

Education and Skills Committee**5th Meeting, 2016 (Session 5), Wednesday, 21 September 2016****Overview panel on Children's Services****Introduction**

This paper is in two parts. Given the complexity of the subject area, part 1 of the paper gives a general briefing on children's services, with a focus on looked after children and child protection. Part 2 (from page 9) suggests six broad themes for discussion.

PART 1**Background**

Provision for children's services is complex, but one way to categorise the different systems, policy areas and legal categories is:

- Getting it Right for Every Child
- Children in Need
- Child Protection
- Looked After Children and Care Leavers

The following gives a brief overview of each and where they overlap. This flowchart from CELCIS shows how the Children's Hearings and child protection systems relate to each other: https://www.celcis.org/files/4514/5736/4367/CELCIS_Chart_-_Whole_System_Child_Care_and_Protection.pdf

Getting it Right for Every Child

GIRFEC is the overall approach to be taken to all children's services. It is a recommended method of working which encourages an holistic approach to be taken to children's needs. This is based on 'well-being' and a joined up approach to service delivery. 'Well-being' is assessed in terms of the SHANARRI indicators (that children should be safe, healthy, achieving, nurtured, active, respected, responsible and included). There is a focus on early intervention – tackling issues early to prevent a crisis developing and on ensuring the child's needs are at the centre of decision making.

'Universal' services (eg. midwives, health visitors, pre-school and school) and well as 'targeted' services (eg social work) are all recommended to use this over-arching approach.

The GIRFEC approach includes:

- a 'named person' for every child
- a '[lead professional](#)' and a '[child's plan](#)' for children who need more targeted support outwith universal services. The 'lead professional' will often be a social worker, co-ordinating the provision of different services for a child.

GIRFEC policy was first introduced in 2006 and elements are made statutory by the Children and Young People (Scotland) Act 2014. The introduction of the statutory elements – named person (part 4), child's plan (part 5) and wellbeing (part 18) are delayed following the Supreme Court judgement in July. The Scottish Government hopes to bring these into force in August 2017 and is currently undertaking 'intensive engagement' on changes required. However, the Scottish Government supports the continuation of GIRFEC on a policy basis in the meantime, within the framework of the current law.

Children in Need

The Children (Scotland) Act 1995 defines 'children in need' as:

- (i) the child is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health and development unless services are provided;
- (ii) the child's health or development is likely significantly to be impaired, or further impaired, unless services are provided;
- (iii) the child is disabled; or
- (iv) the child is affected adversely by the disability of another family member.

Each local authority must provide a range and level of services to safeguard and promote the welfare of children in its area who are 'in need' and to promote the upbringing of 'children in need' by their families (Section 22).

This enables a range of social work support to be provided to vulnerable children and families.

Looked After Children and Care Leavers

There are a number of ways in which a child can become 'looked after.' These are summarised below roughly in order of increasing levels of compulsion.

1. Voluntary measures. Social workers can arrange for a child to be 'accommodated' in foster, kinship or residential care in order to safeguard and promote a child's welfare. Importantly, they can only do this if someone with parental rights and responsibilities does not object. (s.25, Children (Scotland) Act 1995). This does not involve the Children's Hearings system.

2. Children's Hearings

The main organisations involved in the Children's Hearings system are:

- The '[Scottish Children's Reporter Administration](#)' – an NDPB, created in 1996, which employs the Reporters and arranges for the holding of Children's Hearings
- [Children's Hearings Scotland](#), an NDPB established by the Children's Hearings (Scotland) Act 2011, which oversees the recruitment and training needs of the panel members.

- The local authority – which implements the decisions of the Hearing

The Court system is involved where the facts of the case are disputed, in appeals and in referring children to the Hearings system in some cases.

Various organisations are involved in providing accommodation and services that may be specified in a Compulsory Supervision Order.

Anyone can refer a child to the Children's Reporter, although three quarters of referrals are made by the police. The vast majority of referrals are on non-offence grounds, most commonly 'lack of parental care.' (In 2015/16 there were 13,688 children referred on non-offence grounds, 2,761 on offence grounds and 1,120 on both offence and non-offence grounds ([SCRA 2016](#)).

In the 2000's the number of referrals increased hugely, largely due to increasing referrals from the police in relation to domestic violence incidents. There was a concerted effort to reduce referrals where there was no need for compulsory measures. As a result, after peaking in around 2006/07, referrals across the country have fallen to their lowest ever levels ([See chart 1.1, SCRA 2016](#)).

On receipt of a referral the Reporter will investigate and decide whether a statutory ground for referral has been met and if so, if compulsory measures of supervision are necessary.

Only around a quarter of referrals result in a Hearing being arranged (26% in 2015/16).

The Reporter makes arrangements for a Hearing which is made up of a panel of volunteer Children's Panel members. There are a variety of interim orders that can be made, but the main decision of a hearing is whether a Compulsory Supervision Order is required. This states where a child is to live and can include other conditions such as contact arrangements or support services required. Because these are compulsory measures there is strict legal oversight of the process including provision for legal representation and appeals.

Compulsory Supervision Orders can require that a child:

- lives at home with their parent(s) with an element of social work supervision ('looked after at home') (44% of CSOs in 2015/16)
- placed in foster or kinship care (49% of CSOs in 2015/16)
- placed in residential accommodation, or 'secure' residential accommodation

In 2015/16 Hearings made 3,042 new Compulsory Supervision Orders ([SCRA 2016](#)). Compulsory Supervision Orders are not intended as long term arrangements, but can become so in practice. As at March 2016, around a fifth (21%) of the 10,379 CSOs in place had lasted for 5 years or more.

The local authority implements the decisions of the Hearing.

3. Permanence Orders transfer to the local authority the parent's right to determine the child's residence. It also enables other parental responsibilities and rights to be shared between the parent, the local authority and the carers of a child (eg foster or kinship carers). They last until a child is 18. Permanence Orders can only be applied for by a

local authority and issued by a court. They are often, but not always, used as a prelude for adoption and are intended as a long term solution to the child's care.

While under a Permanence Order, the child remains 'looked after.' These orders were introduced by the Adoption and Children (Scotland) Act 2007.

In 2015/16 there were 1,721 Permanence Orders in place ([Scottish Government 2016](#)).

4. Emergency measures. If a child is suffering or likely to suffer significant harm, then, if necessary, a Child Protection Order can be issued by a sheriff, or in some circumstances a Justice of the Peace or a police constable. This allows a child to be removed to a 'place of safety,' such as emergency foster care. Because these are only to be used in emergencies, they are very short term and there are very strict requirements for them to be reviewed. For example, there is a requirement for a Children's Hearing to be held on the 2nd working day following the implementation of such an order.

In 2015/16 there were 595 Child Protection Orders issued, over half (54%) of them for children under two years of age ([SCRA 2016](#)).

Local authority duties towards looked after children

In all of the above situations, the child is considered 'looked after' and the local authority has certain legal obligations towards them. In particular under s.17 Children (Scotland) Act 1995 a local authority must:

- safeguard and promote the child's welfare
- promote regular contact with the child's parents (where this does not conflict with the child's welfare)
- consider the views of the child and parents when making decisions

Extending this idea is the concept of 'corporate parenting.' Under the Children and Young People (Scotland) Act 2014, a wide range of public bodies are considered 'corporate parents' of 'looked after' children and care leavers. Corporate parents have duties to:

- assess the needs and promote the interests of looked after children in relation to the services the particular body provides and
- to help them access those services and supports.

Bodies included as 'corporate parents' are listed in [Schedule 4 to the 2014 Act](#) and include: Scottish Ministers, local authorities, health boards, Police Scotland and a range of NDPBs. It does not include the Scottish Parliament Corporate Body or MSPs who are not Ministers.

There are also assessment and planning requirements in relation to all looked after children under the Looked After Children (Scotland) Regulations 2009. This is a separate legal provision to the 'child's plan' requirements under the Children and Young People (Scotland) Act 2014. In addition, all 'looked after children' are presumed to have additional support needs in relation to their school education by virtue of being 'looked after'.

Care Leavers

When a young person stops being 'looked after' at the age of 16 or older, then they have a right to further support. This includes:

- a right to continue in a care placement up to the age of 21, even though no longer 'looked after' (this is being phased in to apply to additional cohorts of care leavers over the next few years)
- up to the age of 19, a right to advice, guidance and assistance, including financial assistance,
- from age 19 to up to the age of 26, a right to such support if they request it and are assessed as having 'eligible needs'
- after the age of 26 a local authority has discretion to continue such support see: (Children (Scotland) Act 1995 sections 26 – 30, as amended by Children and Young People (Scotland) Act 2014).

These duties do not apply to children and young people who may be 'looked after' for a period in their lives but are no longer looked after by the time they are 16.

In 2015/16 there were 1,309 young people who left care at the age of 16 or over, out of a total of 4,367 children and young people who ceased being 'looked after' that year ([Scottish Government, 2016](#)).

Adoption

Adoption removes all parental rights and responsibilities from one person and gives them to another. It is therefore very different from being 'looked after', where the parent retains some or all parental responsibilities and rights.

There were 303 'looked after' children who were adopted from care in 2015/16, 69% of them aged under five years ([Scottish Government, 2016](#)).

Child Protection

Separately from the Children's Hearings system, 'Child Protection' is a non-statutory system of multi-agency planning and decision making designed to protect children from significant harm due to abuse or neglect. In itself, this system cannot take compulsory measures. However, decisions can result in court orders being applied for or referrals to the Children's Reporter being made. Equally, support may be provided on a voluntary basis.

In outline, if a child is thought to be at risk of significant harm, then a multi-agency meeting (Child Protection Case Conference) can be convened and a plan developed to reduce the risk of the harm occurring. The multi-agency group working with the child and their family, is often known as the core group. The child's name is added to the 'Child Protection Register' which is an administrative system maintained by the social work department for keeping a record of children subject to Child Protection Plans.

In 2015/16 there were 6,054 Child Protection Case Conferences, resulting in 4,393 children being added to the Child Protection Register ([Scottish Government, 2016](#)). Over half of children were aged under five (55%) and the majority of children (54%) were registered for under 6 months ([Scottish Government 2016](#)).

Compared with Compulsory Supervision Orders under the Hearings system, children on the Child Protection Register tend, on average, to be younger and registered for a shorter period.

Unlike the very detailed legal prescription of the children's hearings system, child protection procedures operate under general powers of a local authority to promote the welfare of children. There is however detailed guidance from the Scottish Government, [The National Guidance on Child Protection 2014](#). At a local level there are multi-agency Chief Officers Groups and Child Protection Committees to support multi-agency working and develop local policy. In particular, they have a role to develop training and to carry out significant case reviews when a child has died or suffered significant harm.

Inspection and oversight

The Care Inspectorate regulates and inspects provision for looked after children – eg. Secure care, residential care, fostering and adoption agencies. It also leads multi-agency inspections of children's services. The current programme of inspections is due to finish in 2017. A review of the 12 latest inspections was [published in August](#). Findings included:

- a clear direction of travel towards prevention and earlier intervention
- issues with planning for care leavers
- significant variation in the effectiveness of child protection committees
- in some areas, a focus on integrated children's services planning had been lost in the upheaval caused by the restructuring taking place in preparation for integration of health and care services.
- joint approaches to strategic commissioning in services for children and young people are at an early stage

Staff working in children's services must be registered with [the Scottish Social Services Council](#). Registration is based on holding certain qualifications. Foster carers do not have to register. Following a [review of foster care](#) in 2013, the SSSC is currently holding a [consultation](#) on a learning and development framework for foster carers, although there are no plans to require foster carers to register with SSSC.

The Care Inspectorate's report on recent inspections found considerable variation in the quality and effectiveness of leadership from area to area and describes a challenging context:

It is important to note the extremely challenging context in which leaders are operating. The integration of health and social care is a seismic shift in the delivery of care and health services. Partners have had to respond to new legislation, particularly the Children and Young People (Scotland) Act 2014, which radically changes the expectations of what and how they should deliver. This includes the implementation of a Getting It Right for Every Child approach. Awareness of risks to children and young people through child sexual exploitation, communication technology use and psychoactive substances is growing, which all require a response at strategic and operational levels. The financial context for public services has never been more challenging in recent times ([Care Inspectorate, 2016](#))

Legislative Change

The structure of the Children's Hearings system was amended by the Children's Hearings (Scotland) Act 2011. The Act is largely a re-drafting of the existing law which had been contained in the Children (Scotland) Act 1995. Substantive changes included the creation of Children's Hearings Scotland to support a national children's panel. Previously there had been separate panels in each local authority. The Act came into force in June 2013.

The Children and Young People (Scotland) Act 2014 made changes to children's services in a wide range of areas. Relevant Parts include:

- Part 3: children's services planning. Creates new duties for joint planning of services ([due in force April 2017](#))
- Part 4, 5, 18: GIRFEC (including Named Person, Child's plan and well-being). Expected August 2017.
- Part 9: corporate parenting. Makes listed public bodies 'corporate parents' with duties towards looked after children.
- Part 10, 11: care leavers: after care and continuing care. Extends the support to be provided to care leavers, and creates the option of remaining in a placement.
- Part 12: services for families where children are at risk of being looked after
- Part 13: kinship care assistance. Duties on local authorities to provide assistance to certain categories of kinship carers of non-looked after children.
- Part 14: [adoption register](#). Creates a national adoption register.
- Part 16: children's hearings. Various technical amendments to the 2011 Act.

Policy

Major themes in current policy include:

- continued implementation of the GIRFEC approach
- focus on early intervention and prevention
- improving outcomes, such as educational attainment and positive school leaver destinations
- reducing the time taken to find a permanent, stable placement for looked after children
- widening responsibility for the outcomes of looked after children through the idea of 'corporate parents'
- extending support for care leavers
- improving commissioning of care placements, supported by the [Realigning Children's Services](#) programme which has a focus on improving data sources. (eg. Is developing new surveys on child wellbeing).
- implementing the [2013 foster care review](#)
- improving [support to kinship carers](#)
- A focus on child sexual exploitation following a Scottish Government working group in 2013, action plan in 2014 and [update on progress](#) in March 2016, and the [Brock report \(2014\)](#)
- A focus on neglect, partly through a [pilot programme](#) in three local authorities due to run until the end of March 2017.

Many of the above policy themes are reflected in the Scottish Government strategy for looked after children and young people, [Getting it Right for Looked After Children](#), published in November 2015. This strategy set out the following priorities:

- Early engagement
- Early permanence
- Improving the quality of care

In addition there is a review of the child protection system, due to report to Ministers in December. This review will focus on:

- Child Protection Committees
- Child Protection Registers and case conferences
- Significant Case Reviews and Initial Case Reviews.

PART 2**Possible Themes for Discussion****1. Cohesion between different systems**

Potential themes for discussion:

- links between Children’s Hearings and child protection processes
- effect of current structures on progressing major policy objectives of early intervention, early permanence and improving life outcomes

As the Children’s Hearings system has developed it has increasingly dealt with issues of care and protection. The most common ground of referral to a hearing is ‘lack of parental care’. 37% (5,606) of referrals are on this ground, and the average age of a child referred on this ground is 6.4 years. (Across all grounds however, the most common age of referral to the Hearings is 13 or 14 years old) ([SCRA, 2016](#)).

In Child Protection, the most common concerns raised are emotional abuse (39%) and neglect (37%). Over half of children on the Child Protection register are under five years of age (1,398 children) ([Scottish Government, 2016](#))

In general, this suggests an increasing overlap in the issues addressed in child protection and Children’s Hearings. Major differences include:

- a Hearing can take compulsory measures, whereas a child protection case conference would need to refer to the Hearings system or apply to the courts in order to require compulsory measures
- children involved in child protection tend to be younger, although that gap is narrowing
- children generally are involved with child protection for much shorter periods than they are involved with Hearings.

There is some overlap between being ‘looked after’ and child protection. In 2015 there were 798 children who were both ‘looked after’ and on the child protection register. Out of 4,552 re-registrations, 610 were de-registered because they became ‘looked after’ ([Scottish Government, 2016](#)). (Its not recorded whether this was ‘looked after’ via a Hearing or voluntary measures).

In her [report for the Scottish Government, Jackie Brock](#) (Chief Executive, Children in Scotland, 2014) commented that:

There is no shortage of legislation, national strategies and policies, which contribute to protecting our vulnerable and at risk children and young people. However, in the round, they add up to a complex picture, which makes it very difficult to provide integrated, early intervention approaches and in turn a clarity in national and local

accountability and responsibility, despite the introduction of Joint Inspection of Children's services.

2. Support for Care Leavers

Potential themes for discussion:

- implementation of 'continuing care' legislation
- development of a 'right to return to care'
- level and type of support provided in practice

The Children and Young People (Scotland) Act 2014 extended the support provided to care leavers.

Young people leaving care at 16 are entitled to "advice, guidance and assistance" from the local authority up to the age of 19. Between the age of 19 and 26, a young person can request support. The local authority must provide support if they assess that young person as having 'eligible needs.' The local authority may continue to provide support after the age of 26.

In addition, young people who are in kinship, foster or residential care at their sixteenth birthday have a right to stay in a placement up to the age of 21, even if they are no longer 'looked after'. Prior to the 2014 Act, the Scottish Government had published '[Staying Put \(2013\)](#)', guidance to local authorities on encouraging continuing care placements. This guidance noted that:

The transition to independence is one where young people are particularly vulnerable and corporate parents must ensure that the right supports are in place to improve the outcomes for looked after children. Although there have been significant improvements in outcomes for care leavers there is still some way to go [...]

Continuity of care and consistent relationships are clearly evidenced in this paper as crucial in supporting care leavers.

[...]

Young people leaving care should get the support they need to secure a positive and sustained transition into adulthood. This should be when they are ready to do so and there should be mechanisms in place to allow them to return to their last care placement for support in times of difficulty. The aim of the throughcare and aftercare process is not to push young people into the adult world before they are ready, but to ensure that they are equipped with the necessary skills when the time is right for them to move to adult living.

This policy commitment on a 'right to return to care' was reiterated during the passage of the 2014 Act. A working group was convened in 2015 to consider how this might be framed.

In summer 2015 we convened a Working Group - comprising sectoral representatives, service providers, local authorities, young people, and other relevant stakeholders – to explore options and develop a framework ‘blueprint’ for a return to care policy. In addition, the group will advise and support the Scottish Government to develop a realistic and deliverable policy for extending aftercare support to additional groups of young people under Ministerial powers in section 66 of the 2014 Act. The Working Group reported to the Minister in spring 2016. (See [Scottish Government online](#))

3. Staff and carer recruitment

Potential themes for discussion:

- staffing availability
- foster carer availability
- Children’s Panel member availability

Statistics from the [Scottish Social Services Council](#) show the number of social care workers in children’s social work. Most staff work in residential childcare (although only 10% of looked after children are in residential care) and ‘fieldwork’, which is local authority children’s social work with both looked after and non-looked after children.

Table 1: Social care staff in children’s services (headcount)

	2012	2013	2014	2015
Fieldwork (children)	5,550	5,780	5,910	5,960
Fostering services	980	950	970	980
Adoption services	430	400	440	460
Residential childcare	7,170	6,810	7,360	7,650

source: [SSSC 2016](#)

The above figures do not include foster carers. Each year the Fostering Network publishes recruitment targets for foster carers. The target for Scotland in 2016 is for 800 foster carers ([Fostering Network January 2016](#)). This is based on estimates of demand for places and foster carers leaving/retiring. The number of children in foster care increased from 4,499 in 2009 to 5,478 in 2015¹. (Statistics on the number of foster carers are not collected by the Scottish Government).

While the total number of looked after children is now falling, numbers in foster care are still increasing.

A review of foster care [reported](#) in 2013. Subsequent developments include the SSSC’s consultation on a ‘learning and development’ standard for foster carers, introduction of

¹ Kinship care has also been an increasingly popular placement type of looked after children. The number of children in kinship care increased from 2,993 in 2009 to 4,217 in 2014. It has since fallen back slightly to 4,158 in 2015. Unlike foster carers, kinship carers care for a particular child, rather than being assessed by the local authority to care for children they do not know.

placement limits and the announcement of a working group to look at setting a national rate for financial allowances paid by local authorities to foster and kinship carers.

In the Hearings system, there are around 2,500 volunteer panel members. Children’s Hearings Scotland are currently looking to recruit 560 new Children’s Panel members, to sit on children’s hearings across Scotland ([CHS online](#)).

In terms of financial resources, the 2016/17 budget of Children’s Hearings Scotland is c.£4m, and the SCRA c.£23m ([Scottish Government draft budget 16/17, ‘level 4’ figures](#)). Estimated budget for local authority children’s social work in 16/17 is £885m, of which 27% is on residential care and 28% on community placements (i.e foster and kinship care) ([Scottish Government POBE dataset 2016](#)).

There will also be services resourced through health services and the third sector, some of which will be included in the above where they are purchased by the local authority.

4. Getting the right placement first time

Potential themes for discussion:

- how often we ‘get it right first time’
- degree to which current policy and practice support continued improvement

Recent statistical trends are:

- after rising since the late 1990’s, total number of looked after children has fallen since 2012, driven mainly by fewer children being ‘looked after at home’
- an increase in children becoming ‘looked after’ under the age of five, from 29% in 2005 to 38% in 2015.
- an increase in the length of time children are ‘looked after.’ In 2003, 19% were ‘looked after’ for 3 years or more. By 2015, this had increased to 35%.
- increasing use of foster care and kinship care

There has been considerable policy effort over recent years to reduce ‘drift and delay’ for looked after children. Following an SCRA research report highlighting these issues in 2011 the Scottish Government published “Care and Permanence for Looked After Children.” It funded the Centre of Excellence for Looked After Children to run a programme of work with local authorities on improving permanence. In their overview of their work on permanence they state:

When a child is removed from their birth family there is rarely initial agreement that the separation will be permanent; instead, most children experience a period of uncertainty while decisions are made about their future care

Such uncertainty can be prolonged. Children often move through a series of temporary placements with different carers, or may be reunited with their parents before being removed into care again. Late separation and disruption of

attachments formed during alternative care-giving relationships can have a profound effect on the development and wellbeing of those children in their childhoods and for their future. Recent Scottish research drew attention to extended timescales in achieving permanence for children and highlighted drift and delay in decision-making processes as problematic. ([CELCIS, 2016](#))

CELCIS published an [interim evaluation \(2014\)](#) on the first year of their Permanence and Care Excellence programme, in which they worked with three local authorities. This 'whole systems approach to change' is being extended to more local authorities ([Scottish Government 2015](#))

The [looked after children strategy \(November 2015\)](#) outlined the following aims in relation to permanence

- reduce the number of children and young people on long-term compulsory supervision (over two years)
- 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

5. Early Intervention and Prevention

Potential themes for discussion:

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| <ul style="list-style-type: none"> • impact of the GIRFEC approach • resources for preventative approaches • services for children 'on the edge of care' • the appropriate use of Compulsory Supervision Orders where children are 'looked after at home' |
|---|

While the Named Person element of the GIRFEC approach has become controversial, the broader principles of GIRFEC – holistic approach, child centred approach and early intervention, have become part of the language across children's services.

The looked after children strategy has the following aims in order to prevent children needing to become 'looked after'

- embedding the use of the GIRFEC approach
- increasing the use of strategic commissioning
- providing additional support to families at the edge of care,
- 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.

The strategy signals a change in approach to the use of 'looked after at home.' These children have long had worse outcomes in terms of school attendance and attainment than accommodated children. The strategy states:

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 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 ([Scottish Government 2015](#))

A related development is the provision of support services under Part 12 of the 2014 Act. Regulations ([SSI 2016/44](#)) which came into force in August require local authorities to provide services to families of children at risk of being looked after. These services are:

- family group decision making, and
- support services in relation to parenting.

The intention is that early provision of such services may increase the ability of the family to cope and prevent a child having to be taken into care.

6. Improving care leaver outcomes

Possible themes for discussion:

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| <ul style="list-style-type: none"> • the role of the 'corporate parent' in a school context • particular approach required for looked after children compared to other disadvantaged children |
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Recent [Scottish Government guidance](#) on corporate parenting notes that:

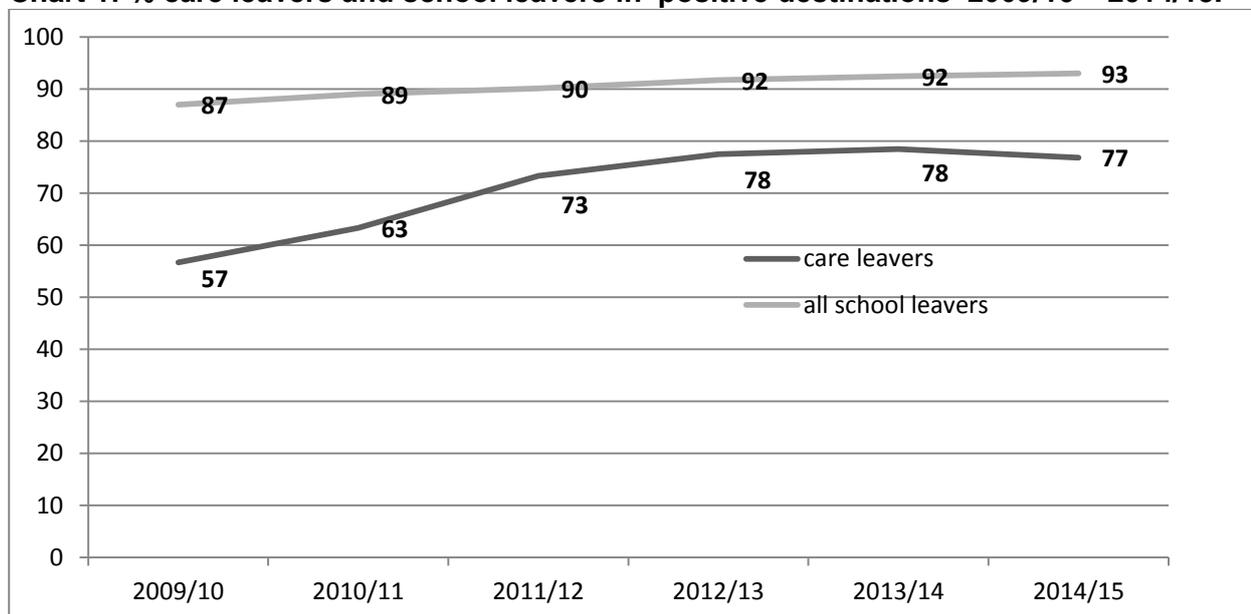
Low levels of educational engagement and achievement feed into high levels of poverty, homelessness and poor mental health. Rates of suicide and self-harm are higher than that of the general population. In 2013 a third of young offenders had been in care at some point in their childhood.

The [Delivery Programme for Scottish Education](#) includes a specific target to improve outcomes for Care Leavers:

increasing positive destinations from school for looked after children by 4 percentage points per annum, resulting in parity by **2021**.

The chart below shows that the proportion of care leavers in positive destinations increased considerably between 2009/10 and 2012/13. Between 2012/13 and 2014/15 it has remained at a similar level of 78/77%.

Chart 1: % care leavers and school leavers in 'positive destinations' 2009/10 – 2014/15.



source: [Scottish Government, Education outcomes of looked after children](#)

In both 2009/10 and 2014/15 the most common post-school destination for care leavers is further education (36% in 14/15). Four per cent go into Higher Education compared to only 1% in 2009/10.

In terms of school attainment, those who tend to do better are in foster care and have fewer placement moves during the year. In 2014/15 21% of school leavers in foster care gained at least one Higher (or equivalent) compared to 11% in kinship care and none who were 'looked after at home.' For more detail on educational outcomes see [Scottish Government \(2016\), Education Outcomes of Looked After Children](#).

Current policy on school education includes a focus on the role of parents. Following the 2014 Act, a wide range of public sector bodies are defined as 'corporate parents' of looked after children.

[Statutory guidance](#) on the corporate parenting duties was issued in 2015. It explains the role as:

corporate parenting is about certain organisations listening to the needs, fears and wishes of children and young people, and being proactive and determined in their collective efforts to meet them

Guidance states that: "Inclusion in schedule 4 means that the whole organisation (or the staff who support the individual listed) is responsible for fulfilling the corporate parenting duties set out in Part 9."

Every corporate parent must:

- Be alert to matters which, or which might, adversely affect the wellbeing of an eligible young person
- Assess the needs of eligible children and young people for any services or support provided
- Promote the interests of eligible children and young people
- Seek to provide eligible children and young people with opportunities to promote their wellbeing
- Take appropriate action to help eligible young people access those opportunities
- Keep their approach to corporate parenting under constant review, seeking out improvement wherever possible