

# Corporate Parenting Duties and Corporate Parenting Plan

2017-2020

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# Part 1: Introduction to Education Scotland's Corporate Parenting Duties

## About Education Scotland

Education Scotland is an Executive Agency of the Scottish Government, tasked with improving the quality of the education system.

The organisation was formed by the bringing together of the work and responsibilities of Learning and Teaching Scotland; National Positive Behaviour and Continuing Professional Development teams; and, Her Majesty's Inspectorate of Inspection in 2011.

Education Scotland's core purpose and strategic priorities are currently being updated and reviewed in light of the changing role of the organisation as detailed in the Scottish Government's Education Governance: Next Steps (2017) document. However, up to 2017 the core priorities were:

- to lead and support the embedding of the Curriculum for Excellence;
- to build the capacity of the education providers and practitioners to improve their own performance;
- to promote high quality professional learning and leadership; to stimulate creativity and innovation;
- to provide independent evaluation of the quality of educational provision;
- to provide evidence-based advice to inform national policy;
- to develop its people and improve its organisational capability

We will update our Corporate Parenting outcomes in light of our next Corporate Plan being finalised. Education Scotland generates evidence from a wide range of inspections and other evaluative activities; this includes local authority scrutiny and thematic reviews.

Education Scotland's staff, including inspectors, are deployed across Scotland with the highest number of staff based in Glasgow. Overall, the majority of staff is based between the offices of Dundee, Glasgow and Livingston. Staff are now being deployed increasingly through Regional Improvement Collaboratives to raise performance within a more localised context.

Education Scotland has eight delivery channels for its work (up to 2017):

1. Scrutiny and evidence, including inspection
2. Production of resources and materials
3. National events
4. Facilitating groups and networks
5. Provision of grants
6. Tailored direct local support
7. Influencing external stakeholders
8. Influencing SG / policy

## Introduction

When a child or young person becomes 'looked after' the state assumes duties and responsibilities to safeguard and promote their welfare and wellbeing. A wide range of legislation, regulation and guidance provides the framework within which actions take place, but the end-purpose of all of them is the same: to secure nurturing, positive childhoods, from which these vulnerable young people can develop into successful learners, confident individuals, responsible citizens and effective contributors. For the purposes of this report the preferred term "care experienced" will be used to denote looked after children and young people and care leavers as it is a more inclusive definition.

Despite the extensive framework of law and policy, many care experienced children and young people have some of the poorest personal outcomes of any group in Scotland. Low levels of educational engagement and achievement feed into high levels of poverty, homelessness and poor mental health<sup>1</sup>. Rates of suicide and self-harm are higher than that of the general population<sup>2</sup>. In 2013, a third of young offenders had been in care at some point in their childhood<sup>3</sup>.

The needs of care experienced children and young people are often complex, reflecting backgrounds of trauma, loss and instability. Some have physical and/or mental /learning disabilities. Safeguarding and promoting their welfare and wellbeing can therefore be challenging. Since national records began in 1981 the total number of care experienced children and young people (eligible for services) has been approximately 0.5% of the total Scottish population.

## Our Corporate Parenting Duties

Part 9 of The Children and Young People (Scotland) Act 2014 ('The Act') which came into effect on 1 April 2015, makes specific provision for care experienced children and young people, thereby, providing a legislative framework for corporate parenting. Within the Act there are 24 public bodies to which corporate parenting duties apply. Education Scotland is named (under Ministers) as being a corporate parent. The Act provides a clear statement on what is expected of organisation in terms of corporate parenting.

***“an organisation’s performance of actions necessary to uphold the rights and secure the wellbeing of a looked after child or care leaver, and through which physical, emotional, spiritual, social and educational development is promoted”***

There are a number of key policies and guidance that have informed the development of corporate parenting, highlighting the need to improve outcomes for care experienced children and young people, these include:

- Getting it Right For Every Child (2005);
- Early Years Framework (2008);
- Looked After Children: We Can and Must Do Better (2007);
- UN Convention on the Rights of the Child (UNCRC) - a global framework for justice.

<sup>1</sup> Scottish Government (published annually) Children’s Social Work Statistics, Edinburgh; Meltzer, H, et al (2004) The mental health of young people looked after by local authorities in Scotland, London: TSO.

<sup>2</sup> Furnivall, J (July 2013) Understanding suicide and self-harm amongst children in care and care leavers, IRIS Insights No. 21, Glasgow

<sup>3</sup> Broderick, R, McCoard, S & Carnie, J (January 2014) Prisoners who have been in care as 'looked after children' 2013: 14th Survey Bulletin, Scottish Prison Service, p.5

The Getting it Right For Every Child duty aids in our understanding of the needs of care experienced children and young people through the use of the wellbeing indicators:

**Safe:** protected from abuse, neglect or harm.

**Healthy:** having the best possible standards of physical and mental health, supported to make healthy and safe choices.

**Achieving:** accomplishing goals and boosting skills, confidence and self-esteem.

**Nurtured:** having a nurturing and stimulating place to live and grow.

**Active:** having opportunities to take part in activities.

**Respected:** being given a voice, being listened to, and being involved in decisions which affect their wellbeing.

**Responsible:** taking an active role within their home, school and community.

**Included:** being a full member of the communities in which they live and learn, receiving help and guidance to overcome inequalities.

Every corporate parent has a role to play in improving the wellbeing of care experienced children and young people. The Act Part 9 (section 58) sets out six statutory duties which all corporate parents must carry out in support of care experienced children and young people. They can be seen in figure 1 below and emphasised in the text that follows with the six substantive duties highlighted in bold

Figure 1: Illustration of corporate parenting 'responsibilities'



The Act says we must:

Be **alert** to matters which, or which might, adversely affect the **wellbeing** of care experienced children and young people.

**Assess** the needs of care experienced children and young people or any service or support provided, **Promote** the interests of care experienced children young people.

Seek to provide care experience children and young people with **opportunities** to promote their wellbeing.

Take appropriate action to help care experienced children and young people **access** those opportunities.

Take any action to **improve** the way in which we exercise our functions in relation to care experienced children and young people.

### Planning and Reporting

In addition to the previously described duties, there are also provisions in the legislation and sections of the guidance which explain how to go about planning, monitoring and reporting on the duties.

As a corporate parent, Education Scotland must publish a plan setting out how it will meet its corporate parenting duties and publish a report which shows the actions taken to meet the substantive duties, and the outcomes achieved. The planning and reporting are duties in themselves but they are also a key way to ensuring that the organisation is performing its duties as a corporate parent in the best way possible and achieving meaningful results. The legislation does not prescribe the format of the plan but it does state that a report should be published at least once every three years and must go beyond mere narrative descriptions of actions taken and include details of outcomes achieved.

### Collaboration with other corporate parents

Education Scotland as a corporate parent is expected to collaborate with others if we are to help safeguarding and promote the wellbeing of care experienced children and young people. Collaboration should go beyond membership of working groups and be embraced as an opportunity to increase and diversify the high-quality opportunities available.

### Defining Looked After Status

Looked after Children: being a 'looked after' child or care leaver is a formal status given to young people. It means that the child is in the care of the local authority. A child may be looked after if they:

Live in foster care; a residential unit or school; or within a secure care setting.

Formally live with friends or relatives (e.g. in a kinship placement).

Live at home, subject to a Compulsory Supervision Order through the Children's Hearing System.

They might be looked after on a voluntary basis (with their parents' agreement); via an Order made through the Children's Hearings System; or certain types of Court Order.

Care Leaver is defined in the Act as:

- a) Every child who is looked after by a local authority, and
- b) Every young person who-
  - I. is under the age of 26, and
  - II. was (on the person's 16th birthday or at any subsequent time) but is no longer looked after by a local authority.

To assist in the provision of their care some children and young people with physical and/or mental/learning disabilities are 'looked after' by local authorities often in specialist residential schools. These children and young people are legally 'looked after', and so covered by the duties set out in Part 9 of the Act.

### **Education Scotland's Parenting Commitments**

In discussion with other corporate parents at sessions facilitated by the Scottish Government's policy team for corporate parenting and formal care and with Who Cares? Scotland, four key areas for improvement were identified for the organisation:

- embedding corporate parenting across all programmes and activities;
- service delivery including the 8 channels listed earlier;
- partnership working;
- continuous improvement (inward, outward and forward).

### **Conclusion**

Education Scotland is focused on developing its staff's understanding of what it means to be a good corporate parent building on the existing number of ways that the organisation is exercising its responsibilities. As many care experienced children and young people have some of the poorest personal outcomes of any group in Scotland, we do not under estimate the importance of this role. The actions listed in part 2 provide a challenging agenda which will strengthen our response to the needs of some of Scotland's most vulnerable children and young people.

## Part 2: Corporate Parenting Plan 2017- 2020

This section sets out how Education Scotland will take forward its Corporate Parenting Duties for the period 2017-2020.

Corporate Parenting Responsibilities: Alert, Understand, Promote, Opportunities, Access & Improve & collaborate and report 2017-20			
Alert and Understand:			
Education Scotland (ES) understands and is alert to the needs of care-experienced young people to inform its policy, planning and practice	Objective:	Actions: to be completed by 31 March 2020	By Who?
	1. Represent the needs of care experienced learners in our corporate planning and review processes.	1. Reference duties within our corporate parenting plan with the corporate planning process. 2. Incorporate the voice and concerns of care experienced learners into our corporate planning.	<b>Actions 1 &amp; 2</b> – Maureen Gore and Evan Cooper-Whie– Assistant Directors for Corporate Services
	2. Develop links with Celcis and Who Cares? Scotland and other organisations representing care experienced learners to ensure ES has an understanding of their needs.	3. Liaise with external organisations with corporate parenting responsibilities to share good practice and publish examples on our website/Hub.	<b>Action 3</b> – Mary Berrill – Senior Education Officer for Inclusion and Equality and Equality Officer (HR)
	3. All staff and managers understand corporate parenting duties and the needs of care experienced learners	4. Deliver awareness sessions to all staff and ensure a focus on the induction programme for new staff and systematically recording staff's participation. Training at a strategic level will be essential. 5. Develop an e-learning pack for vulnerable learners to roll out across the organisation. 6. Include corporate parenting duties during staff's annual appraisals under the equality objective. 7. Ensure inspectors across all sectors are trained appropriately in evaluating wellbeing outcomes for care experienced learners.	Action 4 - Mary Berrill – Senior Education Officer for Inclusion and Equality and Equality Officer (HR) Action 5 - Mary Berrill and Fran Ranaldi – Senior Education and Development officer(s) for Inclusion and Equality Action 6 - All line managers Action 7 - Mary Hoey and Mary Berrill- Assistant Director and Senior Education Officer for Inclusion and Equality



**Assess:**

<b>Care experienced learners are assessed to ensure that their wellbeing needs are met</b>	<b>Objective:</b>	<b>Actions: to be completed by 31 March 2020</b>	<b>By Who?</b>
	4. Ensure educational establishments are consistently assessing wellbeing to a high standard and in line with current legislation.	8. Monitor inspection safeguarding procedures to ensure care experienced learners are being protected from harm. 9. Ensure our inspection and review frameworks give priority to the experiences of care experienced learners and evaluate how their learning and wellbeing needs are being met. Ensure during all inspections reviewers engage with care experienced learners. 10. Increased focus during scrutiny activity on the impact of assessment of needs (Additional Support For Learning and wellbeing indicators) on service delivery.	<b>Action 8</b> – Monica McGeever Lead Officer for Safeguarding <b>Action 9</b> – Assistant Directors with responsibility for inspection and Review and Marie McAdam – Lead Officer for Inspection and Review <b>Action 10</b> – ES’s Inspection teams

**Promote:**

The ambition and achievements of care experienced young people are supported, recognised and acknowledged	Objective:	Actions: to be completed by 31 March 2020	By Who?
	<p>5. Communicate and share best practice in relation to care leavers and care experienced learners.</p> <p>6. Assess if our resources and improvement activity are meeting the needs of care experienced learners.</p>	<p>11. Collaborate with our partners to share evidence from inspection on areas of strengths and developments for care experienced learners at our Equality and Diversity Network.</p> <p>12. Provide a dedicated area of ES's Glow* estate providing high quality research and case studies from schools doing interesting work. ES to approach leading academics to ask them to contribute a "thought piece" on promoting improved performance for the GLOW site.</p> <p>13. Further develop the Participation Resource * to ensure it captures the voice of care experienced learners. Ensure the Compassionate and Connected Classroom wellbeing programmes take full account of LA and Care experienced learners.</p> <p>14. Share good practice from inspection and review illustrating how schools are assessing care experienced learners' learning and wellbeing and implementing interventions successfully.</p> <p>15. In collaboration with Scottish Government's statistic teams plan for a bi-annual educational performance report on care experienced.</p> <p>16. Replicating Developing Young Workforce's (DYW) approach to including care experienced as an additional protected characteristic within all ES's equality work including Equality Impact Assessments.</p>	<p><b>Action 11 &amp; 12</b> - Mary Berrill and Fran Ranaldi – Senior Education and Development officer(s) for Inclusion and Equality</p> <p><b>Action 13</b> - Gail Nowek Education Officer for Inclusion and Equality</p> <p><b>Action 14</b> - Mary Berrill Senior Education Officer for Inclusion and Equality</p> <p><b>Action 14 and 15</b> - Steven McPherson, Mary Berrill – HMI and SG (named person to be agreed)</p> <p><b>Action 16</b> - Mary Hoey and Mary Berrill- Assistant Director and Senior Education Officer for Inclusion and Equality</p>

Opportunities:			
Seek opportunities to improve outcomes for care experienced learners within ES and beyond to improve outcomes	Objective:	Actions: to be completed by 31 March 2020	By Who?
	7. ES provides opportunities to support the development of individual's wellbeing. 8. Facilitate opportunities to work in partnership to develop further policy and practice.	17. Education Scotland's Regional Advisors ensure wherever possible that the improvement work planned in Regional Improvement Collaboratives takes into account the needs of care experienced learners.	Action 17: Education Scotland's Regional Advisors for each collaborative
		18. Include targeted and prioritised opportunities for care experienced learners to have work experience and to provide modern apprenticeship opportunities with staff teams across all ES's buildings.	Action 18: Ian Menzies, Ammar Salmi (HR) and Mary Berrill –Senior Education Officer(s) for DYW and Inclusion and Equality and Head of HR
Improve:			
ES to consider where it can improve processes and service provision for care experienced learners	Objective:	Actions: to be completed by 31 March 2020	By Who?
	9. The corporate parent plan is fully implemented and delivered in the required timescale ES meets its statutory requirements.	19. Education Scotland (ES) appoints a senior member of staff to be a 'LAC champion' and to oversee all developments through a cross-cutting steering group.	Action 19: Mary Hoey –Assistant Director for Inclusion and Equality
		20. Continue key elements of the DYW workstream to improve access to internships, further study, routes to work and employment for care experienced young people.	Action 20: Ian Menzies and Mary Berrill – Senior Education Officer(s) for DYW and Inclusion and Equality

	<b>Objective:</b>	<b>Actions: to be completed by 31 March 2020</b>	<b>By Who?</b>
<b>ES to collaborate with other corporate parents and equality partners.</b> <b>ES to publish a Corporate Parenting plan which shows the actions taken to meet its duties. To report on the outcomes achieved at least once every three years</b>	10. Facilitate opportunities to work in partnership to develop further policy and practice.	21. Work with our corporate and equality partners to support the delivery of our corporate parenting duties in supporting learners who are or have experienced care in schools and colleges. This will include identifying areas of good practice and preparing guidance and advice for our staff. Celcis and Who Cares? Scotland to be invited to join the Equality and Diversity network.	<b>Action 21:</b> Mary Hoey and Mary Berrill and Equality and Diversity Network Assistant Director and Senior Education Officer for Inclusion and Equality
	11. Corporate Parenting (CP) plan published and reported in line with agreed timescale.	22. The CP plan will be implemented and reviewed every six months and actions updated regularly to ensure it is a dynamic planning format which reflects internal improvements to ES.	<b>Action 22:</b> Mary Hoey and the LAC Champion supported by Senior Education Officer for Equality.

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