

# The Highland Council

4 September 2014

Agenda Item	11
Report No	HC/19/14

## Corporate Parenting

### Report by Director of Care and Learning

#### Summary

This report sets out the background and context to the corporate parenting role of the Highland Council and its elected members. It is an introduction to the members' seminar, arranged for 13 November 2014, which will take place with the support of some of Highland's Looked After children, Who Cares Scotland and Barnardos. Members are encouraged to attend that seminar.

## 1. Background

### 1.1 What is Corporate Parenting?

In recent years, around 500 children have been 'looked after' at any time by Highland Council.

Around two thirds of these children do not live with their parents, but are accommodated in children's units, foster care or kinship care. The Council is the corporate parent for all of these children, and there are new corporate parenting responsibilities for other community planning partners.

It would appear that corporate parenting is a new or recent concept, but this is not the case. As far back as 1991 Sir William Utting's Government report 'Children in Public Care' was referring to the concept of the corporate parent.

*"Corporate parenting cannot replace or replicate the selfless character of parental love; but it does imply a warmth and personal concern which goes beyond the traditional expectations of institutions." - (The Utting Report, 1991)*

Corporate parenting refers to the formal responsibilities and local partnerships across local authority services and associated agencies, to meet the needs of looked After children and young people, and care leavers. (*Looked After Children and Young People: We Can and Must Do Better*, Scottish Executive, 2007)

### 1.2 Corporate parenting operates at the strategic, operational and individual level. The three key elements are:

- the statutory duty on all parts of a local authority to co-operate in promoting the welfare of children and young people who are Looked After by them, and a duty on other agencies to co-operate with councils in fulfilling that duty.
- co-ordinating the activities of the many different professionals and carers who are involved in a child or young person's life, and taking a strategic, child-centred approach to service delivery.
- shifting the emphasis from 'corporate' to 'parenting' defined by Jackson et al in 2003 as: *'the performance of all actions necessary to promote and support*

*the physical, emotional, social and cognitive development of a child from infancy to adulthood*'.

- 1.3 The local authority delegates this function to those providing day-to-day care for the child or young person.
- 1.4 Corporate parenting is not only a responsibility, but a real opportunity to improve the futures of Looked After children and young people, recognising that all parts of the system have a contribution to make. The concept of corporate parenting is inherently paradoxical; good parenting demands continuity and organisations by their nature are continuously changing: staff move on, elected members change, structures change, procedures change. One challenge of being a good corporate parent is to manage these changes while giving each individual child or young person a sense of stability.
- 1.5 Being a good corporate parent means we should:
  - accept responsibility for the council's Looked After children and young people;
  - make meeting their needs a priority; and
  - seek for them, the same outcomes any good parent would want for their own children.
- 1.6 There are several reasons why the community planning partnership needs to act collectively:
  - it is important for vulnerable children and young people, who may have been separated from their families, to know that they are still important in their own communities, and that extra planning is going into their care;
  - children and young people, like all of us, need to feel that services are "joined up" and that the people who are providing their services are working effectively together to protect, support and encourage them; and
  - it has the backing of the law – the Children (Scotland) Act 1995 states that health, housing and education must work with social work services to look after the children and young people in local authorities. These duties, commonly called 'corporate parent' responsibilities, will often mean making additional arrangements in order to support learning, overcome disadvantage and to encourage participation in education and health in the broadest sense.

## **2. Looked After Children**

- 2.1 **What is Looked After?** The term 'Looked After' is legally defined in the Children (Scotland) Act 1995. These children are under the supervision of the Council. A child or young person can be Looked After at *home* while staying with their family; and *away from home* in a foster family setting, kinship placement, residential children's unit, residential school, or secure unit.
- 2.2 In Highland, we currently have 458 children and young people who are looked After: 316 of these children are looked after away from home. We also support children in aftercare settings.
- 2.3 **Who are Looked After Children and young people?** Looked After children and young people are individual children and young people with their own personalities, needs and experiences. They are not a homogenous group with the same backgrounds or needs. The only thing they have in common is that life has not been easy for them, and for most: some aspect of their life circumstances has led to a

children's hearing or a court deciding that some form of compulsory intervention is required. A small number become Looked After away from home through a voluntary agreement between their parent(s) and the local authority.

- 2.4 The number of children and young people becoming Looked After has increased year on year over the last two decades in Scotland. The reasons for children becoming Looked After are more complex, but the number placed as a result of offending behaviour has remained fairly static and in Highland has reduced. The overwhelming majority of children and young people are placed for care and protection reasons and that number is increasing annually.
- 2.5 Children and young people may be Looked After for short or long periods; some return home, some are adopted, and some remain Looked After for many years until they reach adulthood.
- 2.6 There are many reasons why children become Looked After. Some have experienced neglect; some have experienced mental, physical or emotional abuse; some parents are unable to look After their children because of their own substance misuse or poor parenting skills; some young people need a bit of time away from their birth family or community while a package of support is put in place to try to rebuild family relationships or their ability to function; some have complex disabilities and need to be placed in specialist residential schools; some have become involved in the youth justice system. Some don't have parents or family to look after them.
- 2.7 **When a child or young person becomes Looked After** - It is important to remember that unless parental rights and responsibilities have been removed, the corporate parent must seek to work in partnership with the birth parent(s). For example, parental involvement in a child's education should not be affected by the Looked After status of the child or young person. Parents of Looked After children and young people should be actively encouraged and supported to work in partnership with the local authority, to encourage and support the Looked After child or young person. Parents should be kept fully informed about their child's progress and consulted wherever appropriate. Working with birth parents can be challenging, but it is important to be able to demonstrate that as much as possible has been done to support the family.
- 2.8 It is also important to remember that a small proportion of Looked After children and young people and care leavers present a high risk to themselves or others. Their care is particularly difficult to manage and can present significant issues, for example when identifying suitable accommodation. Risk assessment and management is essential.
- 2.9 When children and young people become Looked After, it is essential that there is robust and flexible planning for their future from the outset. Stability is crucial to children's development and happiness, and the system should support stability through minimising moves and seeking permanent solutions wherever possible. Most young people leaving care do not become "care leavers" – that is, they return to their birth families or find other permanent solutions before they reach their statutory school leaving age. Ensuring that their transition from care is as smooth and sustainable as possible should be an underpinning theme to care planning and decision-making.

- 2.10 **What happens when a child or young person stops being Looked After?**  
Some children or young people will stop being Looked After to return successfully to their families, and some will be Looked After at various times throughout their childhood as their families struggle to cope in particular situations. If a young person is still Looked After at school leaving age, the council will put in place Throughcare and Aftercare services to support them into independent living. This transition to independence will be at a younger age than most young people leave the family home, and they will need significant support to help them to find somewhere suitable to live, take up further or higher education, training or work, and even to cope with the everyday aspects of living independently.

### **3. Negative perceptions of looked after children**

- 3.1 In Appendix One, a young person who has been in care explains her campaign to challenge negative perceptions. This young person has given permission for this information to be published.
- 3.2 As corporate parents, we have to ensure that we do not hold misconceptions and educate others to ensure we provide the best opportunities and experiences to ensure the best outcomes for our children and young people.
- 3.3 We should aim not to:  
'...reinforce negative stereotypes of Looked After children and young people that not only insult them as individuals but also make it virtually impossible for them to make their way in the world.' (Hare & Bullock, 2006)

### **4. Looked After Children Improvement Group**

- 4.1 The main focus for the Looked After Children improvement group is related to the improvement of education, health and mental health outcomes. There are also key outcomes identified in relation to keeping or returning children and young people to their own communities.
- 4.2 Young people tell us their priorities are to be consulted and involved in their personal planning, as well as service developmental planning - in all areas that impact on young people's future.
- 4.3 We have two specific groups set up at present in Highland. We have a forum set up with Looked After Children and in throughcare and aftercare, where we consult about specific issues and developments. The forum also assists in the planning and arranging of residential and other consultation and activity events. This work is supported by Barnardos Services in Highland.
- 4.4 Who Cares Scotland? also have a group set up to discuss issues and developments both locally and across Scotland.
- 4.5 The full improvement plan is included in the For Highland's Children report, presented to this meeting of the Committee. Some key activities across FHC4 are:
- We will ensure that there is continuous learning for children in residential care - specifically if a child is not able to be in school for a period of more than 1 week, the unit is provided learning materials support by the child's school and that when a child moves into residential child care away from their home school area, the unit is provide with support, by the local school.
  - More of Highlands Children will be able to stay in Highland region placements

- We will reduce the number of placement breakdowns.
- We will seek to ensure that Highlands's children who have autism are afforded local appropriate education and care.
- We will ensure there is swift access to appropriate mental and emotional health support for children and young people by developing a pathway for mental health services and LAC.
- We will ensure better continuity of health care and reduce risk by ensuring that GPs are named as health partner to the plan for all children in residential care.
- We will consult on the development of a 'one stop shop' as requested as a service improvement by young people.
- We will ensure and evidence that the voices of the young people are influential in the development of the improvement of all services

4.6 This last outcome is one of the ways that corporate parents can ensure that Looked After children in communities across Highland are listened to and their views and concerns addressed.

## **5. The Children & Young People's Act 2014**

5.1 There has been a lack of shared understanding about the definition of corporate parenting, a lack of clarity about how the concept translates to professionals working within health, housing and education, and a lack of clarity around powers to ensure partners are working together. In addition to this, and perhaps more importantly, there has been a lack of understanding amongst young people who are Looked After, about what a corporate parent is and what this means to them.

5.2 Given this, the Scottish Government sought to make a legislative change via the Children & Young People's Act, which firstly defines corporate parenting, and secondly clarifies the public bodies to which this definition applies. This Act was passed on 19th February 2014, and the new Corporate Parents and their associated duties will take legislative effect from April 2015.

## **6. Members' seminar**

6.1 The Scottish Government has funded Who Cares? Scotland to deliver training on corporate parenting in a new initiative. The programme aims to improve awareness of corporate parenting responsibilities of Scotland's elected members, health board members and community planning partnerships.

6.2 The programme will provide an understanding of the responsibility to promote the needs of Looked After children and help drive forward national policies to support young people in care.

6.3 There will be a members' seminar in Highland at 2pm (or following the Gaelic Implementation Group) on Thursday 13 November.

## **7. Implications**

### Resources

The looked after children improvement plan takes account of the current resources available within the Council. There is detail in the revenue monitoring report at this Committee in relation to ongoing pressures in relation to looked after children.

### Legal and Equalities

The Council has key legal responsibilities for looked after children, and many of these relate to the corporate parenting role, and the various activities within Services that seek to address the health, social and educational inequalities that looked after children experience. This includes taking account of any cultural background that children may have, including the use of Gaelic medium language.

The members' seminar will provide additional information about these issues.

### Rural Implications

The Council endeavours to ensure equality of service provision to all looked after children, wherever they live, but there are inevitable challenges getting some services, especially specialist services, to children who live in remote and rural areas. Most looked after children in after care settings, tend to live in more urban areas.

#### **Recommendation**

Members are invited to consider the issues raised in this report, and also to attend the seminar on 13<sup>th</sup> November.

Designation: Bill Alexander, Director of Care and Learning

Date: 26 August 2014

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## Appendix 1

Caitlin Gibson is challenging negative perceptions of young people in care - encouraging others not to judge.

The 17-year-old from Inverness wants to tackle the misconception that young people in the care system are destined to fail in life, after she first went into care aged ten.

'I went into care when I was ten. I was confused and angry and felt as though people were judging me to be inadequate.'

'At the time I didn't understand what was happening to me and I felt quite lonely being on my own in such an unfamiliar place. I was angry and acted up so people just presumed I was a bad person. They had no idea that I could turn my life around. Most thought I wouldn't amount to anything.'

'My campaign is all about urging people to hold their judgment on somebody before knowing anything about them.'

'It also encourages people to steer clear of stereotypes by understanding that each individual has a story to tell.'

'I have always used music as an outlet to vent my emotions because it makes me feel better about myself. I wanted the song to help people see beyond our past and understand we have feelings like anybody else.'

Caitlin intends to share the video on social media, hoping it will prevent both young people and adults from writing off those in care and labelling them as underachievers.

'Being in care can be a tough experience for many young people which can cause them to feel isolated and angry. Maybe if I'd have seen a video like this growing up it would have helped me realise I wasn't alone.'

'All we want is a chance. So, I've decided I want to challenge the negative perceptions some people have of others like me.'

'Just because you've grown up in care, it doesn't make you a bad person – or someone with limited prospects. Raising awareness of this is what my campaign is all about.'

'I want to encourage people to think twice before judging those in care, especially if you don't know anything about them.'

'My video is to challenge negative misconceptions about those in care. It's my view that young people in care often face unfair, negative stereotypes.'

[www.fixers.org.uk](http://www.fixers.org.uk)

[Kids in Care - Catlin Gibson](#)