in each area – and use this data to inform continuous improvement activity.

### **The Scottish Government will:**

- Support corporate parents to develop their plans of how they will meet their duties.
- Work with CELCIS and corporate parents to establish how best to record and report on outcomes in anticipation of the first report to Parliament in April 2018.
- For the next year, continue to fund Who Cares? Scotland to deliver Corporate Parenting Training, including through an online resource.
- Provide funding to CELCIS for a health adviser post to provide support and assistance to specific Health Boards on reforming the way they support looked after children.
- Publish a Looked After Children Data Strategy.



## Extending aftercare, continuing care and return to care

127. Each year there are approximately 900 care leavers of 16 years of age. This is a much younger age than most young people leave the family home. Evidence demonstrates that the transition to interdependence is when looked after young people and care leavers are at their most vulnerable and that leaving care before a young person is ready for interdependency tends to lead to poor outcomes. We know that young people who leave home later are better able to cope with life and realise their potential. They are also less likely to enter negative destinations such as unemployment, homelessness and offending.

128. Young people should be able to leave care at a time and pace that is appropriate to their individual needs. Recent research by Who Cares? Scotland found that many young people said it did not matter what age they were when they left care, what mattered was that they felt ready. Young people wanted help to understand when they were ready to leave and time to speak to people they trusted about what comes next<sup>37</sup>. Staying Put Scotland laid out an approach which identified three key principles that were critical for success:

- Young people are encouraged, enabled and empowered to remain in positive care settings until they are ready to move on.
- No looked after young person leaves care without the skills and support necessary for success.
- Local authorities and their corporate parenting partners will have made explicit the “Staying Put Scotland” approach.

129. The 2014 Act introduced substantive reforms around continuing care and aftercare that support the aims of Staying Put Scotland.

130. The Act introduced the term “**continuing care**” (**Part 11**), which gives looked after young people the entitlement to remain in their care placement until reaching the age of 21, enabling them to make a successful transition to interdependent living at a time and pace that suits their individual needs. This will allow young people to maintain their relationships with their carers into adulthood. Continuing care was introduced in April 2015, initially for 16 year old care leavers in kinship, foster and residential care. Continuing care is supported with Scottish Government funding of £5 million per annum, delivered through the block grant to local authorities.

131. As corporate parents, local authorities continue to have responsibilities to their looked after children beyond the point they leave care, just as parents continue to provide support and advice to their children beyond the point at which they leave home. The 2014 Act (**in Part 10**) extends access to

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<sup>37</sup> Who Cares? Scotland (2014) Interpreting the Children and Young People Act 2014: Care Experienced Young People’s Views on Part 4, 9, 10 & 11  
<http://www.whocarescotland.org/professionals/publications-briefings-research/>

“aftercare”<sup>38</sup> from those aged up to 21 years old up to 26 years of age and is supported with Scottish Government funding of over £4 million per annum. From April 2015, any young person who ceases to be looked after by a local authority on or after their sixteenth birthday will be eligible for aftercare services up until their 26<sup>th</sup> birthday.

132. During the passage of the 2014 Act, Scottish Ministers also announced a longer-term ambition to allow those care leavers who may need it the opportunity to return to care, up to the age of 21. A working group of experts from across the sector was established in 2015 as a first step towards extensive consultation and modelling of this ambitious policy. The group is currently considering key issues such as the availability, affordability and suitability of care provision to deliver that aim, without negatively impacting on existing and future care users.

### **Actions:**

- All corporate parents should positively encourage young people to exercise their right to remain in care and take up aftercare or continuing care support when the timing suits their needs.
- All corporate parents should amend their policies to strongly discourage young people from leaving care before the age of 18 at the earliest.
- Corporate parents in a position to influence young people panels should “presume against” recommending the ending of a compulsory supervision order around the child’s 16<sup>th</sup> birthday unless continuing the compulsory supervision order would lead to a significant and negative impact on the young person’s wellbeing.

### **The Scottish Government will:**

- Establish a Working Group on Additional Support for Care Leavers during 2015 and work with partners to develop a return to care policy which is workable and in a timescale that is realistic.
- Publish non-statutory guidance on aftercare and continuing care by the end of 2015.

## **Enabling children to build strong relationships**

133. Throughout the strategy we have emphasised the importance of relationships for looked after children and young people. Foster carers and residential care workers play a central role in the lives of children and young people looked after away from home. The quality of relationships with their carers is crucial in order for looked after children and young people to thrive.

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<sup>38</sup> This means that any young person who ceases to be looked after by a local authority on or after their 16<sup>th</sup> birthday will be eligible for aftercare services potentially until they reach 26 years of age. This is effectively an extension of existing measures.

While the quality of caring relationships is not delivered simply by learning and development, nevertheless new skills and knowledge can help committed carers to cope with the increasingly complex needs of young people coming into their care.

134. The Foster Care Review<sup>39</sup> in 2013 recommended the development of a learning and development framework for **foster carers**. The Scottish Government has commissioned the Scottish Social Services Council (SSSC) to develop a learning and development framework for foster carers and this work is currently ongoing.<sup>40</sup> Children and young people will be involved in the development of the framework.
135. We have made a commitment to introduce a new “standard” - that is a Scottish Credit and Qualifications Framework (SCQF) Level 9 qualification - for workers, supervisors and managers in **residential** child care. Our residential workforce needs to be highly skilled and adaptable, especially if it is to meet the diverse needs of the children and young people they care for.
136. Registration criteria for staff will incorporate a requirement that all workers become qualified to Level 9, which is degree level. The rollout of the training will start at the managerial level and roll through the staffing levels to include existing residential care staff and new starts with the aim of having a degree level qualified workforce by 2026.
137. While we want children and young people to build strong relationships with their carers, social workers and other adults in their lives, for some looked after children these people may change and not be able to provide the continuity of relationships that they need. The development of a **mentoring** relationship can help fulfil this need.
138. There is a body of evidence that demonstrates the effectiveness of a mentoring relationship in improving educational attainment and wellbeing outcomes for mentees.<sup>41</sup>
139. The Scottish Government has committed to taking forward the recommendations of the Looked After Children Strategic Implementation Group (LACSIG) Mentoring Hub Report, authored by Dr. Susan Elsley, to develop a National Mentoring Scheme infrastructure. This infrastructure will support both local and national organisations, through a shared network approach, to deliver high quality mentoring to children and young people within local communities.
140. To do this, we will bring together existing mentoring service providers and other committed organisations in a national partnership. This National Mentoring Scheme will provide all agencies with a common set of standards,

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<sup>39</sup> <http://www.celcis.org/media/resources/publications/Foster-Care-Review-Final-Report.pdf>

<sup>40</sup> National Review of Foster Care recommendations - Progress report  
<http://www.scotland.gov.uk/Topics/People/Young-People/protecting/lac>

<sup>41</sup> Dr. Graham Connolly, University of Strathclyde, “Briefing note on Youth Mentoring” provides an overview and summary of the evidence of mentoring effectiveness and its application within Scotland.

goals and processes; will enable learning and resources to be shared; and will build upon the existing capabilities and capacity across Scotland. The Scheme will build and then support the development of existing community assets, resources and networks to initially focus on children and young people, aged 8-14 years, who are looked after at home.

141. As the Scheme grows it will offer the opportunity to develop a mentoring relationship to all children and young people looked after at home, and those looked after away from home, before eventually a wider group of vulnerable children.
142. This targeted approach seeks to specifically address the current outcome gaps whereby those looked after children at home have the poorest outcomes of all their peers.
143. As it develops, the National Mentoring Scheme will continue to monitor and evaluate the impact of the mentoring relationship across a range of outcome indicators, including educational attainment and wellbeing indicators.
144. We anticipate that one of the critical contributions by corporate parents will be to support individual staff to develop mentoring relationships with their local looked after children and young people.

**Actions:**

- We expect stakeholders to work collaboratively in support of developing a National Mentoring Scheme, initially focused on children and young people aged 8-14 years, who are looked after at home.

**The Scottish Government will:**

- Work closely with our stakeholders, the SSSC, CELCIS and COSLA to develop the degree qualification for residential workers, engaging and involving residential workers at all levels.
- Develop a National Mentoring Scheme to deliver high quality mentoring to children and young people within local communities.

## Implementation – Next steps

145. Publication of this strategy is only a starting point in delivering on our collective promises to improve outcomes for looked after children and young people. Legislation, policy and guidance do not have an impact unless they are delivered in practice on the ground. Some of the actions in the strategy are challenging but necessary. We are confident that the shared commitment across the sector will enable us to deliver them.
146. We recognise the challenge of resources that was raised by some stakeholders as we developed the strategy. We have already committed additional resources to continuing care, aftercare and kinship care as part of the 2014 Act and again in 2015 with over £10 million a year of investment in improved allowances for kinship carers. We see opportunities in a strategy that prioritises early engagement and permanence to shift resources from statutory intervention to voluntary support by reducing the number of children on long-term compulsory supervision. Where CPPs also adopt a strategic commissioning approach to children's services, this will allow a better understanding of needs in their area and a better targeting of resources and provision of services at the right time – reducing long-term demand and costs.

### Tools for implementation

147. Throughout the strategy we have identified actions that are necessary to implement the priorities identified. These range from legislation, which is necessary but not in itself sufficient to deliver improvement, to hands-on support. We expect stakeholders to consider what sort of actions they need to take to deliver the priorities.

### Legislation

148. Through the 2014 Act we are making significant improvements to the lives of looked after children and young people. Over the coming period we will be consulting on, developing and implementing the regulations necessary to put the Act into practice. We will be working with stakeholders to understand how best to make the Act work as intended.

### Guidance and Practice Notes

149. We are developing guidance to support implementation of the Act. We have also identified a number of other areas where guidance or practice notes may be useful, including on contact issues, permanence, and children who are looked after at home. These are issues where local practice may vary and there is value in clarifying legal requirements, policy intentions and in sharing good practice. In some cases, the need for a consistent approach across the country could justify statutory intervention (e.g. through Ministerial powers of Direction, Scottish Statutory Instruments or Primary Legislation). We would use these tools following consultation.

## **Evidence and data**

150. Data can be very powerful in driving improvement because it helps us understand needs, outcomes, processes and systems; helps us identify where improvements are needed; and tests whether changes are in fact improvements. In the strategy we have identified a number of areas where better data can lead to improvement; including for strategic commissioning, tracking permanence and foster placements. Two of the major programmes outlined in the strategy – PACE and RCS – have better data at their core and provide hands-on support to partners to develop this data. Our national permanence data will be used to improve practice locally and identify and share good practice nationally.

## **Learning and sharing practice**

151. We will work with our partners to provide opportunities for learning and to share good practice for all those working with looked after children and young people. Programmes such as PACE and RCS and the resources to support them have been designed with this in mind.

## **Coaching and support**

152. We have identified some areas of focus which we believe will benefit most from the provision of hands-on support to CPPs and partners to deliver improvement. The PaCT team at CELCIS was set up to provide direct support to local authorities to improve their permanence processes. Through PACE we are also providing support to areas to use improvement methodology in relation to permanence. The RCS programme also offers direct support to CPPs to develop strategic commissioning of services.

## **Monitoring and assessing progress**

153. We do not intend to try to take a single approach to monitoring and assessing progress on the priorities identified in this strategy. Different priorities will require different approaches. For some priorities, such as the corporate parenting duties, there are already reporting requirements in place. For other priorities, the new data that is being developed through RCS, PACE and the new permanence data set will enable us to identify progress. We will also work with the Care Inspectorate to consider how the inspection regime can support improvement around these priorities. We also encourage all those involved in delivering the priorities in the strategy to provide us with feedback on progress, challenges and successes. We will report on progress with the strategy to CHIP.

# Annex A: Summary of actions

## Early Engagement

### **Actions:**

- We expect CPPs to consider how to use a joint strategic commissioning approach to ensure the right services are available to meet the needs of children and families in their area.

### **The Scottish Government will:**

- Roll out the RCS programme to support a minimum of six CPPs by 2017.
- Share data and learning from the RCS programme with CPPs.

### **Actions:**

- We expect local authorities to work with other corporate parents to design and implement the services that are needed in their area for children who are at risk of being looked after.
- We expect CPPs to ensure that services are available to children and families on a voluntary basis to ensure that compulsory measures are not recommended in order to access services. This should include, where appropriate, active use of Part 12 services.

### **The Scottish Government will**

- Work with key stakeholders around Part 12 of the Act to ensure it complements self-directed support provisions and Parts 3, 4 and 5 of the Act relating to Children's Services Planning, Named Person and Child's Plan.

### **Actions:**

- We expect local authorities to “presume against” looked after at home status when planning interventions and when making recommendations to managers, Children’s Hearings and courts, except where “at home” status is an essential part of a clear plan to remedy a short-term issue or towards permanence.

### **The Scottish Government will:**

- Support CPPs, through our RCS Programme, to ensure that the right services are in place to meet the needs of all children and young people in their area, including those who are looked after at home.
- Use PACE to focus on earlier permanence for children who are looked after at home by the end of 2016.
- Evaluate the impact on the wider system of falling numbers of children looked after at home and will collaborate with our partners on how to ensure this promotes better outcomes while reducing systemic waste.
- Collect data on the changing profile of care placements and will publish this data for use by agencies to improve planning and practice.
- Work with local authorities and the third sector to share best practice and initiatives.



## Early Permanence

### **Actions:**

- We expect all local authorities to work with their partners to improve the permanence process in their area focusing on clear permanence objectives for each child, stripping out drift and delay at every step and preventing unnecessary placement moves.
- We expect all local authorities to monitor the quality of their care planning within an overall GIRFEC approach and put in place plans for improvement where necessary.

### **The Scottish Government will:**

- Share the learning and extend involvement in the PACE programme. This will include a focus in at least one area on children who are looked after at home.
- Learn from each PACE area to improve the PACE programme and how it is implemented in new areas. We will work with partners to develop a stretch aim for PACE.
- Publish a practice note for frontline workers, local service managers and leaders in relation to care and permanence planning and develop an online resource to share learning and good practice in 2016. We will continue to provide support on care planning through the work of CELCIS.
- Ensure that the guidance and support materials for Parts 4 and 5 of the Act support developments in care planning.
- Publish guidance on contact and organise a series of local events to support practice on contact issues.
- Support CHIP to take forward work on improving reports, testing improvements through PACE.

### **Actions:**

- We expect all local authorities to refer children and prospective adopters to Scotland's Adoption Register.
- We expect all local authorities to ensure that families who might benefit from the KCO are aware of the order and are supported to apply for it where appropriate.
- We expect all local authorities to implement the agreement we have reached with COSLA on kinship care allowances.
- We expect all local authorities and foster care providers to implement new definitions of foster care placements by 2016-17.

### **The Scottish Government will:**

- Commence the Adoption Register Regulations by April 2016.
- Consult on introducing a standard inter-agency fee for adoption.
- Commence the support for kinship care provided for in the 2014 Act by April 2016.
- Convene a working group to comprehensively evaluate a national allowance scheme for kinship and foster care.
- Map the availability of support in relation to social, emotional and behavioural difficulties and consider how to improve access for kinship carers.
- Develop guidance and implement new definitions of foster care placements.

### **Actions**

- We expect all local authorities to track each child for permanence, using consistent data agreed nationally.

### **The Scottish Government will:**

- Work with the CELCIS PaCT team in 2015 and 2016 to support local authorities to track their looked after children for permanence.
- Take forward recommendations of the Permanence Data working group to collect permanence data through the Children Looked After Statistics from 2016-17.

### **The Scottish Government will:**

- Publish research about permanence being undertaken by SCRA in 2015.
- Identify national issues arising from the PACE programme.
- Work with the Scottish Courts and Tribunals Service to get better data about adoption and permanence cases.
- Work with stakeholders to improve children's experience of the court process.
- Work with stakeholders to review evidence about the operation of the Adoption and Children (Scotland) Act 2007 and the permanence process and consider whether changes are required, by the end of 2016.

## Improving the quality of care

### **Actions:**

- In accordance with the provisions in the 2014 Act, corporate parents will:
  - listen to the views of looked after children and young people and care leavers to promote their wellbeing and improve their life chances.
  - work collaboratively with each other.
  - demonstrate the impact of their efforts regularly.
  - report in 2018 on how these duties were met since the commencement of the Act in April 2015.
- Corporate parents should work with CELCIS which is developing a data dashboard to collate data around improvement in each area – and use this data to inform continuous improvement activity.

### **The Scottish Government will:**

- Support corporate parents to develop their plans of how they will meet their duties.
- Work with CELCIS and corporate parents to establish how best to record and report on outcomes in anticipation of the first report to Parliament in April 2018.
- For the next year, continue to fund Who Cares? Scotland to deliver Corporate Parenting Training, including through an online resource.
- Provide funding to CELCIS for a health adviser post to provide support and assistance to specific Health Boards on reforming the way they support looked after children.
- Publish a Looked After Children Data Strategy.

### **Actions:**

- All corporate parents should positively encourage young people to exercise their right to remain in care and take up aftercare or continuing care support when the timing suits their needs.
- All corporate parents should amend their policies to strongly discourage young people from leaving care before the age of 18 at the earliest.
- Corporate parents in a position to influence young people and/or Children's Hearing panels should "presume against" recommending the ending of a compulsory supervision order around the child's 16<sup>th</sup> birthday unless continuing the compulsory supervision order would lead to a significant and negative impact on the young person's wellbeing.

### **The Scottish Government will:**

- Establish a Working Group on Additional Support for Care Leavers during 2015 and work with partners to develop a return to care policy which is workable and in a timescale that is realistic.
- Publish non-statutory guidance on aftercare and continuing care by the end of 2015.

### **Actions:**

- We expect stakeholders to work collaboratively in support of developing a National Mentoring Scheme, initially focused on children and young people aged 8-14 years, who are looked after at home.

### **The Scottish Government will:**

- Work closely with our stakeholders, the SSSC, CELCIS and COSLA to develop the degree qualification for residential workers, engaging and involving residential workers at all levels.
- Develop a National Mentoring Scheme to deliver high quality mentoring to children and young people within local communities.



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