Aberlour is the largest solely Scottish, children’s charity and we provide help to over 6000 of Scotland’s most vulnerable children, young people and their families each year.

Our dedicated team of over 700 staff work across the country in more than 40 services, from Stranraer to Elgin & Aberdeenshire, helping children and young people who need additional care and support to achieve their potential and to live safe, fulfilling lives. At Aberlour we have adapted and customised our services in response to the changing needs of vulnerable children, young people and their families over the 130 years since the Aberlour orphanage was established in 1875. We help:

- Children whose lives are affected by parental drug and alcohol dependency
- Young people who have social, educational and behavioural difficulties
- Children and young people who run away from home and are exposed to risk of harm
- Children and young people who have a disability
- Young children to experience positive parenting, play and early learning

**Introduction**
Following the positive reception afforded to the publication of the final report of the Commission into the Future Delivery of Public Services (the Christie Commission), it is clear that the preventative spending agenda has been firmly embraced, in rhetoric at least, by the decision makers of this country. If this is to represent a new public spending paradigm then we welcome it whole heartedly. We would contend that in this new found spirit of preventative spending, it is the targeting of resources at improved life outcomes for young people leaving care that will yield the greatest return on investment to the public purse in terms of negative social outcomes avoided in later life and the huge demands those outcomes exert on government budget lines.

We welcome the frank nature in which the Education committee is conducting this inquiry and hope that in its deliberations, the committee will consider the range of negative social outcomes that befall care leavers beyond poor levels of educational attainment as they are inexorably linked.

**Executive summary, Key recommendations**
All professional stakeholders who form part of the corporate parent should adopt a unified approach to addressing the needs of each child in their care. They must ensure that regular communication and co-production are the norm, with each taking equal ownership of decisions affecting the child and making those decisions against the consideration, ‘would this be good enough for my child?’
Training around the specific needs of looked after children, including a particular understanding around the issues of attachment, trauma and loss should form a core module in pre-qualification training for all professionals who may form part of the corporate parent.

Further research into and longitudinal mapping of life outcomes of care leavers, and the relative efficacy of different forms of care are urgently needed, this should include a greater understanding of routes into care and a greater understanding of the impact of all kinds of social care on the child.

The 5 years immediately after a young person leaves care are as important as the first 5 years of life and should attract public resources commensurate to those afforded to the early years in of after-care and life support.

Extent of the problem
Of over 15,000 looked after and accommodated children and young people in Scotland today only 2.6% will enter either further or higher education.

Over one quarter of inmates in Scotland’s prisons have been in care.

Over 20% of Scotland’s 20,000 16-19 year olds currently outside of Education or Employment are recent care leavers.

65% of care leavers fail to attain qualifications in English and Maths at SQF level 3 or above.

Of the young people eligible for aftercare services on 31st March 2008 who were in touch with the local authority and whose economic activity was known, 18 per cent were in education and 24 per cent were in training or employment. Four per cent were not in education, training or employment due to illness or disability, seven per cent were looking after family and 47 per cent were unemployed for other reasons.

Defining who we mean by looked after children
A recurrent difficulty in the looked after children debate is connected to the range of myth and hyperbole attached to what being in care actually means. It is very easy to group looked after young people into one homologous mass of children accommodated in residential care, and that their experience of such care is universally bad.

In reality, in 2010, 39% of young people looked after by the local authority are looked after at home (with Parents) 20% by friends or relatives (although informal kinship care is thought to be far higher than this) 29% in foster care and only 10% in residential accommodation. The popular misconception would have it that poor outcomes for care leavers are defined by a negative experience of residential care, but clearly with the majority looked after at home, there is compelling evidence to suggest that in this setting they are exposed to increased risk and destabilisation which in turn lead to more
negative social outcomes, through amongst other things, demonstrable educational disadvantages.

The points and recommendations we make in this submission are applicable to all looked after children, be they looked after at home or in residential care.

**Government statistical problems**

Part of the difficulties faced by government in attempting to make progress in this agenda is routed in a failure to adequately quantify or describe the landscape of children looked after. Statistical analysis of the needs and interests of looked after children are patchy. For example, Health don't track unmet need for looked after and accommodated children and there is only anecdotal correlation between the effect of parental substance misuse and the number of children in care.

We are concerned that significant reductions in the Education Analytical services division of the Scottish government will further reduce the ability of government to track and map the landscape as to where looked after children are experiencing difficulty.

**Are the seeds for negative social outcomes sown while a child is in care?**

Recent academic research suggests not. What is the Impact of Public Care on Children's Welfare? A report by Dr Donald Forrester at Cambridge University into residential child care in England and Wales, states quite clearly that the life chances of a young person leaving care are more likely to be adversely impacted by experiences prior to and after their experience of care, that is the chaotic or destabilising domestic circumstances that led to a young person being accommodated in care in the first place and the through-care or lack thereof that they receive for those crucial initial years of independence on leaving care.

It states:

“… while children in care do less well than most children on a range of measures; such comparisons do not disentangle the extent to which these difficulties pre-dated care and the specific impact of care on child welfare.”

Forester cites a critical lack of research as to the real reasons behind poor life outcomes for looked after children in care.

‘Residential care is a tool of last resort and should be avoided’: a dangerous yet prevalent misconception

Forrester remarks that of the 12 academic studies that examine the effect of care on children and young people, all identified that children entering residential care in general had serious problems but that in fact their welfare improved over time in a residential setting, he goes on to state:

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‘This finding is consistent with the international literature. It has important policy implications. Most significantly it suggests that attempts to reduce the use of public care are misguided, and may place more children at risk of serious harm. Instead, it is argued that England and Wales should move toward a Scandinavian system of public care, in which care is seen as a form of family support and is provided for more rather than fewer children and families.’

He goes on to find that:

‘there was little evidence of the care system having a negative impact on children’s welfare. Indeed, in almost all of the studies children’s welfare improved, while there was none in which it deteriorated. As Stein said: ‘The simplistic view of care as failing 60,000 young people should be confined to the dustbin’ (2006).’

In the experience of our organisation, for some young people a residential or foster placement is the placement of choice and good residential/foster care can provide the stability a young person needs to thrive. We would suggest that similar academic research in Scotland would reach similar conclusions. Indeed the principle of residential care as the first, best placement for some children was also recognised within the report ‘Higher Aspirations, Brighter Futures, the report of the National Residential Childcare Initiative.

It can be argued that the 5 years which immediately follow exit from the care system are as important as the first 5 years of life. As such, public investment in support for young peoples in the 5 years after leaving care should be comparable to those afforded to the early years. This model would suggest that through-care should be as important as the support given to a child while they are in care. As such the corollary to this is that hard outcomes should not be measured after this extended through-care support when young people will most often be in their early twenties.

No joined up approach: The dichotomy of who is responsible for kids in care
Understandably the locus of responsibility for the support, care and development of children who are looked after has to be shared by a range of departments and professionals, responsible for the care, education, welfare and development of the looked after child. This is one of the defining pillars of Getting it Right for Every Child. However, as with GIRFEC, the rhetoric and the vision are not always met with commensurate levels of good practice on the ground. We would argue that more work has to be done to create synergy and to mitigate tensions in the relationships that span these groups.

In some situations a care worker maybe ready to move a child but educational professionals may not be ready to make a commensurate change in educational placement. This can cause potentially destabilising delays for the child. As such a multidisciplinary focus is needed with all associated professionals in the child’s life taking shared ownership of their case from the start of their involvement in the care system.
Going forward the sharing of information must be built upon regular contact between all professionals. At present the extent to which information is shared with regularity, and with a holistic focus on the defined needs of the child and the variables in play in their care can be very patchy. In the words of our Head of Education:

“You get reports here and there, but usually a lot of chasing up has to happen”

In our view corporate parenting by definition means that responsibility should be corporate, with responsibility shared equally between all professional protagonists in the child’s life.

Why have successive reviews and strategies failed to make headway here?
Almost three years since the publication of These are our bairns and We can and must do better, educational attainment in looked after children remains an area of deep concern to all stakeholders. It seems as if the very reasonable and innovative recommendations contained in these documents have made very little traction.

We can and must do better
Rhetorically WCAMDB had the measure of the problem and provided reasoned steps towards its solution. In this document, partnerships came to the fore. It expressed a need for better partnerships and co-production between agencies and local authorities through training and strengthened communication. It recognised a gap in the learning of the relevant professionals involved in the system. This gap still exists.

These are our Bairns
These are our bairns made a series of recommendations regarding the role of education and other professionals in improving the life outcomes for care leavers. It called for Local Authorities to know exactly who their looked after children were, where they were and maintain a close working relationship with all stakeholders in their care. In our experience, Services and schools work closely together; however, it’s how well this happens that varies. More coordination and joint interagency planning is critical in fully delivering this aspiration. We would contend that as soon as discussion about moving a child commences, all agencies and professionals involved in that child’s care need to be on board and in regular contact. This must happen at all points of transition in that child’s experience of care. Without this coordination, delay and disruption could take place and whilst staff are very good at protecting children from the impact of this, it can prove destabilising.

These Are Our Bairns stipulates that Looked After children and young people and care leavers should have the same opportunities as their peers who are not Looked After to benefit from high quality education through Curriculum for Excellence, including progression to further and higher education. This is happening to a certain extent but the miniscule progression of care leavers into tertiary education remains disappointing.

The structure of Curriculum for Excellence seems to meet the needs of the looked after young people in our care very well. The focus on harnessing the innate gifts and
skills a young person has, is well suited to a group of young people who, through no fault of their own have had a more traditional path through a stable mainstream schooling and home life denied to them. However, this style of learning can be more fluid which can lead to some destabilising anxieties for the child- planning, particularly through transitions needs to be more thorough and thought out when considering the needs of LAC.

Furthermore, in our recent experience, we have found the learning experiences and learning outcomes from the Curriculum for Excellence, lend themselves very well to outcome focussed assessment and care planning within the GIRFEC framework.

However it is clear that across the sector, agencies are often finding it difficult to build links between a curriculum for excellence and GIRFEC.

Creating a greater understanding of the needs and complexities of looked after young people in the classroom

Many looked after children come into the care system with a considerable record of educational difficulties and a poor pattern of attendance and achievement. The later in their school career that many children become looked after the more likely it is that educational difficulties are firmly embedded.

These are our Bairns calls for schools to work in a child centred way, promoting attendance and making additional arrangements where necessary. We work closely with schools to ensure each young person has as normal and positive education experience, where possible creating a flexible package of education support. But when things get difficult at school pressure comes to bear from a range of quarters and understanding among teaching staff of the very specific needs of looked after children can be varied. Not all teachers and schools deal with this effectively. The Looked After Children Strategic Implementation Group has pointed to research that trauma connected to attachment has a measurable physiological impact. Understanding this can help improve the effectiveness of support.

In our experience, when schools are supported to understand the impact of trauma and attachment and are supported to work with looked after children, placements are more successful and school exclusion is reduced. A balance of the right package of child centred support which has the option of support in school must be established.

Later in this submission we will explore the need to link awareness of the specific needs of looked after children and young people into training of all agencies and professionals who work with them, particularly around attachment, resilience and trauma. Such training will help meet the further recommendations from these are our bairns which calls on teaching staff to:

Use the unique opportunities within an educational setting to help Looked After children and young people and care leavers develop positive relationships with adults, feel safe and encouraged to achieve.
Additional support for learning Act
The revised ASL (Scotland) Act, imposes a duty on Education to make adequate and additional provision for the support needs of each child, commensurate with the recommendations of These are our Barns- whilst this ostensibly includes the provision of support for children looked after, the implementation of such provision has been disappointing. In order to make the application of ASL to looked after children more meaningful, once again this requires all protagonist who are part of the child’s corporate parent to work more closely together.

Placement stability
These Are Our Baims asks education services to:

 Maintain stability in schooling, whenever appropriate to the interests of the child or young person, even where a placement has to change and the child has to move to a different locality.

Placement stability is critical as research shows that frequent placement moves reduced the % attendance for all types of placements with 78.8% attendance for a young person who had 6 or more placements. Inevitably with that number of moves school changes are also likely and delays in getting attendance at a new school organised, young people losing friendships and coping with different learning approaches are likely to account for some of the reduced attendance levels.

At Aberlour, we attempt to put placement stability at the heart of our work. Through Aberlour Fostering, when a foster placement breaks down, the young person can be accommodated within Sycamore Services while reparatory work can be done with the young person and the foster family, the educational placement continues, this can help with both with attachment and placement stability.

It is critical that education staff obtain a greater understanding of the specific needs of the looked after child. In a school setting if a foster placement has broken down, there can be a commensurate impact on behaviour. If such behaviour is met with exclusion there can be a negative impact on placement stability. Put simply we need to foster an environment in which teachers are trained to have an empathetic understanding of the needs and interests of looked after children with regard to attachment and trauma, such an understanding will allow them to approach behaviour in a different and supportive way which offers that child creative and flexible solutions. As stated previously, this must be coupled with a close working relationship with all other stakeholders acting as corporate parent to that child.

Putting the ‘corporate’ into Corporate Parent
A recent DEMOS report entitled In loco Parentis

“To deliver the best for looked after children, the state must be a confident parent . . .”

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2 In Loco Parentis, 2010 DEMOS, Hannon, Wood, Bazallgette
A common theme in the presentation of We can and must do better is to separate out the roles of various professions in dealing with young people. We would contend however that once identified, each of these individuals has a profound responsibility to work collaboratively in the interests of the child.

While they are in the care of the local Authority, we have an opportunity to address the material, emotional and psychological needs of young people in our care in a holistic manner. This must involve a concerted effort on the part of not just key workers, social workers and care staff, but all statutory workers with whom that young person may form relationships with. These Are Our Bairns stated:

_all staff in education have an important role as corporate parents and unique opportunities to support and guide Looked After children and young people and care leavers through their everyday interactions. Teachers are cited by young people as the most influential or constant person in their lives._

We would add that carers also have the potential to carry such influence on the lives of young people. Care and education need to work in harmony. Critically to this end we call for a refocusing of the training curricula of all potential protagonists who form part of the corporate parent to include greater content on the needs and interests of looked after children that as professionals they will invariably encounter during the course of their career.

These are Our Bairns also stated that:

_all schools, including residential schools and nurseries, should appoint a designated senior manager with specific responsibility for Looked After children and young people. The designated senior manager has a key role in guiding and supporting school staff and linking with the wider multi-agency network._

Again provision for such a role within schools is subject to huge variance and whilst some schools, due to size or geographical location may not for the time being have any looked after children on the school roll, then we would suggest that such role should be allocated to a senior member of staff anyway so that they might keep abreast of issues pertaining to the educational needs of looked after children and to engage with the wider-agency network. We should aspire to a situation where a lead professional is no longer required due to a heightened awareness of the needs and interests of looked after children in the wider teaching faculty. Awareness arrived at through learning from the core teaching curriculum pertaining to the theory and practice of teaching.

Applying GIRFEC to the needs of looked after children
Application of the Getting it Right For Every Child framework was absolutely at the heart of recommendations in These are Our Bairns:

_to carry out this important role successfully, education staff must work effectively in partnership with other agencies, involving children and their families, to provide_
appropriate, timely responses. Information-sharing and communication are central to achieving better outcomes for all children and young people.

Current understanding and application of GIRFEC is extremely variable across the country and throughout education services. There are some good examples of where GIRFEC is working well and we would suggest that the committee consider such examples in its deliberations. Unfortunately provision to put GIRFEC on a statutory footing as part of a putative Children’s Services Bill, which may not reach stage one of the parliamentary process until 2013 may not happen soon enough to address the substantial gap in understanding that exists in this area.

A variance in educational attainment and attendance between Children in Local Authority run Care homes and those in voluntary sector homes

Whilst only covering a small fraction of the looked after cohort, statistics prove voluntary sector run care homes deliver far better educational attainment to LAAC than those in local authority homes.

Statistics published this summer clearly show that the voluntary sector is delivering a standard of care to looked after children in their care which makes them more likely to attend school, avoid exclusion and get better grades than those looked after in council-run care homes.

School attendance rates for children in voluntary sector are actually even better than the national average for all school age children.

The Scottish Government statistics show:

- In 2009/10 the average tariff score (academic attainment) of a child in a local authority home was 66, whereas the score of children accommodated in voluntary sector care homes was 100.
- In 2009/10 there were 162 school exclusions of those accommodated in local authority care homes (ratio of 866 per thousand), while there were only 23 school exclusions in voluntary sector care homes (ratio of 697 per thousand).
- In 2009/10: school attendance for those accommodated in local authority care homes stood at 84.9%; school attendance for those in voluntary sector care homes stood at 93.9%, which is actually 0.7% better than the national average attendance for all children.

Attendance at school for children in foster care is greater than those looked after at home with parents: The latest statistics show marked variations in the attendance and achievements looked after children depending on their different placements. Of those in LA foster care their % attendance was 96.3 and for those children in purchased foster care placements the figure was only marginally lower at 95.9%. These are considerably better % attendance than those for all looked after children which is 87.8% and as low as 78% where the child is looked after but remains at home with their parents.
Exclusion rates for foster care placements were second lowest at 158 per 1000 with the lowest figure of 152 per 1000 being children in residential schools or secure facilities where children are much less likely to be excluded.

So why is this? The voluntary sector approach: Aberlour's Sycamore Service
Aberlour's Sycamore Services provide residential care and independent fostering services to some of Scotland's most vulnerable children and young people. A continuum of services has been developed over the past 27 years. Community based therapeutic care with a strong commitment to education and learning.

Children and Young people are supported to attend school and can have access to anything up to full-time support from trained and experienced education support staff. Care and education support staff have strong established relationships with all local schools and Fife Education Department. For Primary aged children a small school resource can provide full time support for children who are initially unable to cope in mainstream school. All young people then make a supported transition into local primary schools with support an education support worker.

Since 2005 the Aberlour Fostering Service has worked closely with residential services in recognition that some children can benefit from respite or a move to full time fostering.

A range of support services are available including Creative Therapy (Art and Play Therapy), Throughcare and Aftercare Support and a range of External Consultancy to support care planning and encourage learning and development. The service continues to invest heavily in the training and development of all staff and has a long standing ethos which recognises the importance of supporting the learning and development of everyone, staff, children and young people.

In recent years the ethos has been developed through an ongoing investment in Social Pedagogy. This European approach to child care and education was found to fit with the service ethos as well as delivering on the expectations of GIRFEC and Curriculum for Excellence.

Social Pedagogy can be summarised as:3

- A focus on the child as a whole person, and support for the child’s overall development;
- The practitioner seeing herself/himself as a person, in relationship with the child or young person;
- While they are together, children and staff are seen as inhabiting the same life space, not as existing in separate, hierarchical domains;
- As professionals pedagogues are encouraged to constantly reflect on their practice and to apply both theoretical understandings and self knowledge to their work and the sometimes challenging demands with which they are confronted;

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3 Social pedagogue Petrie et al (2008, p. 4)
Pedagogues should also be practical and creative; their training prepares them to share in many aspects of children's lives, such as preparing meals and snacks, or making music and building kites;

- When working in group settings, children's associative life is seen as an important resource; workers should foster and make use of the group;
- Pedagogy builds on an understanding of children's rights that is not limited to procedural matters or legislated requirements;
- There is an emphasis on team work and valuing the contribution of others in the task of 'bringing up' children: family members, other professionals and members of the local community

Mark Smith (2009, p 152) provides a very useful summary.

The aim of social pedagogy is to promote social welfare through broadly social-educational strategies. It developed as a profession following the Second World War and is now the model of practice applied to work with children and youth across most of Europe. In France the broad term is educateur, or educateur specialisee, the concept of education encompassing an idea of education that extends beyond the academic. In Germany the term for a pedagogue, Erzieher, translates as 'up bringer', capturing the holistic nature of the task as involving all aspects of the child's growth and development. Social Pedagogy relates to the whole person: 'body, mind, feelings, spirit, creativity and crucially, the relationship of the individual to the others – their social connectedness' (Petrie, 2001, p 18)

Within Aberlour's Sycamore Services Social Pedagogy therefore helps define the synergy that exists between care and education and recognises the role of relationships in supporting the experience of all staff and young people living and learning together.

**Support for children and young people on leaving care**

Forrester states in his findings on the impact of social care on young people that:

> 'this broadly positive picture of care did not extend to leaving care provision. The leaving care system tended not to work well for most children. In effect, it often undid the positive impact of care for many children.'

This echoes many of the conclusions and recommendations articulated in *Sweet 16? The age of leaving care in Scotland* by the Scottish Commissioner for Children and young people.

These positions both endorse the argument that to deliver sustainable outcomes the 5 years immediately following the leaving of care are as critically important as the initial 5 years of a child’s life. As such we call for a targeting of resources at after-care for care leavers to which they are entitled to up to and beyond the age of 21. This should include the right of a young person to remain in a care setting and to return to a care setting until they are ready to leave. Such after-care support should include the provision of a key worker(s) who remain consistent and particular to the individual young person.
Additional intensive provision, for support with accommodation, life skills and routes into employment and training should be included in such a package of support as a matter of course.

Whilst the demand on public resources to be provide such after-care will be significant, we contend that this expenditure will represent the very epicentre of preventative spending and that over a life time will represent a significant saving to the state in terms of economic activity and lack of contact with criminal justice across the cohort of care-leavers.

**Measuring outcomes**

The available statistics paint a stark and vivid picture as to the negative social outcomes that care leavers can statistically expect to be associated with. A significant problem that has to be addressed when trying to improve life chances for those in care is the reality that negative social outcomes and their correlation to being looked after are far more demonstrable than positive social outcomes for care leavers. Arguably we need to better identify those care leavers who have experienced positive life outcomes so that we might better understand what ‘went right’ about their experience of care.

Many of the indicators that would suggest that a young person has been helped or is moving away from a potentially destabilised future are often incremental and hard to quantify or prove. These so called ‘soft outcomes’ can be manifest in anything from managed behaviour, awareness of and respect for the needs of others or improved relationships with extended family and being a good parent to their own children in later life. Long term outcomes are rarely collated and very little longitudinal mapping takes place. All of these represent key and material bricks on the road to a positive social outcome or the avoidance of a negative one yet no single one of these ‘soft outcomes’ can be credited with this. As such, whilst these soft outcomes are vital, they are seldom considered as indicators or evidence of success and rarely attract resources in themselves.

As part of extending extensive provision for after care up to and beyond the age of 21 we would suggest that life outcomes are not captured until after that age.

**Budgetary considerations: 2011 spending review**

Whilst the shift towards preventative spending in the recent spending review is to be welcomed, it arguably addresses the preventative agenda in part only. It earmarks 3 ‘change funds’ for preventative spending, targeting older people’s services, early years and reducing re-offending. We recommend that investment in improving the life outcomes for looked after children such as those suggested around the provision of after-care are escalated as a matter of urgency.

**Corporate parenting should be no different than conventional parenting,**

*These are our bairns* clearly states that schools and other services should involve the corporate parent in the same way that they involve other parents. This should be the case in all situations where conventional parents are considered and involved.
Similarly, there should be a greater emphasis on those who make up the corporate parent considering themselves as actual parents in relation to the child in their care and when considering a placement or course of action for a young person in their care should always come back to the consideration:

'Would this be good enough for my child?'

We would suggest in this context that any putative parenting strategy should consider and make provision for the role of the corporate parent in all of its recommendations.

**The demographic urgency of getting this right**

Scotland faces a demographic time bomb in public spending. Scotland’s aging population will begin to exert increasing demands on the public purse. In this context, we cannot afford to allow continuing cohorts of care leavers to fail. We will simply be unable to meet the financial demands of a rapidly expanding old age population whilst simultaneously answering the lifelong demands of a significant number of care leavers whose existence is all too likely to be characterised by economic inactivity and association with criminal justice.