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In 2014 Scotland Welcomes the  
World



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*Dear Margaret*

**FOLLOW UP INQUIRY INTO HAVING AND KEEPING A HOME: STEPS TO PREVENTING HOMELESSNESS AMONG YOUNG PEOPLE**

Thank you for your letter dated 19 February, following the committee's evidence session with Margaret Burgess MSP, Minister for Housing and Welfare on 5 February.

I am responding directly on your question about how the Scottish Government is including housing and homelessness issues within the GIRFEC approach and the implementation of the Children and Young People (Scotland) Act 2014 ("the 2014 Act"), as requested. The Minister for Housing and Welfare has also requested a response to some of the specific questions asked by Committee members at the evidence session so I am taking this opportunity to respond to these as well.

**How the Scottish Government does, or intends to, include housing and homelessness issues within the GIRFEC approach and the implementation of the Children and Young People Act?**

The eight GIRFEC indicators of wellbeing (Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, Included) are used to describe all aspects of a child or young person's wellbeing. The 'nurtured' indicator makes it clear that every child should have a nurturing place to live, in a family setting with additional help if needed or, where this is not possible, in a suitable care setting.

The 2014 Act makes a Named Person available for every child, from birth until their 18<sup>th</sup> birthday (or beyond, if they are still in school). Once a concern has been brought to their attention, the Named Person – who will be the first point of contact for the child and their family – needs to consider whether it is appropriate to take action to help, or arrange for the right help, in order to promote, support, and safeguard the child's wellbeing.

The 2014 Act places duties on service providers and other organisations (relevant authorities) to share appropriate, proportionate and relevant information relating to children's wellbeing with the child's Named Person service provider. Local authorities are required to comply with these duties. This includes Housing Services delivered by the local authority, either directly or via contractual or commissioned arrangements with their Registered Social Landlord partners. Local authorities must ensure that all relevant services are aware of their duties under the Act, and are able to respond appropriately when wellbeing concerns are identified. It is also important to note that, where appropriate, housing services should be involved in the Child's Plan process, which is triggered when there is a need for a targeted intervention (above what would be provided through universal services).

The GIRFEC approach – with a Named Person for every child and a Child's Plan if it's needed – should allow supports to be put in place that will stop some children becoming homeless.

For those children who do unfortunately become homeless, this would be seen as a wellbeing concern for the child and would therefore trigger the Named Person to consider what support or coordination of support was necessary. This support would be tailored to meet the child's specific needs, which will vary, depending on whether the child becomes homeless while living with their family, or following a breakdown of the family situation or care placement.

GIRFEC is all about early identification and prevention and that means identifying need as early as possible. The approach is intended to reduce the numbers of children facing crisis and to tailor support to their needs, returning them if possible, and as soon as possible, to a situation where their needs can be met by the universal services of health and education.

### **What has been happening to date with the implementation of Part 9 (Corporate Parenting) of the Children and Young People (Scotland) Act, and what is planned for the future?**

The 2014 Act introduces a new framework of corporate parenting duties and responsibilities for public bodies listed in Schedule 4 of the Act and include local authority housing services, police, health boards, schools etc. These new duties will commence on 1 April and will require corporate parents to collaborate with each other to promote the wellbeing of looked after children and care leavers in their care and enable them to achieve the best outcomes. This will require some thinking a little beyond the role to consider how they will work in partnership, within organisations and with other corporate parents to ensure children and young people overcome barriers and live a life they feel in control over – and key to this will be listening to what children and young people need from them.



All corporate parents will be required to develop and publish a plan of how they are going to meet their corporate parenting duties and the 2014 Act also introduces a new reporting and accountability structure, with national progress on improving outcomes reported by Scottish Ministers to the Parliament every three years.

In the last 12 months, the Centre for Excellence for Looked After Children in Scotland (CELCS) has been leading work alongside the Scottish Government to develop draft statutory guidance to support corporate parents fulfil these duties. The draft guidance<sup>1</sup>, produced in collaboration with many organisations including local authorities and their housing departments and The Scottish Housing Regulator listed as corporate parents, was out for public consultation until 16 March. The final guidance document will be completed and published before the end of April. It is also our intention to support corporate parents beyond the commencement in April to develop a series of practice notes to sit alongside the guidance and designed to support individual or groups of corporate parents to understand their legal responsibilities (within the scope of their other functions) and to learn from existing good practice. For corporate parents involved in housing and homelessness this follows earlier work on the guidance on Housing Options Protocols for Care Leavers published in 2013 which we would expect to continue to be seen as a good practice tool.

We will also continue to engage at all levels with corporate parents and, where necessary, assist them with developing their plans. We are also working with CELCS to establish how best to record and report on outcomes in anticipation of the first report to parliament in April 2018.

Since early in the Bill development process the Scottish Government has been funding Who Cares? Scotland to develop and deliver a national programme of training for corporate parents. At the heart of the training is the crucial contributions from young people who have experience of being looked after and young people are involved in delivering each training session. In the past 2 years approximately 3,087 corporate parents have received training delivered by Who Cares? Scotland. In the last year alone, this has included 15 corporate parenting institutions focusing on education, health, police and housing and involved both multi-disciplinary events delivered in partnership with local authorities as well as localised sessions, for example, with housing teams in Glasgow City Council and East Ayrshire Council. Community Planning Partners and elected members have also participated in training events.

Corporate parenting training will continue to be available over the next year and to further enhance the training programme, Who Cares? Scotland is also developing an online resource for corporate parents. This will be available shortly and you can find information about the training on the Who Cares? Scotland website here: <http://www.whocaresscotland.org/professionals/corporate-parenting/>

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<sup>1</sup> <http://www.gov.scot/Publications/2014/12/2912>

**What is your view about the general picture for young people who are leaving care? Is there room for improvement?**

It is vitally important that the support offered to young people leaving care enables them to make the transition to inter-dependent living as successfully as possible. It is of particular concern that looked after children often leave their care placements at a significantly younger age than their non-looked after peers for whom the average age of leaving home is 25. When they do leave care they often lack the family support experienced by their non-looked after peers.

The Scottish Government recognised these challenges faced by care leavers and addressed these with the introduction of Parts 10 and 11 of the 2014 Act. These will also be implemented from 1 April 2015. Part 10 (Aftercare) extends the age that care leavers are entitled to aftercare support from 21<sup>st</sup> to 26<sup>th</sup> birthday. Part 11 (Continuing Care) gives any young person who is looked after in Foster, Kinship or Residential care on or after their 16<sup>th</sup> birthday the entitlement to remain in their care placement until their 21<sup>st</sup> birthday. This helps support young people who choose to stay in their care placement maintain vital relationships with their main carers and hopefully make a gradual more sustainable transition to inter-independent living at a pace that suits their individual needs. These improvements taken together will contribute significantly towards changing the culture in the way we approach working with care leavers.

The Scottish Government has committed to add approximately £9 million a year to local authority budgets to assist them with implementing the new legislation but we are not complacent regarding the challenges ahead in respect of improving outcomes for care leavers. That is why we welcome every opportunity to review and monitor progress as well as to support all organisations in their role as corporate parents.

Finally, the committee may also be interested to know that Article 27 of the UNCRC provides that every child has a right to a standard of living adequate to their physical, mental and social development. The Scottish Government is mindful of its responsibilities in supporting families in this respect, including in relation to the provision of housing.

When this is commenced in June 2015, relevant provisions in Part 1 of the 2014 Act will establish new duties on Ministers to keep under consideration whether there are any steps which they could take which would or might secure better or further effect in Scotland of the UNCRC and to promote public awareness and understanding of the Convention. Within this context, Scottish Government officials are working with partners to develop a model for Child Rights and Wellbeing Impact Assessments for use across the Government from June 2015. This will ensure that the Government must consider the extent to which proposed policies, including those relating to housing, will impact on children in Scotland and their rights and wellbeing.



I assure you that the vital links will continue to be maintained so that Scottish Government policies such as in relation to housing and homelessness meet the needs of children and young people, including care leavers. I hope that this update is useful and if the committee has any further questions please get back in touch and I would be happy to respond. I have copied this letter to the Minister for Housing and Welfare for her information.

*Yours sincerely*

*Fiona*

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