

EDUCATION, CULTURE AND SPORT COMMITTEE

Tuesday 30 January 2001
(*Afternoon*)

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EDUCATION, CULTURE AND SPORT COMMITTEE 4th Meeting 2001, Session 1

CONVENER

*Karen Gillon (Clydesdale) (Lab)

DEPUTY CONVENER

*Cathy Peattie (Falkirk East) (Lab)

COMMITTEE MEMBERS

*Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)

*Mr Frank McAveety (Glasgow Shettleston) (Lab)

*Irene McGugan (North-East Scotland) (SNP)

*Mr Brian Monteith (Mid Scotland and Fife) (Con)

*Michael Russell (South of Scotland) (SNP)

*attended

WITNESSES

Alison Caulfield-Dow (Scottish Throughcare and Aftercare Forum)

Brian Fearon (Who Cares? Scotland)

Gwen Garner (Scottish Pre-School Play Association)

Aaron Judge (National Foster Care Association)

Andrew MacMillan (Scottish Throughcare and Aftercare Forum)

Bryan Ritchie (National Foster Care Association)

Marjorie Ruddick (National Foster Care Association)

Ruby Sullivan (Scottish Pre-School Play Association)

CLERK TO THE COMMITTEE

Martin Verity

ASSISTANT CLERK

Ian Cowan

LOCATION

Committee Room 3

Scottish Parliament

Education, Culture and Sport Committee

Tuesday 30 January 2001

(Afternoon)

[THE CONVENER *opened the meeting at 14:35*]

The Convener (Karen Gillon): I call the meeting to order and thank members for their attendance.

I suggest that we take items 4 and 5, on the draft committee report on special educational needs and the draft response to the Regulation of Care (Scotland) Bill, respectively, in private. Is that agreed?

Members *indicated agreement.*

Regulation of Care (Scotland) Bill: Stage 1

The Convener: We will now take further evidence on the Regulation of Care (Scotland) Bill. The first witness is Brian Fearon, from Who Cares? Scotland.

I invite you to introduce yourself and make an opening statement. I will then open up the session to questions from members. Members have copies of your submission.

Brian Fearon (Who Cares? Scotland): I know that it is not a good tactic to begin with an apology, but I have to say that I am an inadequate substitute for our director, Deirdre Watson, who gave evidence to the cross-party group but who is tied up in a court case. Members have copies of the briefing that I received, and I do not want to take up the committee's time with information that it has in writing.

I work part time with Who Cares? Scotland. Members will be aware that Who Cares? Scotland is the organisation that represents young people in care, primarily in local authorities but also in voluntary organisations. Half the board of Who Cares? Scotland, including the chair, consists of young people who are in care. We have young people's workers in all but four local authorities. We regularly meet young people in care to hear their opinions on a range of matters—often on activities that are carried out by local authorities but also on national initiatives such as this.

Who Cares? Scotland gathered comments on the proposed standards in residential care and

shared them with the Executive. We should be delighted to pass a copy of those views to the committee.

It is an embarrassment to me that, some 30 years after I entered social work, there are still the same perennial difficulties for young people in care of which I was aware in the early 1970s. Good basic care is not always provided. Our information on that comes from young people and local authority inspection reports.

Who Cares? Scotland is aware that young people do not have confidence in the complaints systems, which are very much in-house systems. From my experience of managing that process, I know that it seemed inadequate for my staff to be investigating other staff.

Care and control is a difficult area. Young people feel that it is carried out inappropriately. They have fed back to us concern about measures that are used not as a last resort, but as methods of exercising control or authority that could be exercised in another way. That view raises implications for the training of staff and other matters.

I am sure that the committee is aware that there is much research showing that young people who are in care are outwith the mainstream education system and are therefore discriminated against. They are the first to admit that, from time to time, when they have experienced a family crisis, they are not the easiest young people to share a class with or to teach. However, exclusion and other measures are resorted to far too soon in the care life of young people.

Similarly, we are concerned that young people in care do not have access to the same health facilities to which other people have access. They do not have the chance to build the relationship with a family general practitioner that most of us take for granted for our children. It is currently argued in debates on health matters that it is very important for people to have a close relationship with a GP.

Finally, it is essential to have a commissioner for children. Children and young people do not have the vote. Our young people do not know how to influence major issues, and do not always know what their rights are. They do not have enough access to independent advice. We receive funding from the Executive for advocacy. Who Cares? Scotland provides such advice, but our resources are limited, and the provision of advice is dependent on young people knowing whom to approach. Establishing a commissioner for children would put the issue on the agenda. Many young people would find that helpful, particularly in the context of the European convention on human rights.

The Convener: I am sure that we will hear more from Who Cares? Scotland on fostering and adoption, which the committee has said that it will consider in future, and on the commissioner for children. We intend to hold an inquiry on that subject after the Easter recess, into which I am sure you would like to have an input.

I will kick off by asking about the consultation. Do you have any positive or negative comments about the consultation, and any suggestions for improvements?

Brian Fearon: We were pleased to have the opportunity to consult within our structures. I know that that feeling has been widespread in various areas. We have our own mechanisms for getting information from young people—the two processes came together quite well.

Cathy Peattie (Falkirk East) (Lab): The Scottish Throughcare and Aftercare Forum suggests that there should be a Scottish bill to deal with children leaving care. Is that necessary, or could other measures be taken to deal with that issue?

Brian Fearon: Through-care and aftercare is one of the most difficult areas. All of us had great hopes after the Children (Scotland) Act 1995 was implemented in 1996 that more attention could be paid to that area. The committee will know that the Children (Leaving Care) Act 2000 was passed for England and Wales. That act will introduce some basic rights. The service is very fragmented. Although we have reservations about being dragged along on the coat tails of what happens south of the border, we feel that our expectations have not been realised and that the introduction of primary legislation would enhance and strengthen the position in a number of areas.

Our organisation, local authorities and others fall down at the point at which young people leave care and move on. Research has suggested that a young person leaving care needs a huge number—between 15 and 20—of opportunities to fail before they reach a position where they can settle and survive. Such young people are susceptible to many risks, such as bullying, influence and their own lack of understanding about the real world. Who Cares? would welcome a bill on children leaving care.

Irene McGugan (North-East Scotland) (SNP): I have a supplementary question. You have much experience in social work—my experience is only half the length of yours. I share your concerns, but is not the problem that the provisions for young people in the 1995 act have not been as assiduously implemented as they might have been? If the act were implemented as well as it could be, it could improve the lot of young people who are leaving care.

Brian Fearon: I am free of boundaries now, but I wonder how I would have answered that question a year ago.

You are right to say that the act has not been enforced strongly enough. The local authorities have not resourced it or put it at the top of their agendas. To be honest, the issue has not been at the top of the agendas of directors of social work as much as it should have been. An organisation such as Who Cares? struggles constantly to influence that process with professionals. The difficulty then is in trying to influence the process with politicians.

The debate on the previous act has continued for seven or eight years, and the situation is worsening. That is why I have reached the conclusion that I have lost too many debates because of other priorities. The push of primary legislation is required.

14:45

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): Have you any observations on the changes in the definition of a place of safety and the requirement for safeguarder training for the local authorities?

Brian Fearon: I do not have any comments on the definition.

Safeguarder training has been discussed frequently. I would like that to be pushed up the agenda, because it could be a stronger support.

Ian Jenkins: Do you worry about legislation that has its heart in the right place but is not followed through?

Brian Fearon: The Children (Scotland) Act 1995, which was partly implemented in 1996, had its heart in the right place, but fell into the same pattern of resources and commitment.

Irene McGugan: I am sure that many members and those in the child care world support your comments on the children's commissioner. I understand how a commissioner for children, attached to the bill, might do a lot for the young people with whom you work, because they are all in care. However, if that were the limit of the commissioner's powers, would not you be concerned that they were insufficient?

Brian Fearon: We have meetings with young people in care and a young people's forum, which is a mini Parliament for Who Cares? that draws people from all over Scotland. It gives young folk a chance to have slightly more sophisticated debates and be briefed. We also talk to the group that is just hanging about and ask those people to give us an hour of their time to answer some questions. Those are the two influences on us.

The point that those people make is that they want to be treated like everyone else and do not want to be exclusive. I do not want a children's commissioner to be exclusive.

I do not want to pretend that Who Cares? reaches every young person. We struggle to reach out to young people in foster care and do not have sufficient links on adoption. I would not welcome exclusivity, because many other issues are on the agenda.

The Convener: As there are no further questions, I thank Brian Fearon for appearing and giving helpful evidence. If you would like to return, we will talk about that.

We now have witnesses from the National Foster Care Association, whom I thank for appearing. We have your submission, which you can assume that committee members have read. I ask Bryan Ritchie to introduce his colleagues.

Bryan Ritchie (National Foster Care Association): On my right is Marjorie Ruddick, who is a long-standing foster carer from Aberdeenshire. On my left is Aaron Judge, a young person who has been in foster care. Marjorie and Aaron have been involved in the National Foster Care Association's committees and forums for one to two years.

The Convener: I will kick off with a question on your comments about the consultation process. Would you like to highlight any of them?

Bryan Ritchie: As the submission shows, the National Foster Care Association is considered to be one of the UK bodies that has experience, if not expertise, of foster care in the UK, Europe and the rest of the world. We concentrate on fostering and do not deal with other care issues such as adoption. As such, we can comment with fairly wide experience on the foster care proposals in the bill.

We broadly welcome the bill. Our concerns relate solely to the implications for the foster care service in Scotland. Aaron Judge and Marjorie Ruddick know about those concerns, and if the committee agrees, they would like to speak about them.

Marjorie Ruddick (National Foster Care Association): I was concerned to see that the fostering service would not be included in the first round of regulation by the Scottish commission for the regulation of care. The fostering service cares for 60 to 70 per cent of children and young people who are looked after, and it is Government policy to reduce the number who are cared for in residential homes, which puts an even greater emphasis on the fostering service.

The service caters for the most vulnerable people, who have had the most terrible

experiences and are often quite isolated. Statistics show that such people often have poor outcomes when they grow older. As the fostering service looks after them 24 hours a day, seven days a week, it is disappointing that it has been missed out, when childminding, day care of children and school care accommodation have been included. To improve the fostering service, it must be open, accountable and able to be inspected. We feel that the fostering service should be in the first tranche, not the last.

Aaron Judge (National Foster Care Association): For the children in foster care, the service should have first priority for inspection. Such young people come from difficult backgrounds and are placed in foster care by social workers. The children do not have a true understanding of the role of the foster carer. Should that young person—God forbid—go to a foster carer's home and suffer more abuse, what trust would they have in the social services department?

To get the legislation right, the committee and others should talk to young people alone, and foster carers, to have a better idea of their opinions. National UK standards should be adopted, to ensure that everyone receives the same treatment and no local authorities adopt their own ways of inspecting foster carers.

Bryan Ritchie: We are aware that consultation documents and the white paper mentioned foster care services. We are also aware that some amendments might bring foster care within the bill's remit. Marjorie Ruddick's concern is that foster care will be the last service to be regulated, yet it is the biggest provider. As far as we can ascertain, no hard and fast timetable for subjecting foster care to inspection and registration has been established.

The bill says that the commission may talk to providers and consumers of services. I refer to Brian Fearon's point about the Children (Scotland) Act 1995: it included several duties, but a lot more powers were placed with local authorities. There is a debate about whether powers or duties have been widely used. Our concern would be that if the Scottish commission for the regulation of care were given the power to talk to foster parents and children and young people in foster care, it might not be exercised. It might be better to give it a duty to talk to carers and young people; if people are to inspect a service, they must talk to its customers.

Ian Jenkins: You suggest in your submission that foster carers should be included in the work force register. Does it cause a problem if foster carers are not employees of a foster care service? Would the requirement of training and the expense of registration put people off?

Bryan Ritchie: That goes to the nub of the problem of foster care in the UK. A perception is abroad that foster care is a voluntary and altruistic occupation undertaken primarily by women; that perception is out of date. Children and young people in foster care in 2001 are not discernible from children and young people in residential care; they are equally difficult, if I might use that phrase, and they bring equal difficulties with them. The skills of the foster care work force would stand up to the skills of the residential care work force. Many skills are required to look after a child in one's home, in one's family—as Marjorie Ruddick said—24 hours a day, seven days a week, for 52 weeks a year. Foster carers do not go home, or have weekends off or holidays; they do not get paid and they do not get a pension, but still they do it.

As someone who has been in the National Foster Care Association for only two years, I do not understand why, in this day and age, people undertake fostering. It flows against the “Look after No 1, I am the most important person in the world” attitude that is around.

There are 2,000 carers in Scotland, who look after 3,500 children and young people. There are 32 different ways of rewarding, training and supporting them; it depends on which authority they work for. The Executive announced last year that research would be done into reward structures across Scotland. Someone can care for young people in one authority and be subject to a different set of rules and regulations from somebody in the next authority. That does not make sense; there must be uniformity, or at least more uniformity.

One of the ways of doing that is to bring the foster care work force under the ambit of the social services council. If foster carers are not social service workers, I do not know who is.

Mr Frank McAveety (Glasgow Shettleston) (Lab): As there are such variations across local authorities, have any measures been successfully introduced that could be enhanced by the bill, or are the barriers so insurmountable that effective legislation is required?

Bryan Ritchie: Local authorities tell us that they wish to be in control of their own local services, which will reflect local circumstances, and say that, for example, Glasgow has a different set of carers from Aberdeenshire. I do not agree with that: children and young people are the same whether they come from Aberdeenshire or from Glasgow—they bring similar problems. We worked with the Convention of Scottish Local Authorities last year to put together a fostering paper; it recommended that local authorities in Scotland should work towards greater integration and consolidation. That has not turned into anything

more solid than a wish.

Mr McAveety: How would legislation assist that process?

Bryan Ritchie: If foster care were subject to inspection and registration by an external body, such as the Scottish commission for the regulation of care, and if it were subject to registration through the social work services register so that every foster carer in the land was registered, we would at least know how many foster carers there are in Scotland—nobody knows that now.

Foster carers would be subject to consistent codes of conduct and practice across Scotland, rather than their varying between authorities. That would bring them into the training ambit of the Scottish social services council, so there would be pressure for a core training commitment across Scotland; that would be similar to the commitment given to the residential care work force. It is acknowledged in the bill that residential child care requires to come within the ambit of the social services council; £4.5 million has been forthcoming from the Executive to set up the institute.

We welcome that initiative, but if that money is set aside for training staff in residential child care, it seems logical that the same conditions should apply to staff being trained in foster care. I do not deny that there are difficulties, as there are differences between the foster care work force and the residential care work force. That does not mean that they do not have the same needs for training, support and a suitable structure.

The Convener: Before I invite any further questions, I should explain that work is continuing in the building. If the fire alarm goes off at about 3 o'clock, we do not have to evacuate the premises, so I ask people to ignore it.

Mr McAveety: Any time after that, run like hell.

Bryan Ritchie said that we do not know the overall figure for foster carers, but does the available information suggest dramatic regional variations per head of population in participation in foster care? Can you indicate any trends in the social class analysis of those who come forward for foster care?

15:00

Bryan Ritchie: I can give the UK recruitment figures; across the UK, there is a 25 per cent shortfall in foster carers. On average, between 7 and 10 per cent of those in the foster care service leave every year; that figure comes from research commissioned by the Executive last year.

There are variations in the number of foster carers between smaller authorities, such as

Clackmannanshire, and the larger authorities. To some extent, that reflects the child care population, as Glasgow has about 700 children in foster care and Clackmannanshire about 30.

The Department of Health funded an expensive recruitment campaign in England. It was based on the age-old adage that to be a foster carer one should be an altruist who wants to look after children; it failed dismally. The hard lesson was learned that in this day and age one must pay people. One must give them something that reflects their commitment to those children.

If it was suggested to social workers in a residential children's home or in an area team that they would not be paid, but would be given some money to look after the kids, Unison would have something to say about that. Why do we say that to foster carers? They are not paid; they get an allowance per child. That explains why there has not been great success in recruiting people to foster care. Training, support and everything that would, we hope, flow from registration within the ambit of the council would begin to address the foster care crisis.

The same research that the Executive conducted last year highlighted that in any year around 2,000 placements that are needed in foster care are not met. Children are not put in the placement of choice; they are placed where there is a space. They are not matched to the skills of the foster carer; if the foster carer has a bed, that is where they are put. That practice should not continue in the 21st century.

Irene McGugan: You are putting forward a good argument as to why foster carers should be entered on the work force register, but you are not suggesting that foster carers register as a care service with the commission.

Bryan Ritchie: Yes.

Irene McGugan: Will you comment on that? I understand that foster care agencies will be required to do that.

Bryan Ritchie: We want agencies to be registered with the Scottish commission for the regulation of care. An agency, be it local authority or voluntary, which provides foster care services in Scotland should be subject to external inspection and registration through the commission. Those same agencies should be empowered to register their individual foster carers through the social services council. That would open up to them the good things that the council will bring, such as codes of conduct and practice, training and so on.

The most recent statistic indicated that 16 per cent of children who were looked after and accommodated were in residential care and about 60 per cent were in foster care. If you leave foster

care out in the cold so that it is not subject to those codes, although residential child care is, you are saying that you will externally inspect and register residential care, which accounts for 16 per cent of young people in care, and staff will be subject to codes of conduct and mandatory training, yet you will not do so for the 60 to 70 per cent of the children who are in foster care. It seems logical that if you are doing it for one, you should do it for the other.

Mr Brian Monteith (Mid Scotland and Fife) (Con): My original question has been answered, but the answers have provoked some other lines of thought in the same area. You mentioned allowances. Are they an amount in lieu of expenses, for example, for clothing and heating? We know from statistics that it is an expensive business to bring up a child, whether or not it is one's own child. Do allowances take care of additional expenses? Are allowances viewed as fees?

Bryan Ritchie: Research undertaken by the Association of Directors of Social Work in 1998 showed that among the 32 local authorities in Scotland there were five different methods of paying, rewarding and financing the foster care service, ranging from pure allowances, which are designed only to meet the cost of looking after a child, to full fees, which are a salary. Not surprisingly, the authorities that paid a salary had less recruitment problems than those that paid only an allowance.

The amounts of allowances are suggested by the National Foster Care Association each year. The suggestions go to the Convention of Scottish Local Authorities which, to be blunt, rubber stamps them. They are then sent to local authorities, which choose whether to adhere to them. Some local authorities pay more for their allowances, acknowledging that research indicates that children who are looked after are 50 per cent more expensive than normal children—to be politically incorrect—and some pay fees.

This is anecdotal, but the authorities that pay fees generally have good training and good support. They recognise that the average cost of recruiting, assessing and approving a foster carer is between £1,000 and £3,000, so if a foster carer is recruited, assessed and approved and they leave, £3,000 is lost. There are lots of ways of supporting and training foster carers, in terms of status, recognition and rewards, and if you do that, you keep your carers. Payment is just one issue.

Mr Monteith: Is there a philosophy of best practice for foster carers? Are there examples of the best way in which to proceed? What procedures must people who are entering into foster caring engage in? What registrations must they have? I would be most surprised if they had

to have fire board certificates, for example. Is there anything else that they have to do? One of the issues is how many hurdles people have to go over. What additional hurdles are we creating?

Bryan Ritchie: In the guise of a working party, the four nations introduced UK national standards for foster care, which were launched last year by Sam Galbraith. They are robust and follow on from a huge consultation process involving young people and carers across the United Kingdom. It is our information, from the policy position paper "The Way Forward for Care", that the standards will be used by the Scottish commission for the regulation of care as the bedrock for inspection and registration of the foster care service in Scotland. The national standards are being used in England, Wales and Northern Ireland.

On your other question, once you go through the assessment and approval process, you are held on a register by a local authority, but you are held only by that local authority; there is no national register at this stage.

Michael Russell (South of Scotland) (SNP): I wish to ask Marjorie Ruddick a question. I am interested in the level 3 Scottish progressional award in caring for children and young people. Do you have any formal qualifications, Marjorie?

Marjorie Ruddick: In fostering, no.

Michael Russell: Would you take the course if it was available to you? What would be its benefit if you took it?

Marjorie Ruddick: Yes, I would take it if the opportunity was offered. I am actually undertaking extra study myself, because nothing is being offered to me. That course would give me extra confidence and skills to provide a better service to young people. I also feel that it would give the public more confidence if they knew that I was qualified and had knowledge in how to handle young people. So such a course would be a great step forward.

Michael Russell: Are you based in Aberdeenshire?

Marjorie Ruddick: Yes.

Michael Russell: You must know a lot of other people who undertake fostering in Aberdeenshire.

Marjorie Ruddick: Yes.

Michael Russell: Would they want to take this course? Would it enhance their skills? You must know people who are skilled and adept at fostering and who have been doing it for a long time. Is this course necessary for them?

Marjorie Ruddick: Fostering has changed since I became a foster carer. I have been doing it for 19 years. It is a completely different way of life now.

There are more difficulties. We have far greater responsibilities to help young people to meet their health and education needs, and to get the best outcomes. For that, we need a different type of knowledge.

The majority of foster carers in Aberdeenshire would welcome some sort of qualification. It would also mean that they would feel that there is some form of recognition. They would have a certificate to say that they are good at something. Such a qualification would enhance the title of foster carer and may encourage people to move in to foster caring, because it would be seen as a career. I have thought of leaving foster caring because I have no real income—I have no pension if anything happens to my husband—and I have no qualifications if I want to do anything else. I have thought of leaving foster caring to get the qualification, but I prefer working with the young people. It is a chicken-and-egg situation. That is why a lot of people leave the foster care service to go into other careers looking after children that are better recognised.

Michael Russell: Aaron, would this qualification have made a difference to your experiences? What was lacking in the foster care that you had that a qualification would have helped with?

Aaron Judge: My first foster carers were brilliant people. They had never had children of their own. I came out of care only a year or so ago and I was in one placement for four or five years. They had one person before me; he was not there for a short period either. They did well. They were able to handle me. I was not a bad person. I toed the line and did what I was told.

At the NFCA, I work with the stepping on, moving out project. We hold workshops all over Scotland. I was in Kilmarnock this weekend and I will be in Perth and Inverness next, so I get about a bit with that. The main objective is to take young people like myself and train them, as I have been trained, to do what I am doing now. We also make presentations to foster carers, which make a big difference. When I first started, I went to the International Foster Care Organisation conference in Ireland and I have been asked by an IFCO board member to go to its conference in the Netherlands this year. At every workshop I do, there is more and more interest from foster carers because they get opinions directly from young people.

When I started, I was told by the person who took me on that we—the young people and the foster people—are the professionals; we are the ones who know what is going on. In a residential care unit you do your 10 or eight-hour shift then you go home and perhaps forget about what has gone on that day, but if you are a foster carer, you are with the young person 24 hours a day, seven

days a week and there is no going home. If the young person is having a bad day, you have to go through it as well.

Michael Russell: Would a course of some sort help people to understand the points that you make and develop their skills? You have no criticism of what you have been through, but do you think that a course is necessary for carers?

Aaron Judge: It would help. The work that we do in workshops with foster carers and young people gives foster carers a better overall understanding. They do not forget what they learn at the workshop. A social worker does not sit down with them and go over the issues. Instead, they get the information directly from those involved, and it sinks in. The type of training is relevant. Certain training will help certain people.

Michael Russell: Bryan, I will address the same issue to you. I am sure that you did not mean it, but I was concerned that you were dismissive of altruism, which many of us would like to support. I understand the argument about professionalism and the need for proper reward—I do not think that anybody is unsympathetic to that—but my slight concern is that in encouraging people to have a qualification, there could be a difficulty with people who are unqualified but believe that they are doing their job well, as we have heard from Aaron. This matter must be handled with great sensitivity, so talk to me about the time scale and the means by which this can come about.

Bryan Ritchie: Our audit of Scottish vocational qualifications showed that only about 6 per cent of foster carers in Scotland have a child care qualification, yet they are entrusted with some of the most difficult, demanding and damaged children in our society. They have no overall, easily accessible qualification route—other than a Scottish vocational qualification. SVQ has been around for a long time and is tried and tested. Despite criticisms, it is the only game in town.

For many carers, getting an SVQ means two years. That means additional work to the work that Aaron Judge and Marjorie Ruddick spoke about—which is 24 hours a day, seven days a week. For that reason, it may be a step too far for some carers. These people came into the service for altruistic reasons. I am not suggesting for one minute that foster carers are not altruistic, but we must take into account the number of carers who will come into the service for purely altruistic reasons. Everybody in this room came into employment for reasons other than altruism—or for reasons additional to altruism.

15:15

Recognising that take-up of SVQ was low across Scotland not only because of reluctance

among carers but because local authorities were struggling with the concept of putting large numbers of carers through it because of the cost and the time involved, last year we got together with the Scottish Qualifications Authority—although it was having a difficult time—and a number of local authorities, such as Aberdeen City Council, Dumfries and Galloway Council and Fife Council. Those three authorities have pushed ahead with SVQ because they recognise that they will recruit and retain foster carers if they are provided with a support package that includes training. The councils have struggled, but they have pushed ahead with SVQ as best they can.

Many carers have undertaken SVQ. We took the most useful parts of SVQ—the bits carers felt they needed day in, day out. We did not take the esoteric bits, but the bits that deal with difficult behaviour, equal opportunities and non-discriminatory practice—all things that are core issues to do with looking after children and young people. Those things form the basis of the Scottish progression award. The SPA will be cheaper for local authorities or, if there is to be a national scheme, for whoever pays for it. It will be hands on—in that it has been tried and tested by carers—and it will be easily and more quickly accessible than SVQ.

There are carers who joined the service 25 years ago and who feel—rightly or wrongly—that they have cared for children for 25 years and do not need any training. With respect to those people, I would say that everybody needs training. As Marjorie Ruddick said, the nature of children has changed and carers need to be updated. If nothing else, they need to keep up to date, as we all do. Anyone who first trained 25 years ago needs a reminder.

Michael Russell: We would hate any changes to be a disincentive to individuals who are doing well. If you want changes to be introduced, I presume that you have in mind a gradual and careful way of doing that, rather than an apocalyptic way that would not be any good to us.

Bryan Ritchie: Changes would need to be transitional. There would need to be at least two years—if not three—during which staff in the foster care service were given the opportunity to undertake training. I take the point that we do not want to lose carers. If there is a hole in the bucket, you need to fix the hole rather than keep pouring in water.

Throughout Scotland, a number of local authorities have looked at fee-based schemes as part of keeping carers. Some seven or eight authorities have now linked fees to training. The authorities are saying that if people can gain and show certain skills, they will be paid more. Those people will be able to take and hold on to children

who would probably otherwise be placed outwith the authority in residential care, costing the authority a considerable amount of money. The authorities have other reasons for adopting those schemes—I am not suggesting that their motives are purely financial.

Those seven or eight authorities have taken time to keep their carers with them and to involve them. As Marjorie Ruddick said, carers understand that training is intended to augment their job, not to replace it. Offering training is not telling people that they have not been doing it right for X years; it augments and supports carers in their day-to-day functions. If training could be sold in that way, I am sure that there would not be a problem.

Cathy Peattie: Mike Russell has covered some of the issues that I was interested in. Training is obviously important, but would you expect foster parents to undergo training before they became foster parents?

Bryan Ritchie: They do.

Cathy Peattie: Would you expect them to take an SVQ?

Bryan Ritchie: It is primarily local authorities that take on foster carers, and those people generally undergo preparatory training so that they do not enter the service cold. That is part of the assessment process, which varies for each prospective carer because everybody is different. The process usually lasts between two and six months, in groups or individually.

At the end of the process, the local authorities should have a view of the weaknesses and strengths in the skills of prospective carers. Armed with that information, the authorities will—if there are weaknesses or deficits—sit down with the carer and say, “You are now approved and a child or children will be coming your way. We will support and monitor you. There are certain deficits, but we will provide you with training to do with those deficits.” That would be best practice. It is subject to the vagaries of local authorities’ budgets, the constraints of time and the constraints of the crises that authorities have to deal with daily to do with children requiring accommodation.

We feel that there should be a national scheme that would take things away from local authorities. We could then consider needs across the country. The Scottish social services council could identify the core training that foster carers should have within two or three years of being approved. That will not stop carers doing other things—a full SVQ or, sometimes, a full diploma in social work.

The Convener: Thank you. The evidence of the service users and providers has been very interesting. When we begin our investigation into

adoption and fostering, I hope that you will be willing to come back and tell us a bit more about your experiences, to help us in our deliberations.

Bryan Ritchie: We would be delighted to.

The Convener: We now have witnesses from the Scottish Pre-School Play Association. Thank you for coming along. We have your papers, so please assume that we have taken the time to read them. I ask Ruby Sullivan to introduce her colleague. We will then move straight into questions.

Ruby Sullivan (Scottish Pre-School Play Association): I am the senior manager with SSPA. From our papers, members will know that we are the umbrella organisation for the voluntary sector. My colleague Gwen Garner is our practice development officer. She is responsible for standards.

Our member groups are located in communities across Scotland. Their size reflects the size of the communities, so we may have groups with as few as three children or as many as 100 children. Our concerns relate to parents’ right to a choice of quality provision and to raising standards in the groups.

Cathy Peattie: Thank you for your helpful paper. The playgroup movement has a history of encouraging parents to get involved—I am one of them—when no one else was doing that. Your paper raises concerns about parental involvement. Is there a risk that that involvement could be lost with the Regulation of Care (Scotland) Bill?

Ruby Sullivan: The perceived burden on parents in the pre-school sector is undoubtedly much heavier than it was 10 or 15 years ago. Generally, the burden is legislative—and that is what frightens parents. Although the SSPA welcomes the introduction of the Scottish commission for the regulation of care and the Scottish social services council, that may be another legislative provision that frightens some parents.

Account should be taken of the fact that 50 per cent of the committee of a pre-school community group will be new parents, who will have a lot to learn in a year. So, yes, there is a danger that some involvement could be lost.

Cathy Peattie: Will your organisation consider how some of those issues can be overcome?

Ruby Sullivan: The primary role of our organisation is to support those groups, and we will consider mechanisms to enable us to do so. We envisage the commission’s reducing the registration and inspection facility from 32 variations to one will make our job easier in some ways. The availability of information on how that will be implemented will determine how quickly we

can carry out our job and gear up the parents in our groups to deal with matters.

Ian Jenkins: Your submission draws attention to the diversity in size of such groups and you worry about the impact of some of the regulations falling on the smaller organisations. Can you suggest how the commission could sensibly take into account such diversity in provision and settings, and maintain a consistent standard?

Ruby Sullivan: We are greatly encouraged by the fact that the SPPA has been included in some of the working groups that have been established, such as the care standards group of which my colleague is a member.

Gwen Garner (Scottish Pre-School Play Association): I am a member of the care standards, early education and child care working group.

Ruby Sullivan: If that kind of collaborative working can be maintained and if, through the commission, relationships can be formed with umbrella organisations such as the SPPA, we can work together to find mechanisms to prevent small, rural groups from closing. It is difficult to give a definitive answer, as we do not know what the practical results of the regulations will be.

Ian Jenkins: At the moment, you feel that you are being kept on board and that your anxieties are being acknowledged.

Ruby Sullivan: Yes, certainly.

Irene McGugan: Your submission mentions the plans to extend the authority to pay grants to voluntary organisations. Do you foresee any difficulties with that in the context of the social funding that you receive?

Ruby Sullivan: Like all voluntary organisations, we are heavily dependent on grants. The national association is part funded by the Executive. However, as is common in the voluntary sector, the funding is never quite enough to allow us to do what we have to do. Any new significant piece of work takes development and staff time. If we cannot spare the staff time to undertake it, a less effective job is done. It is always difficult to identify what changes may affect core funding, as distinct from project funding. We are making the usual voluntary sector plea for some financial security to help us to do the job that needs to be done.

Mr McAveety: My concern is over registration charges for the voluntary sector, which may act as a disincentive. The figures for such charging have recently been announced. Does that announcement reassure you, or are you still concerned?

Ruby Sullivan: There could still be issues for small groups and regarding the turnover of

individuals to be registered, depending on how registration is set up and how long the process takes. In some authority areas, provision has had to cease because a named individual has moved on and that has held up the registration process. We would like to prevent such situations arising. If there is an added financial burden, that makes the job much harder for voluntary committees.

Mr McAveety: Can you suggest how the situation might be improved, other than by the removal of charging? Should grants be provided by local authorities, for example?

Ruby Sullivan: Yes. The provision of grants may well be a way of dealing with the problem.

Irene McGugan: I have a final question on training, which we discussed earlier. The vast majority of playgroup workers do not hold a professional qualification, although many of them—like foster carers—would like to. The same issues arise as for foster carers, concerning appropriate training and the means to access it. The issue may be the availability of the appropriate course, the need to take time away from work to undertake it or the cost of it. How could those issues be addressed, to professionalise the playgroup work force?

15:30

Ruby Sullivan: The association is working to encourage play workers to value their experience and to view the SVQ route positively. However, the qualification that is sought is not available in some places. If an appropriate time scale is allowed—as it appears to be—we can encourage and enable the work force to make progress.

There will be resistance from some members, but the SPPA has always believed in personal development and training for qualification has always been an aspect of our work. We provide an introduction to training for many employees—predominantly women—who are returning to the work force. If we can build their confidence and encourage them to value their experience and skills, we can move them through into the system. However, that will require time, readily accessible courses and access to funding.

Mr Monteith: For the record, what sort of inspection procedures do playgroups undergo and how might any new inspection procedure affect those groups?

Ruby Sullivan: The pre-school groups that deal with children aged three to four are regulated under regulation and inspection departments throughout Scotland. The inspection covers the safety of the premises, such as fire risks—as one would expect of any pre-school facility. In addition, members of staff are registered. We expect those

procedures to remain much as they are: the facilities and staff must be appropriate.

However, we are concerned that the regulations are interpreted differently in different local authority areas. Even within local authorities, individual officers can interpret guidance differently. For instance, a playgroup in Newton Mearns will not necessarily have the same inspection as one in Greenock. We would like inspections to be standardised, as that would allow us to ensure that our workers pass the registration inspection.

Mr Monteith: Are any playgroups inspected by Her Majesty's inspectors of schools?

Ruby Sullivan: Not at the moment.

The Convener: I have a question on the lack of a specified—

Ruby Sullivan: Sorry. We have a correction to make.

Gwen Garner: Some groups have been inspected by HMI. For example, North Cardonald playgroup was recently inspected, as was one that I visited yesterday.

Ruby Sullivan: My apologies.

The Convener: Do you have any comment on the lack of a specified date for requiring workers in early education and child care services to register with councils?

Ruby Sullivan: That relates to my earlier comment: we can work towards full registration if we are given a specific date and if time is allowed to build confidence in the work force.

The Convener: What time scale would you need? Two years? Less? More?

Ruby Sullivan: Two years would be realistic.

The Convener: That is helpful. Thank you very much for your time and comments, which have been very useful.

I now invite the representatives from the Scottish Throughcare and Aftercare Forum to join us. We have read the paper that you sent in, but please feel free to make any additional comments.

Alison Caulfield-Dow (Scottish Throughcare and Aftercare Forum): Andrew MacMillan, who has been involved in the forum for the past year or so, and I have a few, concise, key points that we would like to make, so we shall run through them before members ask us questions.

We want to improve support for young people leaving care. Through-care is about preparing and supporting young people well in advance of the move from foster or residential care. Following that transition, aftercare ensures that young people get

on-going support into adulthood.

Andrew MacMillan (Scottish Throughcare and Aftercare Forum): Young people currently receive varying standards of through-care and aftercare support in different parts of Scotland. No local authority does the same thing as another local authority. Young people should have a high standard of on-going support, no matter where they live. The standard should be the same whether they live with foster carers, in a residential unit or in a hostel.

Alison Caulfield-Dow: Along with our written evidence, I sent a report called "The Key to Success", which contains the beginnings of a framework for such standards. It illustrates that a whole range of areas must be covered with young people. We must ensure not only that they have financial support, but that they have the right kind of accommodation and receive the right kind of care. I am sure that members are aware of the health needs of young people and of their need for education, training and employment. Young people must be able to participate actively in the development of services and policies.

Another element that is highlighted in "The Key to Success" is quality assurance. As Andrew MacMillan said, we must ensure that there is a good standard of quality through-care and aftercare throughout Scotland. We know that young people in certain areas are supported only to a certain extent, receiving the bare minimum of support, whereas other young people only a few miles away are followed through into adulthood, receive good packages of support and are offered a variety of care, support and accommodation choices. We would like a good standard of care across Scotland.

Andrew MacMillan: Young people leaving care receive support from many kinds of workers, including foster carers, residential staff, hostel staff and through-care workers. All workers need to be trained to meet young people's needs to the same standard.

Young people can sometimes fall into the gap between child-care and adult-care services. I am the sort of person who could have fallen into that gap. I have just turned 21. If people like me move on and become homeless, we could be put into an adult hostel where there are no people who are trained to address our needs. Perhaps the best people to help young people leaving care are people like me, because we know what we need and want.

Alison Caulfield-Dow: Young people who have experienced the care system and have been through the process of leaving care and receiving through-care support—or not receiving it, in some cases—are the experts. They can teach social

service workers what young people really need and want. We would like young people to play a central role in identifying training needs for through-care and aftercare, to be the trainers themselves and to take an equal place in providing training and improving services and support.

Andrew MacMillan: Scottish ministers should see the improvement of through-care and aftercare services as a priority. Young people between the ages of 16 and 21 can receive many different kinds of support, but some do not get all the support that they need.

Let me tell the committee something of my own experience. When I left a residential unit in the Highlands, I moved into supported accommodation, but I did not really get the support that I had been told I would get. I then got into a lot of debt and a lot of trouble. I moved into the British armed forces. I got a medical discharge from the forces and went back to the social work department for help. The department set me up in bed-and-breakfast accommodation until a flat of my own became available.

I have been in Glasgow for about a year. I tried to build a relationship with my mum, but that fell through and I ended up in a hostel. At the time, I was only 20, and the hostel staff did not know what people in my situation needed or how they could help me. I have now moved into a supported hostel, where there are staff on hand 24 hours a day and I get the support that I need. At the moment, I rely on that support and on support from the Scottish Throughcare and Aftercare Forum and the National Foster Care Association, both of which I am involved in.

I hope that the Scottish Executive through-care and aftercare working group will be able to achieve the improvement in standards that we want.

Alison Caulfield-Dow: For the past 12 months or more we have worked with the Scottish Executive to ensure that the needs of young people leaving care are seen as a priority. Young people can be at their most vulnerable when they move on from the care setting they have been living in, whatever it is. We would like Scottish developments to be in line with UK developments, as young people travel and move between different parts of the UK, whether between big cities or from the Scottish Borders to the north of England.

The forum kept in touch with the development of the Children (Leaving Care) Act 2000. At present there are no proposals for a Scottish leaving care bill, although Northern Ireland is pursuing that route. We want to know about elements of good practice and proposals for improving through-care and aftercare support, including the transfer of

Department of Social Security resources for 16 and 17-year-olds. We know that there is good practice in several parts of Scotland, where young people are being supported well.

The Children (Leaving Care) Act 2000 contains not just a power but a duty to assess and prepare young people before they leave care. In England and Wales, each young person must be provided with a pathway plan and a personal adviser. The forum does not believe that the Scottish arrangements have to be exactly the same, but if there are good models and standards of care for young people, the Scottish Executive through-care and aftercare working group will consider which of them make good sense and whether it would be good practice to adopt them in Scotland. We want to ensure that implementing such standards in Scotland is a priority.

We would also like the powers of ministers under the Regulation of Care (Scotland) Bill to ensure that the needs of young people leaving care are seen as a priority. That will involve highlighting the services that need to be improved and the regulations that need to be brought into line. There are major gaps in staffing levels, which are important for providing on-going support for young people. Consideration should be given to what training is needed. There are training gaps and we have anecdotal evidence to show that young people are among the best placed to provide such training.

15:45

The Convener: Thank you. You may be aware that over the next few months the committee will carry out an inquiry into the adoption and fostering service. You have made some powerful points and I will suggest to the committee that we consider through-care and aftercare as part of our inquiry.

Do members have any questions on the bill?

Cathy Peattie: Alison Caulfield-Dow has managed to answer my questions before I asked them.

Ian Jenkins: Does the bill miss out through-care and aftercare entirely or does it include powers that could improve the situation if they were exercised properly? Is there a need for another bill on aftercare?

Alison Caulfield-Dow: The Regulation of Care (Scotland) Bill has the potential to improve the situation. However, we were disappointed that there was no clear reference in the policy memorandum to the needs of young people. We are at an early enough stage to include concrete provisions and discussions are taking place on that. We would encourage the Executive to consider vulnerable young people as a priority

group and to take action sooner rather than later.

There is a debate as to whether Scotland should have a separate leaving care bill. It is clear that the changes must take place now. The Regulation of Care (Scotland) Bill might be the quickest and perhaps the most effective way to include the recommendations of the through-care and aftercare working group. We ensure that young people have an active role in that group. The bill has the potential to make adequate and effective provision for that involvement. The time scale is an issue. We would have to consider how long it would take to introduce a new leaving care bill.

Cathy Peattie: Should we hold off to ensure that everything is included in the bill, rather than rush to put in as much as possible?

Alison Caulfield-Dow: In the coming months, we will consult young people and ask for their support and care wish lists. We must consider how that can be translated into policy and services. Following those discussions, it may become clear that the Regulation of Care (Scotland) Bill is not sufficient. We have already started to engage in discussions with young people and practitioners. In a few months, when we have something concrete, we might be in a better position to make a decision.

The Convener: Thank you. If your organisation—or any other—carries out discussions with user groups and service providers in the next few months and you think that it would be beneficial for committee members to come along, please feel free to get in touch with the clerks. We will make every effort to come and talk to young people and service providers about how things should develop.

Subordinate Legislation

The Convener: The third item on the agenda is a piece of subordinate legislation, the Teachers' Superannuation (Additional Voluntary Contributions) (Scotland) Amendment Regulations 2000 (SSI 2000/444), which is subject to the negative procedure. We are the lead committee on the regulations. The Subordinate Legislation Committee has made no comment on them. I do not think that we would want to stand in the way of the regulations. Is it agreed that we have no comment to make on the instrument?

Members *indicated agreement.*

15:51

Meeting continued in private until 16:32.

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