Education and Culture Committee  
Inquiry into the educational attainment of looked after children  
Scotland’s Commissioner for Children and Young People (SCCYP)

Introduction  
I welcome the opportunity to submit evidence to the Education and Culture Committee’s Inquiry into the educational attainment of looked after children.

As Scotland’s Commissioner for Children and Young People I have a general function to promote and safeguard the rights of children and young people. Specific regard must be had to the United Nations Convention on the Rights of the Child (UNCRC). I must exercise this responsibility towards all children and young people who are under 18 years of age, or under 21 if they have been looked after by a local authority. As such, I have a particular interest in the Committee inquiry.

General Comment  
There has been considerable work around this area undertaken by various administrations since devolution, and it is of concern that progress has been slow. An illustration of the extent of work undertaken can be seen in the Audit Scotland Report¹ (2011) which notes 29 main Scottish policy and guidance documents relevant to looked after children and residential child care since 1995. As the call for evidence itself highlights, Scottish Government statistics still show that, in addition to fewer qualifications, looked after children tend to have poorer school attendance records, higher rates of school exclusion and are also less likely to go on to employment, further or higher education, training, or voluntary work after leaving school. However, as “Extraordinary Lives” pointed out:

“There is nothing inevitable about looked after children doing less well in education.”²

Yet it is evidently clear that despite all our efforts, we are still failing some of our most vulnerable children. The Committee is right to be concerned.

What do the Statistics tell us?  
Scottish Government and Local Authorities have developed the database³ with regard to educational outcomes for looked after children and young people and this is a welcome development. It provides us with more sophisticated information than previously and indicates where we should be most concerned. For instance, academic attainment scores have been converted to tariff scores for ease of comparison. When this is done some of the findings are:

- The average tariff score for looked after children who left school during 2009/10 was 67, compared to 372 for all school leavers.

¹ Audit Scotland (2011) Getting it Right for Children in Residential Care.  
• Average tariff scores for looked after children who left school during 2009/10 were highest (160) for children who were looked after by foster carers provided by the local authority during the entire school year, and lowest (32) for children who were looked after at home for the entire school year.

In other words, not only are looked after children not achieving as well as their peers, but within the looked after population children who are looked after at home are doing particularly poorly. This is of particular concern; however, we must exercise some caution in just looking at attainment outcomes. Stein4 notes that making comparisons between looked after children and those in the general population can be crude unless they take into account social background and the progress made by young people. This would require looking at the starting points of young people on entry to care, how well they progress, and how they have been supported. We also need to know about softer indicators such as resilience, as well as the views of young people and those important to them. Audit Scotland (2010) identified a need for research into factors affecting the experiences and long-term outcomes for children and young people in residential child care and the effectiveness of different approaches and interventions. This is consistent with the NRCCI5, which stated that identifying outcomes is known to be difficult, calling for consistent language and a common understanding about outcomes.

Nonetheless, the figures present a worrying picture, providing useful insight.

Identifying and responding to the main issues for educational attainment
Policy documents (Learning With Care, 20016, Extraordinary Lives, 2006, Can and Must Do Better, 20077, Count us in, 20088), have all helped focus attention on the relevant issues. It is striking how often the same themes occur:

• The importance of schools, social workers and carers sharing an understanding of how education can improve the life chances of children and young people.
• The need for a senior member of staff to maintain an overview of looked after children’s progress, with better assessment and strategic planning and awareness of the importance of advocacy.
• The importance of home-school links.
• The need for accurate statistics on a range of aspects of the education of looked after children.
• The importance of the role of the corporate parent.

As a result, there have been numerous initiatives which have focused on improving outcomes for looked after children and in particular their educational attainment. Standards have been produced,9 training materials designed and websites developed to

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4 The Wrong Turn’ The Guardian, 6 Dec 2006.
7 Scottish Government (2007) Looked After Children; We Can and Must Do Better.
9 For example Standards for Care Homes, Standard 13: Learning Scottish Commission for the Regulation of Care (established by the Regulation of Care (Scotland) Act 2001.
assist teachers, social workers and carers in their responsibilities. Additional resources have also been invested in pilots and initiatives. On the back of recommendations, legislation has been amended and introduced and new regulations brought in.

There have been key changes: the role and responsibility of the corporate parent is better understood; there is a clearer understanding of the need for designated managers at school and in the home; information sharing has improved and better data collection will allow for targeted policies. Substantial resources have also been put into books, equipment and homework materials, as well as training for foster carers, residential and other support workers, with better partnership working.

Despite all this, outcomes still show that these young people continue to underperform.

**Why is progress limited?**
There are multiple factors which affect the educational achievement of looked after children. The reasons for becoming looked after, the age at which this happens and the length and type of placement, all contribute to how a child will fare educationally. I want to highlight three main areas in particular:

**The experiences of children before becoming looked after**
There is much evidence around the early cognitive and emotional development of children and how children’s early life experiences impact on future achievements.\(^{10}\) Many looked after children have had responsibilities placed on them before they are equipped to deal with them and many have received inconsistent care-giving. These experiences may have resulted in a failure to develop secure attachments. There are strong links between the mental & emotional health of children, their personal and social development, and academic performance.\(^{11}\) All of this is particularly relevant to children looked after at home, where they may be living in circumstances which continue to impact on their development for prolonged periods while attempts are made to support them. Indeed many of these children eventually become looked after away from home.

**The experience of being looked after**
There is a long standing recognition that stability of placement impacts on all aspects of a child’s development. The latest Scottish Government statistics record the number of placements against educational attainment. The trend is for those with higher numbers of placements to perform more poorly (it is worth noting that the numbers are small). Outcomes for children looked after in different types of placement demonstrate that the type of care experience is a factor in the level of attainment for looked after children. This merits further examination in terms of the different approaches to be adopted. For instance, the ‘Count us in’ (2008)\(^{12}\) report recommends that the different needs of looked after children - in residential schools, foster care or looked after at home - are

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\(^{11}\) NHS Lothian The Residential Care Health Project (2004) *Forgotten children: addressing the health needs of looked after children and young people*.

\(^{12}\) HMIE (2008) *Count us in: Improving the education of our looked after children*
understood and reflected in appropriate arrangements for encouraging participation in decision-making and advocacy support.

Specific measures to improve educational attainment
The Additional Support for Learning (Scotland) Act 2004 and 2009 Amendment Act are key to ensuring that children who are vulnerable through their looked after status receive the support they require. However, it appears that guidelines are not being followed and that legislation and policy is not always being translated into practice. There is evidence for this in the area of exclusions for looked after children and young people. Audit Scotland\textsuperscript{13} found that there was variation as to how the designated manager role was carried out and that the role of the corporate parent was not fully understood. Research by Barnardos\textsuperscript{14} found that none of the local authorities surveyed had a specific policy for providing additional support to looked after children and Co-ordinated Support Plans were rarely used.

In summary, the factors affecting educational attainment are rooted in looked after children’s experiences before being looked after; their experiences whilst being looked after; and their experience of practices designed to specifically support them in their education. In addition, while there has been some really positive work undertaken at a local level, the patchy response across Scotland overall has meant there has been minimal impact on national outcomes.

What needs to be done?
I have addressed the suggestions for further consideration in separate sections, because there is no single action that will achieve the improvements sought. That said, it is worth noting what “Extraordinary Lives” stated:

“We have concluded that the single most important thing that will improve the future of Scotland’s looked after children is for local authorities to focus on and improve their corporate parenting skills.”

Main Points
- We already have the legislation in place, we have the policies and guidance required, and we have the necessary knowledge to make progress. I have noted these in terms of children and young people’s experiences before and whilst being looked after, regardless of whether or not they received specialist input from a range of measures. In my view, what we need is the commitment to make it happen on the ground in every local authority area across Scotland; essentially to give sufficient priority to children and young people who are looked after by implementing policy and practice consistently at a local level.
- We now have evidence of the significantly disadvantaged position of young people looked after at home in terms of educational outcomes and this requires specific attention. Here again, we already have the policy driver of “Getting It Right for Every Child”, which clearly is not making the impact it should for our

\textsuperscript{13} Audit Scotland (2010) \textit{Getting it Right for Children in Residential Care}, p 3.
\textsuperscript{14} Cundy, J and Duffy, M (2011) \textit{Looked after children with additional support needs in Scotland: a scoping study}.
most vulnerable children. This should be the focus of further attention to assess where improvements can be made.

**Specific Points for Action**

There are specific measures which will help to improve overall outcomes for children and young people who are looked after:

- There is a need for training in child development for all those working in the children’s sector workforce; one underpinned by the UNCRC, emphasising the importance of two of its key principles: article 3 – all decisions to be made in the best interests of the child and article 12 the views of children and young people to be given due weight. This will develop an understanding of the requirement to promote, protect and ensure children’s best interests for all those working with children and young people.
- Trainee teachers should have opportunities to gain awareness of looked after children and young people and their experiences, whilst teachers and other school staff should participate in continued professional development in regard to children and young people’s needs and rights.
- It would be informative for research to be conducted on the impact of the Additional Support for Learning Amendment Act (2009) on looked after children - especially regarding advocacy provision - with further consideration given to those children having the right to appeal decisions about the level and nature of the additional support to which they are entitled.
- In terms of the care experience, we could learn much from the pedagogy model and use it as a professional standard for working more widely with children, families and their communities. I understand that a qualification in Social Pedagogy has been recognised by the SSSC as a professional qualification for working with children in residential child care services and this is encouraging. The holistic approach to working with children and young people and supporting their overall development is also in line with a UNCRC approach.
- There may be things to learn from the experiences of local authority areas beyond Scotland. For example, the Education Champions scheme, piloted in Barnet (2004-2005), widened the focus of corporate parenting. The Champions’ main function is to use their influence to improve educational provision and outcomes for their young person – to act as ‘pushy parents’ for the child and ‘critical friend’ to the social worker. This has been as a success, with significant improvement identified in the GCSE results of looked after children.

**Future Opportunities**

The recent announcement of the Rights of Children and Young People Scotland Bill, with a follow up Bill on Children’s Services, should help create a more child centred approach which clearly sets out the child’s rights and entitlements. The New Centre for Excellence for Looked After Children in Scotland will build on the valuable work undertaken across Scotland and learn from the approaches of different professional disciplines. We need to all work together on this – our children deserve nothing less.