

Last Updated – 12/02/08

CHILDREN'S SERVICES PLANNING

The National Context – Legislation/Standards/Key Drivers

There are many major changes at a national and local level that affect services to children and young people.

At the heart of this change is the principles supporting the implementation of the national '**Getting It Right For Every Child**' (GIRFEC)¹ Agenda, which aims to **place the child at the centre of service provision** in Scotland. It affects all agencies and services that provide care and support to children and their families.

Other elements working toward this agenda are the Integrated Children's Services Planning Framework, self-evaluation using quality indicators, integrated assessment and information sharing, joint inspections and workforce development. The Scottish Government is also coordinating 5 pathfinder projects; 1 regional and 4 domestic abuse projects. The key aim of these projects is to identify how Getting It Right For Every Child will work in practice.

In June 2006 the Scottish Government published a 5 year Changing Lives Implementation Plan which put in place the processes required to build capacity for a change across social work services. The plan translates the aspirations set out in **Changing Lives - the 21st Century Social Work Review** which was an independent review, commissioned in 2004², to examine all aspects of social work to improve its contribution to integrated services. The findings of the Review were published in early 2006 and set out recommendations for a new direction for social work services in Scotland. These were based around three over-riding conclusions:

- Doing more of the same won't work.
- Social work services don't have all the answers.
- Social workers' skills are highly valued and increasingly relevant to the changing needs of society.

The Scottish Government published '**Protecting children and young people: The Charter**' in March 2004. The Charter comprises 13 statements derived from a consultation process carried out by Save the Children with children and young people. There are key messages for those who deliver services to children about the importance of maintaining a child-focus rather than a process or single-agency focus and the need to reflect this in practice. The charter was published alongside the national standards for child protection, **Protecting Children and Young People: framework for standards**. The Framework for Standards in Child Protection (March 2004)³ remains a key reference document for all policy and procedure development within child protection.

¹ The consultation document "Getting It Right For Every Child: Proposals for Action" was published in June 2005. A year later the Scottish Government published its implementation plan. <http://www.scotland.gov.uk/Publications/2006/06/22092413/0>

² <http://www.socialworkscotland.org.uk/>

³ <http://www.scotland.gov.uk/Topics/People/Young-People/children-families/17834/10300>

Protecting Children & Young People: **Interim Guidance for Child Protection Committees for Conducting a Significant Case Review**. The Interim Guidance for Child Protection Committees for Conducting a Significant Case Review was published in March 2007, its status is Interim only in the sense that it relates to Significant Case Reviews about children, not in the sense that it is incomplete or temporary. For significant cases involving children, this guidance – revised in the light of consultation findings – should be taken as the considered national guidance.⁴ This has been implemented via Clackmannanshire Child Protection Committee.

Protecting Children and Young People: Child Protection Committees⁵, Feb 2005
This Scottish Government document introduced guidance on **how key agencies and Chief Officers should work together in respect of child protection**, and introduced a model for how these responsibilities would be discharged through **reformed Child Protection Committees (CPCs)**. This has been fully implemented in Clackmannanshire and the structures were presented to ministers within the first letter of assurance.

Hidden Harm – The Next Steps⁶ was written in order to improve how children at risk from parental substance misuse are identified, and to make sure that they are safe. It pulls together relevant existing initiatives and guidance as well as some new action points. There is also significant focus on building on previous publications such as “Getting It Right For Every Child”⁷. One of the main messages coming from this document is that **co-ordinated and effective multi-agency working is essential to ensure the care and protection of vulnerable children**, and also to promote their future development and well being. All professionals who come in contact with substance misusers and/or their children have a responsibility to ensure that children in these circumstances are identified as early as possible and are given appropriate support and protection. There are therefore a wide range of partners with a role to play – education, health, social work, police, criminal justice and the voluntary sector that includes the specialist drug and alcohol services. For all these partners **the needs of the child must take precedence over the needs of the drug using adult**.

Delivering a Healthy Future: An Action Framework for Children and Young People's Health in Scotland. Published February 2007 the document sets out a structured programme of actions, drawn primarily from existing policy initiatives and commitments, to improve services for children and young people in Scotland.⁸

“Improving Health in Scotland: The Challenge (2003)” states the Scottish Government’s commitment to health improvement and social justice and its overarching aim of tackling health inequalities. It reinforces the need for cross cutting, integrated action to improve sexual health in Scotland. This was further reinforced with the publication of the “**Respect and Responsibility – Strategy and Action Plan for Improving Sexual Health**”⁹. The main focus of the strategy is; promoting respect and responsibility, preventing sexually transmitted infections and

⁴ <http://www.scotland.gov.uk/Publications/2007/03/30114400/0>

⁵ <http://www.scotland.gov.uk/Publications/2005/02/20675/52303>

⁶ Hidden Harm – The Next Steps Scottish Government publication 2006
<http://www.scotland.gov.uk/Resource/Doc/114027/0027764.pdf#search=%22hidden%20harm%20-%20the%20next%20steps%22>

⁷ Getting it Right for Every Child: Proposals for Action, Scottish Government 2005 www.scotland.gov.uk/Publications/2005/06/20135608/56098

⁸ <http://www.scotland.gov.uk/Publications/2007/02/14154246/0>

⁹ <http://www.scotland.gov.uk/Resource/Doc/35596/0012575.pdf>

unintended pregnancies, and providing better services. To progress the implementation of the National Sexual Health Strategy within Forth Valley; a multi-agency strategy has been developed with local implementation groups.

Following the publication of the Scottish Needs Assessment Programme report on Child and Adolescent mental Health in March 2003, work has been progressed to develop a “**Children and Young People’s mental Health: Framework for Promotion, Prevention and Care**”¹⁰. The Framework has been developed to assist local health and local authority services in the planning and delivering integrated approaches to children and young people’s mental health across the continuum of promotion, prevention and care.

In June 2006 the Scottish Government published **More Choices More Chances: A Strategy to Reduce the Proportion of Young People not in Education, Employment or Training in Scotland**¹¹. Local authorities are expected to take the lead on implementing the strategy and have been asked to work with local partners to deliver this. The Executive recognised that there were areas of Scotland where the problem was particularly acute and provided extra financial help to those local authorities where the problem was greatest. Clackmannanshire was one of seven areas to receive additional funding¹² over two years to **facilitate joint working at a local level and ensure that services meet the needs of young people**.

A multi-agency partnership was set up in August 2006 to develop a local strategy for Clackmannanshire and this was approved by Council in January 2007.

Working For Families (WFF), is part of the Scottish Government’s **Closing the Opportunity Gap** approach to tackle poverty and disadvantage. It underpins the executive’s commitment to eradicate child poverty within a generation and will complement the employability framework. WFF aims to provide affordable, accessible childcare that enables parents in deprived areas or groups to access education, training or employment. Target groups for the fund include lone parents, families on low incomes and families with other stresses in the household, which make it difficult to sustain employment.

WFF is Scottish Government funding allocated to a selection of local authorities based mainly on the numbers of children in households dependent on key (workless) benefits. Funding of £10 million per annum was allocated to 10 local authorities in 2004-06 to develop and deliver WFF services. This has now been extended to include a further 10 local authorities, that includes Clackmannanshire Council, who were granted £700,000 for 2006-2008¹³. The original 10 local authorities will continue to receive funding at the same levels in 2006-08, with the remainder of the fund being allocated between the additional local authorities. The initiative within Clackmannanshire is overseen by a multi-agency steering group that includes Children’s Services Planning representation.

¹⁰ <http://www.scotland.gov.uk/Resource/Doc/77843/0018686.pdf>

¹¹ <http://www.scotland.gov.uk/Publications/2006/06/13100205>

¹² £400,000 in 2006-2007 and in 2007/2008.

¹³ Details of the budget can be found in Appendix A.

How Good is Our School 3? Published in April 2007 along with a revised edition of *Child at the Centre*, this document forms the third part of “How Good Is Our School? - The Journey to Excellence”.¹⁴

Schools of Ambition. The Scottish Government announced in Feb 2007 that 21 more secondary schools across Scotland are to join the Executive's School of Ambition programme. The programme aims to increase ambition and belief, extend opportunities and transform future lives. Clackmannanshire's 3 secondary schools were successful in receiving a total of £300,000 over the next 3 years (equating to £33,300 per school per year).

The National Framework for **Health Promoting Schools** in Scotland, was published by the Scottish Health Promoting Schools Unit (SHPSU)¹⁵ in 2004. The SHPSU was established in 2002 in response to the commitment given in the Scottish Government documents¹⁶ “Towards a Healthier Scotland” (1999) and “Our National Health: a plan for action, a plan for change” (2000).

Health promoting schools aim to:

- develop and support the physical, social, spiritual, mental and emotional health and well-being of all pupils and staff
- work in partnership with others to identify and meet the health needs of the whole school and the wider community.

All schools are working towards becoming Health Promoting Schools by 2007. The concept promotes the agenda for *Ambitious Excellent Schools* and *A Curriculum for Excellence* and requires the adoption of a whole school approach to the promotion and protection of health for all pupils. In addition to ensuring health promotion is integral to the curriculum, it supports the idea that school policies, services, extra-curricular activities and the wider community are all relevant factors in fostering the health and well-being of children.

Youth Work Strategy Consultation responses. The Scottish Government published in March 2007 responses to its consultation on the youth work strategy “Youth Work: Opportunities for All”.¹⁷

These are only some of the most recent and relevant legislation, standards and key drivers to children's services planning at this point in time.

¹⁴ <http://www.hmie.gov.uk/documents/publication/hgiosite3.pdf>

¹⁵ <http://www.healthpromotingschools.co.uk/familyandcommunity/whatis/index.asp>

¹⁶ http://www.healthpromotingschools.co.uk/images/Beingwelldoingwell_tcm4-121991.pdf

¹⁶ <http://www.scotland.gov.uk/library/documents-w7/tahs-00.htm>

¹⁷ <http://www.scotland.gov.uk/Publications/2001/01/7990/File-1>

¹⁷ <http://www.scotland.gov.uk/Publications/2007/02/23155705/0>

LEGISLATION/STANDARDS/KEY DRIVERS CONTINUED

RELEVANT NATIONAL LEGISLATION

Education (Scotland) Act 1980 (as amended)

This sets out the requirement for local authorities to provide school education, including provision for special educational needs. This legislation defines special educational needs and learning difficulties.

United Nations Convention on the Rights of the Child (1990)

The convention, which the UK government ratified in 1991, sets out the rights that all children up to the age of 18 should have. The 3 main rights are; non-discrimination, decisions being made in the best interest of the child, listening to children's views.

Community Care Act 1990

From 1st April 1993, the Social Services Departments of local authorities have the main responsibility in assessing and meeting social care needs.

Environmental Protection Act 1990

Parks and public open spaces including play areas are with few exceptions subject to the act and the council has a duty to clear litter and dog fouling from open ground to the standard and timescales set out in the act.

The Age of Legal Capacity Act 1991

Legislation that defines the legal capacity for under 18 year olds to enter into transactions.

Local Government etc (Scotland) Act 1994

The Act covers reorganisation of Scottish local government from 1 April 1996. It also allows for the creation of 3 new water authorities and the creation of the Scottish Children's Reporter Administration.

The Children (Scotland) Act 1995

This act establishes the fundamental principle that each child has the right to be treated as an individual, and places a duty on local authorities to plan and publish information on services for children and young people. Local authorities are required to consult with children, young people, parents and organisations to develop services which best meet their needs. The act defines both parental responsibilities and rights in relation to children. The three main principles of the Children (Scotland) Act 1995 are:

- the welfare of the child is paramount consideration
- minimum necessary intervention in children's lives (no order principle)
- the views of the child must be considered.

Disability Discrimination Act 1995

The act introduced new measures aimed at minimizing discrimination and protecting disabled people in the areas of employment, access facilities and services, rights to property and access to education. New provisions came into force in 2004 regarding access to goods and services with statutory requirements to make reasonable adjustments for disabled people. Local authorities should be auditing services and provisions and making any necessary adjustments. Since December 1996, it has been unlawful to treat disabled people less favourably than other people for a reason related to their disability. Since October 1999 authorities have had to make reasonable adjustments for disabled people, such as providing extra help or making changes in the provision of services.

The **Disability Discrimination Act 1995** was amended by the **Disability Discrimination Act 2005** which places a statutory General Duty on all public authorities to promote disability equality and requires them to adopt a proactive approach, mainstreaming disability equality into all decisions and activities. This refers not only to making decisions about the future, but also to take action to tackle the consequences of decisions in the past which failed to give due regard to disability equality. The duty makes the promotion of disability equality central to the way that Clackmannanshire Council operates, improving our services to everyone and helping to mainstream disability equality. Scottish Local Authorities were required to publish a **Disability Equality Scheme** by the 4th of December 2006.

The Human Rights Act 1998

Article 31 states that 'state parties recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

Race Relations (Amendment) Act 2000

The specific duties introduced by the Race Relations Act came into full effect in Scotland on 30 November 2002. This act places a general duty on all public bodies, including local authorities, to promote race equality taking action to prevent acts of race discrimination before they occur. It also requires each public body to produce a Race Equality Scheme. Clackmannanshire Council published a Race Equality Scheme which is a timetabled and realistic plan, setting out our arrangements for meeting the general and specific duties in terms of race relations. Its aim is to help us eliminate unlawful racial discrimination and promote racial equality. The Act also introduced specific duties on educational institutions including the requirement to assess, monitor, and publish the impact of it's policies on pupils, staff and parents of different racial groups. Including in particular, the impact of attainment levels of such pupils. For more details see the following website:

http://www.cre.gov.uk/duty/pa_specific_education_schools_scotland.html

All public authorities covered by the Duty to publish a Race Equality Scheme are required by legislation to conduct a review of those functions and policies which they assessed as being relevant to the General Duty of the Race Relations (Amendment) Act 2000 by the 30th November 2005.

The Standards in Scotland's Schools etc Act 2000

Created a new statutory framework for schools education that requires local authorities and schools to plan, monitor and report on improvement in education. The **National Priorities in Education** give strategic direction to the education system and are defined under the following headings:

- Achievement and Attainment
- Framework for Learning

- Inclusion and Equality
- Values and Citizenship
- Learning for Life

'Ambitious, Excellent Schools' sets out the Scottish Executives agenda for the most comprehensive programme of modernisation within the school system. **'A Curriculum For Excellence'** is an important part of this modernisation and establishes clear values, purposes and principles for education from 3-18 years. **'Assessment, Testing And Reporting 3-14'** is another element of this reform and aims to ensure that the interests of the pupil always comes first.

Adults with Incapacity (Scotland) Act 2000

The Adults with Incapacity (Scotland) Act 2000 has changed the system for safeguarding the welfare, and managing the finances and property, of people who are unable to take some or all decisions for themselves because of mental health problems, learning disabilities or some other impairment with affects their abilities.

Special Educational Needs and Disability Act 2001

The Act introduced duties for education providers not to discriminate against disabled pupils.

Regulation of Care (Scotland) Act 2001

The Regulation of Care (Scotland) Act 2001 has introduced National Care Standards that includes childcare and covers services for children and young people up to the age of 16 years. The standards focus on service users experiences (outcomes) rather than the organisational procedures (processes).

Education (Disabilities Strategies and Pupil's Educational Records) (Scotland) Act 2002

Requires local authorities to prepare a strategy to improve access to education for disabled pupils.

Freedom of Information (Scotland) Act 2002

The Freedom of Information (Scotland) Act 2002 introduces important new rights to access information held by public authorities and will require more proactive publication of information.

Community Care & Health (Scotland) Act 2002

The Community Care and Health (Scotland) Act 2002 has introduced changes for health and community care services, including the re-balancing of care and support for older people (e.g. free personal care), the introduction of Direct Payments, and further measures to acknowledge and support carers.

The Mental Health (Care and Treatment) Scotland Act 2003

This act makes a range of provisions to secure benefits for, and protect the rights of, people with a mental disorder. This includes protecting the specific interests of children and young people including the provision that accommodation, care and treatment should be provided which best secures the welfare of the child.

Local Government Act 2003

Sets out the duties of local authorities for community planning and consultation with local people. There is a requirement to promote economic, social and environmental well-being in partnership with other agencies and in consultation with communities. The 21st Century Government Agenda also requires local authorities and other public sector providers to work in partnership, to be open and accountable, to be inclusive and to deliver their commitments. To assist with the delivery of national targets for 21st Century Scotland, Modernising

Government funding has been applied with a particular focus on information and technology. Projects such as e-citizen and e-care are included in technological advancements. The Clackmannanshire Community Plan is currently undergoing extensive revision.

Antisocial Behaviour etc (Scotland) Act 2004

The act contains a wide range of provisions to tackle antisocial behaviour and has the following key principles:

- Everyone has the **right to live without** the scourge of antisocial behaviour
- Responsibility to **respect** themselves, their immediate neighbours and the community generally
- **Prevention** is better than cure, but effective sanctions are needed in cases of persistent or serious cases
- It is **not about stigmatising** particular groups but confronting the small minority.
- Each local authority, together with the local Chief Constable, has a duty to prepare a strategy for dealing with antisocial behaviour in their area

The Antisocial Behaviour etc (Scotland) Act 2004 extended the ASBO regime to cover 12-15 year olds. Although breach of Orders by these young people cannot be punished through imprisonment, it is a criminal offence. The legislation lays down procedures requiring that, when relating to young people, ASBO application procedures are integrated within the Children's Hearing System. This procedure also applies to young people between the age of 16 and 18 years who are the subject of statutory supervision or young people who are aged over 16 and have been formally looked after and accommodated by the local authority.

The Antisocial Behaviour etc (Scotland) Act 2004 cannot operate in isolation when the issue of young people's involvement in antisocial behaviour is being considered. The Children (Scotland) Act 1995 places a range of duties and responsibilities on the local authority in respect of children and young people. The duties, responsibilities and principles of the 1995 Act, must be considered when addressing the issue of antisocial behaviour caused by young people.

Vulnerable Witnesses (Scotland) Act 2004

The Act aims to improve conditions for vulnerable witnesses by increasing the number of support measures available to help them participate more fully in criminal and any civil court proceedings. Some of the most vulnerable witnesses are children and the Act aims to ensure they are supported and protected at all stages of the legal process.

The Education (Additional Support for Learning) (Scotland) Act 2004

This act came into force in November 2005 and placed a duty on educational authorities to give additional help to all children and young people who need it, to support their learning. This is a move from the concept of 'special educational needs' to the wider and more encompassing 'additional support needs'. "**Sharing practice across sectors, across Scotland**" the purpose of this document is to support implementation of the Education (Additional Support for Learning) (Scotland) Act 2004 by sharing information about practice as widely as possible.¹⁸

The Licensing (Scotland) Act 2005

This legislation comes into force February 2008, and fully in force by the end of the transition period on 5am 1st Sept 2009. All staff must have received training before this deadline. The Act complements the wider policies of the Scottish Government and includes measures to tackle antisocial behaviour, under age drinking, binge drinking, and the wider problems associated with alcohol misuse. The Act establishes a national policy framework to provide an appropriate level of consistency across Scotland on the implementation of licensing policy. Within that national framework, Licensing Boards will have flexibility to take local decisions in light of their own area's particular circumstances. The Act sets out 5 high level

¹⁸ <http://www.scotland.gov.uk/Publications/2007/02/27143228/0>

“licensing objectives.” Which represent the principles on which the new licensing system is based, and provide Licensing Boards with a solid foundation on which to build their own local policies:

- Preventing crime and disorder;
- Securing public safety;
- Preventing public nuisance;
- Protecting and improving public health; and
- Protecting children from harm.

http://www.opsi.gov.uk/legislation/scotland/acts2005/pdf/asp_20050016_en.pdf (Act)
<http://www.scotland.gov.uk/Resource/Doc/175487/0049459.pdf> (guidance)

Protection of Vulnerable Groups (Scotland) Act 2007

An Act of the Scottish Parliament to bar certain individuals from working with children or certain adults; to require the Scottish Ministers to keep lists of those individuals; to make further provision in relation to those lists; to establish a scheme under which information about individuals working or seeking to work with children or certain adults is collated and disclosed; to amend Part 5 of the Police Act 1997; to amend the meaning of school care accommodation service in the Regulation of Care (Scotland) Act 2001; and for connected purposes.

Scottish Vetting and Barring Scheme - Consultation on Policy Proposals for Secondary Legislation. This consultation ending: February 12, 2008 invites comments on policy proposals for secondary legislation required to implement the vetting and barring functions introduced through the Protection of Vulnerable Groups (Scotland) Act 2007.

STANDARDS

The Fostering of Children (Scotland) Regulations 1996

These Regulations apply where a local authority foster a child who is looked after by them under the Children (Scotland) Act 1995. The main change to the Regulations is that provision is made for local authorities collectively to enter into agreements with voluntary organisations to discharge general fostering arrangements on their behalf.

The Arrangements to Look After Children (Scotland) Regulations 1996

These Regulations make provision with respect to the duties of local authorities for children who are looked after.

The Support & Assistance of Young People Leaving Care (Scotland) Regulations 2003

These Regulations, which come into force on 1st April 2004, deal with the provision of aftercare under section 29 of the Children (Scotland) Act 1995 for young people who have been looked after by local authorities, but are no longer looked after by them. They also provide for throughcare preparation for young people leaving care.

Local Agenda 21 (& Local Biodiversity Action Plan)

This places an obligation on local authorities to advance the role of children and young people by the active involvement in the protection of the environment and the promotion of economic and social development through their participation in recreation.

KEY DRIVERS

Protecting Children and Young People: the Charter¹⁹ (Scottish Executive: 2004). The Charter sets out what children and young people need and expect to help protect them when they are in danger of being, or already have been, harmed by another person. The Scottish Executive is committed to delivering improved services for children and young people. As part of the **Child Protection Reform Programme**,²⁰ a **Framework for Standards**

¹⁹ <http://www.scotland.gov.uk/Publications/2004/04/19082/34410>

²⁰ <http://www.scotland.gov.uk/Topics/People/Young-People/children-families/17834/10227>

²¹(Scottish Executive: 2004) for child protection has been developed which builds on these Charter statements and the pledges made to help deliver better, more joined-up, child focused services for vulnerable children and young people.and 'Protecting Children and Young People: .

Community Health Partnerships (CHPs) came into being in April 2005 and is the key driver for integrating community child health services, primary care services, respite services, social care, education and other services for children and young people. It is intended that CHPs will build on existing achievements and make a measurable improvement in local population health to provide higher quality, accessible, joined up services to local communities.

Health for All Children, known as Hall 4, reflects a move towards a greater emphasis on health promotion, primary prevention and targeting effort on active intervention for children and families at risk. Guidance was issued in April 2005 and implementation of this guidance, along with the NHS modernisation programme described above, provides an opportunity for coherent planning to shape the future of child health services. The opportunity to develop the individual roles of primary care, health promotion, nursery, childcare and school staff will be key to implementing Hall 4²².

The Scottish Executive published '**Schools Out' A Framework For The Development Of Out Of School Care** this confirms the importance of out-of-school care services; breakfast clubs, after-school clubs and holiday play schemes.

Determined To Succeed is the Scottish Executive's strategy for enterprise in education. It is about business and education working together to change young peoples attitudes, and aims to helps Scotland's young people develop self-confidence, self-reliance and ambition to achieve their goals – in work and life.

Determined to Succeed Three years on: Investing in Scotland's Future - Creating a culture of enterprise in our schools. This is a report detailing the progress of delivery of the Determined to Succeed strategy since 2003.²³

Children and young people experiencing domestic abuse (CYPEDA) have been identified as a priority group for service in reports and documents produced and commissioned by the Scottish Executive since the publication of the National Strategy to Address Domestic Abuse in Scotland in 2000.The strategy acknowledged the impact that **domestic abuse** can have on lives of children and young people; and the correlation between domestic abuse and the physical and sexual abuse of children. The Scottish Executive has funded a diverse range of projects in urban and rural locations since April 2002 and encourages multi-agency working between local agencies such as social work departments, the police and support groups like Women's Aid. In 2003 it provided additional funding to ensure a minimum standard of service across Women's Aid groups in Scotland and in every local authority area. Through local and national funding all groups/local authorities in Scotland will now provide a refuge/follow on (aftercare) service and employ a worker to develop an outreach service to CYPEDA who live in the wider community.

Revised Scottish Executive guidance on the preparation of local Children's Services Plans **encourages local agencies to ensure integrated approaches to the planning and delivery of services** for all children and young people, in particular for those who are at risk or in need of additional support. A guidance note²⁴ drawing together existing good practice and advice on meeting the needs of children and young people affected by domestic abuse was published in October 2004. This guidance note is issued within the context of the joint COSLA and Scottish Executive partnership priority for better integrating services for children and young people, in particular for those that are vulnerable or disadvantaged. The note

²¹ <http://www.scotland.gov.uk/Publications/2004/03/19102/34603>

²² Health for all children 4 – Guidance on implementation in Scotland April 2005

²³ <http://www.scotland.gov.uk/Publications/2007/03/07101713/0> and

<http://www.scotland.gov.uk/Publications/2007/02/19105635/0>

²⁴ <http://www.scotland.gov.uk/Publications/2004/10/20122/45520>

complements revised guidance issued on integrated children's services planning and specific policy initiatives, including the Child Protection Reform programme, Integrated Community School approach, *Starting Together* - Integrated Early Years Strategy.

The Scottish Government published a strategy for **kinship and foster care** in December 2007²⁵.

- Kinship care is the care of children by their extended family or a close friend of the family. It includes children who are formally looked after by the local authority and arrangements that are made privately between family members without local authority involvement.
- There is a great variety of practice in different local authorities with regard to kinship care.
- The Scottish Government intend to bring forward regulations which will require local authorities to pay an allowance to kinship carers of looked after children. The provision of these allowances forms one of the policy commitments in the concordat between COSLA and the Scottish Government.
- The number of kinship care placements for looked after children is increasing.

In January 2007 the Scottish Executive published a report whose desire was to see a step change in outcomes for looked after children and young people. To this end **Looked After Children and Young People: We Can and Must Do Better**²⁶ reflects the discussions which took place during the meetings of the Ministerial short-life working group that considered the educational outcomes for looked after children and young people, and refers throughout to the views and experiences of looked after children and young people.

As a result of these discussions it became clear that whilst the group was focused on educational outcomes it needed to look at areas beyond the traditional sphere of education that impact upon the lives of looked after children and young people and can, in turn, impact on their educational outcomes. This realisation led to the identification of 5 key themes:

- Working together
- Becoming effective life long learners
- Developing into successful and responsible adults
- Being emotionally, mentally and physically healthy
- Feeling safe and nurtured in a home setting.

The report also builds on the excellent work contained within **More Choices, More Chances: A Strategy to Reduce the Proportion of Young People not in Education, Employment or Training in Scotland**²⁷ and the Social Work Inspection Agency's 2006 report, **Extraordinary Lives - creating a positive future for looked after children and young people in Scotland**²⁸. It looks forward to the children's services reform signalled by **Getting It Right for Every Child (GIRFEC)**.

Crucially, **Looked After Children and Young People: We Can and Must Do Better** sets out 19 specific and targeted actions that we will deliver under the 5 key themes above. The report highlights and addresses 8 notable messages:

- The importance of the corporate parent role²⁹;

²⁵ <http://www.scottish.parliament.uk/business/research/briefings-08/SB08-03.pdf>

²⁶ <http://www.scotland.gov.uk/Resource/Doc/162790/0044282.pdf>

²⁷ <http://www.scotland.gov.uk/Resource/Doc/129456/0030812.pdf>

²⁸ <http://www.swia.gov.uk/swia/files/B41614%20LAC.pdf>

²⁹ meaning the formal and local partnerships needed between all local authority departments and services, and associated agencies, who are responsible for working together to meet the needs of looked after children and young people

- The need to raise awareness of the educational needs of looked after children and young people and improve training for all foster carers, residential workers, lead professionals, support workers and associated professionals;
- The need for clarity regarding the role and responsibilities of the designated person within schools and residential establishments;
- The importance of providing flexible and appropriate support before, during and post transitions;
- The importance of physical, mental and emotional health and wellbeing in facilitating positive educational outcomes;
- The need for good quality accommodation, which supports the education, training or employment of looked after children and young people;
- The importance of clear advice and a range of emotional, practical and financial support for looked after young people as they make the transition to adulthood/ independent living; and,
- The vital importance of stability and continuity within education and care settings.

The same as you?³⁰, the report of the national review of services for people with learning disabilities, was published in May 2000. A key objective of its implementation is for mainstream services to meet the needs of children, young people and adults with learning disabilities and/or autistic spectrum disorders wherever possible, supported by specialist services for those who need them. Policy and practice developments for all children and young people should, therefore, consider and address the needs of these children too.

Moving Forward: a Strategy for Improving Young People's Chances through Youth Work³¹. March 2007. The aim through this strategy, is to give youth work in Scotland the best possible opportunity to play an increasingly visible, substantial and effective role in achieving long term benefits for young people. It aims to support long-term growth in the sector with more opportunities for young people, volunteers and youth workers, better facilities and more effective, targeted support at a national level. Some of the measures outlined therefore represent long-term changes in how we work

³⁰ The same as you? A review of services for people with learning disabilities, Scottish Executive (2000) – www.scotland.gov.uk/idsr/docs/tsay-00.asp

³¹ <http://www.scotland.gov.uk/Publications/2007/03/08113759/0>