

To: Education and Children's Services Policy Board

On: 12 March 2020

Report by: Director of Children's Services

Heading: Publication of Scotland's Independent Care Review findings

1. Summary

- 1.1. In October 2016, following extensive lobbying by care experienced people and the organisations which advocate for them, Scotland's First Minister announced, an independent, root and branch review of Scotland's care system.
 - 1.2. The independent Care Review began its work in February 2017 and looked at the underpinning legislation, practices, culture and ethos of the Care System. It was agreed that the Care Review would take up to three years to conclude. The Independent care review was published on the 5th February 2020 and makes significant recommendations about the future of Scotland's Care system and the changes required to improve this.
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2. Recommendations

Elected members are asked to;

- a) note the publication of the reports produced by the Independent Care Review
 - b) note that Children's Services required to further analyse the recommendations to understand what it means for our current practice.
 - c) Note that a further report will be brought back to Board which will update members on implications for policy and practice in Renfrewshire.
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3. Background

- 3.1. The independent Care Review was established as an independent root and branch review of the care system, covering legislation, practice, culture and ethos. It gathered evidence from a wide range of sources, with the voices of around care experienced people central to the evidence gathering. The findings of the review were published on 5 February 2020.
- 3.2. In addition to listening to care experienced people the care review listened to the paid and unpaid workforce who deliver Children's Social Care in Scotland. In total the review engaged with over 5500 people. Over half of these were children, young people and adults with experience of the "care system"
- 3.3. There are 5 main reports of the care review.
 - **The Promise** (and a **Pinky Promise** for younger readers): tells Scotland what it must do to make sure its most vulnerable children feel loved and experience the childhood they deserve.
 - **The Plan**: explains how this change must happen.
 - **The Money** and **Follow the Money**: explain how Scotland can invest better in its children and families.
 - **The Rules**: demonstrates the legislative framework and how it must change to achieve the promise.
 - **Thank You**: a thank you to those who have contributed to the Care Review.

3.4. Key Findings

- 3.5. The findings are framed around five "foundations" – voice, family, care, people and scaffolding. These refer to the key principles about the child's voice in decision making, the importance of families in caring, the services which form the 'care system, the workforce and the legislative and policy guidance which governs the system.
- 3.6. Central the findings are the recognition that more universal family and parenting support services are needed, and that children and families should always be supported to remain together where it is safe, with targeted and intensive support available to help them overcome challenges.
- 3.7. The review calls for more use of kinship and foster care and greater wraparound support for these carers. It recommends equivalency of payments to both types of carer.
- 3.8. It is proposed that young people should have a right to return to care after the age of 18 where they feel they need additional support.
- 3.9. The review emphasises the importance of values and qualities over qualifications in the workforce and stresses the need for relationship building.

4. Voice and Rights

- 4.1 Central to the findings is the recognition that the voice of the child, and the voice of the family, is not always sufficiently reflected in decision-making. Agencies need to improve the way in which children and families are included in decisions and be able to evidence this. This should include the voice of the siblings, and the report states that there needs to be a greater effort to understand and act upon quieter voices (for example, infants, non-verbal children, children with a learning disability). The voice of workers with the closest relationship to the child need to be heard strongly, regardless of professional hierarchies.
- 4.2 The review calls for a “decluttering” of the legislative landscape and a greater emphasis on promoting the rights of the child.

5. Universal Services

- 5.1 The impact of poverty on family life is highlighted in the findings, which reflect the wider societal issues at play. It refers to evidence that financial assistance can contribute to a reduction in child abuse and neglect.
- 5.2 The review calls for more universal services delivering family and parenting support; this would not only support an early intervention agenda but would de-stigmatise support. It proposes ten principles which should underpin an intensive family support service. It also proposes a universal offer of attachment-based parenting education to sit alongside existing antenatal care, and places for parents of babies and infants to go to access general support as well as meet other parents. It is stressed that the local authority is not necessarily the agency which would provide this.
- 5.3 The review found that schools are not always sufficiently ambitious for pupils in the care system. Given the place of schools within their local communities, it also suggests that schools could be resourced to provide some of the family support being advocated.
- 5.4 There should be more support for care-experienced young people to pursue further and higher education, at whatever age they choose. The review proposes that this should be available without that person incurring significant financial hardship.

6. Children in the care system

- 6.1 The review is clear that the default position for the care of children should always be the family home in circumstances where a child is safe and feels loved. The family should be supported to overcome their difficulties. If children have to be removed from their home, support should still be provided to the family.
- 6.2 Where it is not possible for a child to safely remain in the family home, the emphasis must be on family settings and on siblings remaining together (unless this is not safe). The review calls for the presumption of siblings remaining together needs to be fully implemented and closely monitored. Prior to the launch of the report, work had already begun in Renfrewshire to progress this issue.

- 6.3 The report reflects that kinship care is not always actively pursued and opportunities for care by the wider family are therefore being missed. Work is also underway in Renfrewshire to address this issue. The review recommends that kinship carers are paid at the same rate as foster carers.
- 6.4 The challenges of having enough foster care able to meet a wide range of needs, including offering homes for sibling groups, are considered. Foster care needs to provide a safe and loving environment where fostered children are part of family life in a meaningful way. Decision-making should not be driven by placement availability.
- 6.5 Intensive family support services should not just be available for a birth family. Kinship and foster carers and adoptive parents also need to be able to wraparound support when required and this should mirror the principles of intensive family support set out by the review.
- 6.6 The review recognises that residential and secure care will still be required but calls for many more community alternatives to secure care. It also calls for an end to 16- and 17-year olds being placed in Young Offender Institutions and to young people being automatically transferred from secure to YOIs when they reach their 18th birthday. Secure care needs to be provided as a therapeutic and trauma-informed intervention.
- 6.7 There is evidence that care experienced children are more likely to be criminalised for activity that would be dealt with within the family in a non-care context. The principles that children committing offences need support, care and protection needs to be restated.
- 6.8 The review proposes a right to return to care post 18 if additional support is needed. The importance of greater access to advocacy and legal support for care-experienced young adults is also highlighted.
- 6.9 One of the most challenging recommendations is focused on crisis intervention services; essentially, the review states that these should be phased out as earlier intervention and different models of family support and care are rolled out.

7. Workforce and Culture

- 7.1 Findings relating to the workforce (which for the purposes of this report includes foster carers) focus on the importance of values and relationships, and of workers being supported to be able to continue to care. Within universal services, it recommends all workers who come into contact need to focus on positive relationships and values.
- 7.2 The review points to the language used in relation to the care system as something which can stigmatise, as can the way workers dress (e.g. uniforms or lanyards) or the way in which meetings are conducted and the settings in which these meetings take place. It recommends that carers and workers must act, speak and behave like a family.

8. Other agencies

- 8.1 The report questions whether the current way in which Children's Hearings operate, and whether the practice of having volunteers as panel members needs to be reconsidered. It suggests that panel members need to have sufficient expertise in trauma, child development, neurodiversity and the rights of the child in order to make a balanced decision.
- 8.2 The report also finds that mental health services for children are not sufficient, with a lack of timely and appropriate support available.

9. Local Approaches

- 9.1 Recent service developments in Children's Services align with the approaches set out by the review. The new children's house which opened in 2019 is designed to prevent admissions to secure care by offering intensive support. The service has explored the possibility of a Family Group Decision Making model and has already trained some senior managers in this approach, with further training planned.
- 9.2 The right to continuing care was a cornerstone of social work practice in Renfrewshire prior to changes in legislation which expanded the right to people up to the age of 21.

10. Next Steps

- 10.1 In addition to 'The Promise' which presents the main findings, the review has produced supplementary documents outlining how the findings will be delivered and providing some financial context.
- 10.2 The review will now progress the production of 'The Plan', which will establish models of service and measures of progress over a ten-year period. This includes an expectation that the majority of crisis services will be obsolete by the end of the ten year programme.
- 10.3 The review expects that a new model of service design will generate significant savings for the public sector in Scotland by preventing future costs generated by care-experienced adults who have negative childhood experiences. In the supplementary documents 'The Money' and 'Follow the Money', the costs of care and of system failure are outlined, and an argument made for longer-term thinking and investment.
- 10.4 A programme of legislation is likely to follow; this will be intended to simplify the landscape but is also expected to introduce new duties for corporate parents.

Implications of this report

- 1. Financial**
Unknown as yet.
- 2. HR and Organisational Development**
Unknown as yet

3. Community/Council Planning

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| Building strong, safe and resilient communities | - Providing families and children with support to remain together will ensure our communities are supportive places for children to grow up in. |
| Tackling inequality, ensuring opportunities for all | - Providing families and children with the help they need at the earliest point possible will ensure our communities are inclusive for all. |
| Working together to improve outcomes | - Providing good quality care is central to ensuring that the most vulnerable children and families in Renfrewshire are provided with an opportunity to achieve their potential. |

4. Legal

Unknown at this time, it is likely that legislation will follow.

5. Property/Assets

None.

6. Information Technology

None.

7. Equality and Human Rights

(Please select the statement applicable to the recommendations contained within this board report and delete remaining statements)

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website. (Report author to arrange this).

8. Health and Safety

None.

9. Procurement

None.

10. Risk

None.

11. Privacy Impact

None.

12. Cosla Policy Position

None.

13. Climate Risk

None.

List of Background Papers

(a) Background Paper 1:) Independent Care Review Summary Document.

The foregoing background papers will be retained within children's services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Michelle McCargo Children's Services Manager 0141 618 6836

Children's Services

MMcC/KO 28/02/20

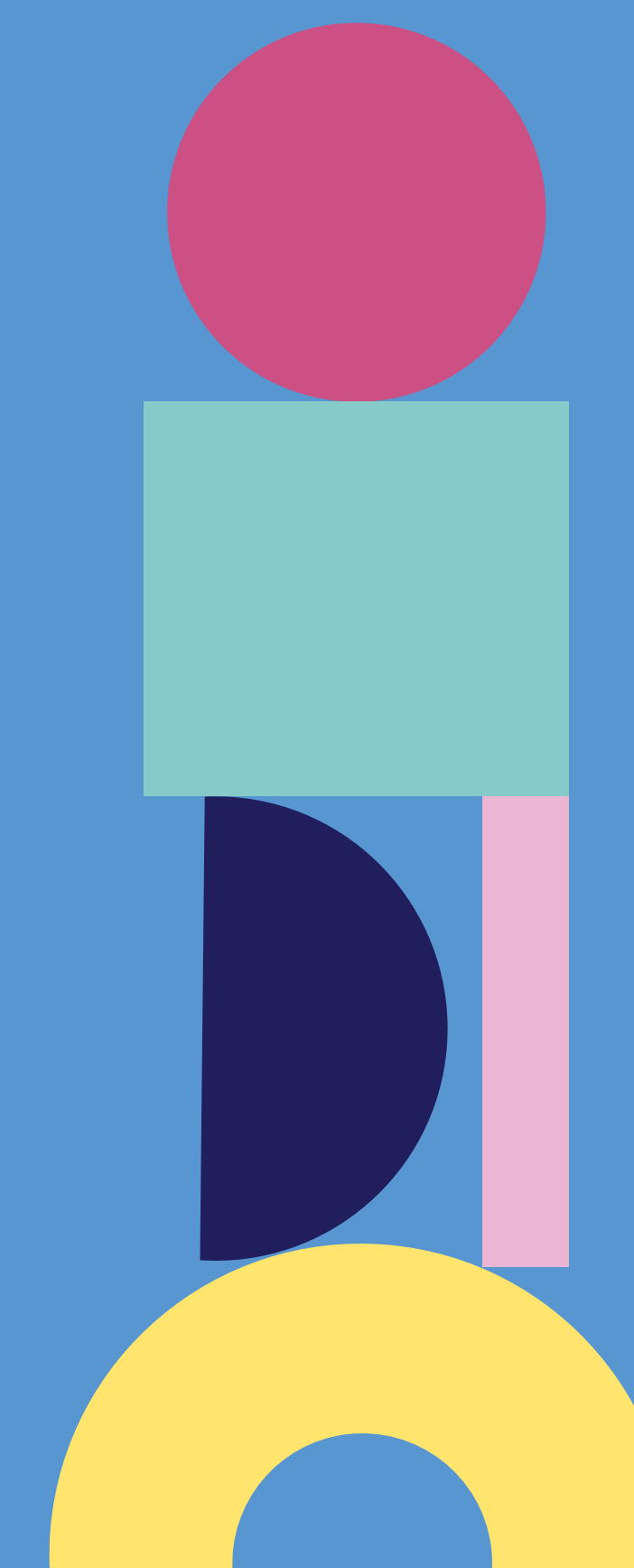
Author: John Trainer Head of Service Child Care and Criminal Justice.





FOUNDATION – FAMILY

P Everything detailed here, that Scotland must do, is accompanied by important narrative in The Promise. For more detail, please refer to the relevant page numbers in The Promise.





FOUNDATION – CARE

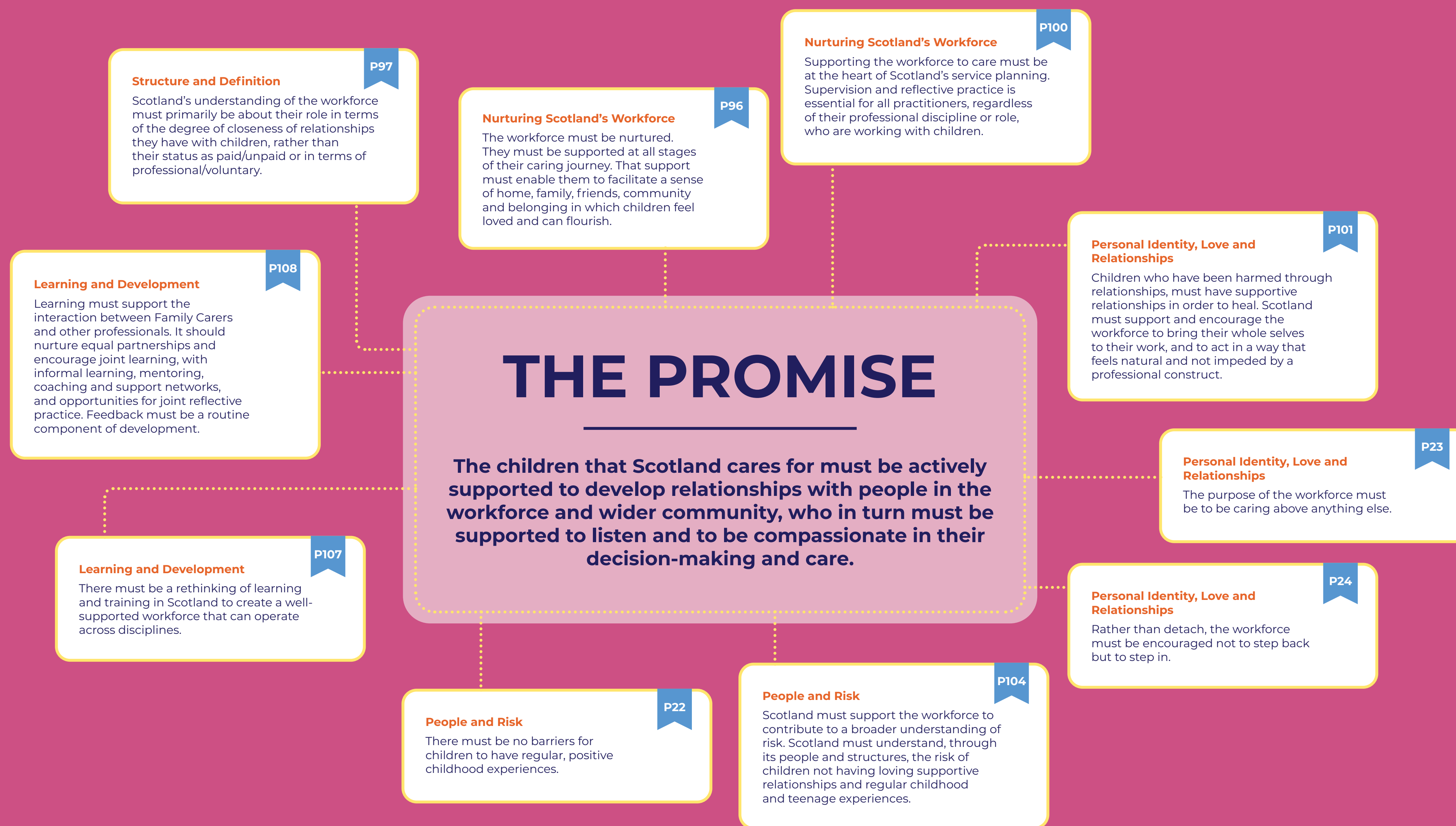
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FOUNDATION – PEOPLE

P Everything detailed here, that Scotland must do, is accompanied by important narrative in The Promise. For more detail, please refer to the relevant page numbers in The Promise.





FOUNDATION – SCAFFOLDING

P Everything detailed here, that Scotland must do, is accompanied by important narrative in The Promise. For more detail, please refer to the relevant page numbers in The Promise.

