

Citizen Participation and Public Petitions Committee

17th Meeting, 2023 (Session 6), Wednesday
22 November 2023

PE1958: Extend aftercare for previously looked after young people, and remove the continuing care age cap

Lodged on 6 September 2022

Petitioner Jasmin-Kasaya Pilling on behalf of Who Cares? Scotland

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to:

- Extend aftercare provision in Scotland to ‘previously looked after’ young people who left care before their 16th birthday, on the basis of individual need
- Extend continuing care throughout Care Experienced people’s lives, on the basis of individual need
- Ensure Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people. This includes ensuring that the UN Convention on the Rights of the Child and the findings of The Promise are fully implemented in Scotland.

Webpage <https://petitions.parliament.scot/petitions/PE1958>

Introduction

1. The Committee last considered this petition at its meeting on [8 November 2023](#), where it heard evidence from –
 - Natalie Don MSP, Minister for Children, Young People, and Keeping the Promise
 - Cara Cooper, Unit Head, A Good Childhood: Children and Young People, Scottish Government

- Sarah Corbett, Care Experience Policy Manager, Scottish Government

At that meeting, the Committee agreed to consider the evidence heard at a future meeting.

2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new responses from the Petitioner, and the Scottish Government which are set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 512 signatures have been received on this petition.
8. Members may also wish to note that Who Cares? Scotland have published a report as part of its campaign for Lifelong Rights for Care Experienced people. The full report is available on the Who Cares? Scotland [website](#).

Action

The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

PE1958: Extend aftercare for previously looked after young people, and remove the continuing care age cap

Petitioner

Jasmin-Kasaya Pilling on behalf of Who Cares? Scotland

Date lodged

06 September 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to:

- Extend aftercare provision in Scotland to ‘previously looked after’ young people who left care before their 16th birthday, on the basis of individual need;
- Extend continuing care throughout Care Experienced people’s lives, on the basis of individual need; and
- Ensure Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people. This includes ensuring that the UN Convention on the Rights of the Child and the findings of The Promise are fully implemented in Scotland.

Previous action

We have previously contacted:

Bill Kidd MSP and Carol Monaghan MP

The previous Minister for Children and Young People, Maree Todd
First Minister.

They and their teams directed me to The Promise or 1000 Voices project.

Background information

When we ensure everyone in our community has access to the support they need, if and when they need it, everyone benefits. Some Care Experienced people in Scotland today are finding services inaccessible due to arbitrary criteria relating to their age and when they left care. They are often left to navigate difficult issues without support that many of their Care Experienced peers are entitled to. We can fix this by improving legislation to include all Care Experienced people who need support.

I have numerous examples of 'previously looked after' peers not being given access to the same support I have. My own support ended at the age of 24, but care hasn't left me, it has lifelong implications.

I have also gathered evidence from Who Cares? Scotland's advocacy, Helpline and reports, as well as CELSIS' Continuing Care report and Clan Child Law's blog.

Without support to access our rights, we can be left facing stormy waters with no lifeline.

Annexe B

Extract from Official Report of last consideration of PE1958 on 8 November 2023

The Convener: Good morning, and welcome to the 16th meeting in 2023 of the Citizen Participation and Public Petitions Committee. Our first agenda item is consideration of continued petitions. The first of those is PE1958, on extending aftercare for previously looked-after young people and removing the continuing care age cap. The petition was lodged by Jasmin-Kasaya Pilling on behalf of Who Cares? Scotland, and I am delighted to see that Jasmin, who gave evidence at a previous meeting of the committee, is in the public gallery today.

The petition calls on the Scottish Parliament to urge the Scottish Government to extend aftercare provision in Scotland to previously looked-after young people who left care before their 16th birthday, on the basis of individual need; to extend continuing care throughout care-experienced people's lives, on the basis of individual need; and to ensure that care-experienced people are able to enjoy lifelong rights and achieve equality with non-care-experienced people. That includes ensuring that the United Nations Convention on the Rights of the Child and the findings of the Promise are fully implemented in Scotland.

We last considered the petition back in May. Following that session, I am delighted to welcome to the meeting Natalie Don, the Minister for Children, Young People and Keeping the Promise, and, from the Scottish Government, Sarah Corbett, the care experience policy manager, and Cara Cooper, the head of the unit for a good childhood. Thank you all for joining us. As I said, we also have the petitioner with us in the gallery.

Minister, I understand that you want to say a few words in opening, before we move to questions. I am delighted for you to do that. Over to you.

The Minister for Children, Young People and Keeping the Promise (Natalie Don): Thank you, convener, and good morning, all. I am grateful to the committee for inviting me to give evidence. I welcome the opportunity to discuss the proposals in PE1958 to extend aftercare for previously looked-after young people and to remove the continuing care age cap.

I understand that the committee first discussed the petition on 31 May 2023 and that members listened in particular to the importance of ensuring that individuals are aware of their rights. The commencement of the incorporation of the United Nations Convention on the Rights of the Child into Scots law gives us all, across the chamber, a golden opportunity to continue to promote public awareness and understanding of the rights of the child and the entitlements of those leaving care to the right help and support.

Listening to the challenges that are experienced by our young people who move on from care must and will continue to inform our approach to reducing the variation in the support that they receive.

Two weeks ago, it was care experience week. Appropriately, given the focus of what the committee heard in its previous session on the petition and some of what we will no doubt discuss today, the theme for this year's events was lifelong rights for care-experienced people. The First Minister and I attended different events at which we met young people with lived experience and some practitioners who work alongside them. I have been really moved by many of the meetings and discussions that I have had so far with our care-experienced community. Equally, I have been wholly impressed with their passion and dedication to help to ensure that their experiences influence positive change for others.

During care experience week, the Scottish Throughcare and Aftercare Forum, which is known as STAF, launched its 100 days of listening consultation to understand what people with experience of care—and the workforce that supports them—need and want to happen for the Promise to be kept. I am pleased to say that my officials are working in close partnership with STAF to take forward that work. We are actively listening to people with lived experience to understand what it will take to remove the stigma and barriers that our care-experienced community face, so that they can achieve equality with their non-care-experienced peers.

In this year's programme for government, we committed to launching a public consultation on what the broad package of support for care-experienced young people should include to support them into adulthood. The consultation will be launched in spring 2024 and will build on what we hear through the 100 days of listening consultation.

I want to reassure the committee that we are determined to review and co-design the policies and supports for people with experience of care alongside those with lived experience, so that we get it right for our young people and that they feel loved, cared for and respected and can flourish into independent adults.

We recognise the particular financial challenges that our care-experienced young people face when they move on to independent adult living, which is why, on 26 October, the First Minister announced our plans to consult on a care leaver payment of £2,000, to help young people transitioning from care to independent living.

I am acutely aware that our work across Government to keep the Promise requires a cohesive and co-ordinated approach across all our care, health, education and justice services, and I am extremely grateful to the carers, the workforce, the agencies and the stakeholders who work hard to provide the best environment for our children and young people in care. I also put on record my admiration and appreciation for the young people themselves, many of whom I have met during my

time in this role, who continue to share their experiences of care and to champion the rights of people with care experience.

Finally, I welcome the committee's interest in the petition, and I will be happy to answer any questions that members may have.

The Convener: Thank you very much, minister.

We most recently considered the petition on 31 May, when we reflected on the evidence that we had taken in April from the petitioner and from Who Cares? Scotland, CELCIS, the Children and Young People's Commissioner Scotland and The Promise Scotland. That was a striking round-table session, which persuaded the committee of the fundamental decency and drive of Jasmin's petition.

I think that you have already answered this question but, to open the discussion, will you provide a clear assertion of where the extending of eligibility for continuing care and aftercare through legislation sits in the Government's priorities?

Natalie Don: As I said in my opening remarks, the care that people receive is inconsistent, and we need to work on that. It is important that we listen to what young people and care-experienced people need.

I want to make it clear that "aftercare" refers to the advice, guidance and assistance that are provided to care leavers, which can include, but are not restricted to, advice and guidance on or assistance with the securing of accommodation, education and employment opportunities and financial support. As I said, we understand that there are inconsistencies there. For example, when young people leave care before their 16th birthday, they do not always benefit from smooth and well-supported transitions, which can leave them less well prepared for adulthood than their peers. It also means that they have no legal entitlement to the aftercare support that would have been available to them if they had left care after their 16th birthday.

The Promise makes it clear that lifelong advocacy is required to enable people with care experience to realise their rights, to thrive in life and to have a well-supported transition to adulthood. Throughout my time in this role, I have heard loud and clear that care experience stays with you for life. Therefore, such support needs to be available for people to tap into at key points in their life.

It is absolutely a priority for us to get it right for care-experienced people. As I have mentioned, we will take the learning from STAF's 100 days of listening and the consultation that we will embark on in 2024 as we look to further expand our work in this area.

The Convener: If Cara Cooper or Sarah Corbett wishes to come in, they should let me know. The minister may also invite them to come in.

I think that I follow what you are saying, minister. Through the listening exercise and the consultation, you are exploring ways in which the priority of extending eligibility for continuing care and aftercare could be realised or delivered. That may or may not be through legislation. Is that where we are at? Do you see there being a role for legislation or do you think that, through the work that you are doing, there might be another route to achieving the outcome?

Natalie Don: I might bring in officials on whether a legislative route would have to be used. I can see other options, given that we already expect such provision to be available for care-experienced people of a certain age. Our Promise bill, which we have agreed will go through Parliament in the current parliamentary session, will provide an opportunity for legislative changes.

We expect to introduce that towards the end of next year, giving plenty of time for a lot of different pieces of work that are going on, to see what would be included in the bill. However, on the specific question whether the route would have to be legislative or not, I will hand over to my officials.

Cara Cooper (Scottish Government): As the minister has explained, we are currently exploring what avenues we need to go down to improve the broadest package of support that we provide for our young people with experience of care.

On your question about legislation, and on our commitment to keep the Promise, we have the forthcoming Promise bill, which is slated for 2025 and through which we would be able to take forward any legislative changes that are required. There is the work, which the minister has already referenced, on our partnership with staff and the 100 days of listening, which is just one part of how we are engaging with all our stakeholders, and we are triangulating the voices of our young people with lived experience, the workforce that delivers that work and our partners.

The public consultation, which will be launched in spring, will be a broad-ranging consultation to ensure that we open up as widely as possible on what the current landscape looks like and what changes we need to make to effect transformational change and for us to keep the Promise. The Promise bill would be our most appropriate legislative vehicle. If we need to make legislative changes, if there is policy that needs to be updated or if we need a statutory footing, that is where we would consider that and take it forward.

David Torrance (Kirkcaldy) (SNP): Good morning, minister and panel members. Is the Scottish Government considering amending section 66 of the Children and Young People (Scotland) Act 2014 to remove the need for a young person to still be in care on their 16th birthday to access support and to remove the age limit of 26 for accessing aftercare?

Natalie Don: The aim of continuing care is to provide young people with a more graduated transition out of care, reducing the risk of multiple simultaneous

disruptions occurring in their lives, while trying to maintain supportive relationships around them. I will make the distinction between that and aftercare, which refers to the advice, guidance and assistance that is provided to care leavers, as I alluded to in my answer to the previous question. As I said, we understand that there are inconsistencies.

The Promise has made it very clear that lifelong advocacy is required for people with care experience and, as I have said, we have heard loud and clear the calls from the care-experienced community.

I feel as though I am repeating myself, but I want to make it clear that we are determined to review and co-design the policies and supports and, if necessary, to legislate for people with experience of care, alongside those with lived experience and the practitioners who work with them. We will do so to ensure that we get it absolutely right for those people.

In response to your question, we would certainly consider amending the 2014 act, but that will be worked through once we have further information from the 100 days of listening and the consultation. Those measures will be considered if we think that that is right for children and young people, but I emphasise that we are listening to the voices of the care experienced and the organisations that are leading that work.

David Torrance: Thank you. I will probably get the same answer for this question, as well. Will the Scottish Government consider amending regulations to increase eligibility for continued care beyond 21 years?

Natalie Don: In my previous answer, I made the distinction between continuing care and aftercare. That can certainly be considered. There might be difficulties with somebody being placed in their place of care past the age of 21, because they are getting into adulthood at that point. That certainly would be considered, but the focus at the moment is on providing aftercare and continuing support throughout the lives of care-experienced people.

The Convener: Maurice Golden has a question, which I think that I have heard two answers to already, so we will see if he can drill down and get the definitive one.

Maurice Golden (North East Scotland) (Con): To recap, there will be a consultation on a bill about the Promise by the end of 2024, with the bill to be introduced in 2025. Please clarify whether that is the case. If that is the case, what will the key themes of the consultation on that bill be?

Natalie Don: I may hand over to my officials to talk about the consultation, because we have not finished designing that yet. The bill itself will be based on the keeping the Promise implementation plan, which sets out a vision for delivering the Promise by 2030. There are 14 top-level actions within that plan and about 80 other recommendations, which cut across all parts of Government.

During my time in this role, there has been a much greater focus on managing the cross-portfolio work on the Promise. We are very aware that it cuts across various ministerial portfolios. There is a cabinet subcommittee on the Promise and there is real evidence of us working together to try to achieve our aims. The actions in the Promise implementation plan that aim to reduce poor outcomes focus on poverty, homelessness, poor health—which can often include poor mental health—offending, school exclusion, educational attainment and low employability.

As I said, there are many aspects to keeping the Promise. Many of those will be considered as part of the consultation and any that require legislative change will be included in the Promise bill.

Cara Cooper: To be clear, the consultation that we are discussing today is our PFG commitment regarding the support that is available for young people who are transitioning out of care and into adulthood. It is closely linked to how we keep the Promise. I hope that that is a helpful clarification.

We are still in the process of designing that consultation. It will be informed by our on-going engagement with all stakeholders, particularly with our young people with experience of care and with the workforce. The consultation will look at the broadest package of support that is in place for young people with experience of care. We will look at the current policy and legislative landscapes and will really listen so that we can analyse what is or is not working well. We will look carefully at what tangible changes are needed to improve the consistency of care for our young people, as well as improving their life chances and outcomes.

We hear loud and clear that things are not working well. The Promise tells us that, as did the independent care review. This is about drilling down to a more granular level to effect real change.

Within that, it is likely that we will consider the definition of “care experienced”. Committee members may be aware that we currently have a legal definition of a “care leaver”, but we do not have a definition of “care experienced” that is used consistently across the country. We recognise the need to address that challenge. At the moment, the Promise uses what we call the University of St Andrews definition of “care experienced”. It is really important that we get that definition right and that it is universally understood and used, so that young people can realise their fullest rights and have the opportunity to access the right support, at the right time, to improve their life chances and outcomes.

The minister already touched on the on-going work that The Promise Scotland is doing on lifelong advocacy, which is very much the theme of the petition. From our perspective, that is about ensuring the right support at the right time for the right people, regardless of whether someone left care before their 16th birthday or whether they might need support beyond the age of 26—those are the rough parameters for continuing care and aftercare at the moment.

We will consider all those aspects in the consultation that will happen in the spring. It will also be informed by information that we obtain from our current live consultation on the care leaver payment, which the minister referred to in her opening remarks. The First Minister announced that payment during care experience week. It is a PFG commitment as well, and it is one part of the broadest package that we have in place to support young people as they leave care and move into independent adult living. That consultation is due to close in January, so we will be able to use the information that we synthesise from there to inform and help us to design our later consultation.

As the minister has already said, we are absolutely committed to working alongside our young people, as well as the broadest range of our stakeholders, to ensure that we get the consultation questions right. It will not just be a case of my team designing a consultation that will then go out. It will go through rigorous conversations and robust dialogue with a range of stakeholders to ensure that we frame the questions in the right way for us to get the best possible sources of information to tell us how we should design the policy and improve the landscape.

Maurice Golden: Thank you. You have also answered my other question on updating definitions, which is helpful.

The minister mentioned educational attainment. Is she comfortable with current educational attendance?

Natalie Don: I do not have the relevant figures in front of me, but I know that a lot of good work to improve things is happening on the ground, through the Promise and other initiatives. I have been on several visits where there are virtual schools and different set-ups for learning to encourage or assist care-experienced people who might find it difficult to attend school, for whatever reason. I hope that that work will make an impact on the figures as we move forward, with the main aim being to improve the lives of care-experienced young people.

I will bring in my official to expand on the figures.

Cara Cooper: In the figures for 2021 we saw a narrowing of the gap in overall educational outcomes for our children and young people with experience of care, but we understand that more work needs to be done there.

As the minister mentioned, there are virtual school headteacher networks where we bring headteachers together to take a deeper look at challenges in relation to young people's attendance and attainment at school. We also have initiatives in place such as the care-experienced children and young people fund, from which money goes directly to local authorities to help them to target resources where they feel that they will be best used and are most needed to support young people with experience of care. That covers young people right through until they are 26.

We recognise that although the gap in educational outcomes is closing, there is still work to do. We recognise, too, that good work is going on to support care-experienced young people to remain in school and avoid exclusion where possible.

Maurice Golden: Thanks for that. It would be useful if you could share with the committee the data that you hold on that, ideally broken down by local authority, if that is possible.

Minister, are you confident that local authorities have both the facilities and the staffing resources to provide that enhanced care package?

Natalie Don: Absolutely. I have already referred to the visits that I have been on. Fantastic work is going on across our local authorities, who are best placed to understand what is needed in their areas. As I have already mentioned, the Promise covers many different aspects and policy areas. Local authorities have been very good at understanding what is needed in their areas and taking action accordingly. I have seen a lot of positive work on my visits, and our aim is to expand that work across the country. Obviously, capacity issues might affect that approach.

I appreciate that there has been an increase in the demand for, and the complexity of, the work that social work staff undertake and that currently there are recruitment and retention challenges there. Although local authorities are responsible for planning their workforces and ensuring that they have appropriate staff levels, we understand the issues that the sector faces, including that increase in demand. A number of actions are therefore being taken to improve matters.

A joint working group with the Convention of Scottish Local Authorities has been established to address the issues immediately affecting the workforce. Members will be aware of the proposals for a national care service and, within that, the establishment of a national social work agency that would support and invest in the profession. However, I appreciate that that will not help immediately; it is a longer-term approach.

We have set up that joint working group with COSLA. We also have a national approach to workforce planning, which we hope will help to achieve the optimal future workforce capacity. A short-life working group has been created to oversee the development of that work and to produce up-to-date data on social work vacancies and demand for services there. I hope that that will allow us to facilitate planning and resource allocation at national level to meet the expected increase in demand. A workforce improvement plan has also been developed to address acute recruitment and retention challenges, and it will include workforce planning and workforce vacancy data.

Throughout all those initiatives, we are working collaboratively with COSLA, social work departments and the various agencies involved in the sector, which is hugely

valued and around which the Government has created its aims and priorities. We are absolutely switched on to those and are trying to improve matters.

Maurice Golden: Thank you, minister. It would be useful if that data on staff retention and recruitment, broken down by local authority, could be shared. I appreciate the measures that you are seeking to deploy.

Fergus Ewing (Inverness and Nairn) (SNP): Good morning, everyone. The petition was lodged on 6 September 2022, which is 14 months ago. Minister, at the moment we do not have any written response from you or your predecessor on the petitioner's specific asks. The petition seeks to extend aftercare provision in Scotland to previously looked-after children who left care before their 16th birthdays, and to extend continuing care throughout care-experienced people's lives according to their individual needs. The crux of the petition is that care should be based on need, not the arbitrary occurrence of people's dates of birth or their attaining a certain age.

If, as I understand it, your plan is to introduce the bill in 2024-25, it will not become law until 2025. It might not come into force until some time after that—typically, 2026 or later. That would mean that about four years will have elapsed between the petitioner making her plea to the Parliament, which it is our duty to interrogate, and the occurrence of any potential response. That obvious problem raises two questions. First, what can the Scottish Government do now to end the practice of young people being taken off compulsory supervision orders ahead of their 16th birthdays? Who Cares? Scotland has given us worrying examples of that problem happening in practice. With respect, although your good intentions are admirable and absolutely clear, I think that the petitioner wants concrete actions.

Natalie Don: I completely appreciate that. I have already talked about the discrepancies that the member has mentioned, and it is good that the petition is highlighting those and the need for further support. Again, it is not clear whether that would have to be done through a legislative route. If that is the case then, as the member has mentioned, that would happen at a later date. However, there could be opportunities to improve guidance on and change the structures around the issue prior to that. Again, that will be defined by the work that I have already mentioned on the consultation and on listening to stakeholders.

We are taking actions at the moment. We are updating guidance to simplify language and improve the practice in continuing and aftercare services and provision. We are working closely with stakeholders, including young people with lived experience, providers and the workforce, to better understand the barriers and what might need to be done to remove them. The moving on change programme that I have referred to is actively seeking and facilitating opportunities to further take on board the views of people with experience of care. As much as I understand that you want us to move quickly, we need to get it right. We need to ensure that there is capacity and that it works for our children and young people.

I believe that that might answer your question, but I will bring in my officials in case there is anything that I have not touched on.

Cara Cooper: No, minister, I think that you have covered everything.

Our whole approach to improving outcomes for children and young people in Scotland is underpinned by the getting it right for every child approach, which places the child or young person at the centre of all decisions that are taken and made for that young person. On young people being taken off their compulsory supervision orders on their 16th birthday, our guidance is clear that, when young people are coming to that point, what is best for the child or young person should be placed at the centre when those conversations are being had, when care placements are being reviewed, when we are looking at how that young person will transfer into independent adult living and when we are considering how we support that young person as they grow and develop. We have very clear guidance in place that the child or young person should be at the heart of all those decisions.

Fergus Ewing: I do not think that anyone doubts the good intentions of the Scottish Government, but the trouble is that the question that I asked has not really been answered. The question is, what will be done now to deal with that anomaly? The answer that you gave, minister, was that you do not yet know clearly whether the change can be made without legislation. It seems to me that that is a yes or no question: either legislation is required to make that change or it is not. If it is not—you have suggested that that is something that you are considering—surely it is your duty to give us clarity on that specific question. If the answer is that you do not need to make changes to the law, the petitioners will say, “Get on with it; do it now.”

In response to Mr Golden, who quite rightly asked whether there is a capacity issue, your first answer was no, there is not. So, if there is the capacity in local authorities to provide the care, by not acting now we are allowing the anomaly to remain in place for another three, four or five years.

I appreciate that you have not been in post for a particularly long period of time—things take time in Government, as I well remember—but, nonetheless, with respect, your predecessor and you have had 14 months to give an answer to this question. The lack of clarity on the specific question is unfortunate. I would be most grateful if we could get a specific reply in writing. As I said, if legislation is not required, the petitioners will say, “Get on with it; what is the problem?”

In effect, you have admitted that this is an anomaly—I think that “inconsistency” was the word that you used. It seems to me completely anomalous.

We have clear evidence that many young people do not know their rights, and they do not know that, by being taken off a CSO, they will lose their rights. How can they be expected to know that? They certainly do not know about the incorporation of the United Nations Convention on the Rights of the Child. Why would a 15-year-old have

any knowledge of that? The idea that the fact that that was done in the Scottish Parliament makes a blind bit of a difference to young people knowing their rights seems to me to be completely fallacious.

It is our job to press for answers for the petitioner. You have had 14 months. We have not got anything in writing. We have not got clarity on that question. With respect, minister, if you are not able to give that clarity today, I would be most grateful if you could write to the committee as soon as possible to answer that simple question. To me, that then determines whether we might want to take the matter further in various ways, such as having a debate in the Scottish Parliament about it.

Natalie Don: There are a number of points to address in that. On the issue of young people not knowing their rights in this area, in my previous response, I referred to updating the guidance, the intention of which includes ensuring that it is more accessible for young people. With regard to young people being aware of their rights under the UNCRC in particular, I have visited a lot of schools, and that is something that is on the agenda. Children are talking about their rights and are aware of their rights. I do not want to generalise, and there might be schools or areas where that is not always the case, but I can say that the young people in the schools that I have visited are very switched on to the issue. That is facilitated by a number of fantastic youth groups and organisations that are working to promote those rights to young people.

Outwith the Government's support and aftercare provision, a number of advocacy schemes are currently in operation. There is a national helpline operated by Who Cares? Scotland, which is funded by the Scottish Government, and there is the national children's hearings advocacy scheme, which was enacted in November 2020. So, there are ways for care-experienced young people to access support. However, as I have said, what I have heard so far is that there are inconsistencies. We know that some sort of change will be required, and it is likely that that will be legislative change, but that will be decided by the consultation and the work that is under way just now. I am more than happy to write back to the committee with further information on that.

The Convener: Mr Torrance, is there anything that you would like to come back on?

David Torrance: I have one final question. What is the Scottish Government doing to ensure that the provisions of the Children and Young People (Scotland) Act 2014 are fully implemented in practice, as well as in law?

Natalie Don: Guidance for that is absolutely explicit with regard to our expectation that corporate parents should work collaboratively with young people to deliver the integrated support that is required. The emphasis of that legislation, the regulations and the guidance is on ensuring that the young person is supported to develop in all aspects of their life.

As I have said, the guidance is absolutely explicit that the principles of getting it right for every child should be at the core of that pathway assessment, including everyone working together in local areas and across Scotland to improve those outcomes for children.

The children's services planning strategic leads network—that is a very long title; I am surprised that I got it all out—is co-chaired with the Scottish Government. That is a national forum that promotes collaboration, shared learning and improvement activity at national and local level, between and across children's services planning partnerships, the Scottish Government and key stakeholders. That is all done with the aim of strengthening the development, delivery and accountability of the children's services planning partnerships, in line with the 2014 act.

On behalf of ministers, the Scottish Government undertakes a review of children's services plans every three years against criteria set out in statutory guidance. That is all to support improvements at local and national level. We then publish a report that summarises areas of strength and areas where development is needed. I think that the most recent report was published in July 2022.

Again, we believe that lived experience should be absolutely core to all of that, so we have involved care-experienced young people directly in co-designing and co-producing services, so that they support care leavers effectively.

A lot of work is under way, with scrutiny and regular checks to ensure that the act is being implemented in practice.

The Convener: Thank you, minister. We have listened carefully, and, in the comprehensive responses that you have given, a number of our questions have been answered without our having to put them, so that brings us to the end of our questions. Is there anything else that you feel that we might not have touched on that you want to add before we conclude?

Natalie Don: I do not think so. I would just thank you for the opportunity to come along. As I have said, the petition has done a really good job of highlighting some of the inconsistencies, and I look forward to working on that and working towards our shared goals.

The Convener: Thank you all for being with us this morning.

Are members content for us to reflect on the evidence and any further submissions that we get and consider them afresh at a subsequent meeting?

Members *indicated agreement.*

Annexe C

Petitioner submission of 14 November 2023

PE1958/C: Extend aftercare for previously looked after young people, and remove the continuing care age cap

Thanks to the Committee for progressing my petition and acknowledging myself during the opening of the meeting. I've written to the Minister for Children, Young People and Keeping the Promise, Natalie Don MSP to thank her as well.

The Minister highlighted the Scottish Government's commitment to deliver The Promise and recognised the hard work the workforce is doing. I echo the commitment in relation to the workforce, as an employee within a local authority with lived experience of care who is committed to listening to the voices of the community throughout my practice.

Families with experience of care face multiple barriers. This is why it's vital that care experience is looked at as a lifelong impact. I've not aged out of the community because I'm over 26 years old. My petition asks to extend continuing care throughout Care Experienced people's lives, on the basis of individual need.

I ask that when referring to the Care Experienced community, to recognise care experience as the lifelong identity that it is, the Committee does not limit its description to 'children and young people'.

The Minister mentioned the work the Scottish Government are doing to engage with the care community through consultation projects alongside the Scottish Throughcare and Aftercare Forum (STAF) as part of the 100 Days of Listening project. I attended the opening day where I and other Care Experienced people discussed the reality of being Care Experienced as adults and recently coming out of the care system. I spoke with the First Minister and discussed the stigma that Care Experienced parents experience. Our medical records are flagged with "Looked After child", and this resulted in intense observation of my

pregnancy that felt more like intrusive scrutiny than the support it was intended to provide. During pregnancy, I realised I was too old to access support as a care leaver. However, I was young enough to face prejudice as a Care Experienced adult.

This is why I am asking for the lifelong aspect of my petition to be recognised.

During the Committee's session with Care Experienced people in April 2023, participants highlighted the barriers they experienced due to the age cap such as poverty, homelessness, financial difficulty, removal from a country they know and love, and lack of advocacy and awareness of rights.

In relation to my ask Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people, this includes ensuring that the UN Convention on the Rights of the Child and the findings of The Promise are fully implemented in Scotland.

The Minister highlighted that there is a robust process in place to ensure the process of removing young people off their compulsory supervision order (CSO) has a GIRFEC approach, within the guidelines. However, the data from advocacy workers, the care community and the professional roundtable discussion shows that many young people have a lack of awareness of the lifelong implications when being removed from their CSO's before their 16th birthday, which creates a cycle where young people are being placed in preventable, vulnerable situations such as homelessness, lack of financial support, removal from the country, and early deaths.

During my evidence session, I highlighted that for many Care Experienced people the thought of leaving a system that has such a traumatic impact on your life can look very attractive, as you desire to be normal and live a so-called normal life, but there is no real explanation of the long-term barriers when accessing services. I also raised how I personally asked to be placed back on CSO when I became a victim of homelessness before my 16th birthday, with the support of advocacy from my friend's mother. This highlights that Care Experienced people are not fully aware of their rights. I'm aware that local authorities now have Children's Rights Workers to ensure that young people are made

aware of their rights, however, I believe that there should be an additional requirement in place for advocacy to be independent from the local authority.

It's important that the Committee recognises the need to extend aftercare provision in Scotland to 'previously looked after' young people who left care before their 16th birthday.

The Minister suggested there is no need for a change in legislation, however evidence does not support this. My fear is that many Care Experienced people are still subjected to an unclear process, resulting in them navigating stormy waters without a lifeline. If there is an unclear process and system, it is effectively leaving young people vulnerable to challenges later in life. Reflecting on the lived experience session, many people highlighted that there was no clear understanding of the implications of coming off a CSO before their 16th birthday.

The Minister said that there is work being done on the Promise Bill, with the aim of the completion being 2025. However, data shows that there are young people currently who are slipping through the cracks and essentially being forgotten. The care community has lost countless lives and yet again a date will determine fate.

I welcome the work the Scottish Government are looking to do through consultations, however the care community have already experienced a care review and provided real life accounts which resulted in the Promise being published 4 years ago. I provided my own evidence to the team and now I am on the Promise Oversight Board. I'm mindful that another consultation is effectively asking more people to relive trauma, and this might not get the answers when the community must wait another 2 years.

I originally started this journey in 2018. I have waited 14 months to have a response from my corporate parent. I do not believe the care community should wait any longer. We cannot afford to lose more people and experience more trauma in a system we did not ask to be a part of. It's important we control the narrative for the future of the care community, to be a fairer, loving, and caring Scotland.

Scottish Government submission of 15 November 2023

PE1958/D: Extend aftercare for previously looked after young people, and remove the continuing care age cap

This submission is to provide information and written clarification as requested at the Participation and Public Petitions Committee meeting on 8 November.

The Committee requested:

- Clarification regarding whether legislative change would be required to make the changes requested in PE1958.
- Education outcomes for looked after children, broken down by local authority.
- Data on social work staff retention and recruitment broken down by local authority.

Additional information has been provided on independent advocacy services for children and young people, to support them to understand their rights and to empower them to stay in care longer if that is what they wish, as well as more general support to those who leave care before the age of 16.

During the Committee meeting, Fergus Ewing stated that 14 months after the petition being submitted, Scottish Government had still to provide a written response. A written response was provided to the Committee on 6 October 2022. This is provided at Annex G.

Clarification regarding whether legislative change would be required to make the changes requested in PE1958.

PE1958 calls on the Scottish Parliament to urge the Scottish Government to:

- *Extend aftercare provision in Scotland to ‘previously looked after’ young people who left care before their 16th birthday, on the basis of individual need;*

- *Extend continuing care throughout Care Experienced people's lives, on the basis of individual need; and*
- *Ensure Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people. This includes ensuring that the UN Convention on the Rights of the Child and the findings of The Promise are fully implemented in Scotland.*

Section 67 of the Children and Young People (Scotland) Act 2014 amended the Children (Scotland) Act 1995 to define eligibility for continuing care (new section 26A). Section 26A of the 1995 Act provides that provision of continuing care applies where an eligible person ceases to be looked after by a local authority and that an eligible person is a person who –

- (a) is at least sixteen years of age, and*
- (b) is not yet such higher age as may be specified.*

The “higher age” is specified by Article 3 of the Continuing Care (Scotland) Order 2015 and specifies that the period to provide Continuing Care under section 26A(6) of the 1995 Act is the period from the date on which an eligible person ceases to be looked after by a local authority until the date of that person's twenty-first birthday.

Whilst the Scottish Government will be exploring a range of ways to support people with care experience, any alterations to eligibility for continuing care as it is set out in the relevant legislation may require legislative change.

In relation to the third specific request within the petition (*“Ensure Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people. This includes ensuring that the UN Convention on the Rights of the Child and the findings of The Promise are fully implemented in Scotland.”*), as was discussed during the meeting of 8 November, the Scottish Government is committed to working with partners and listening to young people with lived experience, including through a public consultation in 2024, to explore the best approach to lifelong support for people with care experience.

Education outcomes and attendance for looked after children, broken down by local authority.

Information on attainment and destinations of looked after school leavers, and achievement of curriculum for excellence levels for looked after children in Scotland in 2021/22 was published in August 2023.

The key finding was that more looked after children are staying in school for longer and achieving higher qualifications than the previous year. However, there were still large gaps compared with all pupils.

Further, over the last ten years the proportion of looked after school leavers who left school in S4 or earlier has declined and attainment for school leavers who were looked after within the year has increased, especially at SCQF levels 4 and 5.

Tables showing the following information are included as annexes to this submission.

Annex A: Number and percentage of school leavers looked after within the last year by local authority and highest level of attainment achieved.

Annex B: Number and percentage of looked after school leavers in a positive initial and follow-up destination by local authority.

More detail can be found at [Education Outcomes for Looked After Children 2021/22 - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultations-petitions/education-outcomes-for-looked-after-children-2021-22).

As data on attendance and exclusions for looked after children is collected every two years, the most recent data to be published is for the year 2020/21.

The key findings were that attendance rates for looked after children increased from 86.8% in 2018/19 to 87.9% in 2020/21, despite a slight decrease in attendance for pupils overall from 93% in 2018/19 to 92% in 2020/21, and that attendance rates for pupils looked after in a foster care placement was higher attendance rates for all pupils. Data for each local authority is included at **Annex C**.

Data on social work staff retention and recruitment broken down by local authority.

In October 2023, the Scottish Social Services Council published their first six-monthly survey report analysing the landscape of Scotland's filled and vacant social worker and senior social worker posts in local authorities. This is the pilot run of a 6-monthly survey capturing a snapshot of the social worker workforce on 30th June 2023, which has been labelled as 'statistics in development'. It will replace an existing census which was run annually in December.

The results reported cover 25 of 32 local authorities; three local authorities did not provide a response (Aberdeenshire, Edinburgh City and South Lanarkshire), one local authority did not supply quantitative data (Aberdeen City), and another three provided data which required further investigation and were omitted (Argyll & Bute, Angus and Highland).

Tables showing the following information are included as annexes to this submission.

Annex D: Table 6: All social worker (SW) and senior social worker (SSW) whole time equivalent (WTE) posts by local authority, December 2018 to 2022 and June 2023.

Annex E: Table 7: WTE vacancies for all SWs and SSWs by local authority, December 2018 to 2022 and June 2023.

Annex F: Table 8: WTE vacancy rate (%) for all SWs and SSWs by local authorities, December 2018 to 2022 and June 2023

More detail can be found at [Social worker filled posts and vacancies six-monthly survey | Scottish Social Services Workforce Data \(sssc.uk.com\)](https://www.sssc.uk.com/social-worker-filled-posts-and-vacancies-six-monthly-survey).

Additional information on independent advocacy services for children and young people, to support them to understand their rights and to empower them to stay in care longer if that is what they wish.

The Scottish Government is committed to Getting it right for every child, providing the right support at the right time so that young people can thrive in life, and to supporting young people with experience of care to

access the help to which they are entitled and to realise their full rights. There are a range of actions in place to achieve this.

Grant funding to Who Cares? Scotland to provide a Helpline Service, Corporate Parenting Training and Children's Advocacy for Children's Hearings as part of a national scheme. One of the objectives for the financial year 2022 to 2023 is "to promote high quality independent advocacy services to children and young people, to support them to exercise their rights to be heard within their Hearings and contributing to the recovery of children's hearings from Covid 19 impacts towards stable service.

The Scottish Throughcare and Aftercare Forum (STAF) receives £193,200 pa funding to deliver the following outcomes:

- That the wellbeing and success of young people leaving care across Scotland is indistinguishable from that of their peers in the general population.
- That there is a significant and measurable shift in culture and improved understanding by all corporate parents working with young people from a care experienced background leading to improved outcomes.
- That young people from a care experienced background are informed and empowered to stay in care longer, if that is what they wish, in placements that meet their needs.

There are a number of advocacy schemes in operation currently, including a national helpline operated by Who Cares? Scotland (funded by Scottish Government), and the national Children's Hearings Advocacy scheme, enacted in November 2020, which is offered Scotland wide by ten third sector providers and backed by an initial £1.5 million and increased to £2 million in 2022-23 and 2023-24.

More general support for those that leave care before the age of 16.

The Scottish Government provides funding to organisations which support care experienced people directly, and who work with local authorities to help support those with experience of care.

Through the Care Experienced Children and Young People Fund, £60m has been provided to local authorities to support attainment and

wellbeing, including the development of a network of virtual school headteachers.

Our guidance is explicit in our expectation that corporate parents work collaboratively to deliver integrated support to young people.

The emphasis of the legislation, regulations and guidance is on ensuring that the young person is supported to develop in all aspects of their lives. Our guidance is explicit that the principles of Getting it right for every child should be at the core of the pathway assessment, including everyone working together in local areas and across Scotland to improve outcomes for children, young people and their families.

I trust that the information above is helpful to the Committee.

Annex A – Table showing number and percentage of school leavers looked after within the last year by local authority and highest level of attainment achieved, 2022.

Table 1.5: Number and percentage of school leavers looked after within the last year by local authority and highest level of attainment achieved, 2022 [Note 1]

Local authority	Number of school leavers	Percentage with 1 or more qualification at SCQF level 3	Percentage with 1 or more qualification at SCQF level 4	Percentage with 1 or more qualification at SCQF level 5	Percentage with 1 or more qualification at SCQF level 6	Percentage with 1 or more qualification at SCQF level 7
Aberdeen City	46	87.0	76.1	39.1	10.9	2.2
Aberdeenshire	34	91.2	88.2	61.8	20.6	8.8
Angus	18	94.4	83.3	55.6	11.1	5.6
Argyll and Bute	8	100.0	75.0	62.5	25.0	12.5
City of Edinburgh	92	87.0	77.2	48.9	19.6	1.1
Clackmannanshire	21	90.5	81.0	61.9	14.3	0.0
Dumfries and Galloway	22	90.9	81.8	50.0	9.1	0.0
Dundee City	25	84.0	68.0	28.0	4.0	0.0
East Ayrshire	22	86.4	81.8	18.2	9.1	0.0
East Dunbartonshire	19	89.5	89.5	63.2	15.8	0.0
East Lothian	12	83.3	75.0	33.3	8.3	0.0
East Renfrewshire	15	86.7	80.0	40.0	26.7	0.0
Falkirk	22	90.9	81.8	40.9	18.2	4.5
Fife	65	92.3	84.6	46.2	10.8	0.0
Glasgow City	232	89.7	79.3	54.3	23.3	3.9
Highland	38	81.6	78.9	57.9	21.1	2.6
Inverclyde	17	88.2	70.6	41.2	17.6	0.0
Midlothian	10	100.0	70.0	40.0	10.0	0.0
Moray	8	75.0	75.0	37.5	12.5	0.0
Na h-Eileanan Siar	2	100.0	100.0	0.0	0.0	0.0
North Ayrshire	29	93.1	72.4	37.9	10.3	3.4
North Lanarkshire	80	87.5	67.5	35.0	17.5	2.5
Orkney Islands	1	100.0	100.0	100.0	0.0	0.0
Perth and Kinross	23	95.7	87.0	56.5	13.0	4.3
Renfrewshire	46	78.3	73.9	47.8	10.9	2.2
Scottish Borders	20	95.0	85.0	25.0	10.0	5.0
Shetland Islands	3	66.7	66.7	0.0	0.0	0.0
South Ayrshire	17	88.2	76.5	47.1	11.8	5.9
South Lanarkshire	46	87.0	80.4	43.5	13.0	2.2
Stirling	23	82.6	78.3	34.8	13.0	4.3
West Dunbartonshire	23	78.3	78.3	43.5	13.0	0.0
West Lothian	29	89.7	75.9	31.0	3.4	0.0
Scotland	1,068	88.2	78.3	46.1	15.9	2.5

Note 1. Figures are for the local authority responsible for the looked after child. Looked after children may attend school in a different local authority to the one that is responsible for them.

Annex B – Table showing the number and percentage of looked after school leavers in a positive initial and follow-up destination by local authority for 2021/22.

Table 2.4a: Number and percentage of looked after school leavers in a positive initial and follow-up destination by local authority, 2021/22 [Note 1], [Note 2]

Local Authority	Initial survey Number	Initial survey Percentage in a positive destination	Follow-up survey Number	Follow-up survey Percentage in a positive destination
Aberdeen City	46	71.7	46	67.4
Aberdeenshire	34	88.2	34	73.5
Angus	18	83.3	18	72.2
Argyll and Bute	8	87.5	8	50.0
City of Edinburgh	92	88.0	92	71.7
Clackmannanshire	21	85.7	21	61.9
Dumfries and Galloway	22	81.8	22	77.3
Dundee City	25	76.0	25	48.0
East Ayrshire	22	86.4	22	72.7
East Dunbartonshire	19	94.7	19	94.7
East Lothian	12	83.3	12	58.3
East Renfrewshire	15	93.3	15	93.3
Falkirk	22	72.7	22	68.2
Fife	65	90.8	65	64.6
Glasgow City	232	94.0	232	80.6
Highland	38	81.6	38	71.1
Inverclyde	17	76.5	17	41.2
Midlothian	10	100.0	10	90.0
Moray	8	75.0	8	75.0
Na h-Eileanan Siar	2	50.0	2	50.0
North Ayrshire	29	82.8	29	72.4
North Lanarkshire	80	78.8	80	51.3
Orkney Islands	1	100.0	1	100.0
Perth and Kinross	23	82.6	22	81.8
Renfrewshire	46	76.1	46	65.2
Scottish Borders	20	85.0	20	80.0
Shetland Islands	3	33.3	3	66.7
South Ayrshire	17	100.0	17	94.1
South Lanarkshire	46	84.8	46	73.9
Stirling	23	87.0	23	69.6
West Dunbartonshire	23	78.3	23	69.6
West Lothian	29	55.2	29	34.5
Scotland	1,068	84.8	1,067	70.4

Note 1. Positive destinations includes higher education, further education, training, voluntary work, employment and personal skills development.

Note 2. Figures are for the local authority responsible for the looked after child. Looked after children may attend school in a different local authority to the one that is responsible for them.

Annex C – Table showing percentage attendance for children looked after within the last year by local authority and gender, 2020/21.

Percentage attendance for children looked after within the last year by local authority and gender, 2020/21⁽¹⁾⁽²⁾

	Female	Male	Total
Aberdeen City	88	90	89
Aberdeenshire	93	92	92
Angus	88	85	86
Argyll and Bute	91	91	91
City of Edinburgh	88	89	89
Clackmannanshire	90	90	90
Dumfries and Galloway	85	89	87
Dundee City	89	88	88
East Ayrshire	84	84	84
East Dunbartonshire	90	89	90
East Lothian	85	90	87
East Renfrewshire	85	82	84
Falkirk	88	86	87
Fife	90	90	90
Glasgow City	89	88	88
Highland	88	86	87
Inverclyde	83	87	85
Midlothian	91	89	90
Moray	91	88	89
Na h-Eileanan Siar	89	86	87
North Ayrshire	89	90	89
North Lanarkshire	85	81	83
Orkney Islands	88	88	88
Perth and Kinross	90	89	89
Renfrewshire	85	88	87
Scottish Borders	90	82	85
Shetland Islands	93	93	93
South Ayrshire	89	90	90
South Lanarkshire	87	85	86
Stirling	86	87	86
West Dunbartonshire	89	87	88
West Lothian	90	90	90
Scotland	88	88	88

(1) Figures are for the local authority responsible for the looked after child. Looked after children may attend school in a different local authority to the one that is responsible for them.

(2) The figures reported for 2020/21 refer to attendance during the periods in which schools were open to all pupils.

Annex D – Table showing all social worker and senior social worker whole time equivalent posts by local authority, December 2018 to 2022 and June 2023.

SW Social worker
SSW Senior social worker
WTE Whole time equivalent

Table 6: All SW and SSW WTE posts by local authority, December 2018 to 2022 and June 2023

Local Authority	2018	2019	2020	2021	2022	June 2023	% change since 2018	% change 2022 to June 2023
Clackmannanshire	56	52	56	54	54	50	-11.1%	-8.4%
Dumfries & Galloway	156	145	151	158	160	162	4.0%	0.9%
Dundee City	200	208	195	204	203	205	2.5%	0.8%
East Ayrshire	179	173	192	178	187	193	7.8%	3.1%
East Dunbartonshire	96	83	70	77	74	87	-9.2%	17.3%
East Lothian	83	92	99	95	96	88	5.7%	-8.9%
East Renfrewshire	66	68	64	86	91	87	30.5%	-4.6%
Falkirk	137	132	122	142	156	163	19.4%	5.0%
Fife	366	383	390	380	390	381	4.1%	-2.2%
Glasgow City	683	778	712	841	917	858	25.6%	-6.4%
Inverclyde	105	107	97	110	106	102	-3.2%	-3.4%
Midlothian	89	66	75	89	77	83	-6.7%	8.0%
Moray	126	127	126	130	128	125	-0.5%	-2.0%
Na h-Eileanan Siar	18	16	16	16	18	20	12.1%	16.0%
North Ayrshire	181	183	183	191	184	183	0.8%	-0.5%
North Lanarkshire	326	305	317	356	337	337	3.2%	-0.2%
Orkney Islands	23	23	25	28	31	23	-1.7%	-26.1%
Perth & Kinross	123	125	135	142	145	153	24.4%	4.9%
Renfrewshire	235	231	233	232	241	221	-5.9%	-8.4%
Scottish Borders	117	108	108	109	109	117	0.1%	7.1%
Shetland Islands	27	24	32	32	29	33	20.4%	11.6%
South Ayrshire	115	97	103	104	102	109	-5.8%	6.9%
Stirling	59	64	62	67	73	72	23.3%	-0.9%
West Dunbartonshire	125	124	126	123	129	124	-0.5%	-3.7%
West Lothian	179	167	175	185	189	196	9.4%	3.7%
Total	3,871	3,883	3,865	4,131	4,226	4,171	7.7%	-1.3%

Annex E – Table showing whole time equivalent vacancies for all social workers and senior social workers, December 2018 to 2022 and June 2023.

SW Social worker
 SSW Senior social worker
 WTE Whole time equivalent

Table 7: WTE vacancies for all SWs and SSWs by local authority, December 2018 to 2022 and June 2023

Local Authority	2018	2019	2020	2021	2022	June 2023
Clackmannanshire	3	6	1	6	3	9
Dumfries & Galloway	20	7	12	28	19	19
Dundee City	9	3	14	7	27	23
East Ayrshire	18	12	18	15	31	33
East Dunbartonshire	2	1	0	0	0	16
East Lothian	9	0	2	0	2	12
East Renfrewshire	3	18	14	16	12	6
Falkirk	16	16	0	46	29	48
Fife	5	16	28	32	45	8
Glasgow City	10	50	17	62	6	74
Inverclyde	0	4	0	0	2	20
Midlothian	1	0	0	1	0	1
Moray	7	6	10	5	13	16
Na h-Eileanan Siar	3	2	2	0	5	3
North Ayrshire	13	16	8	5	24	29
North Lanarkshire	22	40	33	34	69	74
Orkney Islands	0	0	6	6	12	14
Perth & Kinross	0	1	1	2	4	10
Renfrewshire	32	45	46	60	39	55
Scottish Borders	0	0	0	0	26	29
Shetland Islands	3	0	0	0	0	1
South Ayrshire	5	6	5	18	31	12
Stirling	10	2	4	9	5	18
West Dunbartonshire	0	0	0	0	0	27
West Lothian	3	11	0	0	4	3
Total	193	261	220	351	407	558

Annex F – Table showing whole time equivalent vacancy as a percentage for all social workers and senior social workers, December 2018 to 2022 and June 2023.

SW Social worker
SSW Senior social worker
WTE Whole time equivalent

Table 8: WTE vacancy rate (%) for all SWs and SSWs by local authorities, December 2018 to 2022 and June 2023

Local Authority	2018	2019	2020	2021	2022	June 2023
Clackmannanshire	5.1	10.4	1.8	9.2	5.2	15.3
Dumfries & Galloway	11.4	4.5	7.4	15.1	10.6	10.6
Dundee City	4.3	1.4	6.7	3.2	11.7	9.9
East Ayrshire	9.1	6.4	8.6	7.6	14.1	14.7
East Dunbartonshire	2.0	1.2	0.0	0.0	0.0	15.2
East Lothian	9.7	0.0	2.0	0.0	2.0	11.6
East Renfrewshire	4.3	20.8	18.2	15.7	11.7	6.5
Falkirk	10.3	10.6	0.0	24.6	15.7	22.6
Fife	1.3	4.0	6.6	7.8	10.4	2.1
Glasgow City	1.4	6.0	2.3	6.9	0.7	7.9
Inverclyde	0.0	3.6	0.0	0.0	1.9	16.2
Midlothian	1.1	0.0	0.0	1.1	0.0	1.2
Moray	5.1	4.6	7.7	3.7	9.2	11.3
Na h-Eileanan Siar	12.1	11.0	11.0	0.0	22.1	12.8
North Ayrshire	6.7	7.9	3.9	2.5	11.6	13.6
North Lanarkshire	6.3	11.7	9.4	8.7	16.9	18.0
Orkney Islands	0.0	0.0	19.4	17.6	27.8	37.3
Perth & Kinross	0.0	0.5	0.7	1.1	2.4	6.2
Renfrewshire	11.9	16.5	16.4	20.6	13.9	19.9
Scottish Borders	0.0	0.0	0.0	0.0	19.1	19.9
Shetland Islands	9.9	0.0	0.0	0.0	0.0	3.8
South Ayrshire	4.2	5.4	4.2	14.7	23.5	9.9
Stirling	14.5	3.0	5.5	11.3	6.6	19.9
West Dunbartonshire	0.0	0.0	0.0	0.0	0.0	18.1
West Lothian	1.6	6.2	0.0	0.0	1.8	1.5
Total	4.7	6.3	5.4	7.8	8.8	11.8

Annex G

Scottish Government submission of 6 October 2022

PE1958/A: Extend aftercare for previously looked after young people, and remove the continuing care age cap

Thank you for your email of 9 August 2022 on behalf of the Citizen Participation and Public Petitions Committee seeking the Scottish Government's views on the following petition, lodged by Jasmin-Kasaya Pilling:

Calling on the Scottish Parliament to urge the Scottish Government to:

- *Extend aftercare provision in Scotland to 'previously looked after' young people who left care before their 16th birthday, on the basis of individual need;*
- *Extend continuing care throughout Care Experienced people's lives, on the basis of individual need; and*
- *Ensure Care Experienced people are able to enjoy lifelong rights and achieve equality with non-Care Experienced people. This includes ensuring that the UN Convention on the Rights of the Child and the findings of The Promise are fully implemented in Scotland.*

As the Committee will be aware, the Scottish Government is committed to 'Keeping the Promise' as a matter of priority and ensuring that all young people are provided with person-centred support to enable positive transitions from care to more independent living.

Continuing care and aftercare policies are both key components of the measures introduced or expanded in the Children and Young People (Scotland) Act 2014 (the 2014 Act) to improve outcomes for young people leaving care. Continuing care and aftercare are both available to young people who are care leavers; which is legally defined as a young person who has been looked after on or after their sixteenth birthday but have now ceased to be looked after.

These policies enable and encourage care leavers to have a supported transition from care by staying in their care setting up to the age of 21, and receiving bespoke support from their local authority up to the age of 26 based on an assessment of individual need.

These policies are supplemented with a broader package of support available for young people with care experience such as; the Care Experience Student Bursary, support into education, training and employment through the Young Person's Guarantee, and exemption from Council Tax. We have also committed to investing £10 million per year towards introducing a Care Experience Grant to provide young people with care experience additional financial support.

In March of this year, we published the Scottish Government's Promise Implementation Plan which sets out how we are working across Government to Keep the Promise we have made to Scotland's children and young people who are care experienced.

This Plan sets out a number of key commitments that we are taking forward to Keep The Promise and help provide children and families with the strong foundations they need to thrive. This includes our commitment to work with partners to develop a universal and inclusive definition of care experience to include anyone who has been, or is currently, looked after at any stage in their life, no matter how short.

The Scottish Government is committed to the incorporation of the United Nations Convention on the Rights of the Child (UNCRC) into Scot's law, to the maximum extent possible. The UNCRC (Incorporation) (Scotland) Bill intends to deliver a proactive culture of everyday accountability for children's rights across public services in Scotland. It would require all Scotland's public authorities to take proactive steps to ensure the protection of children's rights in their decision-making and service delivery and make it unlawful for public authorities, including the Scottish Government, to act incompatibly with the UNCRC requirements as set out in the Bill. Children, young people and their representatives would have a new ability to use the courts to enforce their rights. In October 2021, the UK Supreme Court found certain provisions in the Bill to be outwith the legislative competence of the Scottish Parliament. We are

currently working at pace to address this and it is our intention that a revised Bill will be submitted to Parliament.

We remain fully committed to improving the lives of our care experienced young people and ensuring that Scotland is the best place for children and young people to grow up. As we move forward with the Promise Implementation Plan, we will continue to work with young people with lived experience, and the broader sector, to explore how we can ensure that people with experience of care are able to obtain the person-centred support they may require throughout their life.

I trust that the information above is helpful to the Committee.