

SCRA response to the Education and Culture Committee

Background

The Children's Hearings System is Scotland's distinct system of child protection and youth justice. Among its fundamental principles are:

- That children who offend and children who are in need of care and protection are dealt with in the same system, because they are often the same children
- That the welfare and best interests of the child are at the centre of all decision making
- That the child's views must be taken into account

SCRA operates the Reporter service which sits at the heart of the system. SCRA employs Children's Reporters and support staff who operate throughout Scotland in every local authority area and who work in close partnership with other professionals in areas such as social work, education, the police, the health service and the courts system.

Some children will become looked after through being placed on supervision by a Children's Hearing. Others may already be looked after at the point they enter the Hearings System for the first time.

At 31 March 2011, there were 13,474 children in Scotland on supervision, 50% of whom were living at home with a parent or relevant person, while 28% were residing with a foster carer and 6.5% were in a residential home or school. Scottish Government statistics show that there were 15,892 children being looked after by local authorities at 31 July 2010.

Detailed response

Increasing opportunities

The Scottish Government's commitment for all 16-19 year olds to be guaranteed a place in learning or training is welcome and SCRA believes that the whole of the public sector can play a role in helping to make those opportunities available to looked after young people.

For example, SCRA is currently piloting a scheme which allows young people aged 16-19 to join the organisation as Modern Apprentices (MAs). The scheme was developed in collaboration with Who Cares? Scotland and Glasgow City Council, and undertaken with the support of the Scottish Government. Applications were restricted exclusively to children and young people who had been looked after and who had experience of the Children's Hearings System. We fully intend to run the scheme again with a new intake of MAs next year.

We recognise that there are considerable challenges to setting up and implementing such a scheme, particularly for smaller public sector organisations. It will therefore be important to enable experience and good practice to be shared in order to maximise the chances of success.

Early intervention

However, while it is important to focus on improving educational and training opportunities for young people now, we must also ensure that the next generation are better equipped to take advantage of those opportunities. As Graham Allen MP's report into Early Intervention for the UK Government notes: *"The early years are far and away the greatest period of growth in the human brain... a child's development score at just 22 months can serve as an accurate predictor of educational outcomes at 26 years."* For this reason, we welcome the Scottish Government's ongoing commitment to early and effective intervention. The Children's Hearings System has a vital role to play in delivering such intervention when it needs to take place on a compulsory basis. The move towards a preventative spending approach has the potential to improve matters here.

In relation specifically to looked-after children, there is a particular need for stability and security in their lives, and for good decisions to be made at as early a stage as possible. SCRA's recent report¹ into Adoption and Permanence Planning identified some significant delays in the process which resulted in the majority of children in the sample taking over two years to achieve permanence and often experiencing multiple placements during that period. In the context of the life of a young child, this is a lengthy period of time. The majority of the children were under 6 months old at the time of first referral to services and so that period of delay and disruption coincided with the crucial formative early years of the child's life. We are pleased that the recommendations of that report are being taken forward by the Scottish Government's Looked After Children Strategic Implementation Group.

Holistic views of children's lives

The Hearings System operates on the model that children's lives should be considered holistically, with educational attainment one part of that consideration. For that reason, it is frequently part of the discussion at Children's Hearings. Education professionals are often asked to provide information to Reporters and to Hearings to assist with decision making. Teachers will also often be invited to attend Hearings to provide a perspective on the child or young person's behaviour and educational attainment.

The attendance of a teacher or other education professional at a Children's Hearing can significantly assist panel members in understanding the issues and in making good decisions about that child. However, such attendance can be variable. In some areas it is excellent, in others it can be patchier. While we recognise the significant time and work pressures that teachers are under, it would be helpful if they were encouraged and supported consistently across the country to bring their valuable viewpoints to Children's Hearings.

Conclusion

While providing better opportunities for young people in the form of training and further education is vital, educational attainment cannot simply be viewed in isolation from the rest of the child's life and experiences. For this reason, it is important to get things right in the early years and ensure that, where possible, decisions made in other parts of the child's life consider the potential impacts on their education as well.

SCRA
October 2011

¹ *Care and Permanence Planning for Looked After Children in Scotland (SCRA 2011)*

